UNIVERSITY OF CALIFORNIA, SAN DIEGO

Political Discourses, Territorial Configuration and Taxation: Conflicts in Antioquia and Cauca, Colombia (1850-1899)

A dissertation submitted in partial satisfaction of the requirements for the degree Doctor of Philosophy

in

History

by

Ricardo José Kerguelén Méndez

Committee in charge:

Professor Christine Hunefeldt, Chair
Professor Everard Meade
Professor Michael Monteón
Professor Peter Smith
Professor Eric Van Young

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University of California, San Diego

2014

DEDICATION

For Rocío, Ana and FZ

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VITA

EDUCATION

2014	Doctor of Philosophy in History, University of California, San Diego Major Field: Latin America in the National Period Minor Fields: Colonial Latin America, Political Science
2001	Master of Arts in Economics, Universidad de los Andes, Colombia
1994	Bachelor in Economics, Universidad de los Andes, Colombia

HONORS, FELLOWSHIPS, AND GRANTS

2012	Conference Award, Center for Iberian & Latin American Studies (CILAS) University of California, San Diego
2011	Research Travel Grant, Department of History, University of California, San Diego
2008-2009	Dissertation Research Grant, Center for Iberian and Latin American Studies, University of California, San Diego
	Dissertation Research Travel Grant, Department of History, University of California, San Diego
2007	Pre-dissertation Research Travel Grant, Department of History, University of California, San Diego
2005-2009	Programa de Desarrollo Docente, Universidad de los Andes, Bogotá
2005-2008	FULBRIGHT Scholarship to pursue the PhD in Latin American History at University of California, San Diego (UCSD)

PRESENTATIONS

"The Aldea María: Property Rights, Conflict and Politics in Nineteenth-Century Colombia," XVIII Congreso de la Asociación de Colombianistas "La mujer en Colombia," Fitchburg State University & Regis College, Weston, MA, July 10-13, 2013.

"Taxation and State-Building: Evidence from the Colombian States of Antioquia and Cauca (1850-1899)," Gran Colombian Panel, 127th Annual Meeting of the American Historical Association, New Orleans, LA, January 3, 2013.

"Rethinking the Territory: Territorial Reconfiguration in Colombia during the Liberal Reforms (1849-1857)," 127th Annual Meeting of the American Historical Association, New Orleans, LA, January 3, 2013.

"New Spaces, New Territorialities; a Nineteenth Century Colombian Tale: the *Aldea María*," Annual Meeting of the Southwest Council of Latin American Studies (SCOLAS), Miami, FL, March 8-10, 2012.

Political Discourses, Territorial Configuration and Taxation: Conflicts in Antioquia and Cauca, Colombia (1850-1899)

ABSTRACT OF THE DISSERTATION

by

Ricardo José Kerguelén Méndez

Doctor of Philosophy in History

University of California, San Diego, 2014

Professor Christine Hunefeldt, Chair

This dissertation analyzes Colombia's conflictive nineteenth-century state-building process, focusing in the subnational territories of Antioquia and Cauca. It studies the interconnected processes of territorial reconfiguration and decentralization (and recentralization) of state-authority from 1850 to 1899. Throughout these decades, the conflictive relations between the central government and the political elites in the nine subnational territories, and among them, set the stage for uncompromising politics and

recurrent crises, that more frequently than not led to warfare and to abrupt institutional changes. Antioquia and Cauca were key players in these processes, counterbalancing the political elites governing in Bogotá. Though at times, their conflict-ridden relationship amplified political crises.

Using taxation as an indicator of the subnational governments' effective political power and institutional development, I found that Antioquia, although territorially and demographically smaller than Cauca, developed into a far more effective collector of taxes, even before the consolidation of a coffee export economy but did not do so in the case of Cauca, although in other aspects, the two regions were more similar than different. This result contributes to the understanding of the state-building processes at the regional level and to explaining the persistence of institutional differences between Colombia's subnational territories.

Introduction

Colombia is often characterized as a violent society with a failed state.[1] Though the government has improved state control of the territory and its capacity to counter the violence of private armed organizations in recent years, it remains incapable of fulfilling the responsibilities of a state. Has Colombia always had weak state institutions? Is violence a pervasive historical trait of Colombian society? These two questions arose soon after independence when elites sought explanations for the inabilities of the new Republican government to create a stable and prosperous society. While consensus exists on the first question, state institutions in Colombia remain weak, significant disagreements exists over the nature and pervasiveness of violence in Colombia's history.

To be sure, in two hundred years as an independent national, Colombia has faced three major periods of political instability and violence: recurrent civil wars during the nineteenth-century culminating in the *Thousand Days War* (1899-1902); the decade-long period of strife called *La Violencia;* and the post-1980s era of narco-terrorism. These clearly identifiable periods have stimulated historiographical debate on the origins and persistence of violence in Colombia. Contemporary scholars attempt to understand not only the origins of persistent conflict, but also seek to offer solutions and imagine a national scenario without conflict. Though this burgeoning literature focuses primarily on *La Violencia* and contemporary conflicts, it also draws on historical sources in a search

[1] Colombia has been classified in the warning section of the Failed State Index since the first annual report published in 2005. The index is compiled by The Fund for Peace and Foreign Policy. In 2005, Colombia was classified as 14th out of 76 countries under analysis. A lower classification in the ranking means that country is in a more vulnerable situation. Since then, Colombia's relative position in the ranking has improved. In the eighth annual index, the one for 2012, it was ranked as 52 out of 177 countries under consideration. This means Colombia has become a more stable society. The Fund for Peace, "Failed State Index."

for possible links between nineteenth-century civil wars and post-1948 violence. Scholars have debated, among other things, whether Colombia should be labeled a violent society or whether a "culture of death" exists in the nation.

In spite of the close association of violence and Colombia, and without denying the conflictive nature of its two centuries of Republican history, scholars increasingly acknowledge that Colombian society has also benefited from periods of little conflict.[2] Furthermore, Colombian exceptionalism with regards to violence has not really been established, especially in comparison with neighboring countries.[3] For example, though we know conflicts recurred throughout the nineteenth century in Colombia, we cannot assess their intensity or the levels of violence in inter-war periods.[4]

In fact, when compared with other Latin American societies in the twentieth-century, Colombia's political institutions remained relatively stable and its economic performance, closely tied to coffee exports, comparable to neighboring countries. Though the country made dramatic gains in macroeconomic terms and in social indicators, severe

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[2] Besides the long list of rebellions of civil wars, most of them low-intensity conflicts, it seems that during the nineteenth-century Colombia had no major problems with wither rural or urban crime and violence. The absence of bandits in Colombia's roads is significant. Fernando Gaitán Daza, "Una indagación sobre las causas de la violencia en Colombia," in *Dos ensayos especulativos sobre la violencia en Colombia*, ed. Malcolm D. Deas, et al. (Bogotá: Tercer Mundo, 1995), 197, 395.

[3] Was Colombia during the nineteenth century more violent than, for instance, Argentina? Deas argues that when compared with nineteenth-century political conflict in other Latin American republics, civil wars in Colombia mobilized more local groups and more frequently that in other societies. Besides that, the Liberal-Conservative divide never clearly resolved favoring any of two the groups. This, however, does not lead him to conclude that murder rates in Colombia were higher than in other neighboring societies. Malcolm Deas, "Canjes violentos," in *Dos ensayos especulativos sobre la violencia en Colombia*, ed. Malcolm D. Deas, et al. (Bogotá: Tercer Mundo, 1995), 17-18.

[4] Eduardo Posada Carbó, *La Nación Soñada: Violencia, Liberalismo y Democracia en Colombia* (Bogotá: Norma, Fundación Ideas para la Paz, 2006). 57-59. Malcolm Deas also affirms scholars should suspect with regard to the intensity of nineteenth-century conflicts because, with a few exceptions, there is not enough evidence about that issue. Malcolm Deas, "Algunos interrogantes sobre la relación entre guerras civiles y violencia," in *Pasado y presente de la violencia en Colombia*, ed. Gonzalo Sánchez, Ricardo Peñaranda (Bogotá: CEREC, 1986), 42.

inequalities remained, and political and social conflicts erupted sporadically. Violence became endemic during *La Violencia*, the period of intense partisan conflict that affected Colombia's countryside from 1946 to the mid-1950s, and in the 1980s as a result of confluence of guerrilla warfare and narco-terrorism.

Beyond exploring the exceptional in Colombia's history and attempting to unveil the connections between nineteenth and twentieth-century violent conflicts, scholars have also sought to identify the causes of violence in Colombia. Scholarship on the nineteenth-century, the focus of this project, has focused primarily on explaining the origins of national civil wars. Historians have contributed to our understanding of recurrent civil wars in the post-independence period by delving into the major issues that divided Colombian political elites. Inequality and patterns of land ownership were critical factors that contributed to recurrent warfare and poverty was another. Civil wars provided job opportunities for the *campesino* population. In addition, collective and family memories of previous conflicts enhanced party identity and reinforced the cycle of violence.[5] The Catholic Church became a polarizing institution and clergy contributed to recurrent warfare by sanctifying conservatism and demonizing liberalism.[6] The role of the church in society has long been recognized as one of the most divisive issues in the nineteenth-century. Recent work on the era has recognized the active involvement of lower classes

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[5] Diana Ceballos, "Un balance sobre problemas colombianos " in *Ganarse el cielo defendiendo la religión guerras civiles en Colombia, 1840-1902*, ed. Luis Javier Ortiz Mesa and Grupo de Investigación Religión Cultura y Sociedad (Medellín: Universidad Nacional de Colombia, Facultad de Ciencias Humanas y Económicas, Escuela de Historia, 2005), 39-40.
[6] Ibid., 32, 35.

of society in party politics and civil conflicts to greater degrees than in other Latin American republics.[7]

Disregarding the short-term causes or specific circumstances, Diana Ceballos concludes that two structural factors contributed; inequality and exclusion were at the core of every conflict. Even though these two factors can only partially explain conflicts in Colombia, they are essential for understanding recurrent warfare and exacerbated circumstantial factors. These two features ubiquitous in Colombian society, originated in the exclusionary and discriminatory institutions implemented early in the colonization process. Ceballos also argues that inequality and exclusion, and other structural features like ethnicity and culture, have been pushed aside in most explanations of warfare and conflict in Colombia since the late colonial period.[8]

Scholars have produced lengthy lists of motivations contributing to the recurrent civil conflicts of nineteenth-century Colombia. But often this scholarship has overlooked the regional and local causes of political instability and violence. While contributing to our understanding of the conflicts and interpreting them at the national level, little has been said about regional and local causes of political instability and violence. This is odd since scholars have long recognized the role of regionalism in eroding a strong national government. The vast impenetrable Andean landscape made travel difficult, and still does today. The lack of transportation infrastructure, both a cause and consequence of fragile governments, contributed to a weak and sporadic presence of state institutions in the

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[7] Deas, "Canjes violentos," 17.
[8] Ceballos, "Un balance sobre problemas colombianos " 31.

regions.[9] These features usually go hand in hand with the development of strong regional societies. They also contributed to the delay of state building and to the fragmentation of the internal market. Antipathy to centralized power appeared soon after the 1810 Declaration of Independence and was reflected not only in the latent federalism but also, as we will see in the next chapter, in an aversion to a strong national executive branch.

Moreover, Bogotá, in contrast to other Latin American capital cities, had limited success in dominating the rest of Colombia.[10] In particular, Medellín and Popayán, the capital cities of Antioquia and Cauca, and other subnational capitals to a lesser degree, successfully challenged Bogotá's hegemonic tendencies. In spite of this, their role in the political process at the national level and their involvement in civil wars remain understudied. We also understand very little about the creation and operation of provincial institutions.

Furthermore, the nine subnational territories in which Colombia was internally organized from 1857 to 1905 were not homogeneous. They influenced national trends to different degrees because their bargaining powers vis-à-vis the central government and other subnational territories were dissimilar. Levels of social conflict within those territories also differed. For instance, we can safely affirm that two of the states, Cauca and Santander, had higher levels of social conflict than Antioquia. [11] Most nineteenth-century civil wars in Colombia began either in Cauca (mostly before the 1880s) or in

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[9] Ibid., 37-38.
[10] Posada Carbó, *La Nación Soñada: Violencia, Liberalismo y Democracia en Colombia*: 102.
[11] Luis Javier Ortiz Mesa, "Guerras civiles e Iglesia Católica en la segunda mitad del siglo XIX en Colombia," in *Ganarse el cielo defendiendo la religión: guerras civiles en Colombia, 1840-1902*, ed. Luis Javier Grupo de Investigación Religión Cultura y Sociedad Ortiz Mesa (Bogotá: Universidad Nacional de Colombia, 2005), 71.

Santander. This led Sergio Arboleda, a leading Conservative Caucano politician in the 1880s, to ask the attendees of a banquet in honor of Liberal general and former President of Cauca Eliseo Payán: what wars had not started in Cauca?[12]

Jorge Orlando Melo argues that military passion was not extensively present among Antioqueños. Though a couple of hundred participated in the wars of independence, it proved difficult to recruit troops to either defend or attack the government. Moreover, Melo argues that their leadership looked for mechanisms to stop the wars in which they participated. This was the case with the war of 1851, when Colonel Braulio Henao was blamed by radical conservatives for the defeat because of his eagerness to bargain with General Tomás Herrera. Melo goes further, stating that politics in the region centered on controlling public offices (governorships, the state and national legislature) and on promoting economic and social progress, specifically mining and commerce. During this period, regional politics were largely controlled by groups of merchants and miners whose interests lay in promoting mining, abrogating taxation of gold, avoiding direct forms of taxation, and promoting colonization, education, etc. Melo concluded that these elites most valued order and the protection of private property.[13]

Nevertheless, as Frank Safford concluded in his 1977 essay, the Antioqueño elite concentrated on the economy because gold mining and commerce within their borders provided them with a worthy focus. Cauca, Cundinamarca, and Santander lacked such worthy economic activities to focus on. So, in the nineteenth century it was much harder

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[12] "¿Cuál no ha empezado allí? ¿Cuál no ha diezmado el número de sus moradores, y cuál, en fin, no ha dado en el Cauca sus últimos disparos? "Obsequio de los Conservadores Caucanos al Señor General Eliseo Payan," (Bogotá: Imprenta de Zalamea, 1880), 5.

[13] Jorge Orlando Melo, "Progreso y Guerras Civiles entre 1829 y 1851," in *Historia de Antioquia*, ed. Jorge Orlando Melo (Bogotá: Editorial Presencia, 1988), 102-3.

to get rich in the latter three territories than in Antioquia. As a result, political and civil wars provided no economic benefits to the Antioqueño elite, and only presented risks. Furthermore, Medellín's powerful elite faced no other challengers within Antioquia, because no other provincial capitals existed within the state.[14] In contrast, Popayán's claims to political and territorial supremacy were offset by Pasto and Cali.

Though disorders and civil wars affected Antioquia less than neighboring Cauca, it could not escape the negative effects of persistent political instability. In *El Desarrollo Económico de Antioquia desde la Independencia hasta 1920*, Roger Brew concluded that although Antioquia was more homogeneous than Cauca—whose social structure made it more prone for violent confrontations—it was not exempt from the negative consequences of violence. One positive outcome of this state of affairs was that, in spite of recurrent uprisings in Colombia, by the mid nineteenth-century, Antioquia had one of the most organized regional and local governments in the country.[15]

Significant differences existed in other areas. From the mid-1850s to the end of the century each of the nine states took a different path of economic and political development. Differences continued well after 1886, the year Conservatives suppressed the federation and transformed the nine federal states into mere agents of the central government. For Brew, this persistence of different economic and political policies reflected the geographical barriers, and cultural ones, that remained into the mid-twentieth century.[16]

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[14] Frank Safford, *Aspectos del siglo XIX en Colombia* (Ediciones Hombre Nuevo, 1977). 77, 84-6.
[15] Roger J. Brew, *El desarrollo económico de Antioquia desde la Independencia hasta 1920* (Medellín: Editorial Universidad de Antioquia, 1977; repr., 2000). xxviii, xl.
[16] Ibid.

The differences between the nine states can also been seen in other sectors. Economic performance differed alongside each state's ability to meet its own goals. These differences could be seen not only in their control of their territories but also in their finances. States were wildly dissimilar in their revenues, as we will see in chapter 8 for Antioquia and Cauca. Indeed, Antioquia's tax revenues grew steadily from the late 1850s up to the end of the century. Cauca's revenues grew at a slower pace and were subject to more pronounced variations.

Moreover, we can see that relations between Antioquia and Cauca helped determine important political processes at the national level. Cauca's centrality in nineteenth century civil wars took a toll on the state's economy. In his speech, Arboleda also reminded attendees of the banquet that Cauca's only reward from its involvement in all those conflicts was misery and pain.[17]

This dissertation contributes to the growing literature examining the formation of state and economic institutions in the nineteenth century as a way to understand contemporary state weaknesses, economic underdevelopment, and social inequality. We know very little about the determinant economic and political factors in the construction of Colombia's fiscal capacity at the national or regional level. Moreover, we know very little about the emergence of the nine subnational territories in the 1850s and how they became key players during the same period; territories that until the end of the century had sufficient power to counter Bogotá's claims for political and territorial supremacy.

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[17] Ahora bien, ¿Qué ha alcanzado nuestra desgraciada tierra en premio de su noble desprendimiento, de su egregio valor, de su virtud, de su heroísmo? Miradla: allí la tenéis, solo rica en miserias y dolores (…) ¿No lo habéis leído en los periódicos? Nos llaman barbaros y salvajes. Esta es la recompensa. ¡Recompensa he dicho! "Obsequio de los Conservadores Caucanos al Señor General Eliseo Payan," 5.

This dissertation is organized in eight chapters. In the first chapter, I explore the countless conflicts faced by Colombia in the eight decades after Independence. The list of national and regional civil wars, uprisings and coups from 1810 to 1899 is formidable. A bourgeoning literature has deepened our understanding of the causes of political instability and the use of violence during the period. This scholarship has not addressed, for the most part, the regional and local causes of political instability and violence during that period. This chapter presents the principal explanations advanced by scholars for the recurrent civil wars in a society with enduring electoral politics and weak economic cycles.

In the second chapter, I discuss the two conflicting state-building projects that prevented the consolidation of Colombia's economy and its political system until the early twentieth century. The confrontation between Liberals and Conservatives—the two political parties that dominated Colombian politics until the 1990s—frequently went beyond the limits of electoral competition. In the midst of weak institutions, strong regionalisms, and uncompromising politics, disagreements over individual rights, the role of the Catholic Church, the participation of the opposition in state affairs, and the autonomy of sub-national territories led repeatedly to warfare. In fact, from 1849 to 1899, civil conflicts of varying intensities, scopes, and geographical reaches occurred frequently. In spite of this, policy-makers continued their attempts to transform Colombia into a modern society. However, part of the problem was that they envisioned this transformation in very different terms.

From independence in the early 1810s onwards, the delegation and distribution of decision-making turned into a contentious issue. Throughout the nineteenth century,

parties differed on the role of subnational governments. Before the 1850s, Conservatives and Liberals favored caution and thus, Colombia remained a unitary regime. In the 1850s, they changed course because of pressure from regions. Congress implemented far-reaching reforms transforming Colombia into a federation. Despite apparent consensus on the federal reform, the process was cumbersome because policy-makers disagreed on how to group provinces into subnational units. From 1855 to 1857, Congress created eight federal states, one by one, and only after the whole territory was rearranged, enacted a federal constitution. The third chapter describes that process and reveals how the federal constitutions of 1858 and 1863 were possible only with sustained pressure from the regions.

In the fourth chapter, I study the twenty-five years of federation. From 1863 to 1885, Colombia remained poised on the brink of conflict as political instability intensified. In addition to the increased frequency of armed conflicts within and between the nine federal states, impasses between the federal and state governments and between the legislature and the executive branch disturbed the functioning of the federal institutional arrangement. Weariness and distrust of federal institutions led to a gradual rearrangement of the political spectrum. In the 1880s, a coalition of independent Liberals and Conservatives seized the opportunity to abrogate the existing institutional arrangement and recentralized decision-making authority. Hence, the nine federal states were stripped off their sovereign status. Nevertheless, political polarization, the manipulation of electoral processes and the exclusion of liberals from public offices delayed the consolidation of the unitary institutions of 1886. The two political parties that would dominate Colombian politics until the end of the twentieth century reluctantly

settled their differences only after two more civil wars and a deep economic crisis, ending a century of conflict.

The debate over the decentralization of state authority was concomitant with the reorganization of the territory. In chapters five and six I study the process of territorial reconfiguration from independence to 1910. From 1832 to 1854, Colombia's policy-makers disagreed on, among other things, the appropriate size of the country's subnational territories. Their opinions differed over whether smaller or larger provinces were better suited for a society lacking basic state institutions, with a scarce population scattered across a rugged geography and without adequate transportation infrastructure. These differences sparked ongoing deliberations over the rearrangement of Colombia's internal borders and resulted in, from 1849 to 1854, numerous reforms. During these years, Congress split larger provinces, creating smaller subnational territories. It also simultaneously delegated decision-making authority to provincial governments. However, the central government rearranged internal borders without precise geographical information, provoking territorial disputes. In addition, Conservatives and Liberals suspected the other of manipulating provincial borders for electoral advantage. In the end, the resulting territorial arrangement was short-lived. In 1855, Congress began to reinstate larger provinces to their pre-1849 size and borders.

From 1855 to 1857, Congress regrouped all existing provinces, one by one, in eight federal states (the ninth state was created by executive decree in 1861). By doing this, Congress reversed the trend begun in 1832 of dividing provinces into smaller subnational territories. Simultaneously, Congress deepened the decentralization process that had begun in 1850, responding to regional and local pressures. Despite all the

reforms enacted from 1821 to 1854, and after complex negotiations, the resulting territorial arrangement was similar, with slight differences, to the structure existing at the time of the Declaration of Independence in 1810. Notwithstanding intense criticism, the arrangement proved surprisingly stable. Against all odds, the configuration of the territory that emerged in 1861 remained untouched until 1904, outliving the federal experiment. Moreover from 1861 to 1904, with the exception of Cauca, no significant pushed emerged for creating new federal states from parts of already existing states. These nine subnational territories came to represent the conflicts and failures of the federal period (1858-1885). The conflicted relationships between them shaped these turbulent decades and until 1905, they remained resilient mementos of an era when these nine territories played key roles in Colombian economic and political processes.

In chapter seven, I analyze one of the most contentious boundary disputes generated by the reforms enacted in the 1850s. I explore the interaction of settlers and state agents on the border between Antioquia and Cauca. I focus on the conflict arising after Cauca recognized the *Aldea de María* on October 20, 1852. Even though the territory was insignificant, the conflict over María had symbolic value. The crux of the conflict revolved around the name of two waterways that flow north and south of María. The border between Antioquia and Cauca was set as the Chinchiná River, hence the importance of the controversy over which of the two streams received that name. The definition of the border entailed control of vital resources: wasteland, roads and a mountain pass over the Central Cordillera. But above all, this was a political conflict between the governing elites of Antioquia and Cauca. This conflict remains relevant because it provides insight on the interaction among central, regional and local

governments in Colombia during the nineteenth century, a pivotal time of state formation when political affiliations emerged and were consolidated. The problems faced by María's residents echoed the difficulties faced by innumerable number small communities in the nineteenth century, a period of dramatic institutional changes in Colombia.

In chapter 8, the last chapter, I discuss the evolution of the taxations systems of Antioquia and Cauca. This chapter provides the conclusions for the dissertation in its summaries of the different paths followed by these two territories. This chapter also provides a first attempt at explaining the formation of the fiscal systems of Antioquia and Cauca from the late 1850s to 1899. Not unsurprisingly for governments of the period, both sub-national territories relied on indirect taxation, monopolies and license and administrative fees to sustain the state apparatus. Property taxes and direct taxation in general faced resilient opposition in both territories. Yet despite these similarities, Antioquia, territorially and demographically smaller than Cauca, proved far more effective in the collection of taxes. Tax revenues in Antioquia steadily increased before the consolidation of the coffee export economy. This was not the case in Cauca, despite the fact that in other senses the two regions were more similar than different.

Part 1: Colombia, an Overview (1849-1899)

Chapter 1: Not Even Twenty Years of Peace

1.1 Still a Black Box: Nineteenth-Century Colombia

State institutions in Colombia consolidated only after the end of the *War of the Thousand Days* (1899-1902), the last of the nineteenth-century civil conflicts, when political conflicts were finally diverted toward more peaceful channels. At that time, political elites pledged to abide by the rules of the amended Constitution of 1886 and to recognize the privileged rule of the Catholic Church, a consensus that, by and large, safeguarded Colombia from open warfare, upheld the expansion of the coffee economy and stabilized the political process.[18] In the period between independence in the 1810s and the 1900s, state institutions remained feeble and the governments' authority was permanently challenged at every level.

The disintegration of the Spanish colonial administration left Latin America without a formal institutional framework that could regulate political interaction and conflict. The breakdown of the Spanish imperial system also destroyed the stable—although inefficient from a New World perspective—colonial economy with its complex commercial networks and credit system. It also ended the extractive system that for three centuries provided income to the Spanish crown.

[18] It is important noticing that, after that after the War of the Thousand Days, none of the traditional political parties would attempt to use open violence to advance political agendas. Even during La Violencia, the period of intense partisan conflict that affected Colombia's countryside from 1946 to the mid-1950s, the struggle between Liberals and Conservatives did not lead to open combats. Supporters of both parties organized self-defense groups and guerrilla units that fought against each other throughout the countryside.

Independence also altered regional equilibriums, and led to the revision of patterns of interaction among social groups, and to the dislocation of most mechanisms of cooperation (the market, the state, etc.), property rights and privileges. Indeed, the long crisis that ended with the independence of most of Latin America destroyed people's obedience to many of rules of colonial authority – although others, such as the Catholicism as a state religion, remained.

Civil wars over which rules would remain from the colonial era and which would be improvised based on a transatlantic liberalism began soon after 1810. As economic activity and government revenues fell, national leaders resorted to foreign and domestic loans to keep their armies in the field. The vicious cycle persisted throughout the rest of the century.[19] War undermined the economies of the country, and weakened its political institutions, which in term were unable to impose peace and build a stronger nation-state.[20]

It is evident that before the 1900s, violence or the threat of its use became endemic to the pursuit of economic interests and political agendas. From 1832 to 1902, ten civil wars and coups affected the nation: the wars were in 1839-42, 1851, 1859-62, 1876-77, 1885, 1895, and 1899-1902 and the three coups, in 1854, 1867, and 1900. The

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[19] State-building is defined as the expansion of state institutions and their capability to accomplish diverse goals. It encompasses a set of growing capacities to penetrate society, extract resources, and regulate social relationships. Joel S. Migdal, *Strong Societies and Weak States: State-Society Relations and State Capabilities in the Third World* (Princeton University Press, 1988). 4. This process also consists on the expansion of interconnected state-agencies to fulfill several duties. Among them, Migdal includes the establishment of a bureaucracy to enforce state legislation; of a judiciary system to adjudicate disputes; of a standing army and police forces to enhance the state's coercion capability; and of other institutions that contributes to enhance state's legitimacy such as school systems. Joel S. Migdal, *State in Society: Studying How States and Societies Transform and Constitute One Another* (Cambridge University Press, 2001). 126.

[20] Posada Carbó, *La Nación Soñada: Violencia, Liberalismo y Democracia en Colombia*: 60.

coup of 1854 triggered a civil war that dragged on until the end of the same year. In 1867, a civil war was quickly averted by the new federal administration, and in 1900 Colombia was already facing a bloody civil war.

The previous list of civil wars does not include fifty-two rebellions or coups that affected limited areas of the country and did not lead to more generalized conflicts.[21] Particularly after the issuance of the Constitution of 1863—which organized the country into a loose federation of sovereign states—political conflicts and violence broke out on the regional and local levels. From 1862 to 1877, forty-five revolts or coups occurred in the nine states. [22] A few of them were wars among the nine federal states but the majority of them were over who controlled local governments.[23] Too little is known about their non-political results.[24] The explanations advanced to explain this chain of violence range from structural elements inherited from three centuries of colonial domination, to political and ideological factors, including the debates about the Catholic Church in society, or competition for economic resources.

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[21] Eduardo Riascos, *Geografía Guerrera de Colombia* (Imprenta Bolivariana, 1950). XII.
[22] Ibid., 23.
[23] Deas states that violence levels in some of these conflicts were low. This result despite contending factions used armed forces, displaced people and expropriated political opponents' property. Deas, "Canjes violentos," 12. Furthermore, scholars cannot asses, for instance, whether they were significant in producing widespread instability or what effects they had on the lives of the inhabitants of the affected regions. With the exception of the War of the Thousand Days, for which more research has been done, historians cannot asses how violent these wars were, or how much it differed from other moments or other expressions of violence. Posada Carbó, *La Nación Soñada: Violencia, Liberalismo y Democracia en Colombia*: 57-59.
[24] Eduardo Posada Carbó, "Las guerras civiles del siglo XIX en la América Hispánica," in *Memoria de un país en guerra: los Mil Días, 1899-1902*, ed. Gonzalo Sánchez G, Aguilera Peña Mario (Bogotá: Planeta, 2001).

1.2 Competing Explanations for Nineteenth-Century Warfare

Let us consider the two most prominent issues: their frequency and their causes. Though both issues are closely intertwined, scholars have become tied to specific conflicts and not to any extended series of them – thus we have no general theory aside from that offered already offered: a weak national government allowed regional elites to attack each other with impunity. In dealing with their causes, scholars have preferred to infer from the end of the era and say that the coffee boom finally provided the national, state income with more substantial military forces to put an end to regional fratricide.[25]

It is widely accepted now, that the late nineteenth-century political and economic rupture came after the balance shifted decisively in favor of elites that supported economic growth. Some scholars support the thesis that this shift from political instability and weak state institutions could only have occurred in an era of export-led globalization. After independence, markets' fragmentation and economic sluggishness limited the resources available for supporting the state. Moreover, the landed elites, argues Frank Safford, lacked the wealth and vision to support effective government. Besides that, a large proportion of the elites would aspire to political office as a means of self-fulfillment and honor. He concludes that only with the increase of external demand, transportation improvement, and expanded economic opportunities did that state of affairs began to

[25] Until the expansion of the coffee economy, the government lacked a stable source of revenue to keep a strong and permanent military apparatus. As a result, from 1832 to 1886, the army never had more than 3,500 troops. Gaitán Daza, "Una indagación sobre las causas de la violencia en Colombia," 199.

change. Only after the expansion of economic opportunities did the elites begin to seek economic goals instead of political ones.[26]

Safford's thesis and others like it are widely accepted. As early as 1849, in the wake of the liberal reforms, Conservative leader Mariano Ospina Rodríguez concluded that because the Colombian society had weak state institutions and the rebels of the first conflict (1839-1842) went unpunished, a situation had been created in which rebellion became habitual; a preceding conflict became the seed-ground for the next.[27] In fact, one of the factors that could have contributed to the frequency of armed conflicts may have been the low personal costs for the defeated, in terms of political and economic costs but also, when found guilty, in terms of the time to be held in prison.[28]

Besides that, all of the nineteenth-century armed conflicts ended with a truce between the factions of the elite involved and an amnesty. None led to the permanent removal of the defeated faction from national or regional politics. That is the reason why a recurring leitmotif in the literature considers nineteenth-century civil wars *unresolved*.[29] In brief, the preceding war led to the following one.

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[26] Frank Safford, "The Problem of Political Order in Early Republican Spanish America," *Journal of Latin American studies.* 24(1992): 91. Adam Przeworski and Carolina Curvale, "Does politics explain the economic gap between the United States and Latin America?," in *Falling behind: explaining the development gap between Latin America and the United States*, ed. Francis Fukuyama (Oxford University Press, 2010).

[27] "¿Qué más se necesitaba para que la rebelión se hiciese habitual, con un gobierno impotente, y la seguridad de atacarlo impunemente?" Mariano Ospina Rodríguez, *Escritos sobre economía y política* (Bogotá: Universidad Nacional de Colombia, Dirección de Divulgación Cultural, 1969). 95.

[28] Carlos Malamud, for instance, considers this aspect in order to explain frequent civil wars in nineteenth-century Argentina. Carlos Malamud, "The Origins of Revolution in Nineteenth-Century Argentina," in *Rumours of War: Civil Conflict in Nineteenth-Century Latin America*, ed. Rebecca Earle (London: Institute of Latin American Studies, 2000), 33-36.

[29] Gonzalo Sánchez, *Guerras, memoria e historia* (Bogotá: Instituto Colombiano de Antropología e Historia, 2003). 59. In Guerra y Política, the same autor affirms that "si hay algo que obsesiona en el devenir histórico y en la cotidianidad de este país es la no resolución de los contrarios, su terca

Frequent conflicts enhanced party identities, which not only facilitated recruitment but also contributed to a wider involvement of the Colombian population in those conflicts and in electoral politics. Personal or communal memories and animosities generated by a previous conflict provided some sense of continuity and facilitated recruitment either for a military campaign or during elections. Moreover, despite their poverty, the costs of any political compromise for large segments of the population were real, argues Deas, because peace might endanger the survival of a community. Political compromise with either party also had implications in local identity and family issues. In spite of weak state institutions, high politics influenced large segments of the population. As a result, at the end of the nineteenth-century there were few neutral persons.[30] Though this by itself is not the explanation for recurrent warfare, antagonism among villages, the early polarization of the country's population, and the weakness of state institutions must be part of the explanation of recurrent warfare and political violence.

Another factor is the nature of the liberal-conservative antagonism; this is a common theme throughout Latin America. Conflictive ideologies, strong regionalism, political factionalism, competition for fiscal resources and politically-allocated rights, a stagnated economy, weak state institutions, structural variables such as land tenure, a difficult topography, conflicts around the Catholic Church role in society; and even the lack of an *imagined community* contributed to the frequency of civil conflicts in

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coexistencia, como si formaran parte de una cierta disposición natural de las cosas." Gonzalo Sánchez, *Guerra y política en la sociedad colombiana* (Bogotá: El Ancora Editores, 1988). 13.

[30] For Malcolm Deas, strong party identities were something peculiar of Colombia, when compared with other Latin American republics. In Venezuela, for instance, that liberal-conservatism antagonism disappeared while in Colombia remained well into the twentieth-century. Deas, "Canjes violentos," 27-31.

nineteenth-century Colombia.[31] Scholars have also argued that political instability was the expression of conflicting ideologies, regional and economic interests, and the aspirations of different social actors.[32] Interpretations of political disorder in the nineteenth-century have also stressed cultural or structural features such as the entrenched nature of Spanish American culture or the social and economic structure formed during the colonial era that led to *caudillismo* and marked social differentiations.[33]

In recent years, the impact of electoral politics on political instability and the interrelation of elections and the use or threat of violence has become the subject of a burgeoning scholarship throughout Latin America.[34] Posada-Carbó has called attention to this aspect of Colombia's history. In *Elections and Civil Wars in Nineteenth-Century Colombia,* Posada-Carbó scrutinizes the issues at stake during the presidential campaign of 1875 and the short-lived civil war that affected the Caribbean states. He claims that the civil war of 1876 and those of 1885 and the *War of the Thousand Days* follow a pattern of conflict related with electoral processes. He seeks to unveil the interrelation of electoral competition and military confrontation and to comprehend to what extent civil conflicts and elections were inter-connected. During the nineteenth-century, most

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[31] Benedict R. Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London; New York: Verso, 2003).
[32] Safford, "The Problem of Political Order in Early Republican Spanish America," 83.
[33] During the nineteenth century, liberal politicians blamed the Spanish and Portuguese colonial heritage while conservatives argued against liberals' institutional innovations. In the pots-1930 decades, dependentista scholars focused, primarily, on the influence of external conditions to explain the region's underdevelopment while structuralists stressed mainly on long-term economic and institutional rigidities.
[34].The work Historia de las Elecciones en Iberoamérica, edited by Antonio Annino provides a relevant example of this literature. Antonio Annino, *Historia de las elecciones en Iberoamérica, siglo XIX: de la formación del espacio político nacional* (Buenos Aires: Fondo de Cultura Económica, 1995).

Western societies, including Colombia, faced the problem of establishing elections as an accepted system for peacefully settling disputes.[35]

Until recently, the dominant thesis to explain nineteenth-century Colombia's civil wars was that of a multiplicity of conflicts without any substance. Thus, the history of Colombia was seen as a succession of temporary factions of the same elite, organized around two political parties, Liberal and Conservative. According to this interpretation, violence partially resulted from a closed two-party system that co-opted or excluded, by means of violence, other political options.[36] This two-party system evolved through cycles of peace and violence that ended with a truce among members of the elite. In this narrative, nineteenth-century civil wars were merely a symbolic clash in which factions within a homogeneous elite, in ethnic and class interest terms, struggled to impose their idea of society.[37] Indeed, for politicians such as Manuel Murillo, the most prominent Radical leader and twice President of Colombia (1864-66, 1872-74)—referring to a threat of rebellion in a few states in 1873—there was no justification for armed conflict. For him, "maybe war is an addiction, a plain incapacity to use the resources of civilization and the rights that the constitution [of 1863] recognizes and guarantees."[38]

David Bushnell denies the existence of large differences between Liberals and Conservatives. He concludes that programmatic differences, if any, were minimal.

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[35] Eduardo Posada-Carbó, "Elections and Civil Wars in Nineteenth-century Colombia: The 1875 Presidential Campaign," *Journal of Latin American Studies* 26, no. 03 (1994): 623, 46-48.
[36] Marco Palacios, *Entre la legitimidad y la violencia: Colombia 1875-1994* (Bogotá: Grupo Editorial Norma, 2003); Malcolm Deas, *Del Poder y la Gramática; y otros Ensayos sobre Historia, Política y Literatura Colombianas* (Santafé de Bogotá, Colombia: Tercer Mundo Editores, 1993).
[37] Ceballos, "Un balance sobre problemas colombianos " 40-41.
[38] The relevant states were Panamá, Tolima, Cundinamarca, and Boyacá. Manuel Murillo Toro, "Proclama del Presidente de la Unión, 1 de junio de 1873," in *Obras Selectas*, ed. Manuel Murillo Toro and Jorge Mario Eastman (Bogotá: Imprenta Nacional, 1979).

Liberals and Conservatives alike advocated for a liberal, representative and constitutional regime. For him, the Conservative Party professed a moderate liberalism. Both parties supported a Republican government with different approaches regarding certain issues, among them, the maintenance of public order and the role of the Catholic Church in society. As a result, because of their ideologies and political agendas, the only group that had conclusive reasons to affiliate with any of them was the clergy. As far as the economy was concerned, both groups differed on unimportant issues and positions.[39]

The problem with the previous argument is that, even if political agendas were alike, political parties (and the Church) were not monolithic institutions in their actions and reactions. Though there were national structures, both political parties fragmented along regional and ideological lines. Moreover, both political parties at the state levels were highly autonomous from the national organization. Even within the state level, political parties were fragmented making it difficult for the national leadership to keep a consistent agenda. Leading nineteenth-century politicians such Salvador Camacho Roldán, Rafael Núñez, and José María Samper recognized that factionalism had negative effects on Liberal policy-making while in control of national institutions between 1850 and 1885. The same occurred to Conservatives after 1886. During the Regeneration, Antioqueño Conservatives strongly opposed the fiscal and monetary policy implemented

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[39] David Bushnell, "Políticos y partidos en el siglo XIX: algunos antecedentes históricos," in *Pasado y presente de la violencia en Colombia*, ed. Gonzalo Sánchez and Ricardo Peñaranda (Bogotá: CERED, 1986), 35-38.

by their fellow party members in Bogotá. However, the causes of fragmentation have been barely discussed.[40]

Factionalism and regionalism delayed the development of national and permanent party organizations. Although factionalism and regionalism could affect the stability of the political system, predisposing the country to open conflict, it has received scant attention. Malcolm Deas affirms that in nineteenth-century Colombia, civil wars were frequently the result of opposition parties' inability to avoid them, rather than a decision to do so. Given that parties had little control over their members and factions, this seems plausible.[41] Often, factions within parties were unwilling to cooperate and uncooperative behaviors often led to recurring civil conflicts.[42] Indeed, there is evidence that during the nineteenth century, extreme positions in relation to conflicts prevailed within both political parties and the Church.[43] In the absence of accepted mechanisms to negotiate and eventually settle disputes, challenging the institutional framework by means of war was one possible option.

In recent years there has also been an increasing recognition that the outbreak of each conflict had multiple causes. In some cases, as in the civil wars of 1839 and 1851,

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[40] For scholars such as López-Alves, the Liberal and Conservative Parties were loose coalitions of rural *caudillos* and urban politicians who recognized the advantages of a national organization. Interregional alliances among elites under a liberal or conservative label were based on the need for external military support to resolve regional conflicts. For other scholars, these alliances were the result of electoral politics. Regional elites organized national party structures in order to win elections. Fernando López-Alves, *State formation and democracy in Latin America, 1810-1900* (Durham and London: Duke University Press, 2000). 97.

[41] Malcolm Deas, "Pobreza, Guerra Civil y Política: Ricardo Gaitán Obeso y su Campaña en el Río Magdalena en Colombia, 1885," in *Del Poder y la Gramática; y otros Ensayos sobre Historia, Política y Literatura Colombianas*, ed. Malcolm Deas (Bogotá: Tercer Mundo, 1993), 156.

[42] Luis Javier Ortiz Mesa and Grupo de Investigación Religión Cultura y Sociedad, *Ganarse el cielo defendiendo la religión guerras civiles en Colombia, 1840-1902* (Medellín: Universidad Nacional de Colombia, Facultad de Ciencias Humanas y Económicas, Escuela de Historia, 2005). 21.

[43] Ibid., 22.

the leading causes in each region were different. The civil wars of 1839 and 1876 show a combination of factors that led to the outbreak of hostilities.[44] This recognition goes hand-in-hand with identifying that some regions, as already mentioned were more conflictive than others.[45]

Most of the previous arguments do not consider, or even dismisses, the social origins and significance of the lower classes, in any of these conflicts. Indeed, recent historiography on nineteenth-century Latin America increasingly rejects traditional depictions of these wars as lacking any connotation for the lower classes. Gonzalo Sanchez, for instance, affirms that most of the time, the lower classes went to war as mere clienteles of the elites of both political parties. However, this does not mean that they could not pursue their own agendas once a rebellion began.[46]

Conditions in which a rebellion was most likely to occur varied widely. The civil war of 1876 started during the recession that marked the end of the long cycle of expansion of tobacco exports and the *War of the Thousand Days* began during a period of record low coffee prices in the world market. During these depressions, customs revenues, the largest single sources of revenues for the national government, contracted.

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[44] The civil war of 1876 also provides a pertinent example. This conflict is known as the schools-war. The educational reform of 1870 agglutinated Conservative and Catholic opposition against Radical rule, therefore, contemporaries blamed this project for the outbreak of hostilities. In addition to the secular educational policy, the economic crisis that began in 1874, the geographic location of government's railroad projects and the bitterly disputed presidential campaign of 1875 were all factors that contributed to radicalize the mounting hostility toward the government. Rebecca Earle provides another example analyzing different narratives about the War of the Supremes. Any account on the conflict depends partially on which narrative one chooses: the War of the Convents, where the stress is on religion; the political ambition of General Obando or the issue of regionalism and federalism if the historian gives primacy to the Supremes, the regional *caudillos* of the uprising. Rebecca Earle, "The War of the Supremes: Border Conflict, Religious Crusade or Simply Politics by Other Means?," in *Rumours of War: Civil Conflict in Nineteenth-Century Latin America*, ed. Rebecca Earle (London: Institute of Latin American Studies, 2000), 120.

[45] Ortiz Mesa, "Guerras civiles e Iglesia Católica en la segunda mitad del siglo XIX en Colombia," 17, 69.

[46] Sánchez, *Guerra y política en la sociedad colombiana*: 20-21.

This affected the government's ability not only to sustain the army but to run the government.[47] Conflicting economic interests and distributive issues have always been part of the scholars' list of causes of internal civil strife and political instability. However, historians have overlooked, for instance, the relationship between economic stagnation and political instability as well as the competition for economic resources, with the exception of land and labor, in their inquiries. For Przeworski and Curvale, as well as for Safford, there is ample historical evidence that conflicts revolved around land and labor allocation and governmental rents, that is, around the distribution of economic resources.[48]

There is evidence that because economic stagnation limited the possibilities available for private businesses, political actors considered warfare as an alternative to achieve personal recognition or prestige.[49] Wars also provided economic opportunities. They provided employment opportunities for the rural poor as soldiers.[50] There were also opportunities for looting and other forms of pillaging. Besides the former, some groups profited from political instability and violence; among them, the military, mayors, governors, speculators, artisans and shopkeepers.[51] Moreover, because during those conflicts property rights ceased to be legally enforced, some groups benefited from

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[47] Periods of economic crises were propitious for rebellions because governments had limited resources to control political dissidents and maintain public order. In Colombia, as well as in the rest of Latin America, public revenues were highly depending on tariffs, which drastically fluctuated with every boom and bust cycle.

[48] Adam Przeworski and Carolina Curvale., "Does politics explain the economic gap between the United States and Latin America?," in *La Brecha entre America Latina y los Estados Unidos*, ed. Francis Fukuyama (Buenos Aires: Fondo de Cultura Economica, 2006), 31; Safford, "The Problem of Political Order in Early Republican Spanish America," 92.

[49] Bushnell, "Políticos y partidos en el siglo XIX: algunos antecedentes históricos," 35-38.

[50] Ceballos, "Un balance sobre problemas colombianos " 39.

[51] Thomas Fisher, "Desarrollo hacia fuera y 'revoluciones'," in *Memoria de un país en guerra*, ed. Gonzalo Sánchez and Mario Aguilera (Bogotá: Planeta, 2001), 48.

dispossessing political opponents.[52] Both the government and the rebels used different mechanisms to extract resources from their political opponents.[53]

The exclusion of certain groups from the economic benefits provided by the bureaucracy and public contracts is another explanation. Thomas Fisher, for instance, considers the access of private groups to national resources, as well as the degree of autonomy of the regions, as probable causes for civil wars.[54] Scholars cannot dismiss, argues Bushnell, the widespread hypothesis that political competition revolved around bureaucratic control or simply on the status bestowed by public office. Moreover, even though parties had national organizations, some authors argue that during the nineteenth century they were mainly agglomerations of local and regional interests that struggled for controlling resources.[55]

Despite the growing literature on nineteenth-century civil conflicts, the question of why there were so many remains a mystery. "It may be because the issues were too fundamental to be handled peaceably," is the explanation Safford advances without explaining the term *fundamental*.[56] This complex question would be even more intricate if, as Bushnell does, we deny the existence of large differences between Liberals and Conservatives.[57] President Mariano Ospina Rodríguez (1857-61) recognized the

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[52] Despite a few mentions about the expropriation of conservatives supporters during the war of 1876, there are no works on which benefited from these dispossessions

[53] In "El delincuente político y la legislación irregular", Mario Aguilera presents examples on the measures taken by both the governments and rebels during some of Colombia's civil wars. Mario Aguilera, "El delincuente político y la legislación irregular," in *Memoria de un país en guerra*, ed. Gonzalo Sánchez and Mario Aguilera (Bogotá: Planeta, 2001).

[54] Fisher, "De la Guerra de los Mil Días a la pérdida de Panamá," 78.

[55] Fisher, "Desarrollo hacia fuera y 'revoluciones'," 44, 46.

[56] Safford, "The Problem of Political Order in Early Republican Spanish America," 96-97.

[57] Bushnell concludes that programmatic differences, if any, were minimal. Bushnell, "Políticos y partidos en el siglo XIX: algunos antecedentes históricos," 35-38.

differences in the parties' ideas about government structure and notions of society. However, Ospina conceded that for most people, and even most politicians, political parties in New Granada were nothing more than personalized organizations with similar principles and means to achieve them. The parties' main goal, he affirms, was to access public office to reap economic benefits. [58]

Though it would be erroneous to state that economic and distributive issues were the main motivations for the Colombian elites to engage in politics or were the foremost variable to explain this long list of civil wars, it must be integrated into the analysis if we want to understand the formation of state institutions. There were several issues that divided Latin American and Colombian elites beyond the elites' rights, liberties and resources.[59] Ideological differences and the polarization on the religious question, for instance, became increasingly important after the 1860s.[60] Geographic fragmentation and the unequal development of the regions were also troublesome issues at stake during most of the century.[61] In spite of those aspects, Sánchez downscales the scope of nineteenth-century civil wars arguing that what was at stake was not changing the regime or taking control of the state but bureaucratic participation; the incorporation of excluded political factions into the institutional apparatus. However, continues Sánchez, this

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[58] Mariano Ospina Rodríguez, "Los Partidos Políticos en la Nueva Granada," *La Civilización*, August 3, 1849 1849.
[59] Sánchez, *Guerra y política en la sociedad colombiana*: 20.
[60] Sánchez, for example, emphasizes the differences between political opponents, particularly when it comes to define the relations between Church, religion and politics and to the connection between education-culture and the state. Sánchez, *Guerras, memoria e historia*: 67.
[61] Gonzalo Sánchez and Mario Aguilera Peña, *Memoria de un país en guerra: los Mil Días, 1899-1902* (Bogotá: Planeta, 2001). 24-25.

cannot lead us to minimize the scope of what was wagered in these struggles; in the sense that bureaucratic participation was not the main variable that explains violent conflicts.[62]

1.3 ¡Todo el siglo XIX! ¡Parece mentira![63]

The second half of the nineteenth century embodies the stereotypical depiction of Colombia's history as one of an interminable list of civil wars, conflicts of every type and local and regional uprisings of indeterminate character. Violence or the threat of its use was recurrent in Colombia's nineteenth-century state-building process. It was endemic to the pursuit of economic interests and political agendas and an omnipresent topic of discussion then and now. Table 1 lists the key conflicts.

In fact, the list of nineteenth-century civil wars is impressive. From 1831 to 1902, ten civil wars and coups affected the country at the national level. There were civil wars in 1839-42, 1851, 1859-62, 1876-77, 1885, 1895, and 1899-1902 and coups in 1854, 1867, and 1900. This list of civil wars does not include at least fifty-two rebellions, riots or coups of a regional or local character.[64]

Another significant question is the impact of so many conflicts on the population. Despite the growing literature, there are no certain accounts about the size of the armies or casualties, yet there is strong evidence that many of these conflicts, including the *War of the Thousand Days*, were quite violent and with broad impacts geographically and in terms of the population affected. These conflicts also affected the economy.

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[62] Sánchez, *Guerra y política en la sociedad colombiana*: 18-19.
[63] Aníbal Galindo, *Recuerdos Históricos, 1840 a 1895* (Bogotá: La Luz, 1900). 291.
[64] Riascos, *Geografía Guerrera de Colombia*: XII.

Table 1: Civil Wars and Coups in Colombia (1839-1902)

Years	Event
1839-1842	War of the Supremes – failed Santanderista (later Liberals) uprising against the Conservative administration of José I Márquez.
1851	Failed Conservative uprising against the Liberal administration of José Hilario López.
1854	Unsuccessful coup led by Liberal General José María Melo against the Liberal administration of José María Obando. Conservative Manuel María Mallarino assumed office to end presidential period.
1859-1862	Successful Liberal uprising led by Cauca's President Tomás Cipriano de Mosquera against the Conservative administration of Mariano Ospina. New constitution in 1863
1867	Successful Radical Liberal coup against the Liberal administration of Tomás Cipriano de Mosquera.
1876-1877	Failed Conservative uprising against the Radical Liberal government of Aquileo Parra
1885	Failed Radical Liberal uprising against the Independent Liberal government (in coalition with Conservatives) of Rafael Núñez. End of the federal republic. New constitution in 1886
1895	Failed Liberal uprising against the Conservative Nationalistic government of Miguel Antonio Caro.
1899-1902	*War of the Thousand Days*, unsuccessful Liberal uprising against the Conservative government.

Rumors of conflict paralyzed commerce and made hard currency disappear from markets. While more research is needed, the negative effect of warfare seems to have been significant. At least, that was the widespread opinion at the end of the nineteenth century. In his memoirs, Galindo reproduces a conversation with the French Legate in Bogotá, Mr. Daloz. As Galindo humbly explained what he considered Colombia's shameful situation, the French envoy replied that no defense was conceivable for a society that after eighty years as an independent country was not able to build a road linking Bogotá, the capital, with the Magdalena River. The deteriorated road that

Spaniards left after they fled in 1819 remained the only passage. The most insignificant of your rebellions, he asserted, cost more than one hundred times what would have been required to build that road.[65]

In addition to the economic and fiscal costs of war, and its impact delaying infrastructural projects, recurrent civil wars and uprisings at the local, regional and national level took a huge toll on the population. The forced recruitment of campesinos by armed groups or military forces altered domestic economies through destruction and the frequent resort of families buying their men back from army recruiters. The latter were answerable to local *gamonales*. In his memoirs, Salvador Camacho Roldán describes how recruiting officers, which he categorizes as *especuladores de carne humana*, subjected campesinos and the urban poor to mistreatment, harassment, unlawful demands or any other form of coercion. Besides the lack of respect to the people, property was also a target for the *gamonales* and their officers. Regular and irregular armies expropriated horses and mules, cattle to feed the troops, horse-riding saddles and harnesses, blankets and cooking utensils, clothing, arms and ammunition and extracted forced loans. The force used was both brutal and humiliating, concluded Camacho Roldán.[66]

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[65] "¿Pero qué defensa admite el hecho de que en ochenta años que llevan ustedes de vida independiente, no han podido ustedes construir ni un camino, siquiera sea de ruedas, del borde de la altiplanicie [de Bogotá] a su puerto fluvial de Honda sobre el Magdalena, y aún se sirven ustedes, desmejorado según me han dicho, del mismo camino de mulas o de herradura que bajando y trepando aquellas crestas les dejaron los españoles al emigrar del país en 1819, al paso que la más insignificante de las revoluciones en que ustedes se han empleado, ha consumido cien veces más de lo que habría costado la construcción de aquel camino?" Galindo, *Recuerdos Históricos, 1840 a 1895*: 292.

[66] Salvador Camacho Roldán, *Memorias*, 2 vols., Biblioteca Popular de Cultura Colombiana (Bogotá1923; repr., 1946). Tomo II, 181-83.

William Scruggs, envoy extraordinary and minister plenipotentiary of the United States to Colombia and Venezuela, corroborated Camacho Roldán's depiction of recruitment in nineteenth century Colombia and states that the usual war loans were just a polite name for plain robbery. In a very graphic depiction of the process affirmed that "recruiting officers scour the country, lasso in hand, or lie in wait for the simple-minded *aldeano* at the market places, and catch *peones* very much in the same manner that a Texas herdsman lassos his cattle."[67] These revolutions, as they were called during the nineteenth century all over Latin America, usually began with a local boss by issuing a manifesto. Soon after, he collects a few muskets and machetes, assumes the title of 'General,' "and very soon finds himself at the head of a little band of guerrillas ready for business."[68] Seen as an economic enterprise, the costs of entry were low and if lucky, benefits could be very high. Becoming an entrepreneur of war required fewer skills and rapid gains and even advance when successful.

The history of civil conflicts in Colombia began as soon as the authority of the Spanish monarchy was challenged in the colony. The War of Independence (1810 to 1824) comprised several conflicts that affected different regions of the former Viceroyalty of New Granada. This conflict extended beyond independence, given the involvement of Bolivarian armies (including troops from Colombia) in the wars to liberate Peru and Bolivia.

The first of the post-independence conflicts in the territory of contemporary Colombia was the War of the Supremes (1839-1842) named after the revolutionary

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[67] William L. Scruggs, *The Colombian and Venezuelan republics: With notes and other parts of Central and South America* (London: Sampson Low, Marston, & Co., Limited, 1900). 150.
[68] Ibid., 148, 50.

caudillos who called themselves *jefes supremos* (supreme chiefs). The war began in Pasto—a town in southern Colombia that after 1856 became part of the state of Cauca—after Congress passed a law on June 8, 1839 suppressing four smaller monasteries in that city and reallocating their income to finance public education and missions.[69] Though started with religious overtones, this civil conflict evolved into a national war under the leadership of regional chiefs who saw the opportunity to seize power and overthrow President José Ignacio Márquez. The war was about federalism vs. the centralization of state power and involved several regional conflicts.

The implications of this civil war went far beyond the short-term disruption of the conflict itself. It helped name the parties that dominated Colombian politics until the end of the twentieth century, a process that was already evident in the presidential election of 1837. The frontrunners in 1837 appeared to be former Vice-President José María Obando and former President and Vice-President José Ignacio de Márquez, both supporters of the Francisco de Paula Santander administration. The presidential campaign contributed to split the coalition that supported Santander into two factions. One wing was known as the *ministeriales*, the group that supported Márquez, and the *rojos* (literary reds), supporters of Obando. Both names were imported from France.[70]

The civil war of 1832-1842 contributed to differentiate party platforms. The two contenders in this war would constitute in the 1840s the core of the Conservative and the Liberal parties. These labels, however, were popularized only after the *ministeriales* lost

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[69] Tulio Enrique Tascón, *Historia del derecho constitucional colombiano* (Bogotá: Minerva, 1953). 54.
[70] Ibid., 58.

the presidential election of 1949.[71] Moreover, the three most important commanders in the contending armies, Pedro Alcántara Herrán and Tomás Cipriano de Mosquera for the *ministeriales* and José María Obando (the politician defeated by President Márquez in 1837 presidential election) for the *rojos*, became presidents of Colombia in 1841, 1845 and 1853 respectively.

The next civil war occurred in the midst of the transformation process collectively known as Liberal Reforms. The reforms began in 1849 after President José Hilario López took office. As part of that process, a Liberal-dominated Congress enacted on May 21, 1849, the emancipation of slaves, among other sweeping reforms, including the expulsion of the Jesuits.[72] The short-lived Conservative uprising against the Liberal administration started on July 1, less than two months after Congress passed emancipation, and ended in September 10, 1851. The most significant reactions to the Liberal Reforms occurred in Antioquia and the provinces that later became the state of Cauca. The civil war of 1851 was the reaction to those transformations.[73] But, while in Cauca slaves' emancipation and the *ejidos,* common lands, were at the origin of war, the uprising in Antioquia had a strong religious and federalist overtone. The clergy and Conservatives reacted against all

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[71] Jose Eusebio Caro and Mariano Ospina used the term conservative referring to the Ministeriales who have just lost the presidential election. ibid., 59.

[72] The contenders in the 1849 presidential election were Rufino Cuervo and José Joaquín Gori for the Ministerial party and Jose Hilario López for the Liberal party. Since neither of the three candidates gained the majority of votes of the electors, Congress had to elect, according to the Constitution of 1843, the President among the three candidates that gained the majority of votes. On March 7, 1849, Congress elected López.

[73] Conservatives Julio Arboleda, Eusebio Borrero, and Pastor Ospina led the uprising in Cauca, Antioquia, and Cundinamarca, respectively. Tascón, *Historia del derecho constitucional colombiano*: 70.

the measures that affected clerical privileges, threatened the unity of the Antioquia's territory, imposed direct taxation, and freedom of speech.[74]

Opposition to the Liberal reformist agenda mounted in the next few years and criticism to those reforms was not confined to Conservatives. Artisans, supporters of the *Draconiano* wing of the Liberal Party and a very important group for the mobilization of the masses in the electoral process, resisted the implementation of free trade policies. Artisans worried that the elimination of colonial trade barriers and lower tariffs would ruin them.

In 1854, with the support of the artisans and a segment of the military, Liberal General José María Melo overthrew the Draconian Liberal administration of President José María Obando, who was elected President in 1853 in an election in which Conservatives abstained.[75] In his declaration of April 18, 1854, General Melo denounced de excesses of a '*partido audaz*' [the Liberal Gólgota faction] that abused the weaknesses of the new institutions and became zealous in their reforms. The result was anarchy so it became necessary to restore public confidence and order. His first decision was to restore to the presidency the powers established in the previous charter, the Constitution of 1843, including the president's authority to appoint provincial governors. In this first proclamation General Melo outlawed commerce in any type of firearms and ammunition

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[74] Luis Javier Ortiz Mesa, "Antioquia bajo el federalismo," in *Historia de Antioquia*, ed. Jorge Orlando Melo (Medellín: Suramericana de Seguros, 1988), 118.

[75] The coup of 1854 has been highly debated in the historiography of the period given there is evidence President Obando was informed about General Melo's plans and that the latter offered Obando to become dictator. After Obando turned down his offer, Melo assumed the presidency. Tascón, *Historia del derecho constitucional colombiano*: 75.

and announced the government would support and defend the Catholic Religion.[76] Three days later, on April 21, General Melo, self-appointed as Supreme Commander of the Army of Regeneration, restored the military privileges previously abolished by the previous government.[77] Melo was militarily defeated that same year by a coalition of *Gólgotas* and Conservatives. After Obando was impeached by Congress, Conservative Manuel María Mallarino assumed office. The defeat of the Draconian faction of the Liberal party in alliance with the artisans cleared the way for the implementation of free trade policies.

The coup of April 17, 1854 opened a way for the Conservatives return to power. In 1857, the Liberal party ran with two candidates, Manuel Murillo Toro and former Conservative President Tomás C. de Mosquera. The Conservative candidate Mariano Ospina Rodríguez defeated the two Liberal tickets. The Ospina administration ended in the middle of the civil war of 1859-1862, up to now, the only successful uprising against and established national government in the history of Colombia. The Ospina administration excluded Liberals from the public administration, openly intervened in provincial affairs and enacted legislation that enabled the President to inspect regional elections and the authority to declare the validity of the results.[78] Cauca's President Tomás Cipriano de Mosquera declared a war against Ospina and succeeded in 1862. This war allowed the coalition of Mosquera's supporters and Radical Liberals to pass the Constitution of 1863 in the Antioquia town of Rionegro and to disband the Conservative opposition.

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[76] Colombia, *Codificación Nacional*, vol. XVI 1854-1855 (Bogotá: Imprenta Nacional, 1930). 30-32.
[77] Ibid., 35.
[78] Antonio Pérez Aguirre, *Los Radicales y la Regeneración* (Bogotá: Editorial Cromos, 1941). 19-21.

Relations between the two Liberal factions, Radicals and *Mosquerista* were never easy. Radicals were suspicious about General Mosquera's authoritarian inclinations. As a result, they envisioned a two-year presidential term and a central government with limited jurisdiction and weakened authority. The conflict between Mosquera and the Radicals greatly shaped the final form of the constitutional draft passed by the Rionegro Convention in 1863. Even though Radicals succeeded in instituting check and balances in the charter to curb what they considered General Mosquera's authoritarian leanings, conflicts between the two wings of the Liberal party continued until 1867. That year, the Radical Liberal coup against Mosquera put an end to the long-standing antipathy between those groups. Victorious Radicals controlled the central government until the next national civil war which started in 1876. The events of 1867 signaled the twilight of Mosquera, the most fearsome Caucano *caudillo* and a crucial figure to understanding Colombian politics from independence up to the implementation of the federation.

In 1876, Conservatives organized a revolt against the Radical Liberal government of Aquileo Parra. Parra, who won the presidential election earlier this year after a highly contested election, competed against Rafael Núñez, the candidate of the incipient Independent Liberal faction whom also had the sympathies of a sector within the Conservative Party. The presidential election was so heated that a regional civil war occurred in 1875 in the Caribbean states of Panamá, Bolívar and Magdalena.[79] There were also problems in Cauca after its President, Radical César Conto, declared the

[79] For a detailed account of the 1875 presidential election and the civil war in the Caribbean states, see Posada-Carbó, "Elections and Civil Wars in Nineteenth-century Colombia: The 1875 Presidential Campaign."

presidential election void in the state. That decision gave the presidency to his fellow Radical Aquileo Parra.

The contested presidential election of 1875 added to rising political tensions both between Radicals and disaffected Liberals, the Independents, and between Radicals and the reorganized Conservative Party. The Conservative defeat in 1862 led to their removal from national politics and the disorganization of their party structure, except in Antioquia. At the end of the 1860s, Conservatives began to reorganize and by the early 1870s they contributed to the growing opposition to Radical administrations. The bishops of Pasto, Popayán (Cauca) and Medellín (Antioquia) led clerical opposition to the educational reform enacted in 1870. Even though the Archbishop of Bogotá and the federal government agreed to provide religious education to children, with the consent of their parents, the clergy in Antioquia and Cauca opposed the agreement and banned Catholics from attending public schools.

Hostilities broke out in Cauca when local Conservatives, with the support of the clergy and their fellow party members from Antioquia, attacked the Radical administration of César Conto. The war extended to other states after the federal government backed the administration. Though the Conservative governments of Antioquia and Tolima remained neutral initially, they later joined the conflict, hoping to put an end to the Radicals' ascendancy in national politics. The war ended on April 5, 1877, after Caucano General Julian Trujillo and Antonio Basilio Cuervo signed the Capitulation of Manizales, a treaty named for the southern Antioqueño city located on the

border with Cauca. At the end of the war, Liberals gained control of Conservative Antioquia and kept it until 1885.[80] Though Liberals won the war, it was a pyrrhic victory.

The war represented a turning point in Colombia's political history. It marked the return of Conservatives to national politics, despite their military defeat, and it marked the beginning of a period of increasing polarization between the two wings of the Liberal Party: the Radicals and Independents. In 1878, Julian Trujillo, the victorious Caucano general and Independent Liberal, won the first post-war presidential election. He was the first non-Radical Liberal President in a more than a decade. In the coming years, fierce competition between Radicals and Independents for control of the nine state governments heightened political conflicts.

In Cauca, the end of the war in 1877 provided no respite from the political instability that had engulfed the state since the early 1870s. That same year, Radicals retained control of the state's presidency in a highly contested election. Modesto Garcés, the Radical President of Cauca, faced a state devastated by political infighting. His refusal to return real estate confiscated during the previous civil war contributed to the intensification of power struggles in the state. The Independent opposition rebelled under the banner of defending property rights and their successful uprising overthrew Garcés in ten days. General Eliseo Payán, the leader of the rebellion seized power on April 11, 1879.[81] On May 31, 1879 he signed an executive decree returning all real estate to their lawful owners.[82]

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[80] Ortiz Mesa, "Antioquia bajo el federalismo," 123-24.
[81] , *Registro Oficial del Cauca*, July 1 1879.
[82] Galindo, *Recuerdos Históricos, 1840 a 1895*: 207.

In 1880 Rafael Núñez was elected President, further weakening the Radicals. The events in Cauca had paved the way for Núñez, or at least so went the conclusions drawn by leading Caucano Conservatives soon after the 1880 presidential election. For them, the Battle of Amaime and Payán's defeat of the Radical Liberals in Cauca made possible Núñez's victory.[83] While this may have been an overstatement, it reminded Bogotano political elites of Cauca's significance in national politics. Indeed, one cannot deny Cauca's centrality in the long list of nineteenth-century rebellions. For leading Caucano Conservative Sergio Arboleda, Cauca put the nation's welfare before its own throughout the nineteenth century. Caucano selflessness, argued Arboleda, was the reason all political parties sought Cauca's financial and military support. As a result, the state's treasury became a key source of funds for all major uprisings in Colombia.[84]

The election of Núñez marked the beginning of the *Regeneration*: a political and social movement critical of the federal institutions created in 1858 and 1863, and in particular, of Radical politics. The uneasy cohabitation of Radicals, Independents and Conservatives from 1880 to 1885 contributed to the polarization of the nation, to the point where compromise and debate were impossible. In 1885, Radicals rebelled against Rafael Núñez's administration, and an electoral dispute in the state of Santander rapidly became a national war.

In 1884, supporters of former President Eustorgio Salgar (Radical) challenged Solón Wilches, a Núñez supporter and incumbent President of Santander, after he decided to run for another term despite constitutional prohibitions. When Wilches pushed

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[83] "Obsequio de los Conservadores Caucanos al Señor General Eliseo Payan," 6-7.
[84] Ibid., 4-5.

ahead, Radicals rebelled and forced President Núñez to act. According to the Public Order Act of 1880, the federal President could intervene in any local conflict after duly authorized by the Senate. Núñez gained the Senate's approval and immediately appointed Felipe Zapata and Narciso González Lineros as his mediators. Wilches quit before the commission arrived in Santander and González Lineros, the second in line for succession, was sworn in as the state's President. On September 10, 1884, the factions agreed to call a constitutional convention to decide on the legality of Wilches's reelection.[85]

The Radical-controlled convention chose to neither confirm Wilches nor choose Salgar and opted instead for a third candidate to assume Santander's presidency. This decision dissatisfied Núñez, who thought the convention had exceeded its authority, and as a result, González Lineros the provisional President of Santander, disbanded the convention with the support of the army. Dissatisfied Radicals chose Foción Soto as their representative to negotiate with President Núñez and events moved very quickly.[86] Radicals, alleging that the federal government had distributed arms and ammunition to Conservatives, rebelled against Núñez. Radicals held power in five of Colombia's nine states at the time: Antioquia, Bolívar, Panamá, Santander and Tolima. The federal government had only the support of the administrations of Eliseo Payán in Cauca, and Miguel Salcedo Ramón of Magdalena. Liberal Daniel Aldana, President of Cundinamarca, remained neutral throughout the conflict.[87]

Though short-lived, the aftermath of the civil war of 1885 was very significant. On September 9, 1885, as the news of the Radical Liberal disaster in the battle of *La*

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[85] Tascón, *Historia del derecho constitucional colombiano*: 124.
[86] Ibid., 126.
[87] Ibid., 132.

Humareda spread, President Núñez pronounced the end of the federal state-building project.[88] With an executive decree, Núñez abrogated the Constitution of 1863 and replaced all Radical Liberal state presidents with military and civil chiefs that were appointed by him. Later that year, President Núñez handpicked members of a constitutional council tasked with creating a new constitution. With this, Núñez ended the autonomy of the nine states and paved the way for the Conservative state-building project based on a unitary regime, a strong national army, and the support of the Catholic Church. This failed rebellion signaled the end of both the federal republic and Liberal dominance of national politics.

With Núñez's support, Conservatives became an increasingly powerful political force in Colombia. Independent Liberals were progressively excluded from government and Radicals prosecuted under the temporary provisions of the new constitution that bestowed the government with ample discretionary powers. By 1888, the Conservative Party controlled all political offices. Liberals never gave up, twice attempting to oust Conservatives from power, first in 1895 and again in 1899. The Liberal uprising against the conservative nationalistic government of Miguel Antonio Caro in 1895 ended after only two months of struggle and extended to Bogotá, Santander and Tolima.

The second Liberal uprising, in 1899, occurred in the midst of an economic recession caused by low coffee prices in the international markets. *The War of the Thousand Days*, introduced earlier, was the last civil conflict of the nineteenth century and lasted from 1899-1902. It began as a Liberal uprising against the Conservative

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[88] Ibid., 141.

government of Manuel Antonio Sanclemente in the department of Santander and then spread throughout nearly the entire country (with the exception of Antioquia). The national government—controlled since 1886 by Nationalist Conservatives—and the militaristic faction of the Liberal party went to war hoping to finally crush their longtime opponents.

Liberals dreamed of getting the support of Historical Conservatives, a wing of the Conservative Party whose stronghold was Antioquia. Historical Conservatives had opposed, since the early 1890s, the national government's economic policy and the centralization of decision-making in Bogotá. Nonetheless, as had happened in 1876 when the schism between Radicals and Independents had seemed definitive, Antioqueño Conservatives supported their fellow Conservatives in the end. Hence, Liberals and Conservatives, the two political party labels that had dominated Colombian politics since the 1840s, marched into what became the most destructive civil armed conflict in the country's short history; and one that Conservatives would win.

The *War of the Thousand Days* began on October 7, 1899 and officially ended on November 21, 1902 with the signing of a peace agreement onboard the U.S. battleship *Wisconsin* that was anchored in Panamá. Liberals won one of the first battles of the war, at Peralonso on December 15, 1899. Yet, a few months later, on May 11-26, 1900, the national army led by Próspero Pinzón defeated Liberals at the battle of Palonegro, in the department of Santander. After Palonegro, the conflict became a guerrilla war that carried on until 1902.[89]

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[89] During the whole period, Liberals recruited an army of more than 26,000 soldiers. Sánchez and Aguilera Peña, *Memoria de un país en guerra: los Mil Días, 1899-1902*: 19.

The atomization of Liberal guerrillas became a powerful incentive for ending the conflict. Aside from the de-legitimation of the Liberal cause, the party's scant control over guerilla groups proved an impetus for the 1902 negotiations. In addition, the war had become a burden for political parties and popular groups. Two other factors also contributed to end the conflict: fears of national disintegration and the moral cost of the war. Elites worried about the prospect of Colombia's disintegration, something that occurred in November of 1903 with Panamá's independence. In moral terms, the belief that the war had surpassed the limits of the acceptable for a civilized and Christian society grew stronger.[90]

The end of the war produced a new political atmosphere evidenced in the 1905 and 1910 Constitutional Amendments. In spite of their reservations, Liberals contributed to the stabilization of the political order and accepted the institutions that had been set forth in 1886, including the Concordat of 1887 and the cultural hegemony of Catholicism.[91] These constitutional reforms also opened institutions to the opposition, guaranteeing the participation of minorities, i.e. the Liberal Party, in the political process.

In 1910, the National Assembly elected Carlos E. Restrepo to be the first Antioqueño chosen as President of Colombia. He ran on a platform of political reconciliation. Beyond electing the President, the Assembly also reformed the centralizing pro-Catholic Constitution of 1886 so as to ensure the representation of the larger electoral minority in local, regional and national legislatures, and reorganized four of the nine states (including Cauca and Antioquia) that had been created in the 1850s. For

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[90] Ibid., 24.
[91] Ibid., 21.

the first time since independence, contending elites cooperated to stabilize the country by agreeing on the nation's formal institutional arrangement.[92]

These conflicts severely delayed Colombia's ability to institutionalize state authority. State capacity—the ability of state officials to implement decisions and to carry out the functions assumed by the state—remained limited.[93] The basic tasks performed by other governments during the same period, ensuring security, protecting property rights, collecting taxes, and developing transportation infrastructure, went unfulfilled in Colombia.

Antioquia and Cauca played significant roles in these civil wars. But while events in Cauca (as well as in Santander) were at the origins of most national political crises and civil wars, Antioquia's political position seemed to be restrained by economic considerations. Antioqueño political and economic elites, mostly conservative merchants and miners, worried about the effects of war on their businesses.[94] In contrast, most nineteenth-century national civil wars, and almost all of the conflicts during the years covered by this project (1839-1842, 1851, 1859-1862 and 1876-77) originated in Cauca.[95]

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[92] The Constitutional Amendment of 1910 guaranteed one third of the House and of the departments' deputies to the larger electoral minority as well as a percentage of the Senate and Municipal Councils. However, minority representation was not exclusively designed for Liberals because they had to obtain more votes than any Conservative minority faction running in an election in order to get that representation.

[93] State-building and state capacity are interrelated concepts. McAdam, Tarrow and Tilly define state capacity as "the degree of control state agents exercise over persons, activities, and resources within their government's territorial-jurisdiction. When state capacity increases, it does through four often-complementary processes: the replacement of indirect by direct rule; the penetration by central states of geographic peripheries; the standardization of state practices and identities; and instrumentation—growth in the means of carrying intended policies." Doug McAdam, Sidney G. Tarrow, and Charles Tilly, "Dynamics of contention," Cambridge University Press.

[94] Ortiz Mesa, "Guerras civiles e Iglesia Católica en la segunda mitad del siglo XIX en Colombia," 69, 72, 74.

[95] Events within Santander, the other conflictive region, directly contributed to the outbreak of the civil wars of 1859-1862, 1876-1877, 1885 and of the Thousand Days War. ibid., 72.

Table 2: Regional Civil Wars and Coups in Colombia (1832-1899)

State	Number of Regional Civil Wars or Coups[96]
Antioquia	4
Bolívar	5
Boyacá	4
Cauca	5
Cundinamarca	6
Magdalena	5
Panamá[97]	16
Santander	4
Tolima	3
Total (up to 1910)	**52**
From 1862-1876	**45**

Political violence broke out at both the regional and local levels after the issuance of the Constitution of 1863, which organized the country into a loose federation of nine 'sovereign' states. Forty-five revolts or coups occurred between the years of 1862 and 1877. [98] Federalization did not stave off political instability and uprisings, and in fact, as shown in the statistics on regional conflicts, federalism decentralized war. While a few of these conflicts involved disputes between adjacent states, most centered on conflicts over the control of state governments. But, our knowledge of the origins of those conflicts is limited as scholars have focused primarily on national civil wars and overlooked the regional and local origins of political conflicts and violence that occurred during the nineteenth century and in particular from 1863 to 1885. Thus, though these conflicts

[96] Riascos, *Geografía Guerrera de Colombia*: XII.
[97] According to Riascos (1949), coups (usually involving low levels of violence) were responsible for Panamá's high numbers of local rebellions. Panamá was part of Colombia until 1903; in that year a local movement with United States support declared independence. ibid.
[98] Ibid., XXIII.

reflect regional and local political instability, we cannot say for certain how violent they were.[99]

Recent scholarship sheds light on the scale of the recurrent warfare and its consequences. Scholars recognize several factors that contributed to the recurrent conflicts and warfare of nineteenth-century Colombia including: conflictive ideologies, strong regionalism, political factionalism, competition for fiscal resources and politically-allocated rights, a stagnant economy, weak state institutions, structural variables such as land tenure, a difficult topography, conflicts around the Catholic Church role in society, and even the lack of an imagined community. However, in spite of recent attempts to offer new explanations for these old questions, some think recent historiography has made meager efforts to solve the puzzle of this phenomenon of recurrent warfare.[100]

This history of armed politics would be incomplete without a note on electoral politics. Colombia has a long-standing practice of competitive electoral politics; warfare and regular elections coexisted during the nineteenth century.[101] Aside from some corrupt electoral practices, genuine electoral practices in the nineteenth-century contributed to the

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[99] Malcolm Deas states that violence levels in some of these conflicts were low. Notwithstanding, armies displaced people and expropriated political opponents' property in order to finance the operation of the standing armies. Deas, "Canjes violentos," 12. Further, scholars cannot assess, for instance, whether these conflicts were significant in producing widespread instability or what effects they had on the lives of the inhabitants of the affected regions. With the exception of the War of the Thousand Days, for which more research has been done, historians cannot assess how violent these wars were, or how much it differed from other moments or other expressions of violence. Posada Carbó, *La Nación Soñada: Violencia, Liberalismo y Democracia en Colombia*: 57-59.

[100] Posada Carbó, "Las guerras civiles del siglo XIX en la América Hispánica," 59.

[101] The constitutions of 1832, 1843, 1853, 1858, and 1863 established regular elections with fixed terms and no consecutive reelection. The Constitution of 1853 was a watershed in Colombia's electoral history. It instituted direct elections and secret universal male suffrage for electing the President, Vice President, members of Congress, Supreme Court justices as well as for other public officials. Although the constitution of 1858 lowered the number of public officials selected through elections, and the Constitution of 1863 delegated all electoral matters to the states, elections continued as the primary mechanism to select public officials. That political parties would have peacefully accepted electoral results is part of a different story.

establishment of Liberal democratic practices in Colombia. [102] Elections were the mechanism used to choose governments at the national and regional levels since independence. Despite frequent reforms, the national legislative terms and terms for public office were generally respected.[103]

1.4 What remains to explain?

When trying to explain the causes of nineteenth-century civil wars and their recurrence, scholars emphasize different causal factors. We can divide these into three categories: structural causes, which originated in the colonial period; political and ideological causes, including the debate about the role of the Catholic Church in society; and economic causes, including for example, the intensifying effect of economic backwardness on conflicts. Aside from examining the causes of political instability and civil wars, scholars have also attempted to understand the intensity of those conflicts and their ramifications for the lower stratum of society. Increasing attention to the active involvement of lower classes in rebellions has led to recognize their agendas, which were often distinct from those of political parties.

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[102] Despite fraudulent practices, national elections during the nineteenth century were competitive. Posada Carbó provides three main insights concerning those electoral processes. First, in the early post-independent era Colombia developed an electoral culture. Political parties formed to primarily mobilize electors to reach power, also leading to the establishment of strong party identities. Second, national elections were competitive and with uncertain results. Fraudulent elections occurred more at a regional and local level. Although levels of competitiveness varied from election to election, Posada Carbó concludes that electoral competition was stronger before 1856 and during the Radical period, 1863-1885. Moreover, between 1836 and 1930, presidential elections without contenders were the exception. Finally, this author considers that, despite electoral fraud, the aspect that characterizes nineteenth century Colombia is the irruption of a massive electorate without state institutions that could arbitrate the political process or settle voting disputes. Posada Carbó, *La Nación Soñada: Violencia, Liberalismo y Democracia en Colombia*: 154, 59, 65-69, 73.

[103] There is scant information for local and regional elections so it is difficult to reach conclusions for the entire country.

Thus, we can safely assert that recent historiography has deepened our understanding of the causes of Colombia's civil wars; however, our knowledge of those conflicts remains limited. For instance, there are no detailed accounts of most of these conflicts, neither the major nor minor ones. As a result, historians cannot determine whether they produced widespread instability, nor can they assess what effects they had on the lives of the inhabitants of the affected regions. In general, the lack of archival sources has limited the ability of historians and other scholars to address these issues. With the exception of the *War of the Thousand Days*, for which more research has been done, historians cannot say with certainty how violent these wars really were, or how much they differed from other moments or other expressions of violence.

Moreover, research on the regional determinants of political instability and conflict remains limited. Indeed, our knowledge of state-formation and the political and economic processes in the highly autonomous nineteenth-century federal states is basically non-existent. As we will see in the following chapters, Antioquia and Cauca, the two subnational territories that encompassed all of western Colombia, were not only politically and economically influential and central to most of the civil wars during that period, but their political conflicts, more frequently than not, greatly impacted national politics. Therefore, this dissertation shed new light on the regional determinants of Colombia's nineteenth-century state-formation process.

Chapter 2: Building a Nation-State from Scratch

2.1 Introduction

Colombia established its key state institutions as late as the first decade of the twentieth century. Disorder reigned in the decades after the Wars of Independence (1810-1824).[104] The collapse of the colonial regime left Colombia—and Latin America in general—without accepted rules for collective decision-making. Independence altered regional equilibriums, revised patterns of interaction among social groups, and dislocated coordinating mechanisms (for the market, state, etc.), property rights, and privileges. Indeed, the long crisis that ended with independence destroyed obedience to the set of formal institutions and rules that had evolved during three hundred years of colonial domination. The system that had been in place, one founded on the authority of the Spanish monarchy and predicated by the Catholic Church and colonial officials, was challenged, dismantled and replaced with new bases of authority.

The struggles that led to independence and constitutional innovations shattered old colonial territorial hierarchies and altered power equilibriums between regions and among them. It also led, in some cases, to territorial fragmentation.[105] The newly independent Latin American republics, Colombia included, succumbed to political instability, economic recession, the fragmentation of elites, and regional rivalries.

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[104] The battle of Boyacá in August 7, 1819, freed New Granada (Colombia) from Spanish control. However, the government established in Bogotá coordinated and financed most of the operations of Bolivar's armies that fought for the Independence of Venezuela, Ecuador, Peru and Bolivia.

[105] This was the case of the Viceroyalty of the River Plate in the southern cone, which split in four different republics, and Gran Colombia, which lasted for less than a decade. In Colombia, conflicts among regions were at the core of the conflicts that engulfed the first republican experiment from 1810 to 1816.

However, just as old configurations disappeared, new actors emerged on the political scene.

The new political leadership dealt with the challenge of incorporating new socially and ethnically distinct groups, while Republican institutional arrangements faced mounting internal rivalries. In this process, policy-makers attempted to build stable state institutions that reconciled conflicting political agendas, regional and local interests, and the interests of African descendants, indigenous communities, artisans, merchants, miners —a never-ending list of shifting personal and group interests. Moreover, while deciding on the kind of institutions to build, the economy and colonial tax collecting patterns fell into disarray, leaving the new Republican elites without the revenue needed for state structure that would maintain public order, protect property rights, and so on.

The historical period of this project is framed by two major events. On March 7, 1849, after a highly contested election, Liberal José H. López, a Caucano general and a former officer in Bolívar's army, was elected President of the Republic of New Granada (known later, from 1862 on, as Colombia), running on what we would now consider a progressive political platform. This event signaled the start of what is known in the history of Colombia as the Liberal Reforms.[106] These reforms marked the beginning of a process of institutional modernization that allowed Liberals to dismantle the colonial state apparatus and the long-lasting restrictions on economic activity that had been

[106] The Liberals party's platform comprised sweeping reforms. Liberal controlled Congresses passed legislation on issues that included the emancipation of slaves, the elimination of colonial monopolies, trade liberalization, the end of the Catholic Church's historic privileges, and trials with juries among others. These reforms also swept away long-term institutions and opened up new mechanisms of political participation for previously disenfranchised groups.

imposed by the Spanish monarchy early in colonization. For a traditional society, and Colombia was one, these transformations looked like a revolution. Indeed they were.

The period under consideration here ends in 1899, at the beginning of the *Guerra de los Mil Días* (hereafter the War of the Thousand Days), introduced before. What was not known to the actors in that familiar drama of a civil war was that the *War of the Thousand Days* would be the last of the nineteenth-century conflicts between Liberals and Conservatives, the two political parties that monopolized Colombian politics up to the last decade of the twentieth century. The conflict is significant not only because it was the most destructive of all of the nineteenth-century upheavals, but also because, in the postwar years (roughly from 1902 to 1910), Liberals and Conservatives finally agreed on a basic institutional agreement that regulated the interaction of the major political forces for the nearly fifty years that followed. This institutional agreement also enabled Colombia's economy to take off, ending a century of dismal economic performance.

Even though this period encompasses several turning points, one feature persists throughout: Antioquia and Cauca remained untouched until the end of the War of the Thousand Days. As we will see, in the years between 1849 and 1899, Colombia changed from a unitary regime to a loose federation and back again. Meanwhile, political power moved from a fierce competition between Liberals and Conservatives to a Liberal-dominated national government and then to a homogenously Conservative administration. In monetary terms, Colombia moved from a free banking system to a national government claiming a monopoly on the issuance of currency. In this ever shifting terrain, the territorial continuity of my project has allowed me to comprehend Antioquia's and Cauca's contributions to those transformations and simultaneously, how

the political and economic processes within those territories were shaped as a consequence of them.

Antioquia and Cauca were key players throughout this fifty-year period. Here, I provide historical background on Colombia's nineteenth-century politics, economy, and state-building process from a national standpoint. I consider an understanding of the evolution of national politics from 1849 to 1899 to be essential for understanding the internal politics and the implementation of divergent state-building projects in these two territories. In addition, during these fifty years, not only did national politics shape the political process in these two states, but Antioquia and Cauca influenced and shaped national trends. Political crises in Cauca, as we will learn, became national events, and local uprisings in 1839, 1851, 1859 and 1876, led to national armed conflicts. Events in Antioquia contributed to national crises as well, in particular those of 1851 and 1876.

This chapter is broken into six sections in order to explore national events and the economic and political processes of the period. After this introduction, the second section reviews the main political trends from 1850 to 1899. Liberals and Conservatives, the two main political parties, dominated national politics throughout this period. Both were highly decentralized institutions and challenged by strong internal factionalism. As a result, party lines were often permeable and reflected a broad spectrum of interests. This permeability can be seen in the presence of groups in different parties that sought similar political goals, as was the case with federalists for instance. The third section discusses the Liberal Reforms, the mid-century reformist agenda that dismantled the remnants of the colonial state and freed the economy from most mercantile restrictions. The fourth section focuses on the civil conflicts that were closely connected to those reforms. In the

fifth section, I summarize all the constitutional reforms implemented from 1832 to 1899. These constitutions, manifestations of the political coalitions in power, were repeatedly amended because of the ever changing political landscape. As we will see, after a conflict, the victors usually enacted a new constitution. The sixth and last section concentrates on economic cycles.

Even though I focus on national trends and processes in this chapter, it is vital that we not lose sight of the fact that regional and local responses to the rapidly changing environments of the post-independence decades influenced national trends and were at the center of political dynamics until the end of the nineteenth century. In Colombia, as in most of Latin America, regional and local politics played key roles in national outcomes. In brief, regional centers of power—Antioquia, Cauca and Santander—had, until the end of the nineteenth century, the political and military muscle to successfully challenge policy- making in Bogotá.

2.2 Two Conflicting State-Building Projects

From 1849 to 1899, Colombia experimented with several forms of state organization, economic policies, and ways of integrating the Catholic Church into the public sphere. Liberals struggled to create a liberal, federal, and secular political order and to foster a market-driven economy, while Conservatives defended less-sweeping reforms and demanded the preservation of the Catholic Church's traditional role.[107] The

[107] In an article published in 1849 in the newspaper *La Civilización*, Mariano Ospina Rodriguez—one of the founders of the Conservative party and the President of Colombia defeated by Tomas C. de Mosquera

continued struggles and dynamic interactions of Colombian political actors at the national, regional and local levels reflected these positions. In the grand scheme of things, elites fought for either federal or centralized institutions under ideological and religious banners. When elite groups did agree on larger issues, for instance reorganizing internal boundaries in the 1850s, they were uncertain about how to implement changes. Moreover, uncertainty over whether political opponents would abide by constitutional rules was rampant, as was evident from the many civil wars since independence.

From 1849 to 1885—with an interregnum from 1854 until the end of the civil war of 1859-1862—Liberals controlled Colombia's national government as well as key regions in the country, including Cauca. They struggled to establish the permanent institutions of a liberal nation state that included different regional and social interests while still upholding a vigorous and modern market-driven economy. After 1849, Liberals put forward reforms based on the assumption that a liberal institutional framework with few restraints on individuals' actions would mollify political instabilities and stimulate the economy.[108]

Liberals in Colombia, and elsewhere in Latin America, sought to replace colonial institutions and transform the state in accordance to prevalent liberal ideas of government, the economy and society at large. Their reform agenda included the

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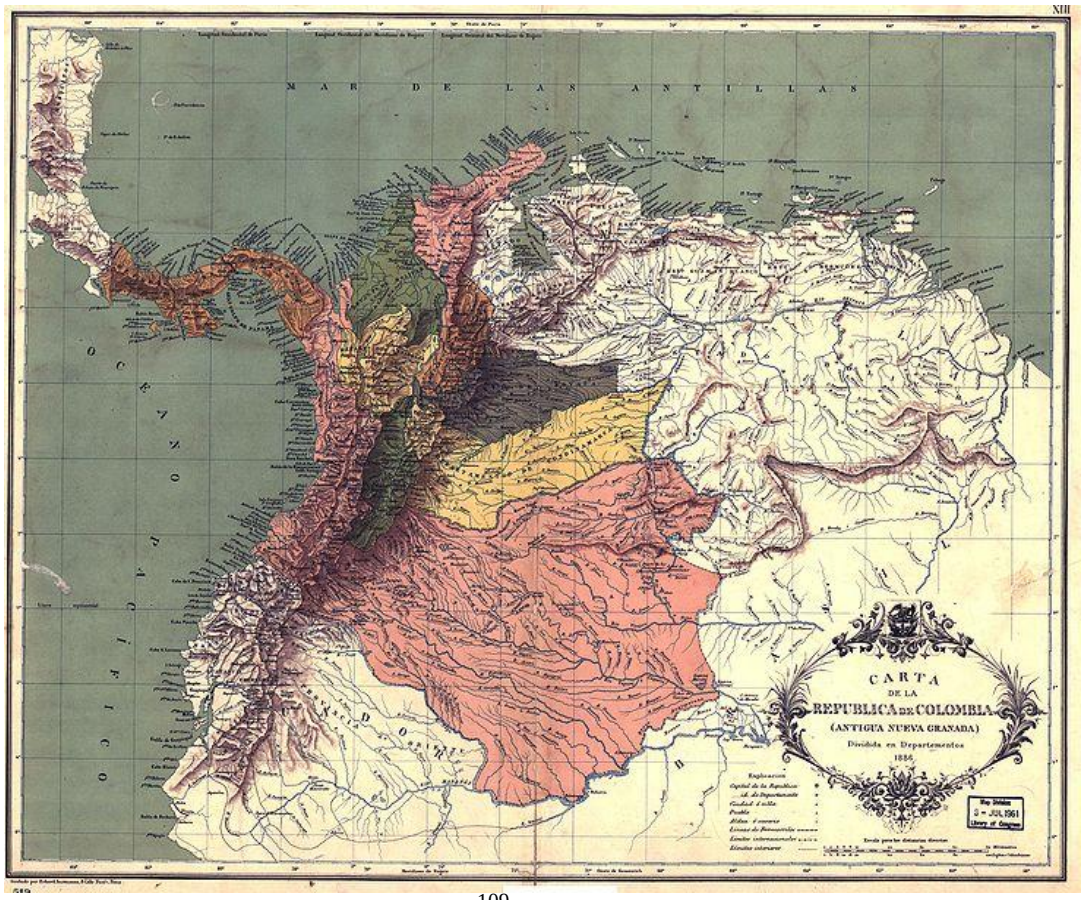
in the civil war from 1859 to 1862—concludes that the origins of recurrent civil conflicts and meager economic performance in Latin America had much to do with the liberal institutions implemented after Independence. For him, the dismissal of the colonial hierarchical institutional framework and its replacement with more liberal individualistic designs contradicted the traditions of the *pueblos* and led to permanent civil strife. This, together with the spread of ideas contrary to the Christian religion, produced weak institutions and permanent instability, that is, anarchy. Ospina Rodríguez, *Escritos sobre economía y política*: 90-91.

[108] Manuel Murillo Toro, "Mensaje del Presidente de la Unión al Congreso de 1873," (Bogotá: Imprenta de Medardo Rivas, 1873).

abolition of slavery, the removal of Church privileges and those of other corporate groups, the elimination of monopolies and corporate lands, trade liberalization, and the breakup of the Church's ideological and institutional power. They proposed the abandonment of rent-seeking activities and politically allocated privileges in favor of merit and profit-oriented behavior.

The government progressively decentralized state authority transferring responsibilities and sources of revenue to the thirty five provinces existent in the early 1850s. The Constitution of 1853 enabled provinces to organize their government according to their needs and transferred to them more responsibilities, a process enhanced by the federal constitutions of 1858 (enacted by a Conservative-led legislature) and 1863. As part of this process, Congress also reorganized internal boundaries. First, it created new provinces by splitting existing ones, and after 1855 merged them into eight states: Panamá, Antioquia, Boyacá, Cauca, Cundinamarca, Bolívar, Magdalena, and Santander. In 1861 in the midst of a civil war, General Mosquera created the state of Tolima from the southern section of Cundinamarca, creating the ninth state of the Union. The criteria used in reorganizing these territories are depicted in chapters 5 and 6.

The extensions of these nine administrative units remained unchanged until after the *War of the Thousand Days* (1899-1902). At the same time, the central government became an increasingly weak entity with fewer responsibilities, particularly with the Federal Constitution of 1863, and from 1863 to 1885.



Map 1: Colombia (1861-1904)[109]

The states of Antioquia (in northwestern Colombia, colored yellow in the above map) and Cauca (the largest state of the federation, in salmon) played key roles in this process. Caucano *caudillos* abounded in Colombia's political life during most of the period, from the 1820s to the 1880s. Regional governments in Popayán (Cauca's capital) and Medellín (Antioquia's capital) pushed for increased decentralization and found the institutional structure of the loose federation established in 1863 to be particularly well-suited to their interests and agendas. In contrast, they opposed the centralizing process led

[109] Manuel María Paz, "Carta de la República de Colombia (antigua Nueva Granada) dividida en departamentos, 1886," (París: Imprenta A. Lahure, 1889).

by the Conservatives after 1886. Even though Conservatives dominated Antioquia, it remained a staunch defender of federalism, even when that meant opposing the political project led by their own fellow party members in Bogotá after 1886.

The Liberal state-building project reached its apex with the Constitution of 1863. It drew heavily on nineteenth century liberal notions of the legal equality of political subjects and the autonomy of private agents.[110] It established a federation with weak central institutions, an institutional arrangement designed to prevent the formation of strong governments that could eventually supersede state autonomy and individual rights.[111] The Constitution of 1863, also called the Constitution of Rionegro after the town in Antioquia where the constitutional assembly met, fully outlined individual liberties and the right to profess any religion. But, it gave no direct responsibilities to the central government aside from managing international relations and commerce, the regulation of weights and measures, and the production of specie among other minor tasks. The constitution also stated that all responsibilities not granted to the federal government were reserved for the nine sovereign states, including the right to maintain their own armed forces and to engage in the purchase of armaments. In 1867 the Congress, dominated by members of the Radical Liberal faction, enacted a public order law that prevented the president from intervening in conflicts within or between states.[112]

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[110] Radicals also banished the Catholic Church from any interference in governmental affairs.
[111] The federalization of Colombia's state institutions began with the constitution of 1853, a process furthered by the constitutions of 1858 and 1863.
[112] The Public Order Act issued on April 16 1867 was an attempt to prevent President Mosquera's frequent authoritarian deviations. The issuance of the law contributed to the deterioration of the relationship between the Radicals and Mosquera, at the time in his fourth presidency. Conflict escalated until President Mosquera shut down the National Congress on April 29, 1867. The Radicals reacted, ousting Mosquera from the presidency less than a month later, on May 1867. The Public Order Act enacted in 1867 was abrogated after the end of the civil war of 1876-1877.

From that point forward, national authorities had even fewer possibilities for preventing civil war, exacerbating political instability.

The sovereign states were bound together by weak common institutions. In spite of this, the federal government actively invested in, particularly after 1867, two strategic areas: education and transportation infrastructure, especially railroads. These two areas were considered key, not only for Colombia's economic and social progress but also for the survival of the Radical Liberal institutions. Both areas became so closely linked to Radical policies that José María Samper, a Liberal, argued that the platform of the party was so coherent and simple it could be summarized in three points: sustain the federation at any cost, protect personal rights, and promote the intellectual and material progress of the people through the National University, elementary and secondary schools, schools for teachers, the free press, and transportation projects.[113]

Disillusionment with Radical Liberal administrations grew as people became disenchanted with federal institutions, the economy failed to recover from a crisis in the tobacco sector in the 1870s, and above all, the cycle of regional conflicts churned on. Radical electoral methods also increasingly became the focus of criticism, in particular their exclusion of all non-Radicals from government. Thus, the pendulum swung once again. In the late 1870s the war-wracked federation morphed into a centralized state with authority and state functions concentrated in Bogotá. This process, led by a coalition of so-called Independent Liberals and Conservatives, came to fruition in 1886 with the replacement of the 1863 Constitution with the centralist and authoritarian Constitution of

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[113].José María Samper, *Los Partidos en Colombia: Estudio Histórico-Político* (Bogotá: Imprenta de Echeverría Hermanos, 1873). 97.

1886. The coalition of Conservatives and Independent Liberals leading this sea change, first excluded Radicals from all government positions. Later in the 1880s, the Independent Liberals would suffer the same fate at the hands of Conservatives.

The Liberal state-building project began its decline after the civil war of 1876-1877. Julian Trujillo, former President of Cauca and Independent Liberal, defeated Conservatives on the outskirts of Manizales (Antioquia) in 1877, in a battle that ended the war. He was first appointed as the Civil and Military Chief of Antioquia and then, at the beginning of 1878, elected President for the period 1877-1880. He was the first non-Radical to reach the Presidency in the decade since Mosquera's overthrow in 1867. Trujillo's election marked the beginning of the end of Radical supremacy in national politics. From 1878 to 1885, the two Liberal factions, the Independents and Radicals, struggled to control the nine state governments and the Presidency.

Independent Liberals increasingly relied on Conservative support in Congress to pass their centralizing reforms and keep hold of the presidency. President Rafael Núñez, an Independent, elected for the term 1880-1882, reinforced their control of the states through direct interventions and electoral manipulation. Political tensions rose as Radicals struggled to regain control. In 1885, the Núñez administration intervened to prevent a Radical from winning Santander's state presidency. To counter this direct intervention, Radicals declared war on the national government. After the short-lived civil war of 1885, Independent Liberals in agreement with the Conservative party issued a new constitution with different foundations. This period is known in Colombian history as *La Regeneración*, or the Regeneration, a centralizing state-building project implemented with the support of the Catholic Church and the Conservative elites.

The new constitution, enacted in 1886 by a council of delegates appointed by Rafael Núñez, re-centralized Colombia's political system and allowed the state to intervene in the economy. The constitution embodied a political project based on centralized and authoritarian institutions, limited enfranchisement, a national army, the disbanding of state militias, a national monopoly on currency issuance, and a preponderant role for the Catholic Church. At the time, stronger and centralized state institutions were seen as the antidote to decades of political instability. The Núñez administration reorganized the army, signed a Concordat with the Vatican, established the National Bank as the only institution currency issuing entity, nationalized the judiciary and the educational system, and ended states' jurisdiction over electoral rules.

The Independent Liberal-Conservative coalition was short-lived. The government rapidly moved towards authoritarian measures. First, Radical Liberals and then Independent Liberals who had supported Rafael Núñez's political agenda were excluded from any participation in politics. Though Conservatives monopolized public offices throughout the country, it was not without opposition.

The case of Eliseo Payán, an Independent Liberal and former President of Cauca, was exemplary of this process of exclusion. Payán was Rafael Núñez's vice-president, elected by a council of delegates. In that position, he temporarily replaced Núñez as acting president twice in the same year, from January 6 to June 4, 1887, and again from December 13, 1887 to February 8, 1888. Payán played a key role in Núñez's election in 1880, by overthrowing the President of Cauca in a short-lived regional rebellion in 1879, and impeding Radical attempts to cast the state's vote for their own candidate nationally. Moreover, he significantly contributed to the Radical defeat in the civil war of 1885;

Payán commanded the Independent army in the crucial battle of Cartago, Cauca. However, despite all this, when Payán, as acting President, decided to reduce press censorship and spoke out against political repression in Colombia, Núñez and his Conservative allies decided that Payán undermined the Regeneration project, forced him to resign, and exiled him to Antioquia.

Not only was Eliseo Payán the last Liberal that would occupy the Presidency until 1930, but also the last Caucano *caudillo* to influence national politics in the nineteenth century. Caucano *caudillos* like Tomás Cipriano de Mosquera, José María Obando, José Hilario López, Julián Trujillo and Payán himself had contributed to the century of instability inaugurated by independence. But, they had also contributed to the mid-century Liberal Reforms and the consolidation of liberal state institutions in Colombia. His exclusion from national politics signaled the twilight of Cauca's political ascendancy in national politics. Yet more political turbulence was still to come.

Conflict surfaced among ruling Conservative elites right after the enactment of the 1886 Constitution. The move to a more centralized political regime clashed with several entrenched interests, including those of Antioquia's mostly Conservative mining and commercial elite. Despite their pro-federalist attitudes, Antioquia's Conservative party supported the new charter hoping that centralization could halt the cycle of instability that had been aggravated by federalism. While Antioquia's Conservatives supported the government in Bogotá in spite of economic policies that damaged their regional economy, they became increasingly critical of the regime. Conservatives from Antioquia chiefly criticized press censorship, the political exclusion of Liberals from

public corporations, and monetary policy, particularly the prohibition on private banks issuing currency.

In a dramatic turn, Antioquia, the most recognizable bastion of the Conservative Party, elected the only Liberal representatives to the 1894 Congress. Luis A. Robles and Rafael Uribe Uribe were the only elected Liberal congressmen, as Conservative-controlled national and regional governments dissuaded them from participating in electoral politics.

Conservatives replicated the exclusionary electoral practices of the Radicals. This, combined with growing criticism of their monetary and fiscal policies and of the centralization process itself, fomented opposition to the Conservative government. Opposition came not only from expected sources like the Liberal party, but also from disaffected Conservatives in Antioquia. The conservative coalition party, the Nationalists, split. A new faction, the Historical Conservatives, emerged from Antioquia, a region hard hit by the government's economic policies. But, centralization did not stop political turbulence. Two more civil wars were needed to end this cycle of instability. For Colombia, the nineteenth century ended with armed civil conflict, the last incident of open warfare in the history of the country.

The debate over splitting the departments of Antioquia and Cauca, in 1888 and 1890, proved to be a formative moment for Antioqueño Conservatives and the origin of the Historical Conservative faction. This faction would, under the leadership of

Marceliano Vélez, challenge the electoral ticket of Núñez and Miguel Antonio Caro (the author of the 1886 Constitution) in the elections of 1891.[114]

The case of Marceliano Vélez, the Conservative provisional President of Antioquia during the state's surrender in 1862 and the most respected Antioqueño Conservative politician of the period, exemplified the limits and contradictions of the centralizing process. Vélez was deeply committed to the conservative cause, and because of this, was appointed by Núñez as the first Governor of Antioquia in 1886. But soon after, because of the factors discussed above, he became a most vocal opponent of the central government's policies. Though defeated in the presidential election of 1891, Vélez became a national icon against the authoritarian regime in Bogotá. Despite their previous support and commitment to the Conservative cause, Antioqueño politicians were progressively excluded from national public offices for most of the period from 1886 to 1899.

The Conservative split during the 1890s provided the Liberal Party with an unexpected opportunity. A faction in the Liberal leadership ventured to exploit this conflict for their own advantage. They even expected that in the case of armed conflict, Antioquia's Conservative party would join them to topple the government in Bogotá. But these expectations never materialized. During the wars of 1895 and 1899-1902, Historical Conservatives supported the Nationalist Conservatives of Núñez and Caro in their fight against the Liberals.

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[114] A similar project, in this case to split the states of Antioquia and Cauca, was debated in the Council of Delegates but was not approved considering Cauca's strong opposition. Ortiz Mesa, "Antioquia durante la Regeneración," 131, 34.

In spite of the long list of conflicts, Colombia did experience periods of stability from 1850 to 1899. Elections were, with a few exceptions, the regular mechanism for selecting political officials at the national, state, and local levels, and terms of office were on the whole respected. There were also periods of economic growth. However, more frequently than not, political competition degenerated into violence. Frequent constitutional reforms reflected not only the different political agendas of Liberals and Conservatives but also their uncompromising behavior. Though the regional differences present within both parties, and the factionalism, trouble the characterization of Liberal and Conservative Party platforms as entirely coherent, one can affirm that two different and conflicting state-building projects were implemented in the years from 1850 to 1899.

2.3 The Liberal Reforms

On March 7, 1849, the Congress of New Granada gathered in the Church of Santo Domingo in Bogotá, the country's capital, to elect the new president. According to Article 90 of the Constitution of 1843, Congress aggregated the results of cantonal electoral assemblies and declared the new president. Four candidates disputed the presidential election in that year: José Hilario López, the Liberal representative; two Conservatives, Rufino Cuervo and Joaquín Gori; and Florentino González, whom José María Samper defined as the representative of a semi-Liberal and semi-Mosquerista

faction.[115] López obtained 735 electoral votes, Gori 410, Cuervo 304 and González 70 electoral votes[116].

Since no candidate won an absolute majority of votes, a second round was organized as a runoff vote to occur in Congress. The second round proceeded with the three highest voted candidates from the first round—only members of Congress were allowed to vote this round. Thus, Congressmen chose between Conservatives Cuervo and Gori and the Liberal López. On March 7, 1849, after four rounds of highly convulsive discussion sessions, López was elected president. Conservatives later claimed that Congress elected López under threat of attack by his supporters, who were initially inside the Church and later kicked out. Nonetheless, a few weeks later, López was sworn as President of New Granada on April 1, 1849. One of the first reforms enacted by the new Congress was to amend the Constitution to end this electoral procedure. On May 31, 1849, President López promulgated a Legislative Act eliminating runoff elections. The candidates with a majority of votes would be elected President and Vice-President. However, Congress would still aggregate the results of cantonal electoral assemblies and officially declare the new president.[117]

The 1849 presidential election is significant in Colombia's history for several reasons. It was crucial for consolidating the Liberal and Conservative parties, the dominant political forces in Colombian politics up to the end of the twentieth century. In 1849, Mariano Ospina Rodríguez and José Eusebio Caro wrote and published in the

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[115] The term Mosquerista refers to then President, the caucano caudillo Tomas Cipriano de Mosquera. Mosquera, who became President as a conservative, became a liberal in the late 1850s.
[116] José María Samper, *Historia de un Alma: Memorias Íntimas y de Historia Contemporanea, 1834 á 1881* (Bogotá: Imprenta de Zalamea Hermanos, 1881). 185.
[117] Colombia, *Codificación Nacional*, vol. XIII 1848-1849 (Bogotá: Imprenta Nacional, 1928). 455.

newspaper *La Civilización*, the first political platform on the Conservative Party. Just the year before, on July 16, 1848, Ezequiel Rojas published in *El Aviso*, the first platform of the Colombian Liberal Party. The presidential election was also one of the most contested in the country's long electoral history. The three candidates that proceeded to the runoff election had a real chance of being selected by Congress. Furthermore, the election of 1849 marked the starting point of the Liberal Reforms, the mid-century state-building project to modernize the social, political, and economic institutions of Colombia. It ushered in a new era in the evolution of the republic.

The Presidency of José Hilario López, dismissively known as the March 7 administration, started an important series of transformations. Liberals dismantled colonial mercantilist restrictions on the economy, altered the long-term pact between Church and state, infused new life to municipalities and provinces, and incorporated previously disenfranchised groups into politics, among other things. The Liberal platform included universal and secret suffrage, the abolition of slavery, the elimination of the tithe and other related ecclesiastical taxes and sources of rents, the banishment of the Jesuits, freedom of speech and press, the elimination of ecclesiastical privileges, trial by jury, the decentralization of state authority, the abolition of imprisonment for debts, and the abolition of the death penalty. The reforms embodied the liberal canon of defense of individual rights based on the French theory of inalienable natural individual rights.

The Liberal political platform expanded by 1851. Under the leadership of a faction later known as the Radicals, the Liberal Party incorporated into their platform the separation of Church and State, the freedom of industry and commerce, including arms and ammunitions, freedom of teaching and the abolition of academic diplomas and

degrees. They also lowered penalties for crime, weakened the executive branch, increased municipal autonomy and even suppressed the army as part of their political platform. [118]

The reforms began early in 1849. On April 19, 1849, nineteen days after President López's inauguration, Congress abrogated taxes charged on sugar and sugarcane derivatives, cotton and indigo dye exports that had been established by law of June 2, 1846. On May 26, 1849, President López signed the Act that abolished the death penalty for political crimes (treason, rebellion and sedition) and ended public humiliation or shameful exposure as punishments for all offenses.

On April 20, 1850, President López signed the Decentralization of Sources of Revenue and Competencies and Reorganization of the National Public Treasury Act (detailed information about this legislation is provided in the next chapter). This statute profoundly altered the relationship between the central government and provincial and local governments. Congress granted provincial governments wide-ranging authority to decide on the sources of revenue. Later that year, on June 4, 1850, President López signed an Executive Order approving the contract to build the Panamá Railroad. It was Colombia's first railroad, linking the Caribbean Sea and the Pacific Ocean.

The Congress of 1851 vigorously passed reforms that profoundly impacted the country. On May 16, 1851 Congress abolished all taxation of tobacco cultivation and export. These taxes being abolished had just recently been established, on June 12, 1849. These new laws crowned the efforts that had begun in 1848 to liberalize tobacco cultivation and commerce in Colombia. Congress abolished the colonial tobacco

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[118] Ignotus [pseud.], *La Lección del Pasado. Ensayo sobre la Verdadera Misión del Partido Liberal* (Bogotá: Imprenta de M. Rivas, 1877). 8-9.

monopoly by act of May 23, 1848, starting on January 1, 1850, and created a tax on tobacco exports. Because of this legislation, tobacco quickly became Colombia's most significant export commodity until the international depression of 1873.

A few days after that crucial decision, President López sanctioned the Manumission Act of May 21, 1851. The law freed all slaves on January 1, 1852. It also incensed landowners and became a decisive factor in the rebellions in Cauca and Antioquia that occurred that same year. Manumission produced a much greater impact on Cauca's production than Antioquia's, because the mining sector in the former was still highly dependent on forced labor, as it had been since colonial times.[119]

The Congress of 1851 also radically reformed customs. The Customs Act of June 4, 1851 liberalized tariffs and established detailed procedures for customs agents, in order to minimize complaints.[120] Progressively, income from tariffs became the most important source of revenue administered by the central government. In fact, customs revenues would continue to be the single most important source of income for the national government until the mid-twentieth-century.

By far, the most conflictive issue the Congress in 1851 dealt with was the reform of the Catholic Church's privileged status. Liberal attacks on the Catholic Church's historical privileges not only rarified the political debate but also demarcated party lines. In the short run, the legislation enacted in 1851 helped create the hostilities that broke out that same year. In the long run, these reforms reshaped the nation's political landscape. By incensing an anti-liberal sentiment among the clergy, these reforms consolidated their

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[119] Jorge Orlando Melo, "Las vicisitudes del modelo liberal (1850-1899)," in *Historia económica de Colombia*, ed. José Antonio Ocampo Gaviria (Bogotá: Planeta, Fedesarrollo, 2007), 187.
[120] Colombia, *Codificacion Nacional*, vol. XIV 1850-1851 (Bogotá: Imprenta Nacional, 1929). 524-57.

support of the Conservative party. The Catholic question became the fundamental divide between the two main political parties.

On May 27, 1851, Congress reformed the Patronage Act. The reforms contained a radical innovation, not just for Colombia but also for the Catholic Church in general: Congress transferred to municipal councils the authority to present and appoint local priests. Congress also decided that the meetings of the local assembly summoned for this purpose would be public and that Catholic fathers could vote. Although councils were required to choose from the set of candidates presented by the respective dioceses, this reform was quite radical. The Colombian government took this authority under the guise of reforming a section of the Patronage Act, which the Republic had inherited after independence. The clergy denounced the move as an unlawful intervention in Church affairs and a blatant attack on the Catholic hierarchy. Moreover, the clergy denied that the Colombian government had inherited the patronage from the colony.

The reform was highly controversial and fueled political polarization. However, it was not the only reform seen by the Church as a direct attack on them. On May 9, 1851, the government took on religious orders. Congress attempted to regulate the activity of remaining religious communities; Jesuits had already been re-expelled from Colombia. The new law prohibited the state to force any person to fulfill their monastic vows. A few days later, the law of May 14, 1851 ended the privileges of the ecclesiastical jurisdiction. Both laws were later abrogated, on June 15, 1853 and May 15, 1855. The Freedom of the Press Act of May 31, 1851, in which Congress proclaimed the absolute freedom of press, was also considered by some to be an attack on the Church. By eliminating restrictions on expression, the clergy thought the Liberal administration had legalized blasphemy.

The legislature of 1853 sped up the pace of reforms. On June 8, 1853, Congress adopted the French metric system. On June 15, 1853, Congress passed a significant piece of legislation that ended state intervention in the affairs of the Catholic Church. The Act of June 8, 1853 ended the right to present candidates to Rome to fill vacant offices; it granted parishioners the property of each temple and prohibited the government from collecting religious rents. Congress also terminated historical protected statuses. Thus, if priests violated the law, they would be brought to secular justice. Congress abrogated provincial and municipal ordinances to collect rents for or to fund the Church.[121] Later that same year, Congress enacted the Civil Marriage Act on June 20, 1853, which included the right to divorce. That very same year, the President suppressed all academic titles by Executive Decree of 19, 1853.

Several groups staunchly opposed these reforms. The army and the clergy, directly affected by the project, were among the most vocally opposed to the projects discussed by Congress. Conservatives and a faction of the Liberal party, known as *Draconianos,* increasingly opposed the radicalization of the reforms.[122] Artisans were among the most vocals opponents of the reform as well, particularly the liberalization of foreign trade. Artisans feared the negative effects of free trade policies on their businesses. The competition of cheap manufactures, imported from the industrialized countries, threatened the survival of artisan's workshops throughout Colombia.

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[121] Ibid., XV 1852-1853: 520-21.

[122] Justo Arosemena, *Constituciones Políticas de la América Meridional*, 2 vols., vol. II (Havre: Imprenta A. Lemale Ainé, 1870). 237. The liberal party split three years after López was elected president, around 1852. A small faction, the seed of the radical faction known at the time as gólgotas, urged for the reform of the conservative and centralist Constitution of 1843 and accused the other faction of holding up the process. They also accused them of backing out in their opinion about penalties for political offenses, attenuated after 1848. This is the reason why they received the denomination of *draconianos*.

In 1852, President López's dismissal of the Secretary of Hacienda, Manuel Murillo Toro, revealed a schism between two factions in the Liberal Party.[123] Liberals retained the presidency in the 1853 presidential elections despite having presented two different candidates principally because the Conservative Party had not participated. *Draconiano* José María Obando won the presidential election and was inaugurated on April 1, 1853. The rift between the *Draconiano* and *Gólgota* factions of the Liberal Party widened very early on in the Obando administration and the split became irreparable after the *Gólgotas* allied with Conservatives to keep President Obando under control.

Liberal José María Samper, who coined the name *Gólgota*, affirmed that even though the rift between the two liberal factions was exacerbated by personal clashes, profound political and doctrinal differences existed between the factions. Radicals supported a wide-range set of social and political reforms aimed at making the system fairer and at leaving behind colonial institutions. According to Samper, Radicals' power was based on youth, organized in the *Escuela Republicana*.[124] During the López administration, Secretary of Hacienda Manuel Murillo Toro championed the reformist agenda enacted by Liberals from 1849 to 1852. In contrast, the so-called *Draconianos* supported the military and artisans; the latter organized in the *Sociedades Democráticas*. They advocated trade restrictions, supported certain institutions opposed by Radicals, including the death penalty, and opposed what they considered as the excessive reformist zeal.

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[123] Samper, *Los Partidos en Colombia: Estudio Histórico-Político*: 50.
[124] Ibid., 48, 53-54.

In this polarized atmosphere, the 1854 legislature continued its reform of Colombia's legal structure until forced to stop. On April 3, Congress recognized the right to bear arms and to purchase and trade all types of weapons and ammunitions for all citizens. The reformist impetus came to a sudden stop on April 17, 1854, when General Melo, the commander of the Bogotá garrison, led a coup against President José María Obando.[125] Though a few changes were enacted after 1854, the process of radical reforms was halted with the coup.

In 1855 Congress once again debated Church-State relations. On May 14, 1855, it enacted the Religious Freedom Act. This legislation interpreted Article 5, Indent 5 of the 1853 charter to mean that the Colombian government would not have any official state faith. As a result, the state could not intervene in the internal affairs of any church present in the national territory as long as they did not upset constitutional and public order. Article 2 of the law asked Congress to enact a law that recognized the legal personhood of the church so it could manage its own resources. It also recognized the right of the Catholic Church to administer its cemeteries. If no public cemeteries existed, municipal councils were required to allocate resources to bury those rejected from religious cemeteries.[126]

On April 8, 1856, Congress reformed the Civil Marriage Act and on May 1 of the same year, decided that public notaries would register marriages, deaths, births,

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[125] Arosemena, *Constituciones Políticas de la América Meridional*, II: 238-39. A military mutiny under the leadership of General José María Melo abrogated the constitution and ousted President Obando. The latter was later accused of aiding or at least turning a blind eye on the rebel's plans. As a result, Congress impeached him in 1855. Obando had won the 1853 election to succeed his fellow party member López.
[126] Colombia, *CN XVI*, XVI 1854-1855: 188-89.

recognition of illegitimate children, and adoptions. With this decision, Congress stripped the Church of its traditional authority to record the status of the citizens of Colombia.

In spite of political crises, including two short-lived civil wars (1851, 1854), a widening schism between the two Liberal factions, and Conservatives retaking the national government, these reforms proved irreversible, at least for the moment. The implementation of the laws passed from 1849 to 1854 proceeded in the provinces, and the newly gained autonomy of those subnational units sparked debates over how to organize state institutions and progress. Indeed, by recognizing the decision-making authority and autonomy of provinces and municipalities, the Liberal Reforms altered the balance of power in Colombia.

The Liberal Reforms, though successful at decentralizing policy making and removing colonial and early-Republican restrictions on private economic activity—to positive effect in the tobacco sector—failed in two key areas. First, instead of reducing political conflict and civil armed conflicts, federalization decentralized war. As we will see, the number of local and regional disturbances, coups, and civil wars skyrocketed. Second, the elimination of restrictions and state interference in the economy proved insufficient for generating economic growth. In the 1850s Colombia lacked, as did much of Latin America, the most important institutions and infrastructure needed to sustain a thriving market economy.

Though the Liberal Reforms negatively affected those sectors of the economy dependent on slavery and politically allocated privileges, they also created new opportunities for the elites. The end of the colonial tobacco monopoly produced an extraordinary growth of tobacco production in the upper Magdalena Valley from the

1850s to 1873. Tobacco's share of total exports grew from an average of 3.5% from 1840 to 1845 to 27.8% in the four-year period from 1854-1858, and up to 40% by the end of the 1860s.[127] Nonetheless, with the exception of artisans who were negatively affected by the free trade policies, the impact of the reforms on particular regions and social groups has not yet been fully assessed.

In 1857, with the Liberal Party divided, the Conservative candidate, Ospina, handily captured the presidency. President Mariano Ospina Rodríguez, the central figure of the Conservative party from the 1840s up to the 1860s, worried about the implications of the Liberal Reforms on a Catholic national society still in its youth. In his inaugural speech on April 1, 1857, Ospina accused Liberals of subverting the traditional principles of authority that sustained order and thus, undermining the ability of the government to guarantee private property, public order, and peace. In the midst of revenue shortages and declining state capacity, he continued, the state's only tool for upholding public order was the cooperation of the nation's inhabitants. Given that the liberal institutions were at odds with the habits of society, nobody would defend them.[128] Though his apocalyptic analysis should be understood as part of a Conservative critique of the Liberal Reforms, it revealed a schism in Colombia's political elite, a rupture that would persist until the early 1900s. In the meantime, civil conflicts, national, regional and local, devastated Colombia.

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[127] Melo, "Las vicisitudes del modelo liberal (1850-1899)," 159-60.

[128] Mariano Ospina Rodríguez, "Discurso de posesión," *Gaceta Oficial*, April 1 1857. President Ospina also raises a topic that is usually left behind in the historiography of the period, the destabilizing effect of all reforms implemented after independence. The mere dissolution of the Spanish monarchy affected well established patterns of commerce and interaction among social groups. He even argues that Colombia was in a period of transition that would take a few decades but eventually transform social conditions, institutions, and habits. In the meantime, the institutions were weak. President Ospina also compares the situation in Latin America with that of the United States. He concluded that the prospect of a major reform (the abolition of slavery) had that republic on the verge of rupture. Different circumstances in the north and the south have resulted into different societal results.

In the next section, I present a summary of the national civil conflicts that occurred since Independence in 1810. These conflicts represented turning points in the Liberal and Conservative state-building projects. As we will see in the fifth section, the winning coalition in these conflicts usually amended the constitution and reformed aspects of the administration following their victories. Moreover, the civil wars of nineteenth-century Colombia provide us with another insight: each party's popular support and their ability to gather resources to fight.

2.4 Changing the Rules: Six Constitutional Reforms from 1832 to 1886

Without taking into account the specific causes of each individual conflict, one can state beyond a doubt that Colombia faced challenges that troubled several consecutive generations of policy-makers. The lack of shared political objectives between Liberals and Conservatives was part of the problem and was reflected in the political instability, recurrent armed uprisings and frequent constitutional reforms the nation underwent. Liberals and Conservatives designed constitutions that translated their political agendas into formal institutions. These charters also expressed their beliefs about the direction Colombia should take in order to emulate and eventually achieve —in political, social, economic and technological terms—the state of advancement of Western European and North American nations.

In this section, I briefly analyze the national constitutions enacted in Colombia, from 1832 to 1899. The first part of this section summarizes the general trends and continuities between all these documents. The second part presents the discontinuities

and therefore, the differences between Liberal and Conservative state-building projects. State autonomy and opportunities for regional elites evolved in this setting of ever-changing rules and a weak central state apparatus in Bogotá.

The first constitutions enacted in the territory occurred in 1810, after the formation of the local *Juntas* that declared independence. In 1819, 1821 and 1830 policymakers enacted constitutions for [Gran] Colombia, the entity resulting from the union of New Granada (now Colombia), Ecuador and Venezuela. After the failure of that union, six different national constitutions were issued either by the legislature or by constituent assembly, in 1832, 1843, 1853, 1858, 1863, and again in 1886. The constitutions of 1843, 1863, and 1886 were enacted at the end of civil wars by the victorious military coalition. In those three cases, the defeated coalition— the Liberals in 1843 and 1886 and the Conservatives in 1863—was not only excluded from the Constitutional Convention but also from power at the national and state levels.

The constitutions of 1853, 1858, and 1863 allowed territorial administrative units to enact their own charters, the territorial units called provinces and states in 1853 and states in 1858 and 1863. Circumstances at the regional level reflected those at the national level. State constitutions were repeatedly amended and political opponents customarily excluded from power. Something akin to a *constitutional fever* was evident from 1863 to 1885 under the federal charter enacted by Liberals in 1863. During this period, the nine Colombian states issued forty-two constitutions, most following armed rebellions.[129]

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[129] Gaitán Daza, "Una indagación sobre las causas de la violencia en Colombia," 199.

These constitutions reflected the burdens and difficulties of state-making. Though recognizing the limitations of the process, policy-makers placed the blame for political instability and a sluggish economy on the constitutional arrangements in place. Thus, they engaged in, or attempted, repeated constitutional reforms that only created more uncertainty and legal insecurity. In the end, none of the state-building projects embodied in these constitutions were able to restore authority, legitimize the government (or at least generate compliance with state rule), or foster economic growth during the nineteenth century. But, the politicians continued to try.

Despite the state's limited capacity to implement the reforms enacted in these documents, the documents themselves provide insight into the general trends in Colombia's political history. They also help us comprehend how Liberals and Conservatives articulated their political platforms in the midst of acute regional differences, factionalism and uncompromising political positions around certain issues — the role of the Catholic Church for instance. The institutional arrangements that were implemented in nineteenth-century Colombia also reveal much about political parties' [un]willingness to share power and to respect the rights of opposing parties. By and large, even if constitutional provisions were respected, the rights of the opposition were customarily violated. The government, notwithstanding party affiliation, controlled elections and altered results in their favor.

However, despite repeated reforms, the constitutions shared certain constructions. For instance, the form of government was Republican, with a presidential system, a bicameral Legislature (an upper chamber, the Senate, and a lower chamber, the House of Representatives), a multi-party system, and theoretically, a separation of powers between

three branches of government (executive, legislative, judicial).[130] All of the charters banned immediate presidential reelection, a provision that was respected, something remarkable for Latin America.[131]

Electoral politics took root early on in Colombia, after independence. Elections were held regularly and were, with a few exceptions, the primary mechanism for selecting representatives. Even though political barriers prevented political opponents' access to elections and excluded certain groups from voting at certain times, highly competitive elections did occur in nineteenth-century Colombia. The country experimented with universal male suffrage as early as 1853 and even when popular groups were excluded from voting, their participation in electoral politics was permanent. This helps explain why Liberal and Conservative identities were so ingrained in Colombia's population.[132]

The nineteenth-century constitutions differed dramatically from one another in some ways. For example, the legal individual rights and enfranchisements, the forms of state organization (unitary, federation, or confederation), the responsibilities granted to sub-national units, the role of the state in the economy, and the role of the Catholic Church in society. Though political party positions were not homogenous, especially in terms of regional differences, Conservatives generally supported more restricted individual rights, unitary state organization, the intervention of the state in the economy,

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[130] Though the country retained a presidential system, presidential terms and the authority of those that held that office varied greatly during the period. For instance, presidential terms were of 4 years in the charters of 1832, 1843, 1853 and 1858, 2 years from 1863 to 1886, and 6 year presidential terms from 1886 and until 1910. Since 1910, the presidential term is of 4 years.

[131] After 1832, the only president to be immediately reelected was Rafael Núñez, for the presidential term 1892-1898, an action that was clearly against the Constitution of 1886.

[132] Posada Carbó, *La Nación Soñada: Violencia, Liberalismo y Democracia en Colombia*: 154-59.

and a preponderant role of the Church in society. In contrast, Liberals sustained laissez faire economic policies, a federation, a more limited role for the Church, and the independence of individuals from the state. On the question of the role of the Catholic Church, the charters differed dramatically. It went from a protected institution funded by the state in the charters of 1832 and 1843, to neutral in 1853, discriminated against in 1863, and back to a prominent and privileged role after 1886. It is significant that all constitutions but that of 1863 were enacted in the name of God.

The organization of the republic also changed in a similarly dramatic fashion. The progression from a unitary and centralized republic in the 1830s and 1850s, to a federation (1858-1886), and then in 1886 back to unitary organization, reflected shifting political attitudes and a changing balance of power between Bogotá and the regions. In the constitutions of 1832, 1843, and 1886, local and regional authority was determined by the charter itself and legislation passed by Congress. By contrast, those of 1853, 1858, and 1863 defined the provinces and the states as sovereign, enabling them to determine their own form of organization and to pass their own constitutions.

Though those three constitutions (1853, 1858, and 1863) all provided for a decentralized structure of power, they still differed significantly. For instance, though the constitution of 1853 provided for greater provincial autonomy, the state remained unitary. It granted limited authority to the provinces and allowed them to organize their governments according to their own criteria, but did not consider them to be sovereign entities. The charter allowed Congress to create federal states by statute, which occurred in 1855 with the state of Panamá. Moreover, the powers of the provinces and federal states were enumerated in the constitution.

In contrast, the constitutions of 1858 and 1863 defined Colombia as a federal union, governed by a constitution that divided the functions of government between a sovereign central government and sovereign states. The powers of the national government were enumerated in the national constitution, and any authority not explicitly stated in that document fell to the states. Among the powers granted to the states were the authority to enact their own constitutions, to determine the governors' terms, and to pass electoral laws and regulate state spending, taxing, and borrowing.

The constitutional design of 1863 aggravated jurisdictional conflicts, adding to an already volatile environment. As William Riker stresses in his classic work on federalism, all federations face the fundamental problem of how to design institutions that simultaneously grant the central government enough authority to provide certain goods and police subnational governments so the latter fulfill their part of the agreement, but not so much power that it seizes all public authority.[133] The grey areas of jurisdiction persisted, increasing the odds of conflict. From 1858 to 1859, jurisdictional problems between the states and the central government recurrently turned into justifications for armed uprisings. The quarrel between Mariano Ospina, President of the Confederation, and Tomás C. de Mosquera, Governor of Cauca, over the authority to enact electoral legislation developed into a major crisis that contributed to the outbreak of the civil war in 1859.[134]

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[133] William H. Riker, *Federalism: origin, operation, significance* (Boston: Little, Brown, 1964).
[134] The correspondence between conservative President Mariano Ospina and the leader of the rebellion, the liberal President of Cauca Tomás C. de Mosquera epitomizes this issue. Tomás Cipriano de Mosquera and Mariano Ospina Rodríguez, "Correspondencia entre el jeneral T.C. de Mosquera i el doctor Maríano Ospina," (Popayán: Imprenta de El Mosaico, 1860).

The Constitution of 1832, the first of the post-Bolivarian Colombia, was issued by Vice-President Obando on March 1, 1832.[135] It organized the country into a unitary republic. Elections were indirect elections and suffrage was restricted for men over the age of 21 who satisfied a property qualification, with a literacy requirement to be enforced after 1850. The territory was organized into provinces, cantons, and parochial districts. The provincial governor was selected by the President from a list submitted by the Provincial Assembly, for a term of 4 years. In this charter, provinces had restricted autonomy and responsibilities. Congress and the President could annul any decision taken by the provincial assemblies and in return were required to endorse any tax law enacted in the regions. Provincial governments and assemblies had no authorities other than those detailed by national law. Provincial governors were explicitly defined as agents of the President. Congress enacted a yearly budget and all expenditures had to be approved in advance, by Congress (Art. 204).

The Constitution of 1843, enacted on April 20, 1843, after the civil war of 1839-1842, retained the state structure, indirect elections, and restricted suffrage for men, even using the same requirements as the previous charter. The territory was organized in provinces, cantons, and parochial districts and the governors were not only agents of the President but at-will employees of him. Moreover, the authorities of governors and provincial assemblies were not determined in the Constitution, but through statute.

The Constitution of 1853, enacted by Liberals, who came to power in 1849, was the first charter that clearly defined the rights of all citizens. It established universal

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[135] Tascón, *Historia del derecho constitucional colombiano*: 52.

suffrage for all men over the age of 21, and younger men who were married. This charter expanded the number of public officers to be elected, including members of Congress, President, Vice-President, Supreme Court Justices, General-Attorney, and for the first time Provincial Governors. It organized the territory into provinces and parochial districts that would autonomously define their own structure in accordance with the constitution of 1853 and national statutes. The national constitution determined a two-year term for governors and allowed for one reelection. Governors were both agents of the President and head of the province as in each constitution. It also determined the governors and provincial assemblies were to be elected by electoral processes. Though the constitution enabled Congress to create federal states, the form of government remained unchanged.[136]

The Constitution of 1858 continued to decentralize the state and for the first time defined the country as a confederation. It kept the basic electoral norms of the charter of 1853, particularly universal suffrage for all men over the age of 21 and married men. The constitution also stated that all responsibilities not granted to the federal government were reserved for the eight states. Article 11 detailed what each state was prohibited from doing: intervening in religious affairs, impeding the commerce of weapons, taxing goods to be consumed in other states, taxing the goods and property of the Confederation, differentiating between locals and those from other states, and double taxing goods that

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[136] Though there is no strong evidence, it has been claimed that the Constitution of 1853, as well as that of 1863, were devised to counteract the authoritarian tendencies of Presidents Obando and Mosquera. In both cases, the members of Congress or of the Constituent Assembly weakened the presidential powers in such a way that successfully prevented these two politicians from monopolizing power at the cost of permanently weakening the Presidency and the national government. By contrast, the Constitutions of 1830 and 1886 were supposedly devised to fit the ambitions of Bolívar and Núñez. ibid., 73.

are already subject to national duties. All states were required to cooperate in cases of extradition.

The charter granted the federal government the authority and jurisdiction to reestablish public order between states or within a particular state, to rule on any issue or problems arising among states, to maintain free commerce in the national territory and resolve border disputes among states. The charter was silent on the question of electoral legislation, mail service, education, the allocation of privileges, and improvements and construction of infrastructure or other joint responsibilities. This charter redefined which public officers were to be elected by direct vote. It designated presidents, senators and representatives to be elected by vote. Supreme Court Justices were to be chosen by Congress from a list of three candidates put forward by the states, and the Attorney General by the House of Representatives.

The Constitution of 1863 was enacted after a civil war, by a Constitutional Assembly gathered in Rionegro, Antioquia. It also defined the federal states as sovereign but made a significant departure from the previous constitution: in the 1858 Constitution state authority was granted to them by the national government, but in the 1863 Constitution states granted the federal government authority (Art. 17). The constitution said nothing about how the states should organize elections. The President was to be elected by the majority of state votes, one per state. Each state had one vote for a candidate, and each state vote was determined by a majority vote in the state. The charter set presidential and congressional terms of two years.

The new charter granted a lot of authority to states. The federal government needed congressional approval to declare war on a state. Each state's judiciary was

independent and not subject to appeal under any instance. The Constitution recognized a few powers of the federal government, namely maintaining relations with other nations and gave it shared authority with states over mail, education, the civilization of the indigenous population, and the creation of statistics.

The Constitution of 1863 specifically listed rights, including the freedom to own weapons, trade weapons, and freedom of speech, among others. This constitution (article 15, 5), like 1858, allowed for expropriations of property for the common good or as a judiciary penalty. However, all cases required compensation. In war, the compensation could be a posteriori.

In terms of taxation and public order, while the constitution of 1858 banned states from taxing certain categories of goods, in the charter of 1863 states pledged to not tax goods already subject to federal duties. The federal states agreed to not tax certain categories of goods, including those in transit through their territories, and accepted the mediation of the federal government in cases of conflict between states that could not be resolved peacefully. States could not declare war on other state, and were to remain neutral in case of conflict between the government and the inhabitants of any state.

The Constitution of 1886 radically departed from the decentralization process that began in 1850. It rejected the main postulates of the charters of 1853, 1858, and 1863 and returned to a unitary form of government with a strong president. It created indirect elections for president and vice-president, and direct elections for representatives. Senators were to be elected by the Department Assemblies. Suffrage was restricted to literate men over the age of 21 who satisfied a property or income qualification. The presidential term was expanded to 6 years, with no immediate reelection. The authority of

the Departments' Assemblies was determined by the constitution and by statute, and one of the few responsibilities left to them included the passing of a bi-annual budget. The governor or the judiciary could suspend any of the Assembly's decisions. Governors were appointed by the President for a three year term.

The Constitution of 1886 preserved the territorial divisions of the federal period, though the nine formerly sovereign states were renamed as departments and their authority greatly reduced. The departments had no administrative or financial autonomy; their authority and their sources of revenue were determined by statute. Governors, the top executive officers of the new departments became agents of the national government and were appointed and removed at will by the president. The makers of the constitution also established a process for splitting departments and creating new ones. Congress would have to discuss and approve any such project in two different legislative sessions. Congress passed Constitutional Law 103, in 1888 to ease the process of creating a new department, though it was never fully enacted as the legislature of 1890 did not approve it as well.[137]

Though the 1886 Constitution did not alter the number of senators from each subnational unit (3), it did change their selection process. After 1886, the president appointed senators. When the law clarified the creation of new administrative units, it

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[137] Víctor Manuel Moncayo C., "La Constitución de 1886 y la transición al régimen de descentralización territorial," in *Estado y Economía en la Constitución de 1886*, ed. Óscar Rodríguez Salazar (Bogotá: Contraloría General de la República, 1986), 177.

determined representation in the Senate in terms of population and not constitutional existence as territorial units.[138]

The Constitution of 1886 also included a number of transitory articles, including some that undermined the rights of the citizens. In particular, transitory article K, determined that until Congress could enact a Printing Press Law - known as Ley de Imprenta – the government had the authority to prevent and control any press abuse. This article was used to abuse the press. Other transitory articles include: article B, stating that the first Constitutional Congress would meet on July 20, 1888; G, which ordered state taxes, with the exception of rents, to be transferred to the national government; and H, which preserved state legislation but transferred authority and responsibility to homogenize laws to the National Constitutional Council, to be headed by Caucano Juan de Dion Ulloa.

2.5 The Economy

Colombia's state-building process faced a dilemma clearly manifest in the nineteenth-century. On the one hand, political instability and internal civil strife burdened productive economic activities. The costs and risks associated with engaging in any productive economic activity increased as a result of political insecurity and the disruptions of violent conflicts. On the other hand, economic backwardness reinforced the cycle of insecurity and civil uprisings. A paucity of revenues hindered the consolidation of state institutions and thus limited the government's capacity to control

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[138] Ibid., 183.

public order, something that for contemporaries seemed impossible. Colombia's nineteenth-century economic performance was poor even by Latin American standards. However, more in-depth research is needed to get to the heart of these two reinforcing processes.

Nevertheless, the coffee economy consolidated after the end of the nineteenth-century cycle of political and institutional instability. Up to that point, Colombia's incorporation into the world economy was highly irregular. Pre-1899, Colombia exported a wide range of products, including tobacco, quinine, indigo, hides, straw hats, coffee and precious metals, mainly gold. The latter comprised the bulk of exports until the expansion of the tobacco cultivation in the 1850s. However, none of these commodities were exported continuously throughout the period; periodic boom-and-bust cycles dramatically rearranged the composition of Colombia's export sector.

Jorge Orlando Melo divides the fifty-year period from 1850 to 1899 into six periods. From 1849 to 1857, Colombian exports experienced rapid growth as a result of the dynamism in the tobacco sector.[139] The 1849 suppression of the colonial tobacco monopoly fostered tobacco cultivation in Colombia, generating the first export boom cycle of the period. Tobacco remained the single most important export until the end of the 1870s, when it was substituted by quinine.

From 1858 to 1869, exports stagnated. Though tobacco sales compensated for a dramatic decrease in quinine and straw hat exports in the 1860s, the net remained flat. By the end of the 1860s, tobacco accounted for nearly 40% of Colombia's exports, followed

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[139] Melo, "Las vicisitudes del modelo liberal (1850-1899)," 159.

by gold with nearly 28%. During the 1860s, coffee exports began to become sizable. However, the boom in coffee production only began at the end of the 1880s.

Tobacco exports experienced a bust cycle in the 1870s. From 1870 to 1882, tobacco exports declined quickly and by 1882 tobacco exports represented a mere 1.2% of the national total. Quinine took its place as Colombia's main export, followed by precious metals. Exports reached their high point of the fifty-year period in 1882. In the 1860s, non-gold exports totaled less than five million pesos. In 1882, they topped eleven million.

From 1883 to 1887, Colombia faced a pronounced depression in external economy as quinine exports almost disappeared. Beginning in 1887, the monetary volume of Colombian exports started to recover as a result of increasing gold and silver exports and the recovery of coffee prices. In the last period, from 1891 to 1898, the continuous growth in coffee exports offset declining prices, a decline that had begun after 1895.[140]

All these developments directly impacted national state revenues. From 1850 to the end-1880s, the central government relied on a short list of sources of revenue. After the decentralization of sources of revenues, the bulk of the central government's finances came from customs. For most of the period from 1849 to 1899, customs and the salt monopoly provided for nearly 90% of the central governments income.[141] Thus, any sudden variation in exports directly impacted the central government's income. Even though after 1885 the central government regained a few sources of revenue that had

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[140] Ibid., 160.
[141] Ibid.

been decentralized in 1850—the livestock sacrifice fee, stamped paper, seawater salt evaporation ponds, and taxes on mines were nationalized on May 23, 1887—customs remained the single most important source of income.

In addition, limited growth of the export economy meant the national government faced severe budgetary constraints. For example, in 1872, President Manuel Murillo Toro informed Congress that for the 1872-1873 fiscal period nearly all tariff income had been allocated to the amortization of the internal and external debt.[142] Thus, no resources remained for building railroads or supporting public education, or even for paying public employees on time.

It comes as no surprise that state-building efforts were not very successful. Colombia's state-building process dragged on—as did the reinforcing cycle of political instability and economic stagnation—until the end of the *War of the Thousand Days* in 1902. In the decade after the end of this war, Colombia's political elite from both parties agreed on a set of reforms that finally allowed for political conflicts to be channeled peacefully.

The economy took off after the *War of the Thousand Days*. Coffee production rapidly expanded and a process of industrialization began. In contrast to the nineteenth-century, the twentieth century began with steady economic growth based primarily on the expansion of small and medium producers in the coffee economy in western Colombia.[143] Coffee exports, the leading economic sector, provided Colombia with a permanent

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[142] Manuel Murillo Toro, *Obras selectas* (Bogotá: Imprenta Nacional, 1979). 357.
[143] José Antonio Ocampo and María Mercedes Botero, "El café y los orígenes del desarrollo económico moderno en Colombia " in *La era de las exportaciones latinoamericanas: de fines del siglo XIX a principios del XX*, ed. Enrique Cárdenas, et al. (México: Fondo de Cultura Económica, 2003), 85. Besides coffee, a few enclave economies (bananas and oil) contributed to the pre-1929 export boom.

connection to the world economy and provided the government with revenues and access to the international capital markets to finance the expansion of state institutions (judiciary, a national police, an educational system, etc...).

Part II: Decentralization and Recentralization (1821-1899)

Chapter 3: Colombia, 1821 to 1863: The Rough Road to Federation

3.1 Introduction

In his work *Colombia*, published in 1913, Phanor Eder, the son of James Eder a pioneer of the sugar industry in the Cauca Valley, concluded that political controversies in nineteenth century Colombia primarily resulted from struggles between opposing theories of government, such as federation vs. centralization or from "the attitude to be adopted by the Government towards the Church."[144] Though other factors played a role, Eder had been correct to select these issues as the most contentious elements of Colombia's politics during its first century of independence. In fact, these issues were never truly settled and as the nineteenth century progressed, and party lines became more defined, the likelihood of compromise vanished, particularly on the relationship between Church and State.

Nevertheless, the two main political forces tacitly resolved the impasse when, following their defeat in the War of the Thousand Days, Liberals accepted the centralist institutions that had been created by Conservatives in 1886. Liberal recognition of the Conservative constitutional framework (with minor reforms in 1910) ended a century of institutional transformations. Both Conservatives and Liberals implemented sweeping reforms that altered, several times over, not only the internal configuration of the nation's territory, but also the degree of autonomy of subnational governments. The lack of

[144] Phanor James Eder, *Colombia*, The South American series,v. 10 (London [etc.]: T. F. Unwin, 1913). 42.

political compromise between factions arguing in favor of federation and those supporting a unitary system profoundly transformed the country throughout the nineteenth century and produced unexpected and remarkable consequences. In this chapter and the next, I will explore these transformations.

From 1832 to 1899, three distinct periods can be identified. In the first, from 1832 to 1849, Colombia was organized as a unitary state with decision-making concentrated in Bogotá. In 1832, policymakers dismissed the idea of a federation, considering it to be impractical for a recently independent society lacking previous self-governance. Federalism was discredited, in part, because of the debilitating conflicts over the nature of the new state during the period known as *patria boba* (1811-1816). During the 1830s, the national government successfully countered, through war or legislative channels, all attempts to decentralize or federalize state authority.

Starting in 1849 and continuing into the 1870s this changed, and state authority and competencies were transferred to subnational units. During this period, politicians from across the ideological spectrum praised decentralization as a precondition for progress. Liberals considered the revitalization of local and regional governance to be an integral part of their modernizing efforts. Decentralization, the delegation of policy-making to provinces and localities, was also seen as an essential mechanism for generating politically-minded liberal citizens. The theory went, by bringing governance closer to citizens, government would become more responsive to the needs of the citizenry. In this sense, Liberals were more supportive of decentralization than their Conservative counterparts, who thought Colombians to be unprepared to actively participate in the administration of public affairs. Nevertheless, with the exception of

their colleagues from Antioquia and the Caribbean, Conservatives tepidly supported decentralization in Congress.

The decentralization process began soon after Liberals took power in 1849 with the passage of legislation that moved the state closer to the population, and was most definitely not a top-down process. The Liberal platform reflected the long-term ambitions of regional and local elites who desired a greater degree of self-governance; a goal that clashed with Bogotá's political elite and significant factions of the Conservative party. Since independence in the 1810s, local and regional elites had pushed for a greater degree of autonomy from Bogotá. However, the debilitating conflicts that doomed the *patria boba* (1811-1816) and Gran Colombia (1821-1830), and the unsuccessful federal experiments in Argentina, Central America and Mexico, predisposed national political elites against decentralization. Though policy-makers in the 1850s were initially cautious about decentralization, their hesitancy was swept away by pressure from below. The federal constitutions of 1858 and 1863 were the culmination of this shift.[145]

During the third period, starting in the mid-1870s, Conservatives and dissident Liberals, self-identified as Independents, blamed federal institutions for Colombia's permanent state of political agitation and the recurrent civil uprisings in the nine subnational units. Because of this, they saw the recentralization of state-authority as a precondition for restoring public order and putting the nation on the path to prosperity.

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[145] The defining event in Colombia's decentralization process occurred in 1863. The Constitution of 1863 stripped the central government from most of its historical competencies and proclaimed the subnational units as sovereign political entities. For the next twenty-five years, until 1885, the nine federal states turned into commanding actors within national politics. Their extensive autonomy contributed to create a new set of problems as conflicts over authority strained the relations among the nine states and between them and the federal government.

Indirectly, the absence of a powerful central state capable of coordinating economic policy and building transportation infrastructure was linked to the downturn of the export economy in the 1870s. Recurring uprisings at the regional and local levels were also seen as evidence of federalism's impracticality for Colombia. Their position departed from those attitudes that had principally seen the decentralization of state authority in a positive light since independence.

The decentralization experiment began to be dismantled in 1885. In 1886, Conservatives issued a new constitution that concentrated decision-making in Bogotá. However, despite of the hopes of its proponents, centralization was neither peaceful nor did it end the cycles of civil wars and instability. Liberals only accepted the institutional arrangement of 1886 after two disastrous civil wars, in 1895 and 1899-1902. For most of the twentieth century, state authority remained centralized in Bogotá, and subnational unit's autonomy remained curtailed.

Governments moved back and forth as changing national and regional political coalitions forced further transformations. In part, this occurred because centralization (or decentralization) was seen as the solution to the cycle of political instability, economic stagnation and recurrent uprisings and disturbances that engulfed Colombia since independence in the 1810s. The conflictive relationship between the center and different regions, as well as Bogotá's inability to establish its authority throughout the national territory, also played its part in all these transformations. Throughout this period, regions remained prominent and decisive players in national politics, Antioquia and Cauca in particular.

Though Conservatives essentially opposed federation, with the exception of party members in Antioquia and the Caribbean, they played a crucial role in implementing it. In fact, a Conservative-controlled congress passed the federal charter of 1858, a Conservative president enacted it. Conservative Antioquia vocally opposed the charter of 1886 that recentralized state authority. Though the political elite in Cauca generally aligned with the pro-centralization party in the 1880s, opposition arose there too soon after the implementation of the unitary regime.

However, self-defense proved to be the most important reason driving the move towards federation. In a society where governing parties excluded opponents from public office, autonomous subnational units could be turned into protected fiefdoms, safe from the harassment and persecution of national authorities. In addition, federalism safeguarded subnational units from unrest in other territories and from unwanted legislation, particularly true for Antioquia.[146] In a recently independent society like Colombia's, where elections were manipulated by governing parties, self-governance of subnational territories not only proved advantageous to local elites but also gave them a safe position from which to bargain with the national power center. Of course, the drawback of this arrangement was that it facilitated the proliferation of battlegrounds from one to nine. [147]

Nevertheless, the federal institutions created by the leadership of Caucano *caudillo*, Tomás C. de Mosquera, served these purposes. They allowed Antioqueño Conservatives to monopolize power in the state from 1856 to 1877. In Antioquia,

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[146] Samper, *Los Partidos en Colombia: Estudio Histórico-Político*: 65.
[147] Un caleño [pseud.], "La Federación," (Cali: Imprenta de Velasco, 1857).

Liberals could only attain power with support of Caucano armies. The federal arrangement also allowed non-Radical Liberals in Cauca to control regional government for most of the period from 1857 to 1886. Furthermore, it allowed both groups to secure their position by excluding political opponents; in both states, the dominant political factions excluded opposing groups from public office (Radicals and Conservatives in Cauca and Liberals in general in Antioquia). They enacted exclusionary electoral systems that perpetuated their domination of local politics. In addition, both groups put forward state-building projects that were totally independent from national authorities. Despite the opposing ideological positions of these two groups, federalism fit their political and economic interests.

In this environment of virtual independence, Antioquia and Cauca became formidable forces, successfully countering any attempt from the center to recentralize state authority. Only the catastrophic outcomes of twenty-five years of federalism could bring about a change in policy, reestablish a unitary regime, and bring together the Conservatives and Independent Liberals—the core of former-Mosquera Liberals in Cauca—that regretted the extremes of Liberal Radical institutions. Yet, even then, in 1886, the nucleus of the new elite did not seriously attempt to disband the nine federal states that occurred later in 1905 and 1910. Policy makers split up and rearranged the territories of Antioquia and Cauca after the last nineteenth century civil war. Antioquia lost its most southern province and Cauca split into three different departments. Cauca's northern municipalities were grouped with Antioquia's southern province to form a new department.

Chapters three and four have two objectives. First, they provide a chronological account of the transformations of state organization and they describe the national institutional arrangements in place whilst Antioquia and Cauca implemented their own state-building projects. While in the previous chapters I have presented a more general description of the nineteenth-century constitutional reforms, here I focus on the institutional framework that granted such an important degree of autonomy to the nine states of the nation. These two chapters also show how these two regions did not easily conform to the political factions that controlled national politics during most of this fifty-year period. Antioquia's opposition to Radical Liberals, during the federation, and the Conservative National Party, during the Regeneration, exemplified its ongoing and zealous defense of regional autonomy and economic self-interest. Antioquia was more of an outsider than the Cauca; Cauca's military *caudillos* played important roles in implementing and sustaining both regimes. Cauca's political elite adapted to recentralization during the Regeneration period, 1885-1899 and ultimately lost out in the transformations implemented by Conservatives.

My argument in this chapter is broken down into the following sections, beginning with this introduction. I then explore the institutional arrangements and the consolidation of New Granada's unitary regime that existed prior to 1849 and the Liberal Reforms. The third section explores the legislation from 1850 that decentralized sources of revenue and competencies to the provinces. The fourth section describes the slow-moving process of decentralization of state-authority in Colombia and the creation of Panamá, the first of the nine federal states. In the fifth section, I provide the reader with an explanation of the process that led to Colombia's transformation into a federation

(1855-1858). The sixth section provides a narrative of the events and conflicts that occurred in 1858-1859. Conflicts between a Conservative dominated central government and the Liberal states resulted in a civil war. The seventh section briefly describes the opposing sides in the civil war and the origins of the Constitution of 1863. The last section summarizes the main features of the process that led to the federation in Colombia.

3.2 Pre-Liberal Reforms, 1830-1849

From independence in the early 1810s onwards, elites in Colombia disagreed on the proper degree of autonomy for subnational governments and the distribution of decision-making powers. The majority of supporters of independence favored a Republican and federal form of government. However, a minority rejected federalism outright.[148] During this period, known in Colombian historiography as the *patria boba* (1810-1816), the territory was ravaged by political infighting and debilitating conflicts between federalist and centralist camps.[149] Former colonial provinces referred to

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[148] Robert Louis Gilmore, *El federalismo en Colombia, 1810-1858*, vol. I (Bogotá: Sociedad Santanderista de Colombia, 1995). 3.

[149] Arosemena, *Constituciones Políticas de la América Meridional*, II: 222-31.Justo Arosemena affirms that, by contrast to other areas of Hispanic-America, there was less unity in the revolution in New Granada. Provincial juntas acted autonomously from Bogota, drafting constitutions and organizing local government. Indeed, the Juntas of Antioquia and Cartagena reluctantly sent their representatives to a convention in Bogotá early in 1811. Because the majority of provinces favored a federal system, the Junta of Bogotá proclaimed on their own the State of Cundinamarca (March 1811). Deputies in the convention were not discouraged by that decision and drafted a treaty, similar to the 1776 Articles of Confederation of the United States on November 27, 1811, for the rest of the territory. The struggle between the United Provinces of New Granada and the State of Cundinamarca weakened patriots, paving the way for the Spanish Reconquista. In 1814, after three wars between Cundinamarca and the federal forces and repeated negotiations, the former joined the Union by force. Bogotá surrendered after Bolivar's campaign in 1814. It was too late. Spanish armies under the leadership of Pablo Morillo landed in Venezuela on April 9, 1815.

themselves as *estados soberanos independientes* or 'independent sovereign states.' Inability to agree on effective central institutions and the political instability that resulted, led to generalized conflicts. These disagreements over the nature of the newly independent state turned into bitter civil conflicts and rendered the newly established government incapable of defending New Granada against the invading forces of Spaniard Pablo Morillo, who commanded the army sent by Spain to reconquer the rebel colonies of Venezuela and New Granada.[150]

Neighboring Ecuador and Venezuela also confronted the challenge of unbending regional interests. After independence in 1810, Venezuelan provinces demanded greater autonomy. The weak central government and conflicts between provinces contributed to the military re-conquest of the region by Monteverde. By the end of 1812, the first Venezuelan republic was a thing of the past. Quito suffered the same fate that year, also because of similar internal conflicts. Internal strife in the former Royal Audiencia of Quito and the refusal of provincial governments to surrender some of their authority in order to strengthen the central government, aided royalist Toribio Montes in his task. Montes defeated the independent junta with only 1,000 troops. Ecuador would only regain its independence ten years later, in 1822.[151]

Cartagena surrendered on December 6, 1815 and Bogotá on early 1816. The first republic collapsed that same year.

[150] "Ya sonaba en nuestros oídos el cañón de Morillo, y aun disputábamos sobre la forma de gobierno, la soberanía de las provincias, la facción que debía mandar y otras mil niñerías políticas." José Manuel Restrepo, "Esposición que el secretario de Estado del Despacho del Interior de la República de Colombia hizo al Congreso de 1824, sobre los negocios de su departamento," ed. Colombia. Secretaría del Interior (Bogotá: Imprenta de la República por Nicomedes Lora, 1824), 4-5.

[151] Ibid., 3-5.

The lingering memories of the *patria boba* predisposed the public of these regions to oppose federation for several decades.[152] Even in the late 1860s, a full decade after the implementation of the federation, critics still dredged up the experience of the 1810s in order to warn the public of the problems of this form of state organization. In an anonymous satirical poem from 1868 that condemned the excesses of the federal arrangement, the satirist associated the two periods:

> Of the same evil did die,
> The mother, the patria boba,
> Who had been so pained,
> By all that she had federated,
> Until, at last, he came,
> The doctor Morillo,
> Who, by applying the knife,
> Burst the blister,
> And finished his treatment,
> With a jury and a noose.[153]

The anonymous writer condemned federalism, assuming a ruinous end for the system implemented in Colombia in 1857-1858. Indeed, federalism would remain a contentious issue throughout the nineteenth century, and, as in the 1810s, it would not end well.

In the early 1820s, the leadership of the pro-independence party put aside their differences and concluded that a unitary regime with a strong presidency was the most advantageous choice while they fought Spanish domination. As a result, the Constitution of 1821 established a high degree of centralization in Gran Colombia. Though delegates to the Congress of Cucuta considered a unitary system to be the most appropriate form or

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[152] Gilmore, *El federalismo en Colombia, 1810-1858*, I: 3.
[153] "La Colombia federal: cantada por un remanente colombiano en musa vieja por el sistema métrico decimal," (Colombia: s.n., 1867).

organization while waging war against Spain, Article 191 of the charter established that at least ten years after its issuance, Congress would call for a Constitutional Assembly to amend the 1821 charter or enact a new one.[154] The union would not last that long.

After the wars for independence ended in 1824, consensus on the organization of Gran Colombia broke down and rivalries between the numerous and divergent interests resurfaced. [155] In his report to Congress in 1826, Secretary of the Interior José Manuel Restrepo affirmed that a faction in Caracas not only opposed the constitution but also opposed Bogotá's designation as the seat of the government and had harbored these positions since 1821. These conflicts remained muted until the end of the war. On May 11 and 16, 1826, the councils of Valencia and Caracas broke the tacit agreement of the Union, granting General José Antonio Páez the title of civil and military chief of Venezuela, independent of Bogotá. In July of 1827, Guayaquil demanded that the government move up the time frame for the constituent convention. The framers of the Constitution of 1821 stipulated that such a convention would convene ten years after the enactment of the first constitution. When Quito and Azuay (located in what is today Ecuador) requested this, the latter declared itself in favor of a federal system. In September of 1826, the departments of Panamá and Maturin also asked Bogotá to summon the convention early.[156]

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[154] Colombia, "Cuerpo de Leyes de la República de Colombia. Tomo I. Comprende la Constitución y leyes sancionadas por el primer congreso jeneral en las sesiones que celebró desde el 6 de mayo hasta el 14 de octubre de 1821," Cuerpo de Leyes de la Republica de Colombia (Bogotá: Por Bruno Espinosa, impresor del Gobierno jeneral, 1822), 43.
[155] Gilmore, *El federalismo en Colombia, 1810-1858*, I: 51.
[156] José Manuel Restrepo, "Esposición que el Secretario de Estado del Despacho del Interior del gobierno de la República de Colombia hace al Congreso de 1827 sobre los negocios de su departamento," ed. Colombia. Secretaría del Interior (Bogotá: Imprenta de Pedro Cubides, 1827), 2-5.

On November 13, 1826, General Páez called the representatives of Venezuela and Apure to meet in Valencia on January 10, 1827, and to open the constituent convention five days later. General Bolívar left Bogotá for Venezuela on November 25, 1826. From Maracaibo on January 1, 1827, Bolívar called for the convention as well. By doing this, Bolívar temporally preempted a separatist movement. Meanwhile, the departments of Boyacá, Cauca and Cundinamarca in central Colombia, and the provinces of Mompox (department of Magdalena) and Mérida, Barinas and Guayana in nowadays Venezuela remained loyal to the government, supporting the charter of 1821.[157] The struggle between those who supported a federation and those who supported a centralized state dragged on to the very end and undermined the government.

On May 5, 1830, the Constituent Congress enacted a new constitution for Gran Colombia. Even though Congress ratified it, only the authorities of New Granada (now Colombia) recognized the document. At the end of that year, the Gran Colombia collapsed and in 1831 officially dissolved.[158] Gran Colombia, the entity formed in the midst of the War of Independence, fractured because of conflicts over the degree of autonomy of subnational units and the delegation of decision-making authority to the constituent states—now Colombia, Ecuador, Panamá and Venezuela..

New Granada, taking the name of Colombia after 1863, also faced a struggle between those who wanted a unitary state with a strong presidency and those who supported a federal form of government. Notwithstanding the many supporters of

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[157] Ibid., 6-11.
[158] Arosemena, *Constituciones Políticas de la América Meridional*, II: 232-33. In the absence of President Joaquin Mosquera, General Domingo Caicedo called a Constitutional Convention for the provinces of New Granada. The convention drafted a fundamental law on November 21, 1831 and enacted a Constitution on February 29, 1832.

federation, particularly in certain regions, the first post-Gran Colombia Constitutional Congress opted for a unitary regime. The precedent of *the patria boba*, the debilitating conflicts over political organization confronted by Central America, Argentina and Mexico, and fears of dissolution or secession, particularly in the province of Popayán, contributed to the centralized institutions created in 1832.[159]

As in 1821, the Constitutional Congress avoided experimentation and maintained the organization of provinces and cantons with most decision-making concentrated in Bogotá, the new nation's capital city.[160] The Constitution of 1832 granted the presidency the authority to appoint provincial governors and the central government raised most taxes and assumed the core of state functions. Congress determined the sphere of action of those decentralized levels of government, including their competencies and most of their fiscal instruments. It also limited the autonomy of provinces, cantons, and municipalities. Yet, in practice, the limited capacity of the national government granted subnational units a larger degree of autonomy than officially recognized.

The post-1832 administration initially achieved a relative stability in the country. In contrast to other Latin American republics, the 1830s and 1840s were relatively stable

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[159] In fact, the Gran Colombian department of Cauca provisionally seceded from New Granada after the dissolution of the former in 1830. On November 8, 1831, the Constitutional Convention of New Granada, chaired by Jose Ignacio de Marquez, requested the executive to take the necessary measures to safeguard the territorial integrity. Eventually, the government succeeded and Cauca reinstated to New Granada. Colombia, *Colección de las Leyes Dadas por la Convencion Constituyente del Estado de la Nueva Granada, en las Sesiones de los Años 1831 y 1832* (Bogotá: Tipografia del Gobierno, por J. A. Cualla, 1832). 2.

[160] The Constitution of 1832 eliminated the five departments but kept the eighteen provinces: Bogotá, Antioquia, Mariquita, Neiva, Tunja, Socorro, Pamplona, Casanare, Cartagena, Santa Marta, Mompos, Riohacha, Popayán, Buenaventura, Pasto, Choco, Panamá and Veraguas. From 1832 to 1853, the number of provinces grew until reaching thirty-five, containing 816 parochial districts and 70 aldeas (villages). Guillermo Valencia, Antonio José Uribe, and José María Bucheli, *División Territorial. Informe de la Comisión que estudió el proyecto de ley "sobre división territorial"* (Bogotá: Imprenta Nacional, 1909). 20.

decades and the central government was fairly effective in dealing with the challenges posed by their political foes and the pro-federalists. Sporadic pro-federal petitions were dutifully denied either by Congress or by provincial legislatures. The latter was the case with the petition submitted by Juan José Nieto to the Provincial Legislature of Cartagena in 1838. In his petition, Nieto proposed to transform Colombia into a federation. Should that proposition be denied, Nieto advocated for transferring state authority to provincial governments. His hope, like that of most other supporters of a federal form of government, was that a greater degree of autonomy would remedy the structural problems and backwardness of Cartagena.[161]

In its resolution, drafted by Gordon and De Zubiría, the provincial legislature brought forward two issues that persisted up to the transformation of Colombia into a federation in 1858.First, they reminded members of the legislature of the unruly federal experience of the 1810s. They concluded that the debilitating conflict between federalists and centralists facilitated Spain's re-conquest of New Granada.[162] Nieto responded to this by stating that unitary regimes had not done any better in Argentina and Mexico.[163]

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[161] Tomás Gordon and Francisco de Zubiría, "Cámara de la Provincia de Cartajena: informe de la comisión en la representación del Cno. Juan José Nieto sobre federación, ó aumento de poder a las cámaras de provincia," ed. Cámara de la Provincia de Cartajena (Guayaquil: Imprenta de Vivero por José F. Puga, 1839).

[162] Gordon and De Zubiria oppossed Nieto's project for the institutions addopeted by "nuestros próceres de la primera época de la revolución, y que no dieron sino los amargos frutos del escándalo y de la guerra civil, de la desolación y la muerte, sometiéndonos al fin a la feroz cuchilla espedicionaria… ¡Horrible recuerdo!" ibid.

[163] Juan José Nieto Gil, "El ciudadano Juan José Nieto contesta el informe que se ha publicado emitido por una comisión de la Cámara de su provincia fecha 9 del pasado: que recayó a un escrito que introdujo suplicando se propusiese a la próxima legislatura la iniciativa de la cuestión sobre si conviene ya a la Nueva Granada el sistema federal; y de no, que se les concediesen atribuciones locales las latas a las cámaras de provincia," (Cartagena: Imprenta de Eduardo Hernández, 1838), 5.

The second issue concerned the aggrupation of provinces to create larger federal territories. Would proponents of the federation create one federal state out of the provinces of Cartagena, Riohacha, Santa Marta and Mompox? How would the government deal with desires of each of provincial capital to be a state capital? Would the whole process unravel in a peaceful manner?[164] These three questions remained until 1857-1858, when proponents of the federation finally achieved their goal. They were the biggest hurdles federalists faced before they could achieve their long-sought goal. The provincial legislature of Cartagena was not the only one that debated federation. The legislatures of Riohacha and Santa Marta did as well. But, in contrast to Cartagena, these two enacted declarations asking the Congress to transform nation into a federation. Even though the Congress repeatedly deliberated over the issue, they made no decision and Colombia remained a unitary republic until 1858.

The centralized regime of 1832 also faced challenges in the form of war during the Márquez administration (1837-1841). In 1840, after a several years of political confrontations, the supporters of late President Santander took advantage of a religious conflict in Pasto to confront President Márquez and the *Ministeriales*, as their supporters were known at the time. His political foes accused Márquez of political sectarianism and the *Ministeriales* of betraying the liberal and Republican regime.[165] The provincial leaders of the civil war (1839-1842) proclaimed the dissolution of New Granada, and

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[164] "¿Formarían las provincias de Cartajena y Santa Marta, Mompox y Rio-Hacha un estado? ¿No renacerían ningunas antipatías? ¿no habría pretensiones de cada ciudad a ser la capital del estado? ¿Se desembrollaría todo esto pacíficamente?" Gordon and Zubiría, "Cámara de la Provincia de Cartajena: informe de la comisión en la representación del Cno. Juan José Nieto sobre federación, ó aumento de poder a las cámaras de provincia."

[165] Manuel González, "Pronunciamiento del Socorro," (Bogotá: Imprenta por Nicolás Gómez, 1840).

declared the territories under their control *Estados Soberanos* (Sovereign States).[166] The military leaders of the uprising named themselves *jefes supremos* (supreme chiefs).

In December of1840, Juan Antonio Gutiérrez de Piñeres, *Jefe Superior* of Cartagena, listed the provinces that had seceded from New Granada and those under control of the central government. Of twenty provinces, Socorro, Pamplona, Vélez, Tunja, Casanare, Cartagena, Santa Marta, Mompox, Riohacha, Panamá, Veraguas, Antioquia and Pasto were in open rebellion against the Márquez administration. Neiva and Mariquita showed signs of discontent, and even in Bogotá there were indications of political unrest. Only Popayán, Cauca, Chocó and Buenaventura, four out of twenty provinces, were completely peaceful.[167]

The War of the Supremes was a complex conflict. The party defeated in the presidential election to choose Santander's successor fought both against the incumbent administration and for its territorial autonomy. The army defeated supporters of a federation, eliminating hopes for federalization for nearly two decades. [168] The *Ministeriales*, the leaders of the victorious coalition of 1842, imposed the hyper-centralizing and Conservative 1843 Constitution that expanded the authority of the executive branch at the expense of the Congress and the Judiciary.[169]

The Conservative-dominated Congress preserved the centralized form of government that had been instituted in 1832 as well as the territorial organization based

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[166] Ibid.; Juan Antonio Gutiérrez de Piñeres, "Estado Soberano de Cartagena, Jefatura Superior ", ed. Jefatura Superior (Cartagena: Imprenta de Eduardo Hernández, 1840); Tunja, "Documentos oficiales: Estado Federal del Socorro, Provincia de Tunja," (Bogotá: Impreso por José Ayarza, 1840).
[167] Gutiérrez de Piñeres, "Estado Soberano de Cartagena, Jefatura Superior ".
[168] Arosemena, *Constituciones Políticas de la América Meridional*, II: 234.
[169] Ibid., 235.

on provinces and cantons. They enhanced the powers of the executive, granting the president authority to appoint and remove provincial governors. This gave Conservatives, already in control of Congress and the national government, domination of all levels of public administration. The exclusion of would-be Liberals from public affairs did not last long. In 1847, the previously defeated coalition reorganized. [170] In 1848, Ezequiel Rojas published the Liberal Party's first platform. The Conservative Party followed suit and was formally established one year later, in 1849.

After their electoral victory in 1849, Liberals spearheaded a process of political and administrative decentralization. They believed that bringing decision-making process closer to citizens would radically improve the quality of life of Colombians. They assumed that by giving citizens more say in the formulation and implementation of public policies, would lead better, more informed, and more relevant governance by provincial and local officials. The reformist agenda implemented by the Liberal Party after 1849, known either as the Liberal Reforms or the mid-century reforms, marked the start of a decentralization process that was being called for from the provinces. In fact, by 1847, pro-federalists were already strong in the Caribbean provinces, Antioquia, and the provinces that would eventually become Santander and Cauca (in 1857).[171]

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[170] Gilmore, *El federalismo en Colombia, 1810-1858*, I: 139.
[171] Ibid.

3.3 The Dawn of Decentralization - The Liberal Reforms and the Decentralization of Sources of Revenue Act

As seen in the previous chapter, Liberal Reforms impacted both society and the economy during the López administration (1849-1853). They attempted not only to change formal institutions but also to alter long-standing patterns of interaction between individuals and other institutions in society, i.e., the state, the market and the Catholic Church. In their drive to modernize society and the economy, Liberals promoted the decentralization of policy-making, listing it as a goal on their party platform. They sought to not just improve governance and the provision of public services, but to create politically conscious individuals that could sustain their ideals in the future.

On April 20, 1850, Liberal President José Hilario López enacted the Decentralization of Sources of Revenue and Competencies and Reorganization of the National Public Treasury Act.[172] It was the first significant piece of legislation passed by his administration and the Liberal-controlled Congress. It expanded the jurisdictions and autonomy of municipalities and provincial governments. With this law, after two decades of political centralization, Liberals transferred competencies and sources of revenue to the provinces.[173] They attempted to revitalize political processes at the regional level and garner support for their reformist agenda. This process would, they hoped, create a more politically conscious citizenry. On a practical level, they expected that it would improve the provision of public services and goods, including education, infrastructure, etc…

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[172] The title of the Act in Spanish is "Ley sobre decentralización de algunas rentas y gastos públicos, y sobre organizacion de la hacienda nacional." Colombia, *CN XIV*, XIV 1850-1851: 32-40.
[173] In 1849, Colombia was formed by provinces, cantons and parochial districts. Provinces were the largest of the subnational units existing at the time.

They went so far as to suggest the election of parochial priests, drawing the fierce opposition of the Catholic Church hierarchy.

Simultaneously, Liberals began to reorganize the twenty-two provinces that existed in 1848. Congress created smaller subnational units, shaking the regional foundations of political power in the country. By the end of the López administration, there were thirty-six provinces in Colombia, the greatest number of subnational units in the country's history.[174] This process will be explored in the next two chapters, where I will present an in-depth study of the reforms of internal boundaries from 1823 to 1899. Even though these two processes, decentralization and the reorganization of the configuration of territory, occurred concurrently, the latter continued until 1861. From 1861 to 1905, the internal configuration of the national territory remained unaltered.

The Decentralization Act of 1850 did more than transfer resources and competencies to the provinces. It redefined the sphere of influence of the central state vis-à-vis provincial governments. Congress reorganized government expenses into eight departments: Government, Debt, Justice, War and Navy, Foreign Relations, Public Investment (including the administration of national penitentiaries), Beneficence and Rewards, and Treasury Expenses. These eight departments were grouped into four secretaries: Government (including Government and Justice), Foreign Relations (Foreign Relations, Public Investment, Beneficence and Rewards), War and Navy, and Treasury (Debt and Treasury Expenses). Any expenses not included in the previous list or in the annual budget approved by Congress, became the responsibility of the provinces. In

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[174] In 2011, Colombia is formed by thirty-two departments and Bogota, the Capital District

addition, the Act reorganized the central government's Treasury and defined the process to create and approve the budget.

The legislation released subnational units from previous restrictions, increasing the financial options available to regional governments. Provincial chambers were granted the autonomy to determine the allocation of their own tax revenues; provincial legislatures the authority to enact financial regulations and plans of action. However, the autonomy was not complete. The Act specified several expenses that had to be paid by the province that had been previously funded by the national government. These included the cost of maintaining a functional provincial government and district tribunals. Provincial governments also had to pay for certain expenses related to the Catholic Church, in accordance with existing national laws.

The Act also indirectly specified the sources of provincial revenue. The central government retained the administration of all customs and tariff-related income. Taxation of exports was explicitly prohibited by law. The nation retained control over the income generated by the postal service and the mints, and held the monopoly on salt. Other sources of revenue retained by the nation included income generated by the sale of stamped paper, payroll taxes on national employees, income generated by national real estate, penalties and late penalty interests generated by national taxes, penalties or compensations on contracts adjudicated to the Nation, and the income generated by tolls on roads owned by the Nation. The Act passed all sources of revenue not included in the previous list, along to the provinces. Provinces could eliminate or create new taxes, and increase or decrease rates of existing ones.

The Act listed a few exceptions, with the intention of preserving the unity of the internal market and avoiding conflicts with other provinces. It prohibited provincial tax rates on imports that were higher than those on other goods introduced into the province. Imports could only be taxed through consumption taxes and tolls. Export could not be taxed at all. Provinces could not enact barriers to the entry of any goods that were legal in the Republic nor could they overtax those already subject to national duties. The Act also required provinces to create and enact a provincial budget, defined the terms, and provided general rules for the budget's organization. The bill was adopted by Congress on April 18, 1850 and promulgated by President López on April 20, 1850. The Act came into effect on January 1, 1851. That same year, Congress enacted another law (on June 1, 1851), in addition to the Decentralization Act that specified in greater detail the responsibilities transferred to the provinces and the costs they had to cover.[175]

By granting sources of revenue to the provinces and enabling them to enact their budgets, Congress delegated the authority bestowed to the State by the 1843 Constitution. The central government retained the right to take back the powers it had granted to the regional governments. Provincial authority only became constitutionally entrenched with the constitutional reform of 1853. Until that reform, all political decisions were still centralized in Bogotá, at least on paper. Nonetheless, the decentralization process put forward by Liberals altered the balance of power between the central state and the regions and dramatically impacted local and national politics. To the best of my knowledge, there are no studies assessing the impact of the 1850 Act on the fiscal capacity of provinces

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[175] Colombia, *CN XIV*, XIV 1850-1851: 457-59.

and localities. In a practical sense, decentralization provided local elites with plenty of opportunities to reap the benefits of governance: wasteland grants, public contracts, monopolies, and tax revenues. This last aspect has not yet been studied.

3.4 The Constitution of 1853 and the State of Panamá

The first part of the decentralization process occurred within the frameworks provided by the generally centralizing and Conservative Constitution of 1843. Its opponents took almost four years after Liberals took power in 1849, to adapt to the new reality created by the reforms of Colombia's formal institutions. In part, this was due to the blurry political divisions between Liberals and Conservatives. In the early 1850s, party lines were porous. In addition, a conflict grew within the Liberal party over the type and scope of reform. While *Gólgota* Liberals supported radical changes, *Draconiano* Liberals were more cautious. This explains, in part, why it took Congress so long to amend the 1843 Constitution, despite Liberal control of both houses of Congress from 1851 to 1853.[176]

Liberal efforts to reform the charter of 1843 finally came into fruition on May 21, 1853, when President José María Obando enacted a new constitution. Among the changes in this new charter (see the previous chapter for a detailed account of the new constitutional provisions), this one sanctioned political and administrative

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[176] In the 1849-1850 Congress session, the first after liberals took power, conservatives narrowly controlled the Senate. In 1850-1851, the Senate was equally split while liberals had a large majority in the House. From 1851 to 1853 liberals controlled both house of Congress. In the 1853-1854 Congress session, gólgota liberals regularly allied with conservative to counter the draconiano Obando Administration. In the 1854-1855 session, conservatives controlled the Senate and liberal the House of Representatives. Gilmore, *El federalismo en Colombia, 1810-1858*, I: 163.

decentralization, the separation of Church and State and a wide range of individual rights. It enfranchised all men over twenty-one years of age and increased the number of public officers chosen through direct elections. This charter also granted extensive powers to provinces even allowing them to enact their own constitutions.[177]

In the 1853 charter, Congress included provisions that deepened the decentralization process. For the first time since the establishment of the *smaller* Colombia in 1832, the president lost his authority to appoint provincial governors.[178] That decision, passed by the combined efforts of *Gólgota* Liberals and Conservatives, diminished the influence of the incoming Liberal *Draconiano* President José María Obando and became a landmark of the decentralization process.[179] For *Gólgotas*, in addition to countering the authority of the incoming administration, electing state officials at provincial and local levels safeguarded their reforms and promoted the development of communities across Colombia. For Conservatives, it was a way to regain power.

In spite of these reforms, the Constitution of 1853 was considered a transitory arrangement.[180] This was due, in part, to Congress failing to fully transform the nation

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[177] Colombia, *Constitución Política de la Nueva Granada. Año de 1853*, Constitución política ([Bogotá]1853). 8-9.

[178] Article 52 established provincial governors were elected by popular ballot and served terms of two years, without any limitation for immediate reelection. ibid., 9.

[179] Arosemena, *Constituciones Políticas de la América Meridional*, II: 327-28. Congress passed the Constitution of 1853 after heated debates, with the votes of radicals and conservatives. Justo Arosemena affirms President Obando reputed the Constitution of 1853 as a hostile act against him from those two groups of congressmen.

[180] By contrast to other Colombian constitutions, the charter of 1853 was the result of a compromise among three competing factions: conservatives, liberal radicals and liberal draconianos. Conservatives and radicals supported the weakening of the executive branch of government to prevent its interference in the affairs of Congress and its meddling in electoral processes. Draconianos opposed the reform altogether, defending the ample presidential prerogatives of the Constitution of 1843, though they agreed with radicals in certain issues. Conservatives and radicals combined enacted a charter with an independent electoral organization

into a federation.[181] Instead, they had granted provinces a great deal of authority and autonomy. After Congress returned from break in February 1853, there was a general expectation that legislators would endorse the federation. However, in Bogotá, it became apparent that *Draconiano* Liberals were committed to non-federal constitutional reform.[182] On March 10, 1853, the Senate eliminated the word federation from the draft charter and from Article 10.[183] In his work *El Federalismo en Colombia*, Gilmore concluded that Radical Liberals and Conservatives agreed to drop the word federal (a word that Conservatives vehemently opposed) from the draft in order to achieve other goals. Radicals relinquished their federal project and Conservatives supported limited presidential authority and expanded enfranchisement.[184]

The arrangement neither satisfied the proponents of a federal reform nor diminished their commitment.[185] Consequently, as soon as these changes were enacted by President Obando, Congress began to try to amend them.[186] The unrelenting efforts of the advocates of federal reform achieved their first success in 1855. On February 27 of that

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and a weakened presidency. For Arosemena, both conservatives and radicals were confident the new electoral rules would favor them so, at due time, they could retouch the charter. Justo Arosemena, "Estado Federal de Panamá," (Bogotá: Imprenta de Echeverría Hermanos, 1855).

[181] Samper, *Los Partidos en Colombia: Estudio Histórico-Político*: 60; Arosemena, "Estado Federal de Panamá."

[182] Gilmore, *El federalismo en Colombia, 1810-1858*, I: 217, 20.

[183] Article 10 recognized Colombia established a popular and representative type of government. It recognized provinces and subnational territories ample municipal authority and reserved certain competencies to the central government, including the preservation of public order and electoral authority. Colombia, *Constitución Política de la Nueva Granada. Año de 1853*: 2-3.

[184] Gilmore, *El federalismo en Colombia, 1810-1858*, I: 221-22.

[185] In his pamphlet entitled Estado Federal de Panamá, Arosemena criticized the middle way between federalism and centralism of the charter of 1853. For him, “parece pues evidente, que el régimen municipal como hoy se halla concebido, no satisface a las necesidades de las provincias; porque tratándose de resolver un problema insoluble, se ha temido reconocer abiertamente la soberanía de las secciones, y se las ha restringido queriendo libertarlas. Lo repito, entre la federación y el centralismo no hay término medio.” Arosemena, "Estado Federal de Panamá."

[186] Robert Louis Gilmore, *El federalismo en Colombia, 1810-1858*, vol. II (Bogotá: Sociedad Santanderista de Colombia, 1995). 18.

year, Vice-President José de Obaldía signed a Constitutional Amendment creating the federal State of Panamá. The state was formed by the former provinces of Panamá, Azuero, Veraguas and Chiriquí, occupying the isthmus that connects Colombia to Central America.

In the Constitutional Amendment of February 27, 1855, Congress entrenched the new federal state with self-governing status, and detailed the division of powers between the new entity and the nation. The central government retained limited authority (Art. 3), including responsibility over Colombia's foreign relations, the organization of a standing army and a navy, the collection of the sources of revenue not granted to the state, the allocation of the national budget, the naturalization of foreigners, and the determination of weights and measures. Congress granted Panamá one hundred thousand hectares of wasteland in addition to those already received by the four constituent provinces. The central government also retained the authority to appoint officials in Panamá and conduct national-level elections—for president, vice-president, justices of the Supreme Court and the *procurador*, the attorney general. The Panamanian government had the authority to conduct state-level and congressional elections.[187]

Notwithstanding the provisions of Article 3, the central government could not reestablish customs in Panamá without the acquiescence of the state legislature.[188] The central government's authority to collect and safeguard customs duties and to control the flow of commerce through the isthmus was reestablished by Panamá only after 1886. However, Congress did safeguard the nation's right to interoceanic infrastructure built on

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[187] Colombia, *Leyes i Decretos Espedidos por el Congreso Constitucional de la Nueva Granada en 1855* (Bogotá: Imprenta del Neo-Granadino, 1855). 6-7.
[188] Ibid.

the isthmus. In addition, it determined that the revenues raised by any such transportation project be allocated to paying off of Colombia's public debt. Finally, the amendment granted Panamá the authority to legislate on any issue not included in Article 3.[189]

This dramatic transformation was made possible because of the convergence of several processes. The California gold rush revitalized Panamá's transport economy, increasing its geopolitical importance and therefore, the chances of a foreign-led intervention. The threat of a filibuster invasion, like those suffered by Nicaragua and other Central American republics during those years, became all too real for this region with little state presence.[190] The construction of the railroad linking the Caribbean and the Pacific coasts of Panamá, a result of the flourishing commerce across the isthmus, increased economic potential of the region but also stressed the insignificant national bureaucracy.

In addition, other political factors also played a role. The Liberal Reforms altered political interactions on the isthmus, as they did throughout Colombia. The drive towards decentralization, the abolition of slavery, and universal male suffrage posed new challenges to local administrations.[191] Social groups previously excluded from electoral politics struggled to claim a place in this new institutional framework. In this context, the drive toward creating federal states was seen as a logical consequence of the entire process. Simultaneously, both political parties had to negotiate with these new sectors in

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[189] Colombia, *CN XVI*, XVI 1854-1855: 103-05.
[190] Aims McGuinness, *Path of empire: Panama and the California Gold Rush* (Ithaca: Cornell University Press, 2008). 84-85.
[191] [pseud.], *La Lección del Pasado. Ensayo sobre la Verdadera Misión del Partido Liberal*.

order to retain or win public office.[192] Popular support became essential for winning and maintaining political power. Both processes converged in Panamá and in the coming year, sped up the decentralization process throughout the country.

Negotiations between local politics and national politics produced the State of Panamá and this customized legislation. The process resolved the problems created by the rapidly changing environment in the region and preserved Colombia's sovereignty over the isthmus. Though the Constitutional Amendment nominally preserved the unitary character of Colombia, in reality it created a hybrid system. Provinces coexisted with federal states until the congressional enactment of the 1858 Constitution. However, the reform could not effectively counter the growing United States presence in the territory, and in the end, strengthened foreign interests in Panamá, adding yet another layer to an already conflictive situation.[193]

After the creation of Panamá, the pro-federation faction in Congress failed to garner enough support to complete the transformation. Even though sentiment favoring the federation grew, they lacked consensus over how to regroup the existing provinces into larger subnational units. As a result, the transformation of Colombia into a federal republic took on a highly peculiar form as the Congress first reorganized the territory into eight federal states— Panamá in 1855, Antioquia in 1856 and the remaining provinces in 1857—and then in 1858, enacted a constitution reflecting a federal design. However, while the order of events was peculiar, it was not exceptional. In fact, as several political

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[192] McGuinness, *Path of empire: Panama and the California Gold Rush*: 86.
[193] The first major incident between Colombia and the United States occurred on April 15, 1856. The brief occupation during the so-called Watermelon War was the first U.S. intervention in the isthmus. From 1856 to 1903, the United States intervened thirteen times in Panama; the last time, promoting the rebellion that led to the proclamation of an independent Panama. ibid., 11, 190.

commentators expressed in the 1850s and 1860s, only in Hispanic America had politicians' first fractioned nations in order to then create federations.[194]

Later in 1855, the central government delegated more authority to subnational governments. These new instruments aimed to provide municipalities with increased responsibility over their own affairs. On April 17, 1855, Congress granted provincial legislatures the authority to create police forces within their territories. Additionally, they authorized the organization of municipal guards dedicated to the preservation of public order. The only restriction placed on these forces was, that in the case of upheaval, they would serve the national government. Finally, Congress authorized provincial legislatures to organize the municipal electoral system in their territories, without any restrictions.[195] The ample degree of self-governance of subnational units after the enactment of the Constitution of 1853 and the preceding legislation, led the Legislature of Cauca to deem the federal reform discussed by Congress in 1855 to be superfluous.[196] Meanwhile, the 1855 and 1856 Congresses debated several projects to either creating individual states or to reorganize all provinces into federal states. All failed, except the bill creating the federal state of Antioquia in 1855.

The decisive moment for federalism came in 1857. That year Congress finally agreed to regroup all remaining provinces into federal states. On April 1857, Senator Mosquera, a key player in this drama, returned from the United States. After taking his

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[194] Aggeo [pseud.], "La Federación i el Centralismo," (Bogotá: s.n., 1868), 6.
[195] Colombia, *Leyes i Decretos Espedidos por el Congreso Constitucional de la Nueva Granada en 1855*: 21.These provisions were on Article 1, Indents 5, 9 and 10 of the Act of April 17, 1855, "sobre facultades de los Gobiernos municipales de las provincias."
[196] "Opinión de las legislaturas provinciales (continuación)," *Gaceta Oficial*, jueves 8 de noviembre 1855, 1119.

seat as Senator, Mosquera revitalized the debate over the creation of Santander.[197] On May 8, 1857, Senator Mosquera presented a scheme to complete the reorganization of all provinces into states.[198] Congress acted and the Legislature of 1857 passed two bills reorganizing the remaining provinces into six states. On May 13, 1857, Congress created the state of Santander by grouping together the provinces of Pamplona, and Socorro[199]. One month later, on June 15, 1857, Congress finished the process creating the states of Bolívar, Boyacá, Cauca, Cundinamarca and Magdalena. Yet, federalization was not complete; Colombia was organized into eight federal states but lacked a corresponding constitution. The federal constitution was not enacted until one year later, in May 1858, ending the long and tortuous path towards federation.

3.5 The Long Road toward the Federation, 1855-1858

The rearrangement of provinces into larger subnational units, or states, had been a key obstacle preventing Congress from enacting a federal constitution in 1855 and 1857. As early as 1855, both the Senate and the House of Representatives had approved drafts intended to replace the Constitution of 1853, but each of these had failed to pass in the other chamber.[200] By June 1857, Congress had regrouped the provinces into eight federal states, and thus removed the main obstacle to a new constitution. The Constitutional Amendment that created Panamá in 1855 facilitated the transformation of portions of the

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[197] B Castillo, *División del Cauca en dos estados* (Popayán: [s.n], 1872). 4.
[198] Valencia, Uribe, and Bucheli, *Informe de la Comisión sobre División Territorial*: 20.
[199] Colombia, *Codificación Nacional*, vol. XVII 1856-1857 (Bogotá: Imprenta Nacional, 1930). 279, 335-36. On February 14, 1857, the government eliminated the province of Ocaña and annexed its territory to Mompox. Parts of the provinces of Ocaña and Vélez were incorporated later to Santander.
[200] Gilmore, *El federalismo en Colombia, 1810-1858*, II: 35-36.

national territory into federal states. Yet, it still took the pro-federalist faction in Congress one more year to pass the new constitution. Fear that the lack of a constitution arrangement dividing power between the central government and the states (the existence of conflicting sovereignties) could lead to civil war, held back the process.[201]

As early as 1855, the central government explored ways of diminishing resistance to replacing the Constitution. That year, the government, by the way of its Secretary of Government Pastor Ospina, asked provincial legislatures to express their opinion on two matters. First, the government requested that provincial legislatures voice their opinion on the issue of federalization. Secretary Ospina requested that information on July 15, 1855. If their vote was affirmative, the government asked them to manifest how they thought the Constitution of 1853 should be reformed.[202] Article 57 of the 1853 Constitution established two mechanisms to reform it: by Congressional Act or by a Constitutional Assembly. Indent 1 specified that if the Constitution was amended by Congressional Act, it required a qualified majority of four fifths from both houses.[203]

By February 1856 twenty-two provinces—including Tequendama, incorporated into Bogotá on October 15, 1855—had responded to the survey. The outcome was highly favorable to amending the Constitution of 1853, and fourteen provincial legislatures voted for the federation. The former province of Tequendama also voted for it. Five provincial legislatures voted against it: Bogotá, Sabanilla (located in the Caribbean), Cauca, Pasto, and Buenaventura in southwestern Colombia. The latter three became part

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[201] Tomás Cipriano de Mosquera, "Ciudadanos Senadores," in *ALC 1857 Senado XI* (AGN, 1857).
[202] "Circular Pidiendo Ciertos Informes sobre Ensanche del Poder Municipal," *Gaceta Oficial*, sábado 21 de julio 1855, 973.
[203] Colombia, *Constitución Política de la Nueva Granada. Año de 1853*: 9.

of Cauca in 1857. Of the remaining three provinces, Cartagena refused to answer because its provincial legislators concluded that the survey was unconstitutional. The Legislatures of Santa Marta and Ocaña were not in session, and thus never completed the survey.[204]

The five provinces that voted against the federation provided different bases for their opposition. However, despite their different reasons, their responses reveal two shared notions. All concluded that it was too soon to amend the charter of 1853 and suggested that constitutional reform should wait and see what results the reforms of 1849 produced. In addition, they reminded the national government of the ill-fated federal experiments in Central America, Mexico and Argentina. Moreover, that the Secretary of the Legislature in Cauca, Mariano Ospina, and the Secretary of Government of Buenaventura, were both Conservatives, suggests the possibility that the Conservative Party was in charge of both of these two subnational governments.[205] However, the information available at this time does not allow for a thorough characterization of the opponents of federation in these provinces.

The Legislature of Socorro, one of the subnational units where the majority supported federation, expressed optimism that the Congress of 1856 would complete the transformation of Colombia to a *forma federal absoluta*. In fact, they were so optimistic

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[204] "Opinión de las legislaturas provinciales," *Gaceta Oficial*, lunes 15 de octubre 1855, 1094; "Opinión de las Lejislaturas Provinciales (continuación)," *Gaceta Oficial*, martes 30 de octubre 1855, 1110-11; "Opinión de las legislaturas provinciales (continuación)," *Gaceta Oficial*, sábado 3 de noviembre 1855, 1113-14; ibid., 1873: 1119; "Opinión de las legislaturas provinciales (continuación)," *Gaceta Oficial*, sábado 10 de noviembre 1855, 1121-22; ibid., 1,875: 1125; "Opinión de las legislaturas provinciales (continuación)," *Gaceta Oficial*, jueves 22 de noviembre 1855, 1133-34; ibid., 1,878: 1138-40; ibid., 1,879: 1141-42; ibid., 1,880: 1146; ibid., 1,882: 1153-54; ibid., 1,885: 1167; "Opinión de las legislaturas provinciales (continuación)," *Gaceta Oficial*, jueves 10 de enero 1856, 9-10; ibid., 1,892: 22; ibid., 1,895: 43-44.

[205] "Opinión de las legislaturas provinciales (continuación)," 1119; "Opinión de las legislaturas provinciales (continuación)," 9-10.

that they elected congressmen specifically to do that.[206] Alas, politics are unpredictable. Despite overwhelming support, the 1856 Congress reached an impasse and could not complete the reform because they had less than the four fifths vote required for its enactment.[207] The federal reform faced opposition from factions within the Liberal party and from most of the Conservative Party, with the exception of Conservatives from Antioquia and the Caribbean.[208] Nevertheless, the primary obstacle remained the question of how to regroup the existing twenty-six provinces into larger subnational territories.

The Legislature of Vélez came up with a solution to the problem. They suggested that the problem of how to regroup provinces into larger states be left to the provinces. Any voiced desire from a group of provinces to become a federal state would be the only requirement to become one, and Congress could simply step out of the way of the process.[209] The Legislature supported the suggestion because the Congress lacked the information needed to appraise the commonality of interests and mutual dependency among existing provinces. Furthermore, the Legislature did not consider the coexistence of federal states and provinces to be problematic. They took the position that if the Coast and the Northern provinces preferred the federation, Congress should listen to them, but it must not impose on the south a form of organization they openly rejected. They

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[206] "Opinión de las Lejislaturas Provinciales (continuación)," 1111.
[207] As a result, Mariano Ospina and all the representatives and senators from Antioquia proposed the creation of the latter state. Tomás Cipriano de Mosquera, "Manifestación del Senador Tomás C. de Mosquera a la Nación," (Bogotá: Imprenta de F. Torres Amaya, 1858), 18.
[208] Samper, *Los Partidos en Colombia: Estudio Histórico-Político*: 62, 64.
[209] "Que el Congreso de 1856, en vez de ocuparse en discutir una reforma federal con el carácter de nacional, deje a las provincias el más cumplido derecho para que, reunidas dos o más [provincias], cuya población no fuere menor de 100,000 habitantes, declaren por el órgano de sus legislaturas sus deseos de formar un Estado federal sobre las mismas bases que el de Panamá, o sobre las que se fijen por punto general; bajo el concepto de que tal declaratoria, hecha al Congreso de una manera explícita, es la sola formalidad necesaria para que tales provincias sean reconocidas en lo sucesivo como formando un Estado federal." "Opinión de las Lejislaturas Provinciales (continuación)," 1110-11.

concluded by inviting the provincial legislatures of Tunja, Tundama and Casanare to form a state modeled after Panamá.[210]

After most provinces responded to the government's survey, congressmen moved to speed up the process. Three congressional reports provided insights into difficulties of transforming Colombia into a federation. The first, dated from April 30, 1856, the product of a four member commission that included Arcesio Escobar, José María Samper, Miguel Guerrero y Antonio del Real, encouraged the House to approve a Senate project from earlier that year. In their report, they asked their fellow representatives to put aside differences and adapt the institutions to the new circumstances. They considered it imperative that Congress act immediately, because public opinion condemned centralism and the heterogeneous regime made public administration and legislating cumbersome. The only major modification they suggested was to replace the term confederation for federation as they would be enlarging subnational units' authority and not assembling a new country from separate units.[211]

Representative Antonio del Real produced the second report in which he expressed concern about the vagaries in the Senate project and its lack of guarantees for individual rights. For instance, he suggested that the House grant authority over civil and penal legislation to the central government, because procedures should be uniform and the same rights and obligations should exist throughout the country. Moreover, civil legislation defined rules for contracts and as such, must be passed by Congress. In

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[210] Ibid., 1111.
[211] Arcesio Escobar, José María Samper, Miguel Guerrero and Antonio del Real, "Ciudadanos Representantes, Informe sobre la reforma a la Constitución aprobada por el Senado " in *ALC 1857 Cámara de Representantes VI* (AGN, 1856), 158-61.

addition, he criticized the project because it called on Congress to meet every two years. He argued it would be inconvenient for the central government to be without any legislative control for such a long period of time.[212]

The third congressional report from February 5, 1857, was written by members of both chambers, including Senators Justo Arosemena, Manuel José Anaya and José P. Rodríguez de la Torre and Representatives Manuel Ancízar, Arcesio Escobar and Joaquín Araujo. They requested that both chambers restart the discussions from scratch because Congress had failed to fulfill the requirements of Article 57, Indent 3 of the Constitution of 1853.[213] Congress established three mechanisms to reform the charter: by legislation passed by four-fifths in both houses of Congress, by a Constitutional Assembly or by legislation passed by a majority of votes in two consecutive congresses and without substantive adjustments when compared to the first draft.[214] These congressmen thought that Congress should begin again because the draft being discussed in Congress had been significantly altered from the document passed the previous year.

On June 14, 1857, Tomás C. de Mosquera in the Senate delivered another report to Congress encouraging fellow congressmen to enact a federal constitution. Senator Mosquera was concerned about the inherent instability of the hybrid political system in existence that had federal states and provinces coexisting within a centralized regime. He focused on the Constitutional Amendment of February 25, 1857, the one that had created

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[212] Antonio Del Real, "Ciudadanos Representantes," in *ALC 1857 Cámara de Representantes VI* (AGN, 1856), 175-79.
[213] Justo Arosemena, Manuel José Anaya, José P. Rodríguez de Latorre, Manuel Ancizar, Arcesio Escobar and Joaquín Araujo, ""Ciudadanos Senadores," Informe de la comisión mixta que evaluó el proyecto de Constitución de la Confederación Granadina " in *ALC 1857 Cámara de Representantes VI* (AGN, 1857).
[214] Colombia, *Constitución Política de la Nueva Granada. Año de 1853*: 9-10.

Panamá and that regulated the interaction between the subnational unit and the central government. This amendment also provided the juridical basis for the creation of the other two existing states, Antioquia and Santander. However, that amendment left a number of key competencies unregulated. Specifically, it did not grant the central government the authority to keep and restore public order, to raise and fund a standing army, or to conduct Colombia's foreign relations.[215]

The legislature of 1857 failed to enact a new constitution and instead, on June 18, 1857, passed the Public Order Act granting the central government authority to intervene when a state could not control public order, when a state rebelled against the national government, or when they ignored their constitutional obligations. In an attempt to discourage rebellion, the legislation included a provision requiring each state to pay for the expenses of any military campaign to restore public order.[216] Even though the legislation constricted the sphere of action of the states, protected the national government's authority, and recognized the new reality of autonomous subnational units, it was a temporary solution to the problem.

The reorganization of Colombia into a federal state took nearly one more year. On February 10, 1858, Congress passed a Constitutional Amendment expediting the reform. In its first article, it established that Congress could reform the Constitution of 1853 following the same procedures it used to enact a regular law. Moreover, Congress could pass a new constitution during the same legislative session.[217] This decision expedited the

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[215] Mosquera, "Ciudadanos Senadores," 329r-v.
[216] Colombia, *CN XVII*, XVII 1856-1857: 360.
[217] Colombia, "Actos Lejislativos Espedidos por el Congreso Nacional en 1858," (Bogotá: Imprenta de la Nación, 1858), 1.

reform because it abrogated the requirements for passing constitutional amendments that had demanded four-fifths majority of both houses of Congress (if passed in the same legislative session) or two consecutive legislative sessions.[218] Since 1855, proponents of the federal reform had failed to meet either of the two requirements. Art 2 stripped the executive of its veto power over any constitutional amendment passed in accordance with the February 10th legislation.[219]

Two and a half months later, Congress reached a compromise. The new charter was passed on May 22, 1858 and President Ospina signed it into law the same day. T. C. de Mosquera, who would be Ospina's adversary in the next civil war, was then President of the Senate.[220] Congress passed the new Constitution more than three years after Panamá had been created as a federal state and almost one year after the remaining provinces were grouped into federal states. The supporters of the federation had achieved their goal, and a major issue in all constitutional debates since the proclamation of independence in the 1810s had been resolved, though not without strong opposition. Supporters of a unitary state, mostly within the Conservative Party, still had a significant share of power.

The decision of Conservative leader Mariano Ospina and his fellow party members to support the new constitution created an impassioned debate. Ospina's support of the federalization of the country was seen by his contemporaries as

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[218] Colombia, *Constitución Política de la Nueva Granada. Año de 1853*: 9-10.
[219] Colombia, "Actos Lejislativos Espedidos por el Congreso Nacional en 1858," 1.
[220] Colombia, "Constitución Política para la Confederación Granadina, sancionada el día 22 de mayo de 1858," (Bogotá: Imprenta de Echeverría Hermanos, 1858).

contradictory, because he was a vociferous opponent of the reform.[221] Some saw it as a strategy to discredit the system, so that the public would quickly repudiate it.[222] José María Samper, a leading Liberal politician and writer, opined that Ospina voted for the federation expecting the excesses and conflicts unleashed by the ill-suited new institutions to generate a vigorous reaction against it.[223] Conservative support for the new constitution was even more surprising as they were the majority party in both houses of Congress from 1855 to 1858 and could have blocked its passage.[224] For Justo Arosemena, Conservatives accepted the federal system as a defense against their political foes and as a way to develop their oppressive ideas in the states. In contrast, Liberals supported the federation as complementary to a democratic republic and as a protection against the domination of the central government.[225]

Samper also speculated about Conservative votes for the federation. He suggested three motives. First, Antioquia's representatives in Congress were vehemently pro-federalists. Samper argued they supported the federation so as to isolate Antioquia from the excesses of Radical Liberal reformism.[226] Second, most provinces supported the

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[221] Arosemena, *Constituciones Políticas de la América Meridional*, II: 240. Arosemena affirmed in his 1870 work about the Hispanic American constitutions that that conservative President Mariano Ospina sanctioned the federal Constitution of 1858 either for strengthening his power by supporting a transformation that was supported by the majority of the public opinion or because he attempted to make himself secure in one of the states. In his case, conservative Antioquia was the state where he could refuge if any of his political foes, General Mosquera or the radical leader Manuel Murillo Toro, was elected President. In fact, when he returned in 1871 from his exile in Guatemala, former President Ospina and his family lived in Antioquia.

[222] José María Quijano Wallis and Nicolás Esguerra, *Memorias Autobiográficas, Histórico-Políticas y de Carácter Social* (Grottaferrata: Tipografia Italo-orientale, 1919). 54.

[223] Samper, *Los Partidos en Colombia: Estudio Histórico-Político*: 70.

[224] Gilmore, *El federalismo en Colombia, 1810-1858*, II: 89.

[225] Arosemena, *Constituciones Políticas de la América Meridional*, II: 242.

[226] Samper affirmed in his work on Los Partidos en Colombia, that "los conservadores de Antioquia, antes que conservadores y antes que todo antioqueños, quisieron hacer de su Estado un pueblo aparte, una especie de Paraguay minero y medio israelita encerrado en el corazón de la República; poniéndolo a

federation, something that became evident in 1855 after Congress asked provinces to express their opinion concerning the matter. And the last and most significant reason was that, even though Conservatives had a majority that could block legislation, Colombia's federation was already essentially a reality.[227] Indeed, after all provinces were regrouped into federal states, the only step missing was a constitution.

3.6 The *Confederación Granadina,* 1858-1859

In 1857, Mariano Ospina, "the least flexible and more intransigent of the politicians," was elected to lead Colombia into its first experiment with federalism after the *patria boba*. José María Samper and others concluded that an enemy of federation had been chosen to implement a federal regime.[228] The 1857 presidential election was highly competitive. In addition to Ospina, there were other two candidates: Radical Liberal nominee Manuel Murillo Toro, former Secretary of Hacienda under President López, and former-President Tomás C. de Mosquera (1845-1849), running on a platform supported by Liberals and Conservatives. The National Party, the name chosen by Mosquera for his political project, drew support from those who considered Ospina to be

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cubierto en cuanto fuera posible, del contagio del radicalismo y de la acción de las instituciones liberales. Por eso se tornaron en federalistas, para asegurar en su propia tierra el ultra-conservatismo, e introdujeron en su partido una división, verdadera dislocación que le había de ser funesta. Pero también, por interés de partido, formando mayoría con los demás conservadores, hicieron de la división territorial un monstruo; creyendo dejar así medio seguros, al partido conservador, de dominar la generalidad de la república, y al doctor Ospina, de promover como Presidente la reacción contra las instituciones liberales y los progresos del radicalismo." Samper, *Los Partidos en Colombia: Estudio Histórico-Político*: 65.

[227] Ibid., 65-66.

[228] Quijano Wallis and Esguerra, *Memorias Autobiográficas, Histórico-Políticas y de Carácter Social*: 60; Samper, *Los Partidos en Colombia: Estudio Histórico-Político*: 69.

retrograde and Murillo's platform to be too radical for Colombia.[229] Mosquera and Murillo would be the first and second President respectively of the United States of Colombia, the name of the country after Ospina's mandate.

The election of 1857 presaged the two sides of the upcoming civil war. On one side, Ospina and the Conservative Party and on the other, Mosquera allied with both Radical and *Draconiano* Liberals. In other words, it was a clash between supporters of the new regime and the so-called centralists. The conflict between these two sides ensured that the federation was not only short-lived, but that it experienced virtually no moment of political stability. In fact, soon after taking office, Conservatives began to maneuver against Mosquera and Radical Liberal-controlled states.[230]

Jurisdictional conflicts, something common to federations, threatened the new political entity from its inception. In a society where cooperative politics were the exception and electoral manipulation rampant, frictions between a Conservative-controlled federal government and the Liberal-governed states surfaced immediately after the proclamation of the new charter.[231] On the one hand, President Ospina and his Conservative supporters worked to reclaim authority for the central government that had been transferred to the federal states by the new constitution. For Justo Arosemena, Conservatives accepted the federation only while in the opposition and as an instrument

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[229] Quijano Wallis and Esguerra, *Memorias Autobiográficas, Histórico-Políticas y de Carácter Social*: 60.
[230] Samper, *Los Partidos en Colombia: Estudio Histórico-Político*: 70.
[231] Quijano Wallis affirmed in his autobiography that at the time, it was ignored, even by the most lucid and illustrated spirits, as President Ospina, that compromising is the essence of politics and its main purpose is to reconcile individuals' interests. Quijano Wallis and Esguerra, *Memorias Autobiográficas, Histórico-Políticas y de Carácter Social*: 55.

of resistance. Once in power, they attempted to regain absolute control of the country.[232] Felipe Pérez shared this opinion. For him, Conservatives had accepted the federation in bad faith.[233]

Furthermore, Ospina openly conspired to thwart the consolidation of the Liberal Party in the states.[234] Some regional political elites desired to lessen outside intervention as much as possible, and underlying the conflicts for regional autonomy lay other latent political conflicts. Personal rivalry between President Ospina and the Governor of Cauca, Tomás C. de Mosquera was one of the most unyielding, and the clash between the two, only a matter of time.

The legislation enacted by Congress in 1859 became the casus belli for the Liberal-controlled states.[235] Three laws generated the strongest opposition: the electoral law, the act that organized the revenue service of the Confederation, and the legislation whereby the central state arrogated the authority to supervise the states' armed forces. For Liberals, these three statutes contravened the essence of the federal Constitution of 1858. Governor Mosquera considered them blatant aggressions aimed at curbing his power within his state. The political conflicts unleashed by this legislation cannot be understood as detached from the confrontation between Liberals and Conservatives, and analysis reveals how the Ospina administration used these laws to regain power in states governed by the opposition.

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[232] Arosemena, *Constituciones Políticas de la América Meridional*, II: 256.
[233] Felipe Pérez, *Anales de la Revolución, Escritos Según sus Propios Documentos. Primera Época, que Comprende desde el 1 de Abril de 1857 Hasta el 18 de Julio de 1861* (Bogotá: Imprenta del Estado de Cundinamarca, 1862). 10.
[234] Ibid., 19.
[235] Pascual Bravo, "Ensayo sobre la situación de la República, sus causas i sus remedios," (Medellín: Imprenta de Balcázar, 1860), 5.

The Electoral Act of April 8, 1859 established common rules for all elections of national officials: President of the Confederation, Senators and Representatives.[236] On the surface, this legislation provided common ground for the organization of general elections, vote counts, and settling disputes, when necessary. But the opposition saw them as intromissions on the state's autonomy for several reasons. First, the law organized electoral districts within the territories of the eight states. Second, it also created an electoral council in each state made up of nine people, all of them appointed by national officers, i.e., by Conservatives.[237] Third, Congress declared that elections could be annulled if violence broke out or if voters were prevented from getting to the polls.[238] Again, the probability that only Liberals would be kept from voting by this provision was high. Though these three aspects of the law could be seen as simple rules guaranteeing the transparency of the electoral process, Liberals distrusted them. In a society with weak institutions and a non-independent judiciary, counting votes was the most crucial aspect of any election.

The electoral legislation also contained other provisions that state governments considered to be unlawful violations of their autonomy. For instance, it defined the procedures for choosing the three candidates nominated by the states for every Supreme

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[236] Colombia, *Codificación Nacional*, vol. XVIII 1858-1859 (Bogotá: Imprenta Nacional, 1930). 258-317.
[237] In the anonymous pamphlet La lei de elecciones i el gobernador del Cauca, the author analyses, from the perspective of a conservative, the dispute engendered by the electoral legislation of April 8, 1859 in Cauca. The pamphlet was written after the Senate, the House of Representatives and the President appointed the nine members of Cauca's Electoral Council. Liberals attacked six of them—Zenon Pombo, Sergio Arboleda, Manuel Maria Muñoz, Francisco José Chaux, Antonio Mendoza and Manuel María Luna—as "instrumentos ciegos I esclavos sumisos de las maquinaciones diabólicas de su amo el presidente señor Mariano Ospina." "La lei de elecciones i el Gobernador del Cauca," (Cali: [s.n.], 1859), 3.
[238] Colombia, "Actos Lejislativos Espedidos por el Congreso Nacional en 1859," (Bogotá: Imprenta de la Nación, 1859), 25-67.

Court Justice vacancy.[239] It also held that each state's governors should guarantee security during the elections and enforce all national electoral legislation. In addition, it imposed obligations on state public officers, as if they were hierarchically dependent on the federal government.

The widespread interpretation of this legislation was that it was a Conservative attempt to control policy making in states. [240] By appointing vote counters and those in charge of settling electoral disputes, Conservatives sought to monopolize political power. There were no checks and balances in this electoral legislation and no mention of opposition parties. The participation of Liberals was neither institutionalized nor prohibited by the 1859 Act, but considering the increasing polarization of political debate during those years and the fact that President Ospina appointed an all-Conservative cabinet, Liberals anticipated their exclusion from the newly created electoral institutions.

The Electoral Act was just the beginning. The Congress of 1859, dominated by Conservatives, prolifically enacted legislation aimed at altering the balance of power in the Confederation in favor of the central government. On May 10, 1859, President Ospina issued a law reorganizing the revenue collecting service of the Confederation and the national treasury, one that was also seen by the states as an intrusion into their new and barely-realized autonomy. Among other things included in the act, Congress authorized the central government to create revenue collection districts in the states. However, these districts did not necessarily need to align with the territories of the eight states. A district could be formed from parts of any of the states, or by putting two states together. The

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[239] Colombia, *CN XVIII*, XVIII 1858-1859: 293-95.
[240] Arosemena, *Constituciones Políticas de la América Meridional*, II: 242; Antonio Ferro, *Los Estados i el Gobierno Jeneral* (Bogotá1860). 5.

Intendants, appointed by the President, were given the authority to enforce national legislation in their territorial areas of responsibility. Thus, the Intendants, agents of the federal government, intruded on the state's sphere of influence.[241] To lessen opposition to the law, Congress passed an additional law specifying that each state should constitute a revenue collection district.[242]

But the most conflictive piece of legislation was the law of May 12, 1859 that regulated the organization of the armed forces of the states and granted the central government authority to inspect states militias. According to the new law, the President would appoint an Inspector in each state to coordinate and inspect the municipal forces. Should any of municipal government refuse the orders of the Inspector, the Inspector could bypass local authorities and deal directly with the commander of that particular force.[243] This combined with the unsettled issue of the central government's authority to maintain public order, did the rest of the work. Colombia's Constitution of 1858 was similar to the United States Constitution (1787) with one remarkable difference: in the latter, the central government is authorized to intervene in states to protect them from domestic violence. Should the state legislature not be able to be convened, the Executive can make the request.[244] In Colombia, by contrast, that provision was not accepted.

State governments challenged most of the troublesome legislation enacted by the 1859 Congress. The states requested that Congress reform the National Employees Act, the Electoral Act, and all other executive actions that strengthened the national

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[241] Colombia, *CN XVIII*, XVIII 1858-1859: 361-98.
[242] Ibid., 462. Law of July 30, 1859.
[243] Ibid., 401-2.
[244] Arosemena, *Constituciones Políticas de la América Meridional*, II: 242.

government, including asking for the abrogation of the Inspector of state militias. Six of the eight state legislatures asked Congress to abrogate all of them and asked the Supreme Court to declare them unconstitutional. Congress dismissed this request. Governor Mosquera's accusations against President Ospina were also dismissed. Though Congress did reform the Electoral Law on May 10, 1860, the opposition considered it insufficient.[245]

In 1858, each party maintained control of key states. Liberals governed Magdalena, Santander, and Panamá, even though the latter was considered a swing state. Conservatives controlled Antioquia, Cundinamarca, Boyacá and Bolívar.[246] The initial numeric advantage held by Conservatives would be lost when Liberals quickly seized control of Bolívar.[247] Even though General Mosquera governed Cauca with support from both Liberals and Conservatives, it was a state opposed to President Ospina.[248] In fact, in his work *Anales de la Revolución*, Felipe Pérez mentioned that in 1858, Liberals relied on three states: Cauca, Magdalena and Santander.[249] Political confrontations within the states helped strengthen the uneasy cohabitation of the different political actors. Meanwhile, the

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[245] The 1860 correspondence between President Ospina and the Governor of Cauca General T. C. de Mosquera, and the statement published on May 1, 1860 by General Prías, one of the two commissioners appointed by Ospina in Cauca, provide a narrative on the events that led to the war. They also provide with insightful evidence of uncompromising politics in late 1850s Colombia. Mosquera and Ospina Rodríguez, "Correspondencia entre el jeneral T.C. de Mosquera i el doctor Maríano Ospina."; Tomás Cipriano de Mosquera, "Confederación Granadina - No. 55. El Gobor. del Estado Soberano del Cauca al Sr. Secretario de la Honorable Cámara de Representantes," (Cali: Imprenta de Hurtado, 1860); Pedro Prías, "El Jeneral Prias: a sus Conciudadanos," (Bogotá: [s. n.], 1860).
[246] Samper, *Los Partidos en Colombia: Estudio Histórico-Político*: 69.
[247] Pérez, *Anales de la Revolucion*: 7.
[248] Samper, *Los Partidos en Colombia: Estudio Histórico-Político*: 69.
[249] Pérez, *Anales de la Revolucion*: 91.

Ospina administration supported Conservative rebellions in Cauca, Magdalena and Santander.[250]

In 1859, the federal government encouraged an uprising in Magdalena against the Liberal state authorities, with the support of the newspaper *El Porvenir*. After Magdalena, the government threatened Santander, Bolívar and Cauca.[251] In 1859 Conservatives rebelled twice against Santander's Liberal administration, apparently with President Ospina's support.[252] National civil and military officials fostered the rebellion.[253] In the Caribbean state of Bolívar, a Liberal insurrection against the Conservative state administration began as well. . On August 15, 1859 rebels ransacked the customs and the Intendant in the capital port of Cartagena. Two days later, the President increased the number of troops that had been approved by Congress from one thousand to an undefined number. From that point on, the number of troops was at his discretion. [254] On September 3, 1859, President Ospina issued an executive decree declaring the Confederation to be in a state of war. None of the participants in this struggle desisted and the conflict escalated. It was too late to stop the war.

3.7 The Civil War of 1860-1862 and the Origin of the Constitution of 1863

In the 1850s, Liberals as well as factions within the Conservative party, Antioqueño Conservatives among them, pressed for greater regional autonomy. Later in

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[250] Ibid., 19.
[251] Ferro, *Los Estados i el Gobierno Jeneral*: 8.
[252] Arosemena, *Constituciones Políticas de la América Meridional*, II: 242-43.
[253] Ferro, *Los Estados i el Gobierno Jeneral*: 8.
[254] Colombia, *CN XVIII*, XVIII 1858-1859: 484-86; Ferro, *Los Estados i el Gobierno Jeneral*: 9.

the same decade, these groups struggled to reorganize Colombia into a federation, something finally achieved in 1858. That year, Conservative President Mariano Ospina reluctantly signed the Federal Constitution passed by Congress of May 22. Though it may have been a long sought-after reform for some, President Ospina fought, almost immediately and rather overtly, to undo it and reestablish central state control over things like electoral laws and public order, triggering conflicts between the Conservative-controlled national government and Liberal-controlled states.[255] Moreover, suspicion of the President's efforts to overtly influence electoral processes in opposition-controlled states (primarily in Cauca and Santander) condemned the first federal experiment.[256] The two conflicting positions on the federal system escalated and civil war broke out in 1860.

On April 8, 1860, the governor of Cauca, T. C. de Mosquera, openly rebelled against Ospina's Conservative administration.[257] Mosquera, elected President in 1845 on a Conservative platform, led Liberal armies in this war. In his proclamation of war, Governor Mosquera informed the President that Cauca had seceded from the Confederation. In response, the federal government organized its forces and declared

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[255] For Antonio Ferro, opponent of the Ospina Administration and supporter of General Mosquera, six out of eight states—Antioquia, Bolivar, Panama, Cauca, Magdalena and Santander—opposed the legislation enacted in 1859. And five of them, he did not single them out, pledged their support to a military uprising against Ospina. Ferro concluded that in the remaining two states, Cundinamarca and Boyacá, because of the presence of federal troops, there was no freedom for the people to express their opposition to the President. Even though Ferro's pamphlet epitomized the liberal and mosquerista opposition to Ospina, the 1859 legislation on state militias, the armed forces, public order, expropriations and above all the electoral act, generated a strong opposition all over Colombia. Ferro, *Los Estados i el Gobierno Jeneral*: 7-15.

[256] In 1859, the Ospina Administration promoted uprisings against the liberal governments of Magdalena and Santander. It also intervened in Bolívar where a liberal rebellion challenged the conservative administration of that state. After conservatives were defeated in Bolívar and Santander, Ospina instructed Carrillo and Prias, his agents in Cauca, to rebel against the Mosquera Administration but were rapidly defeated in Derrumbadero. These setbacks did not stop Ospina, who got in 1860 Congressional authorization to continue the offensive against Juan Jose Nieto, Eustorgio Salgar and Mosquera, Presidents of Bolívar, Santander and Cauca respectively. ibid., 8-10.

[257] On March 15, 1860, Antioquia and Panama remained oblivious to the conflict. Bravo, "Ensayo sobre la situación de la República, sus causas i sus remedios."

governor Mosquera a traitor. On April 25, 1860, Congress enacted the Public Order Act, granting the government legal authority to censure any public officer who refused to comply with orders of the central government or upset public order.[258] This statute, which violated the Constitution of 1858, inflamed an already tense situation. Governor Mosquera raised formal objections to the proposed law, even while Congress was still in the process of drafting it. He warned President Ospina against passing such legislation and threatened Cauca's secession in response. In fact, the Legislature of Cauca had already authorized Mosquera to do just that should President Ospina refuse to back down.[259] These threats however, did nothing to deter him.[260]

Events moved very quickly. On May 8, 1860, Governor Mosquera ordered Cauca's secession from the Confederation. Bolívar and Magdalena followed suit in May and June of that same year. On June 4, 1860, President Ospina declared war against Cauca. A few weeks later, on June 25, President Ospina marched to battle against Santander with an army of 4,000 to 5,000 troops, but he was quickly defeated at *Oratorio* (on July, 18). Two days later, on July 20, the central government threatened Santander with further action should they continue to challenge the federal government's authority in that state.[261] On September 10, 1860, the secession of Cauca and Bolívar became

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[258] Colombia, *Codificación Nacional*, vol. XIX 1860-1861 (Bogotá: Imprenta Nacional, 1930). 47-51.
[259] Arosemena, *Constituciones Políticas de la América Meridional*, II: 243-44.
[260] In his book La Guerra por las Soberanías, Maria Teresa Uribe y Liliana López provide with a detailed account of the events of war, the language used by both groups and the agreements to end it. María Teresa Uribe de Hincapie and López Lopera Liliana María, *La guerra por las soberanías: memorias y relatos en la guerra civil de 1859-1862 en Colombia* (Medellín: Carreta Editores: Universidad de Antioquia, Instituto de Estudios Políticos, Grupo de Investigación Estudios Políticos, 2008).
[261] Colombia, *CN XIX*, XIX 1860-1861: 172-74, 226-30. By Decree of June 4, 1860, President Ospina declared war to Mosquera, organized the military forces to restore public order and also ordered to arrest Mosquera. On July 20, President Ospina threatened Santander with reprisals should they continue to central government authority.

official. That same day, in Cartagena, their representatives signed a treaty creating a new political entity, the Unites States of New Granada, and General Mosquera was appointed head of that government.[262]

Later that year, on December 27, 1860, General Mosquera, considering himself the lawful ruler of Colombia, issued an order to restore public order in Cundinamarca, the state in which Bogotá is located.[263] Santander and Magdalena recognized his authority, at that time, as head of the rebellion and accepted the terms of the Pact of Union of Cartagena. On March 22, 1861, Boyacá joined the new entity, leaving Conservatives in control of only Antioquia and the area surrounding Bogotá; Liberals controlled the rest of the territory.

The rebels called for a Council of Plenipotentiaries to meet in a place designated by Mosquera to create a new constitution.[264] And on July 18, 1861, Liberal armies entered Bogotá. But, even that was not enough to end this war. Antioquia, the Conservative bastion in northwestern Colombia was still undefeated. Liberals hurried to enact new legislation. In addition to a few executive orders reorganizing the national government, General Mosquera issued several decrees punishing the Catholic Church for its staunch support of the Conservative cause. The first measure against the Church, issued on July 26, 1861, re-expelled Jesuits from the national territory.[265] Later that year, on September 9, 1861, General Mosquera decreed the dis-entailment of all inalienable

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[262] Ibid., 231-33, 66. The treaty was ratified on December 25, 1860
[263] Ibid., 268-69.
[264] Ibid., 289-90.
[265] Ibid., 312-13.

real estate. This measure, though it affected only a few hospitals and schools, mainly targeted the Catholic Church and their associates.[266]

On September 20, 1861, seven of the now nine federal states signed the *Pacto de Unión* [Pact of Union] creating the United States of Colombia.[267] This treaty took the place of the similar, but shorter, document that had been signed by the states of Bolívar and Cauca on September 10, 1860. In both documents, the states were recognized as sovereign entities that voluntarily confederated for specific ends. Those ends or goals were listed in the 1861 Pact of Union in a form resembling a constitution. In fact, Article 45 stipulated that the Pact could not be amended or even interpreted unless the majority of states called together a convention of delegates. Even on such an occasion, the convention could only discuss the matters for which it had been explicitly assembled.[268]

After Liberals defeated Conservative Antioquia, the victors decided to convene the convention in the Liberal Antioqueño town of Rionegro on February 18th, 1863.[269] From the start, the delegates clearly stated their desire for a new constitution. However, Article 45 of the Pact of Union of September 20, 1861, did not allow them to do so.[270] In order to create a new constitution, delegates from each of the nine states, meeting at the

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[266] Ibid., 398-402.
[267] Antioquia and Panama were the two states that did not subscribe the treaty. In 1861, Antioquia was still controlled by the conservative forces. Colombia, *Colección de Tratados Públicos, Convenciones y Declaraciones Diplomaticas de los Estados Unidos de Colombia* (Bogotá: Echeverría Hermanos, 1866). 329.
[268] Ibid., 327-38.
[269] General Mosquera considered other places to gather the Convention, including Panama and Medellín. The former was dismissed for its unhealthy environment and the latter for being a conservative stronghold. Mosquera finally settled for Rionegro for being a liberal stronghold within Antioquia and a town where he counted with a large base of political supporters. Camacho Roldán, *Memorias*: 156.
[270] Article 45 stipulated that the Pact of Union could not be amended or even interpreted but by a Congress of Plenipotentiaries called expressly to deal with a detailed agenda. Moreover, the former Assembly had to be summoned by the Federal Congress after the majority of the nine States requested to do so. Estados Unidos de Colombia, *Coleccion de tratados públicos, convenciones y declaraciones diplomáticas de los Estados Unidos de Colombia* (Bogotá: Echeverría Hermanos, 1866). 336.

time in Rionegro, had to first rework the 1861 Pact of Union. Thus, the nine states, acting as sovereign political entities, subscribed to an additional agreement on March 2, 1863, a pact abrogating Article 45 and recognizing the Constitutional Convention as more than just a meeting of sovereign and autonomous entities. It designated the Convention of Rionegro as a representation of national sovereignty.[271] As such, it had the authority to enact a new constitution.

Delegates to this convention were still constrained by the issues that had led to war in the first place: state sovereignty and the legitimacy of state resistance to Bogotá's interventions. These persistent issues limited the options available to the post-conflict institutions. The loose federation of 1863 and the sovereignty of federal states were the outcomes of this process. The weak federal government created by the charter and the restrictions imposed upon it, were futile attempts to resolve the problems of a federal system. [272] Delegates in 1863 tried to settle all possible conflicts ahead of time, public order and electoral legislation among them, issues that a few years earlier had led to the political crises of 1859 and the uprising of 1860.

With the Conservative legislation of 1859 in mind, delegates drafted a document that severely curtailed the authority of the federal government to control public order and to exercise authority in the states. For instance, in Article 8, Indent 9, the states pledged neutrality towards the antagonists of all future wars between the inhabitants of a state and its government. Article 19 prohibited the central government from declaring war on any state without congressional authorization. In addition to those limitations, Article 20

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[271] Colombia, *Tratados públicos de los EE.UU. de Colombia*: 338-39.
[272] Arosemena, *Constituciones Políticas de la América Meridional*, II: 257.

determined that all federal public officials, including the military and the treasury, could only exercise their authority under the supervision of the respective state.[273] The *Convención de Rionegro* transferred all electoral authority and the definition of citizenship to the states.

Liberals attempted to preempt all the issues that could trigger another political crisis.[274] They took the federal system to an extreme in their safeguarding of states' rights. The Constitution of May 8, 1863 organized Colombia as a federation with a weak central government. In this constitution, states granted certain authority to the central government and not the other way around. This constitution was the zenith of regional state authority and of political, administrative and fiscal decentralization in Colombian history. The nine federal states, defined as sovereign, enacted their own constitutions and legislated on every possible issue. The central government authority, in contrast, was restricted to only a few matters and congressional legislative authority was severely curtailed.[275]

Each state was given considerable discretion in the establishment of qualifications for voting within its own jurisdiction. The Constitution determined who could be considered a national, but left the determination of voting qualifications to individual states. Moreover, the federal government had no authority whatsoever to organize national elections or to count votes, and there were no national reviews of fraud. This was

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[273] Colombia, *Constitución Política de los Estados Unidos de Colombia. Sancionada el 8 de Mayo de 1863*, Constitución política (Bogotá: Imprenta de M. Rívas, 1871). 6, 12.
[274] Cerbeleon Pinzón, *Juicio sobre la Constitución de 5 de mayo de 1863 espedida en Rionegro* (Bogotá: Imprenta de Echeverría Hermanos, 1863). 1-2.
[275] For a most detalied analysis of the institutional design of 1863, see the first chapter. There, you will find a comparative depiction of the evolution of Colombia's constitutional design througout the nineteenth-century

a real departure from the Constitutions of 1853 and 1858, and was considered by many to be contrary to the Liberal agenda that had fought for universal male suffrage in the 1850s. Article 33 contained the only mention of citizenship in the Constitution, establishing the eligibility of male Colombians over the age of 21 for all public positions.[276] As a result, some states restricted the franchise and reintroduced restrictive qualifications on voters.

Furthermore, delegates did not determine a single election day for presidential elections. Each state was left to organize its own presidential election on a different date and even during different years. It was not until 1876 that the nine states agreed to hold the presidential election on the same day in every state. The delegates left the exact date to be determined by the Federal Congress via statute.[277] In addition, in order to avoid a strong national executive, delegates instituted two-year presidential terms. Without a homogeneous electoral process, the electoral process to choose a president's successor began shortly after his inauguration.[278]

In order to prevent any state from concentrating power and controlling the confederation, the framers of the 1863 Constitution crafted a system of checks and

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[276] Colombia, *Constitución Política de los Estados Unidos de Colombia. Sancionada el 8 de Mayo de 1863*: 16.

[277] The legislatures of the states of Antioquia, Bolivar, Boyacá, Cundinamarca, Panama and Santander addressed the federal Congress requesting the discussion of the amendment. This was the first step in order to reform the Constitution. The Senate passed by unanimity the amendment, as required by the charter, on March 20 and the House on March 29, 1876. Eliseo Payán, President of the Senate of Plenipotentiaries, and Aníbal Galindo, President of the House of Representatives, duly signed the reform on May 30, 1876. President Aquileo Parra enacted the amendment one day after, on May 31, 1876. On June 23, Congress passed the Law 77 of 1876 chose the first Sunday of September as the day to hold the presidential election. Colombia, *Leyes de los Estados Unidos de Colombia, espedidas en el año 1876* (Bogotá: Imprenta de Gaitan, 1876). 85-86.

[278] The Constitutional Convention of 1863 was dominated by the civilians that in 1849 constituted the liberal faction known as Golgotha and in the 1860s onward as radicals. Quijano Wallis, as well as other political commentators affirmed that radicals weakened the executive, stripping the presidency of most of its traditional powers, including the authority to prevent and suppress rebellions, and decided on a two-year presidential term as a mechanism to curtail General Mosquera's ambitions. Quijano Wallis and Esguerra, *Memorias Autobiográficas, Histórico-Políticas y de Carácter Social*: 112-13.

balances that though efficient impaired the actions of government. For instance, each of the nine states elected the same number of senators and cast one vote to elect the federal president. The president was elected with a majority of votes, that is, with the votes of five states. In addition, any constitutional amendment required unanimity. Though these provisions satisfied defenders of state sovereignty and their rights, they were later considered flawed. The two-year presidential term negatively affected the implementation of public policies, and increased the risk of political confrontations. The combination of frequent electoral processes in a polarized political environment and weak institutions was a recipe for chaos. The unanimity rule created the perfect environment for filibusters. One Senator could block any amendment to the Constitution.

The new constitutional arrangement protected the laissez-faire political economy championed by Radical Liberals that deemed any state interference in the economy to be a violation of individual rights. In Article 15, Indent 5, delegates established the inviolability of private property and determined that none could be expropriated without a judicial resolution and without compensation. Nevertheless, the Constitution did allow for, in the case of war, the compensation could be ex-post facto. In Indent 9, the Convention secured a citizen's right to engage in any job or economic activity.[279] However, the limited capacity of the federal and state governments made the regulation and enforcement of these provisions deficient in most of the national territory. Moreover, without properly functioning civil courts and with recurring uprisings, there was no guarantee that property rights would be respected. In fact, states preyed on the people

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[279] Colombia, *Constitución Política de los Estados Unidos de Colombia. Sancionada el 8 de Mayo de 1863*: 8-9.

they were supposed to protect. This became one of the most widespread complaints about the 1863 constitutional arrangement. In fact, it was so pervasive that the motto of the uprising that overthrew Radical Liberals in Cauca in 1879 was very simple: respect property rights.[280]

In addition to ousting Conservatives from the national and states governments, the war of 1860-1862 also rearranged the political spectrum. Here, I can highlight four ways in which it did so. First, it contributed to the solidification of the political divide between Liberals and Conservatives. Even though both political parties were far from homogeneous, the notion of a divide between Liberals and Conservatives did become strengthened during the period. Second, despite the military and political defeat of the Conservative party, it retained its strength in Antioquia. This was evident at the end 1863 when Conservatives ousted the Liberal administration of Antioquia led by Pascual Bravo, an ally of Mosquera. Third, the war repositioned some key political figures the most important of whom was Tomás C. de Mosquera.[281] President Mosquera was elected president in 1845 on a Conservative platform. During the civil war of 1860-1862, Mosquera allied with Liberals crafting the coalition that ousted Conservatives from power. This leads us to one last observation. The winning coalition of 1860-1862 dominated national politics up to 1885. Two Liberal factions—Radicals and *Mosqueristas* until the mid-1870s, and later Radicals and Independents—would shape the politics of power until the 1880s. Competition for power between those two Liberal factions was at the root of the majority of political crises during the Rionegro era.

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[280] "Obsequio de los Conservadores Caucanos al Señor General Eliseo Payan," 6-7.
[281] Arosemena, *Constituciones Políticas de la América Meridional*, II: 236. Arosemena defined General T. C. de Mosquera as a conservative, more for tradition and affinity than by system

3.8 Conclusions

In the 1850s federation was a popular idea. To be sure, Liberals and Conservatives expressed differences about the idea of federation, but those differences seemed to be based more on geographical factors than on ideological ones. The creation of individual states (1855-1857) and the constitutional reform of 1858 were only possible with bipartisan support. The creation of the states of Panamá, Antioquia and Santander, the three with homogenously Liberal or Conservative provinces, also revealed the importance of geographical factors.[282] In fact, the demand for federation came from below, and was so popular that any politician aspiring to rule the country had to court it.[283]

Each provincial legislature that supported federation did so based on different arguments. Panamá wanted it because their elite anticipated it to be the only way to reap the economic benefits of changing patterns of international commerce and their strategic geography. The isthmus' political elite concluded they could only secure these benefits if they gained autonomy from the rest of Colombia. In fact, some of them argued that the rest of the nation hindered Panamá's prosperity. Panamanians voiced their support for the idea of federation in very clear terms. Conservative Antioquia and Liberal Santander also endorsed it. Antioquia supported it because it would allow them to focus on their far-sighted economic projects and Santander dreamed of an authentic republic, as Felipe

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[282] Pérez, *Anales de la Revolucion*: 20.
[283] Ibid., 21.

Pérez phrase it in his *Anales de la Revolución*.[284] Other provinces only became federal states once it became apparent that mixing provinces and federal states was not viable.

On November 22, 1855, José María Samper published a pamphlet rebuking those who opposed the federation. He stated that a federation would allow them to circumvent conflicts over certain issues (ones we know do indeed explode), like questions of legislation and the forced commonality of interests in a unitary regime. Samper argued that in a federation, interests would be harmonious. For instance, people from the [Caribbean] Coast and the interior would need each other and as a result they would not antagonize each other. In contrast, federation's opponents argued that in Colombia, it would only generate conflicting interests, hostility, competition, war between states and, inevitably, the dissolution of Colombia.[285] The opponents of the federation were right, and their predictions accurate.

Eighteen years later, in his classic work on the history of political parties in Colombia, published on September 17, 1873, Samper dealt with the disappointing results of fifteen years of the federal experiment. He criticized the grouping of the former provinces into the nine states, something he argued had resulted from political calculation. That explained why Cauca was excessively large while Bolívar, Magdalena and Boyacá had insufficient resources to even afford for their own administrative apparatus.[286] A few months after its publication, former President Mosquera, who played a central role in the whole process, lectured Samper, reminding him that the territorial

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[284] Ibid.
[285] José María Samper, *Reflexiones sobre la Federación Colombiana* (Bogotá: Imprenta de Echeverría Hermanos, 1855). 27.
[286] Samper, *Los Partidos en Colombia: Estudio Histórico-Político*: 62-63.

reorganization of 1857 had been the only reorganization possible considering the alignment of forces in the 1857 Congress.[287]

The debate over how provinces were grouped into federal states was just part of the story. Despite casting the Constitution of 1863 as excessively doctrinarian and absolutist, Samper blamed political parties and not the charter or the federation itself for the political instability and the incapacity of the government to control public order.[288]

From 1863 to 1885, all states, with perhaps the exception of Antioquia and Santander, confronted acute internal strife.[289] In Liberal-controlled states, political exclusion, what Samper and others defined as *intereses de círculo*, personal antipathies and the drive to hold on to the benefits of power replaced the generous spirit of previous decades. Conservatives realized that their job was to exploit those conflicting interests, and they did. They allied with Radicals in 1867 to overthrow Mosquera and then joined with Mosquera to defeat Radicals in the 1870 presidential election and so forth. In the meantime, Conservatives managed to arm themselves in Antioquia and Tolima, and, their fundamentalist and intransigent press worked to undermine the democratic republic and turn public opinion in Bogotá, Medellín and Popayán against the Constitution of 1863.[290] In late nineteenth-century Colombia, uncompromising politics ruled, and the pendulum started to swing back in the other direction.

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[287] Tomás Cipriano de Mosquera, *Los partidos en Colombia: estudio histórico-político* (Popayán: [s. n.], 1874). 45.
[288] Samper, *Los Partidos en Colombia: Estudio Histórico-Político*: 84.
[289] For Samper, Antioquia and Santander political stability could be explain as a result of certain exceptionalism when compared to other states: "las condiciones particulares de aquellos pueblos, notoriamente laboriosos y adictos a la legalidad, y por lo mismo muy poco adecuados para dar pábulo a los excesos de la ambición y los desórdenes revolucionarios." ibid., 94.
[290] Ibid., 84-87.

Chapter 4: Swinging Back and Forth: Decentralization and Recentralization in Colombia (1863-1899)

4.1 Introduction

Starting in the mid-1870s, Conservatives and dissident Liberals, known as Independents, blamed the 1863 institutional arrangement for Colombia's permanent state of political and social agitation and recurrent uprisings.[291] In addition to civil wars, coups and uprisings at the local, regional and national levels, conflicts between the states and the central government, and between different states, brought political life to a standstill. The institutions of Rionegro began to be seen as barriers to stability and progress. In circumstances like these, the recentralization of state-authority was seen as a precondition to restoring order and putting Colombia on a path to prosperity.

This shift in thinking about centralization departed from previously held political positions that had seen decentralization as generally positive. Regardless, reform of institutions of 1863 was virtually impossible. The Constitution allowed for amendments, provided they were proposed by a majority of the state's legislatures and approved by both houses of Congress. Following that, the Senate of Plenipotentiaries had to

[291] In Cauca, independent liberals were a group of politicians and entrepreneurs dissatisfied with radical's administrations, politics and electoral practices The existence of the faction became evident by 1875 but only acquired political influence after the presidential campaign of Rafael Núñez, radical liberals during the early 1870s and the national civil war of 1876-1877 and Cauca's short-lived civil conflict of 1879. Alonso Valencia Llano, *Estado soberano del Cauca: federalismo y regeneración* (Bogotá: Banco de la República, 1988). 165.

unanimously ratify the amendment. Each of the nine states had one vote in that Senate.[292] The framers of the Constitution had tried to tie everything up and ensure the preservation of the accomplishments of the Liberal party. But it was precisely its un-reformable nature that turned the Constitution of 1863 into a liability.

The 1863 Constitution was superseded in 1885, after the government defeated Radical Liberals in the battle of *La Humareda*. That year, the pendulum swung back towards centralization, ending the experiment initiated by Liberals in 1849. In 1886, a nationalist government, made up by a coalition of Conservatives and Independent Liberals, issued a new constitution that concentrated all decision-making in Bogotá. This transformation was neither peaceful nor did it end the civil wars and political instability, as its proponents had hoped. Liberals accepted the institutional arrangement of 1886 only after two disastrous civil wars, those of 1895 and 1899-1902.

This chapter is broken into the following sections. This introduction is followed by a second section that describes the conflicts that occurred in Colombia from 1863 to 1877. That later year was a turning point in Colombian history because it signaled the beginning of the end for the Radical Liberals. The third section discusses the restrictions on commerce enacted by all nine states. These restrictions contravened the charter of 1863 and hindered the expansion of the internal market. The fourth section analyses the conflict generated by two state-building projects: the educational reform of 1870 and the plan to build a railroad linking the eastern Andes to the Magdalena River. These two projects exemplified the limits of political cooperation between the two parties and the

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[292] Colombia, *Constitución Política de los Estados Unidos de Colombia. Sancionada el 8 de Mayo de 1863*: 35.

conflictive relations between the states. The fifth section provides the reader with an explanation of the crisis of the federal system. The sixth section describes the slow-moving process of recentralization of state-authority in Colombia. This process began in 1885 after Radical Liberals were defeated by the government. In 1886, a coalition of Conservatives and non-Radical Liberals dismantled the federal system and imposed a unitary regime.

4.2 Anarchy Organized into a Government[293]: the Regime of Rionegro, 1863-1877

The war of 1860-1862, waged to defend state autonomy, altered social and economic life in Colombia, left the country bankrupt and brought commerce to a complete standstill. Poverty was the most conspicuous outcome of the three years of fighting (four in Santander). Like so many other conflicts in Colombia's nineteenth century, this fighting did not bring an end to political conflict. In spite of their temporary exclusion, Conservatives regained the gubernatorial seat in Antioquia soon after the end of the war, in January 1864, though it took them a little longer to reorganize at the national level.[294] National restructuring in the 1870s and the resurgence of the religious question foreshadowed the next round in the fight between Liberals and Conservatives.

Liberals, in control of the nine states and the federal government after 1863, had no time to celebrate their victory. In addition to losing Antioquia in early 1864, uneasy

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[293] Manuel Briceño, *La revolución (1876-1877): recuerdos para la historia* (Bogotá: Imprenta Nacional, 1878). 38.

[294] In the 1864 Congress there were no conservative representatives; in 1866 and 1867 only those from Antioquia. Juan N Solano, *La participación igual, simultánea i permanente de los partidos en el poder o el gobierno simultaneo de los partidos* (Duitama: Imprenta del 'Colejio de Solano' 1867). 5.

relations between two Liberal factions, the Radicals and *Mosqueristas*, cast a shadow over their military achievements. Throughout the 1860s, these two factions competed for control of national and state governments. General Mosquera and the Radicals faced off every two years in elections for the federal presidency. Mosquera served as president from 1863 to 1864. Manuel Murillo Toro, the leader of the Radical faction, from 1864 to 1866. In 1866 Mosquera was reelected president. In 1867, after a bitter conflict with the Radical-dominated Congress, he was finally ousted from power. From 1867 to 1878, Radicals controlled the federal presidency again.

Political divides also crystallized during these years. Conservatives remained the predominant political force in Antioquia throughout the whole period, from 1850 to 1899. Liberals only governed in Antioquia when they were supported by Liberal forces from Cauca. In Cauca and Santander, Liberals predominated throughout the period. However, there were significant portions of both states where Conservatives were the majority party, particularly southern Cauca, the area bordering Ecuador, and northern Santander. Furthermore, there were different types of Liberals. While the most of Santander supported Radical Liberals, Cauca was the stronghold of *mosquerismo*. Conflicts between *Mosquerista* and Radical Liberals in Cauca played a significant role in the state's political instability. Non-Radical Liberals in Cauca played a significant role in the growth of the opposition movement, the Independents in the early 1870s.[295]

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[295] In his 1988 work entitled Estado Soberano del Cauca, Alonso Valencia claims the creation of the Independent Liberal Party was one of the first attempts to create a political party in Colombia whose interests surpassed regional demarcation lines. The Caucano elite support was crucial in this process. Even though they succeeded, contributing to the triumph of the Regeneration political projects, they assumed an enormous cost for Cauca lost its political preponderance in national politics. Valencia Llano, *Estado soberano del Cauca: federalismo y regeneración*: 17.

For the remaining states we have less information because we do not have compilations of electoral turnouts. As a result, most of the information we have comes from politicians of the era. In a pamphlet published in 1873, General Mosquera affirmed that in Bolívar and Magdalena Liberals had a scant majority. In Tolima Conservatives were the majority party and Boyacá and Cundinamarca were swing states. In Panamá, Liberals predominated in Panamá City and most central towns, and Conservatives in the western section of the state.[296] Among the nine states, Antioquia was the only one where opposition to the Liberal party was able to regain and maintain power during the 1860s and 1870s. Conservatives in Cundinamarca and Tolima, though coming to power on a few occasions, were less successful that their fellow party members in Antioquia.[297]

Liberals faced the shortcomings of the institutions they had designed. While one could argue that given the uncooperative and hostile environment any institutional design might have failed, the specific limitations of the 1863 Constitution became apparent soon after its ratification. Repeated conflicts over authority between the central and subnational governments exacerbated political infighting. The complex question of recurrent uprisings within and among the states trapped the nation in a state of permanent uncertainty. In addition, the proliferation of different civil and penal legislations made administrative procedures cumbersome, particularly for businessmen with interests in different states. Finally, the implementation of nine different tax systems, frequently based on custom-like duties, led to the erecting of barriers for the entry of goods. These barriers subverted the expansion of the internal market and negatively impacted

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[296] Mosquera, *Los partidos en Colombia: estudio histórico-político*: 61-62.
[297] Valencia Llano, *Estado soberano del Cauca: federalismo y regeneración*.

economic activity. Chapter eight of this dissertation focuses on this last issue in more detail.

By far, the troublesome question of who had the authority to guarantee public order became the most noteworthy limitation of the 1863 Constitution. As seen in the previous section, the 1863 Constitutional Convention intentionally created a weak federal government so that it could not overpower autonomous states. The central government's standing army was kept small, partly due to the fiscal limitations of the central government, but also because it had been part of the Radical agenda since the early 1850s. During the 1860s, the army fluctuated between 1,500 and 2,500 men, in times of peace. During rebellions, the size of the army skyrocketed, to 19,385 in 1860, 8,221 in 1864 and 10,000 in 1866.[298] In addition to these limitations, the Constitution did not grant the federal government authority over public order within the states or to enforce national legislation.

The constitutional mandate concerning public order in cases of conflicts was rather vague. It neither granted nor prohibited the central government from intervening in conflicts within the states. The Constitution of 1863 did not explicitly grant the federal government authority to protect states against invasions or internal upheavals, but rather gave the president the vague authority to ensure (*velar*, in Spanish) the preservation of public order.[299]Furthermore, the charter established no limitations on the size of state armed forces. This legal vacuum allowed states to maintain standing armies and military

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[298] Data from Codificacion Nacional, volumes XIX to XXIII

[299] "Velar por la conservacion del órden jeneral" was the phrasing in Article 66, Indent 19 of the Constitution of 1863. Colombia, *Constitución Política de los Estados Unidos de Colombia. Sancionada el 8 de Mayo de 1863*: 28.

weaponry. The most salient example was Antioquia. After Conservatives ousted Pascual Bravo, the administration of Pedro Justo Berrío amassed between twelve to fourteen thousand rifles. Salvador Camacho Roldán claimed Antioquia's arsenal could have even been superior to that of the *Guardia Colombiana*, the federal army. Antioquia's military power allowed it to play an active role in neighboring states, and it provided support to fellow Conservatives in Tolima, Cundinamarca and Cauca in 1865, 1868 and 1876.[300]

In his analysis of Latin American constitutions Justo Arosemena defined the Colombian federation post-1863 as a *paz armada*, or an armed peace, equivalent to the balance of power seen in international relations.[301] Recaredo de Villa, President of Antioquia in the 1870s agreed with Arosemena's interpretation. In 1880, De Villa declared that Antioquia's arsenals had guaranteed the Union's peace. He argued that with all nine states except Antioquia governed by Liberals, it was only natural for Antioquia to store weapons and ammunition in defense of their sovereignty and public order. Hence, Antioquia's arsenal guaranteed the peace. In fact, Antioquia was an obstacle for revolts and rebellions. De Villa cited occasions when the mere mention of Antioquia's intervention was enough to stop a rebellion at an early stage. In 1867, for instance, after Mosquera declared himself dictator, the threat of an Antioqueño intervention was enough to spur the National Guard (*Guardia Colombiana*) into action; they incarcerated Mosquera and restored confidence in the institutions. In the heated electoral campaign of 1875, when supporters of Núñez went to war to defend his candidacy, Antioquia backed

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[300] Camacho Roldán, *Memorias*: vol .II, 187.
[301] Arosemena, *Constituciones Políticas de la América Meridional*, II: 265. Arosemena equated the outcome of the constitutional design of 1863 to an international system where stability depends on equilibrium between competing forces.

the federal government. According to De Villa, their declaration of support was enough to end the uprising.[302]

Radical Liberal President Aquileo Parra reached a different conclusion. In his 1878 Presidential Message to Congress, Parra declared that Antioquia had been accumulating an arsenal after 1864 in order to, in due time, led a Conservative reactionary crusade in Colombia.[303] Regardless, the coexistence of multiple state militias with the *Guardia Colombiana* evidences the inability of Colombia's political elite's to recognize the existence of the other. Furthermore, it signaled that the states were renouncing one of the most important benefits of the federal union: mutual defense. States kept their own standing armies, and this impacted their finances too. The conflictive relationship between the states and the federal government's limited authority hindered the prospect of solving shared problems, the development of transportation infrastructure projects, for example. The federal arrangement in place from 1858 to 1885 allowed for none of this.

States devoted significant resources to organizing and maintaining their armed forces and this prevented them from fostering economic development. Furthermore, the perpetual instability of the system added risk to any productive investment. It comes as no surprise that economic performance during the period was poor and limited to activities that required little investment, with the exception of mining in Antioquia. Furthermore, Article 15, Indent 5 of the Constitution determined that any compensation

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[302] Recaredo de Villa, *Refutación del mensaje del Señor Aquileo Parra al Congreso de 1878* (Guatemala: Imprenta de Taracena, 1880). 7.
[303] Aquileo Parra, "Mensaje del Presidente de los Estados Unidos de Colombia al Congreso de 1878," (Bogotá: J. B. Gaitán, 1878), 10-11.

for expropriated property would only be done ex-post facto, adding more risk to productive activities.

Maintaining standing state armies added to the tensions of political confrontation. States' distrusted each other, on top of the ongoing distrust and conflicts between Liberals and Conservatives and between Radical Liberals and *Mosquerista* Liberals. This was especially true when opposing parties or factions controlled a neighboring state with enough military strength to command respect, as was the case with Antioquia. The border between Cauca and Antioquia became the site of recurrent interventions from both sides. Distrust between these two states and its consequences will be addressed in later chapters.

The 1863 Constitution's granting of rights to asylum in states created even more tension between Antioquia and Cauca. Even though Article 11 established that refugees could not harass the government of their home state, it was commonplace for those granted asylum to recruit troops to harass their political opponents. Refugee activities generated many complaints from both state governments. State officials on both sides of the border repeatedly complained about so-called subversive activities fostered by Caucano Conservative refugees in Antioquia and Antioqueño Liberals in Cauca.

However, the most immediate outcome of this institutional design was the proliferation of violent regional conflicts.[304] As discussed in the first chapter, from 1862

[304] Since the early 1850s, opponents of the federation deemed the preservation of public order control would become the most conflictive issue. In an anonymous pamphlet published on December 1852, while Congress was debating a constitutional draft, the author reasoned a constitution based on the United States model no ha convenido, no conviene y acaso no convendrá for the Hispanic American republics. The author concluded that, among other reasons, for its inability to preserve public order. Fabio [pseud.], "La Federación en la Nueva Granada," (Bogotá: Imprenta de Echeverría Hnos., 1852), 10.

to 1876, forty-five regional civil wars and coups occurred in Colombia's nine states.[305] Conflicts started immediately with the approval of the Constitution of 1863. State institutions were tested first in Antioquia. At the end of 1863, after the Liberal armies that had occupied Antioquia were redeployed to the border with Ecuador, Conservatives led an uprising against the Mosquera-designated governor and protégée, Pascual Bravo. The short-lived civil war, lasting from December 1863 to January 1864, helped Conservatives regain the state government. They remained in control of the state government until 1877, when Antioquia's armies were defeated in the national civil war.

Violent uprisings at the regional level proliferated after 1867 and the new Public Order Act, The new law was passed in response to the escalating conflicts between Radical and *Mosquerista* factions in Congress.[306] On March 12, 1867, the opposition to General Mosquera in Congress (Radical Liberals and Conservatives) issued the law, the sixth of that year, which reaffirmed states' rights to keep standing armies of any size.[307] The conflict between Radicals and Mosquera escalated and Congress enacted two more laws to counter his authoritarian tendencies. The first authorized the return of exiled bishops. The second was the Public Order Act of April 16, 1867. [308] In that law, Congress asserted that the federal government was constitutionally bound to remain neutral in armed conflicts between states and recognize the new administration should it be organized according to Article 8, Indent 1 of the Constitution.

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[305] Riascos, *Geografía Guerrera de Colombia*.
[306] "Réplica de los Miembros de la Administración al Manifiesto Titulado "El Convenio de 16 de Marzo," que Acaban de Publicar 27 Diputados de la Minoría Liberal del Congreso," (Bogotá: Imprenta de Echeverría Hermanos, 1867).
[307] Colombia, *Codificación Nacional*, vol. XXIII 1867-1868 (Bogotá: Imprenta Nacional, 1933). 29.
[308] Ibid., 46-48.

Immediately after, on April 29, 1867, President Mosquera declared a state of war in the Republic. Mosquera was ousted less than one month later, on May 22, in a coup led by General Santos Acosta, President of the Senate.[309] In the weeks preceding this event, Conservatives in Antioquia had organized a force to defend the state should Mosquera attack. Though Mosquera's followers in the states of Bolívar, Boyacá, Cundinamarca and Tolima threatened the new administration on Santos Acosta, the confrontation never materialized. An uprising to defend Mosquera in Bolívar ended quickly.[310] In the end, the 1867 crisis did not degenerate into a national civil conflict.

However, the Public Order Act of 1867 did have the long-lasting effect of furthering political instability. The right to keep standing armies, the principle of no intervention approved in 1867, and a polarized political debate, created the perfect recipe for unending conflict. Despite official limitations, the federal government intervened in regional conflicts on a few occasions. The interventions were immediately called infringements on state autonomy by different parties to the conflict. The government's interventions in support of fellow Radical Liberals only aggravated problems.[311] On several occasions, the government used the *Guardia Colombiana* to oust state presidents, Conservatives as well as non-cooperative Liberals.

Two cases from 1868 and 1876 exemplify these interventions. In 1868, Conservative Ignacio Gutiérrez Vergara was elected president of the State of

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[309] Tomás Cipriano de Mosquera, "Introducción a la Defensa del Gran General T.C. de Mosquera, Presidente Constituticional de los Estados Unidos de Colombia," (Bogotá: [s. n.], 1867), 6, 8.
[310] Gustavo Arboleda, *Revoluciones Locales de Colombia* (Popayán: Imprenta del Departamento, 1907). 19-22.
[311] Historian Alonso Valencia Llanos claims Bogota's interfering in states' politics was a key factor for explaining recurring regional and local uprising. Valencia Llano, *Estado soberano del Cauca: federalismo y regeneración*: 166.

Cundinamarca, the state where Bogotá is located.[312] However, Liberals retained control of Cundinamarca's Assembly. Because there was no federal district, Bogotá was the seat of both the federal and state governments. From the beginning, Radicals saw the election of Gutiérrez, the former Secretary of Hacienda for Conservative President Mariano Ospina, as a threat to their rule. Nevertheless, Gutiérrez was inaugurated as President of Cundinamarca. Conflicts between the Conservative administration and the Liberal-controlled Assembly turned sour and on October 9, 1868, President Ignacio Gutiérrez called for a Constitutional Convention to reorganize the state of Cundinamarca. By doing that, he hoped to get rid of the Liberal Assembly. Federal President Santos Gutiérrez grabbed the opportunity and declared the government of Cundinamarca to be in rebellion against national institutions. On October 10, 1868, the Guard imprisoned Ignacio Gutiérrez. A few months later, the Supreme Court absolved former President Ignacio Gutiérrez of any wrongdoing because the Union's penal code did not classify his actions as felonies.[313]

Even though the Constitution 1863 and the Public Order Act of 1867 forbade federal government intervention in states, Radicals used the Guard to either oust state presidents from power or to influence state electoral processes.[314] With each intervention, the federal government risked nation-wide civil war.[315] These interventions did

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[312] Later the same year, Ignacio Gutiérrez provided his account of the events that led to his imprisonment. Ignacio Gutiérrez Vergara, *El 9 y el 10 de Octubre de 1868. Denuncio a la Cámara de Representantes contra el Poder Ejecutivo Nacional* (Bogotá: Imprenta a cargo de Foción Mantilla, 1869).
[313] Quijano Wallis and Esguerra, *Memorias Autobiográficas, Histórico-Políticas y de Carácter Social*: 311-12.
[314] Posada-Carbó, "Elections and Civil Wars in Nineteenth-century Colombia: The 1875 Presidential Campaign."
[315] Quijano Wallis recounts how President Santos Gutierrez consulted with prominent liberals, including former-President Manuel Murillo, before he decided to imprison the President of Cundinamarca. Though

eventually spark national conflict in 1875 and 1876 after federal government interventions in the states of Panamá, Magdalena and Cauca to secure the election of Radical Aquileo Parra.

In 1875-1876, Rafael Núñez stood a chance of winning the presidency. Radicals had held the presidency without interruption since 1867 and this was the first time since 1863 that a non-Radical Liberal stood a chance. Though the election was not the only important issue, it played a decisive role in the outbreak of the civil war. President Santiago Pérez ordered the *Guardia Colombiana* to oust the pro-Núñez Panamanian government and guarantee the state vote for Parra. A revolt in Magdalena ended with the death of the pro-Núñez General Riascos, thereby guaranteeing that state for Parra as well.[316] Even though Aquileo Parra won the election, Radicals paid the price for their interventions: Parra would be the last president elected with only the support of Radicals. On April 1, 1878, non-Radical Caucano general, Julian Trujillo, a hero of the previous civil strife, became president. Two years later, Rafael Núñez was sworn-in as president of the United States of Colombia.

The federal government intervened in state affairs on other occasions. Those preceding national civil wars have received some attention from historians. For example, the Conservative interventions in Santander in 1859 and 1884, the Radical intervention in Caribbean states in 1875 to secure a favorable vote for their presidential candidate, and in Cauca in 1876 for a similar reason to protect a fellow Radical from an internal uprising

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they agree on the course of action, they feared the intervention would have led to a civil war. Quijano Wallis and Esguerra, *Memorias Autobiográficas, Histórico-Políticas y de Carácter Social*: 312.
[316] Ibid., 247.

and to prevent a Conservative invasion from Antioquia.[317] Even though Liberals monopolized the majority of state governments from 1863 to 1877, Conservatives successfully challenged their power on a handful occasions, including in Antioquia, Cundinamarca, Tolima and Boyacá. Nonetheless, whether by electoral or military means, these Conservative administrations were eventually ousted.

Yet, public order was only one of many conflictive issues. The charter of 1863 designed a weak federal government, so that it could not threaten state autonomy, as had happened in 1858 and 1859 under the Conservative presidency of Mariano Ospina. Its weaknesses limited its ability to guarantee respect for constitutional principles. For instance, though Article 15 of the Constitution listed many civil liberties, the federal government couldn't enforce respect for them. The responsibility of guaranteeing rights fell to the states, and when they failed to do so, no rectifying mechanisms existed.

Despite all this, the country did experience some periods of stability during these years. From 1868 to 1876 the federal government focused on implementing two projects: education and transportation infrastructure. As we will discuss in the next section, the educational reform of 1870 contributed to the reorganization of the Conservative party and the revamping of their alliance with the Catholic Church. In 1876, Colombia stood on the edge of a precipice. In response, Congress did two things: it abrogated the Public Order Act of 1867 and it amended the Constitution to fix the election day across the nation for federal president (Constitutional Amendment of May 31, 1876 and Law 77 of

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[317] This section does not aim to explore these regional conflicts in great depth. Most of them have not been studied yet. Instead, here I aim to provide information on these conflicts related to major crises or to national civil wars during the period from 1863- 1886. For more information on uprisings in Antioquia and Cauca see the monographic chapters.

June 24, 1876).[318] With both of these actions, Congress attempted to provide the federal government with the tools needed to halt recurrent conflicts.

On June 17, 1876, President Aquileo Parra abrogated the Public Order Act of 1867.[319] Though the abrogation was insufficient to release tensions and prevent the civil war of 1876-1877, the 1863 institutions would hold out for eight more years. The first administration of President Rafael Núñez tried to mend the system through reforms. First, he assured that the federal government would intervene to prevent violence in any of the states. Congress supported his Public Order Act of 1880, authorizing the president to act preventatively and defend state governments against internal violence. To restrain federal authority, Congress required state legislatures to request the intervention first. If in recess, the state president could ask for the intervention of the federal government.[320] Still, states had a constitutional right to import firearms and ammunition. Although acknowledging that right, this Act required states to inform the custom office in advance of such purchases, detailing for them the specification of the arms to be imported.[321]

That same year, in 1876, Congress and the states finally agreed to reform the Constitution of 1863. The states of Antioquia, Bolívar, Boyacá, Cundinamarca, Panamá and Santander requested that Congress ensure that all elections for president occur simultaneously. On March 30, 1876, the Senate of Plenipotentiaries, after the three

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[318] Colombia, *Leyes de 1876*.
[319] Ibid., 73-74.
[320] Colombia, *Leyes de los Estados Unidos de Colombia, espedidas en el año 1880* (Bogotá: Imprenta de Gerardo A. Núñez, 1880). 21, 41. The Public Order Act of May 8, 1880 (Act 19 of that year) had only one article. By law of June 12, 1880, Congress also authorized the President to alter the territory of any of the state if that would end violence.
[321] Colombia, *Leyes de los Estados Unidos de Colombia, expedidas en el año 1881* (Bogotá: Imprenta de Zalamea Hermanos, 1881). 18-19. Congress established that requirement in a two-articles law enacted on March 26 of 1881

debates required by law, passed the amendment. Exactly two months later, on May 30, after meeting all the requirements of the law, Congress approved the Constitutional Amendment. On May 31 the President signed it and it became part of the Constitution. On June 24, 1876, Congress enacted Law 77 determining the first Sunday of September as presidential election day in all nine states of the Union. The states were responsible for counting the votes and the results had to be published no later than October 20 of the same year. If states failed to declare their vote that day, the federal Congress could void that state's vote and determine absolute majority without it.[322]

Despite these reforms, Colombia was mired in a civil war once again by 1876. This one began as a local conflict in Cauca and engulfed the rest of the country. With mutual accusations of unlawful interventions, Antioquia, Tolima, and the federal government sent troops to Cauca and sparked the war. It ended on April 6, 1877 after the State of Antioquia surrendered. General Julian Trujillo, commander of the Army of the South and Silverio Arango, acting President of Antioquia, agreed to the terms of the surrender of Manizales. On June 4, 1877, Congress enacted an Amnesty Act, according to the terms of the surrender of Manizales, which excluded the bishops of Antioquia and Cauca.[323] Though Liberals won the war, Radicals lost a great deal of power at the national level and the control of the federal presidency. Victorious General Trujillo was elected president in 1878 and the Radicals entered their twilight.

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[322] Colombia, *Leyes de 1876*: 85-86.
[323] Colombia, *Leyes de los Estados Unidos de Colombia, espedidas en el año 1877* (Bogotá: J. B, Gaitan, 1877). 52-53.

4.3 Taxation and Internal Customs

As mentioned previously, the nine federal states implemented barriers that slowed the growth of the nation's internal market. National policies and state policies often contradicted one another on this issue. On the one hand, the national government followed a free trade policy since the early 1850s that threatened artisanal production. On the other hand, states implemented barriers to commerce as soon as Congress reorganized Colombia into a federal republic. In fact, as soon as states were created, state governments imposed duties on merchandise entering their territories.

In 1858, while complaining about the incorporation of the provinces of Mariquita and Neiva into Cundinamarca, a group of petitioners protested the relocation of the customs house previously located in Bogotá to Honda. The move stripped Honda of its privileges as free port, something that had provided many benefits to merchants in the area because of Bogotá's high duties for the introduction of foreign merchandise.[324] In addition, though not part of this petition, the port of Honda served more than the provinces of Mariquita and Neiva, it served municipalities located on the western slopes of the central Andean range, in the provinces of Antioquia and Cauca.

After 1863, all states created taxes on items for consumption that had been 'imported' into the state territory, in direct contravention of constitutional prohibitions. The 1863 Constitution (Article 8, Indents 4 & 5) blocked states from levying duties on goods that were subject to national taxes. It also prohibited taxing exports and national

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[324] Vecinos provincia de Mariquita, "Ciudadanos Senadores i Representantes," in *ALC 1858 Senado XII* (AGN, 1858), 20r.

goods transiting through states.[325] In reality, however, states relied heavily on income from these taxes, and so, they continued to tax imports and impose restrictions on merchandise introduced to their territories.

In fact, the states taxed merchandise without regards to its geographical origin. States' customs houses, known as *aduanillas*, levied taxes on imports that were already taxed by the federal government. For instance, Antioquia charged $12 for each 100 kilograms gross weight of merchandise introduced into its territory. Cauca's government charged in between $2 and $12 for the same amount and Cundinamarca had a differential rate with a minimum of $4.66 to a maximum of $11.33 per 100 kilograms. The other seven states charged smaller amounts for the same quantity.[326] In addition to those duties levied at the site of entry, states established other barriers at their borders.

These internal customs and restrictions led Liberal politician Miguel Samper to publish a short pamphlet in which he denounced what he termed 'the fiscal voracity' of the states. He showed how the government of Tolima deliberately obstructed commerce with regulations, taxes and tolls. In his pamphlet, he contrasts Colombia with Germany after the Zollverein, to him the example of how to correctly manage internal commerce in a federal system.[327]

Emiro Kastos, Juan de Dios Restrepo's pseudonym, chronicled the fiscal voracity of the states in 1884, two years before the constitutional reform that replaced the charter

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[325] Colombia, *Constitución Política de los Estados Unidos de Colombia. Sancionada el 8 de Mayo de 1863*: 5.
[326] Miguel Samper, *Nuestras Enfermedades Políticas. Voracidad Fiscal de los Estados* (Bogotá: Imprenta de Vapor de Zalamea Hnos., 1884). 5.
[327] Ibid.

of 1863. In a trip from Ibague in Tolima to Cauca, Kastos took the *camino del Quindío* [Quindío road] through the Cordillera Central. Kastos affirmed that at a ford in La Vieja River, on the outskirts of Cartago, he came face to face with the fiscal voracity of the states. The river had to be crossed by canoe in the rainy season or by wading or wheeled vehicle during the dry season. The state charged 20 cents a unit of cargo, and the same was true for any traveler by horseback. Kastos affirmed that this was an unusual price, as it normally cost 10 cents at most rivers of Colombia. Livestock, basically Cauca's only export at the time, were charged $3.5 pesos per animal and $7 pesos per cow, the equivalent of forty-percent of the animal's value. Kastos concluded that Cauca was an economic Paraguay where nothing enters or exits without paying the state. For Kastos, one of the most important outcomes of the French Revolution was the suppression of internal custom duties. Antioquia and Cauca, two states which were in such a great need of each other, waged a customs war against each other.[328]

State policy-makers interested in expanding their revenues dismissed the negative consequences of these duties on long-term economic performance. These duties hindered the expansion of the internal market, not only because of their impact on consumer prices but also because these practices included other restrictions. For example, all merchandise had to be stored in state-owned warehouses and merchants had to fulfill other formalities. These requirements affected not only long-distance trade but also small producers that transported commodities from one district to another within the borders of the same

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[328] Juan de Dios Restrepo, *Articulos escogidos*, Escritores colombianos (Londres: J. M. Fonnegra, 1885). 351.

state.[329] These kinds of restrictions were eliminated only after the reforms of 1886, and even then the federal government's enforcement capacities remained limited.

The Constitution of 1886 eliminated internal customs. This decision hit state (re-categorized as departments) finances so hard that Congress enacted legislation to substitute this income for the nine departments. Law 88 of December 20, 1886 increased tariffs by 25% to redistribute the proceeds among the nine departments, compensating them for the loss of revenue.[330] The income was divided into twenty units and distributed as follows: three for Antioquia, Cauca, Cundinamarca and Santander; two and a half for Bolívar and Boyacá; two for Tolima and one for Magdalena. Eight months after receiving their share, the central government required departments to stop charging any transit taxes, consumption or extraction taxes on either national or imported merchandise. Departments were also supposed to allocate at least 5% of the units received as compensation to maintain first-class roads.[331] This law was reformed in 1888 by Law 99 of November 14, giving one extra unit to Magdalena.[332]

Because of the central government's precarious fiscal situation, Congress terminated this subsidy in 1896. By doing so, the central government stripped the nine subnational units of their single most profitable source of income during the federal period (except in Antioquia, where the tax on distilled liquors remained the most

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[329] Samper, *Nuestras Enfermedades Políticas. Voracidad Fiscal de los Estados*: 12-19. Miguel Samper presents an example of how the state of Tolima, obstructed commerce with all those regulations, taxes and tolls. In his pamphlet, he compares Colombia with Germany after the Zollwerein as the example on how to correctly manage internal commerce in a federal system.
[330] Colombia, *Leyes Expedidas por el Consejo Nacional Legislativo en sus Sesiones de 1886* (Bogotá: Imprenta de Vapor de Zalamea Hermanos, 1886). 282-84.
[331] Ibid., 282-83.
[332] Colombia, *Leyes Colombianas de 1888. Colección de las que Expidió el Congreso de ese Año* (Bogotá: Imprenta de "La Luz", 1889). 49-50.

significant source of revenue). On November 18, 1896, Vice-President Miguel Antonio Caro enacted Act 135, officially stripping departments of the twenty-five percent surcharge. In exchange, Congress transferred the livestock slaughter tax to the departments, beginning January 1, 1897. The collection of the livestock tax was subcontracted to private collectors and governors were authorized to increase the rate from $3 pesos per cattle to $4 pesos.[333]

4.4 The Educational Reform of 1870 and the *Ferrocarril del Norte*

The new constitution severely curtailed the central government's ability to coordinate public policies and pursue common goals. The nine states took nearly totally independent paths from one another and set in motion their own state-building projects. The limitations of the institutions of 1863 were highly evident at the national level where cooperation was severely limited. States violated basic constitutional norms, such as their promise to preserve a free internal market. All states, including Antioquia and Cauca, imposed restrictions and taxes on products introduced into their territories or transiting through them. As we will see later, these taxes represented a significant share of Antioquia and Cauca's revenue.

The central government proved incapable of coordinating policies for the development of a transportation infrastructure. Consequently, from 1871 to 1874, Congress pledged resources to several transportation infrastructure projects in the nine states. Each state developed their own railroad and road projects linking their territories

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[333] Colombia, *Leyes Colombianas de 1896* (Bogotá: Imprenta de Vapor de Zalamea Hermanos, 1896). 256-57.

to the Magdalena River, the Pacific Ocean and the Caribbean but not linking those separate tracks to one another. Aníbal Galindo publicly criticized the decision to fund such an array of projects, many of them local in character. Instead, Galindo suggested devising a coherent policy to connect each of the large geographic groups of the federation—Cundinamarca and Boyacá, Santander, Cauca and the Caribbean—to international commerce. In other words, he proposed that the nation focus on developing one major transportation infrastructure project in each region.[334]

Though Galindo supported the construction of the *Ferrocarril del Norte*., others opposed it, among them former Secretary of Hacienda Salvador Camacho Roldán.[335] Radical Liberals loved the Northern Railroad project that aimed to link Cundinamarca, Boyacá and Santander to the Magdalena River. Its first phase linked Bogotá to the Carare River. Camacho Roldán argued that Colombia could not afford the project due to persistent fiscal deficits and technical difficulties.[336] Galindo argued the federal government could not only afford the project but that its benefits would exceed its costs.[337] Nevertheless, the project was highly contested, particularly in Cauca and the Caribbean states. Conflicting regional economic interests led to an intense political

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[334] Aníbal Galindo, "El Ferrocarril del Norte: réplica a las opiniones del Señor Salvador Camacho Roldán," (Bogotá: Imprenta de Gaitán, 1874), 39-44.
[335] Rafael Núñez, Colombian legate in France, also supported the construction of this railroad. But, by contrast to his fellow liberal party members, opposed the idea of entering in an agreement with a private company to have the exclusive right to build, operate, maintain and carry out the investment in the railroad. Núñez supported the idea of a government-owned company. Rafael Núñez, "El Ferrocarril del Norte: un punto cardinal del problema," (París: Tipografía Lahure, 1874).
[336] Galindo, "El Ferrocarril del Norte: réplica a las opiniones del Señor Salvador Camacho Roldán," 1-3; Salvador Camacho Roldán, *Escritos Varios: Hacienda Pública, Política General, Variedades. Tercera Serie* (Bogotá: Librería Colombiana, 1895). 31-95.
[337] Galindo, "El Ferrocarril del Norte: réplica a las opiniones del Señor Salvador Camacho Roldán," 44-63.

debate, precluding the prospect of the railroad.[338] As a result, the government never built it.

The educational project launched by President Eustorgio Salgar on Nov 1, 1870 also drew significant opposition from the states. The project, the establishment of a national, uniform, free, and compulsory public primary education system in Colombia, clashed with both the Catholic Church and autonomous states. From the start, it faced abundant hostility because of its mandatory and secular requirements. Thus, it comes as no surprise that clergy opposed the project. The pastoral letters of the Bishops of Popayán and Pasto, state of Cauca, encapsulate the arguments of the clergy against the project. They both criticized the atheist Constitution of 1863 and radicals' educational project and found no ground to compromise with them.[339]

To counter Catholic opposition to their policy, radicals agreed with the Archbishop of Bogotá to offer Catholic doctrine in public schools. Bishop Bermúdez blatantly rejected that proposal arguing that there was no sense in teaching Catholic doctrine in schools whose purpose was separating children from the beneficial influence and the divine truth and morality of Christianity.[340] But resistance to the project was not confined to them. Conservatives and local politicians of both parties opposed the project. Parents, from rural societies where child labor was an inestimable part of the family's survival, also opposed the project.

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[338] Frank Safford, "Reflection on the Internal Wars in Nineteenth-Century Latin America," in *Rumours of War: Civil Conflict in Nineteenth-Century Latin America*, ed. Rebecca Earle (London: Institute of Latin American Studies, 2000), 15.
[339] Manuel Canuto Restrepo, *Pastoral que el ilustrisimo señor obispo de Pasto, doctor Manuel C. Restrepo dirige a su clero y a sus diocesanos* (Pasto: Tipografía de Bermúdez, 1872); ibid.; Carlos Bermúdez, *Persecución de la Iglesia en Colombia: Carta Pastoral que Desde su Asilo de Santiago de Chile Dirije a sus Diocesanos el Obispo de Popayán* (Santiago, Chile: El Correo, 1878).
[340] Bermúdez, *Persecución de la Iglesia de Colombia*: 27.

In addition to clerical opposition, several other factors negatively impacted the attempt to expand public education, including a weakness of state apparatus, limited funds, lack of trained teachers, demographic patterns, and popular resistance. In addition, Radicals were unable to bring together their own bloc to implement the reform. The Constitution prohibited federal institutions from intervening in the states, and as a result, the federal government had to negotiate with each state the terms of the project. Notwithstanding, each state enacted its own public education laws.

Though only Antioquia failed to ratify the reform, the eight states that did endorse the policy did so with stipulations that, to a greater of lesser degree, distorted the spirit of the project. Antioquia never allowed the federal government to intervene in their educational system. In Cauca, the state government agreed to implement the reform above the objections of the clergy provided certain conditions were met in an agreement that was approved by the President of Cauca on April 1, 1872. The agreement compromised on the inclusion of the word 'religious' in articles 30 and 31 of the decree and modified Article 36 that stated that religious education would be offered to all students at their parents' request. Cauca would choose instructors and pay them, and the government could not intervene in any religious beliefs according to Article 15, Indent 16 of the Constitution of 1863.[341] As we will see, this project became the impetus behind a Conservative reorganization in Cauca. Nevertheless, the general structure established by the bylaw was upheld, including the federal government's right to appoint the state

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[341] Estados Unidos de Colombia. Dirección General de Instrucción Pública, "Escuela normal; periódico oficial de instrucción pública," *Escuela normal; periódico oficial de instrucción pública.* (1871-1876): III. 69 (April 27, 1872), 130.

directors of public education and make them national employees, though they could be dismissed by state presidents.

One side effect of the secularization of education was the revitalization of clerical and Conservative opposition. The educational reform fueled deeper church-state conflicts that had, to different degrees, affected Colombian state-formation process since independence. The educational reform added a new dimension to the conflict and provided Conservatives with an opportunity to rebuild a party that had been without recognizable leadership since the devastation provoked by the civil war of 1859-1862. In effect, the education policy reorganized the entire conservative end of the political spectrum. The alliance between the Catholic Clergy and the Conservative faction known as the *tradicionista* (the traditionalists), a group that drastically opposed any attempt at modernization that threatened the Catholic character of society, played a crucial role in dismantling federalism. José María Samper, a Liberal and devout Catholic, jested that the traditionalists wanted to take the nation so far into the past that perhaps they would not find a century that fit their doctrines sufficiently.[342]

Although the federal government and the Archbishop of Bogotá agreed to allow clergy to teach Catholic doctrine after school hours, a faction of the clergy, mainly in Cauca and Antioquia led by the Bishops of Antioquia, Medellín, Pasto, and Popayán, opposed it. The federal government and the Archbishop signed the pact on June, 1876. Soon after, conservatives rebelled against the federal government.

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[342] Samper, *Los Partidos en Colombia: Estudio Histórico-Político*: 105.

The civil war of 1876 forced the government to abandon the reform and the project never fully recovered. After becoming president in 1880, Rafael Núñez reformed the law, moderated government positions on religious education, and placed greater emphasis on vocational education. After the civil war of 1885, the project was finally dismantled. The Conservative Constitution of 1886 made education free but not mandatory and required that it be organized in accordance with Catholic doctrine. On December 31, 1886, the government and the Vatican signed a new concordat in Rome, giving the Church total control of education.

4.5 The Crises of the Federal System, 1877-1885

Radical domination of national and regional politics greatly diminished after the civil war of 1876. In 1877, the victorious Caucano General Julián Trujillo was unanimously elected president. From 1877 to 1885, the struggles between Radical and Independent Liberals for political supremacy intensified. During the same period, Conservatives increased their role in national affairs. Recurrent political instability, frequent regional civil wars, uprisings of all types, and repeated violent transfers of power within states contributed to the negative public opinion of Radical rule.[343]

Several factors sealed the fate of the federal regime and the decentralization process. As we saw above, the number of regional armed conflicts skyrocketed after 1863. Uncompromising politics negatively affected all nine states, mirroring what occurred in national politics. Competition between Liberals and Conservatives, or

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[343] Valencia Llano, *Estado soberano del Cauca: federalismo y regeneración*: 164-66.

between factions within the same party, ignited violent conflicts of varying intensity. Though remarkable differences existed between the states, all witnessed violent transfers of power, riots, and uprisings with surprising frequency, and the central government and neighboring states were key players in these conflicts. Antioquia or Cauca's actions in political conflicts on the other side of state borders, to mention just one particular case, determined the evolution of uprisings.

In 1876, the federal government deployed troops to Cauca. President Aquileo Parra claimed to have ordered the deployment of the Guardia Colombia because of Antioquia's intrusion into Cauca. Indeed, Antioqueño and Tolimeño Conservatives supported their fellow party members in Cauca, and encouraged them in their conflict with Cauca's Radical president. In addition, the President of Cauca lacked the support of the entire Liberal party in his state.[344] However, for Recaredo de Villa, President of Antioquia, the sequence of events was quite different. De Villa claimed that rumors about the Parra administration deploying the Guard in Cauca and wage war against Tolima and Antioquia had triggered the war and Conservative support for the rebellion in Cauca. De Villa admitted that Conservatives from southern Antioquia had supported their fellow party members in Cauca without his government's approval and in contradiction to his orders. But, if the federal government was going to attack Conservatives in Tolima and Antioquia sooner or later, they would strike first. For De Villa, the Parra administration was responsible for the conflict and not Antioquia. By deploying federal troops into Cauca, President Parra violated the Constitution of 1863.[345]

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[344] Parra, "Mensaje del Presidente de los Estados Unidos de Colombia al Congreso de 1878," 13.
[345] Villa, *Refutación a Aquileo Parra*: 2-6, 13, 29.

On other occasions, opposing armies sought refuge on the other side of state borders. Turning a blind eye equated to a tacit support of their fellow party members on the other side of the border. The intervention of the National Guard usually tipped the balance in favor of any of the armed factions in regional struggles. From 1858 to 1885, Presidents from both political parties meddled in electoral processes at every level to secure the election of their fellow party members. They also intervened in regional civil wars, usually favoring one of the contesting factions, to tip scales in their favor. From 1863 to 1885, the national government intervened in states to secure the vote of that state for the presidential candidate favored by the president, in blatant violation of the constitution.[346] Nevertheless, the national government used these interventions as powerful weapons guaranteeing the stability of the system.

In addition, conflicts over competencies and jurisdictions persisted from 1858 to 1885. Though common in federal systems, the design of state institutions from 1858 and 1863 and the lack of common goals created a situation of perpetual conflict over these issues in Colombia. Overlapping legislation and recurrent accusations of federal interference in state competencies thwarted many projects. Even though the federal government implemented a national education policy and a program for national infrastructure in the late 1860s and early 1870s, opposition from states, lack of resources and war thwarted the reforms.

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[346] The most blatant case occurred in 1875 presidential election when radical liberal Aquileo Parra defeated independent liberal Rafael Núñez. In 1875, the Guardia Colombiana interfered in the election in the Caribbean Coast states. Posada-Carbó, "Elections and Civil Wars in Nineteenth-century Colombia: The 1875 Presidential Campaign."

Overlapping competencies only tell part of the story. Ten legislatures, contradictory rules, and regulations hindering the internal market and the expansion of a market economy, all played a role in Colombia until 1885. Most states lacked the legal frameworks and enforcement capabilities to protect property and individual rights.[347] In addition, the nine states and the central government inadequately funded their own public administrations, missing out on the advantages of economies of scale because they could not coordinate their operations. The same applied to transportation infrastructure projects. In the late 1860s, voices of dissent increasingly advocated for a unified, national and homogeneous tributary system.[348]

The federal regime became very closely linked to the Liberal Party. After the presidential election of 1875, the gap between the Radical faction and disaffected Liberals widened. The Independent Liberal faction, as they were known at the time, allied with the Conservatives on key issues, including a new approach toward the Catholic Church. An opportunity to end Radical Liberal domination of national politics arrived in 1885, when a conflicted election in the state of Santander sparked a regional conflict. Rafael Núñez, the Independent Liberal president, allied with Conservatives and took the Radical defeat as an opportunity to replace the federal institutions. In spite of the opposition of regional political elites, they recentralized Colombia.

Liberal dominance of national politics came to a sudden end in 1885. After the Caucano Vice-President was forced out of office in 1888, Conservatives dominated the government at every level. Though they blamed federalism for inflaming conflicts, the

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[347] [pseud.], "La Federación i el Centralismo," 6-11, 16-20.
[348] Ibid., 20.

unitary regime established in 1886 did nothing to lessen tensions. The period of regional uprisings was ended by the larger national army and the appointment of governors by the president. Conflict between Liberals and Conservatives at the national level continued; two more civil conflicts followed. At the end of the last of these conflicts, Liberals accepted the institutions of 1886 and Conservatives agreed to share power.

At the time, many saw the recentralization of state authority in a stronger central state as a precondition for halting the cycle of conflict. The first step was made in 1877 when changes in public order laws allowed the federal president to restore public order in any part of the national territory. However, for Conservatives and disaffected Liberals this was insufficient. In 1886, Conservatives and non-Radical Liberals enacted a hyper-centralizing constitution that ended the virtual independence of the nine states. Though it faced significant opposition from Liberals and even some Conservatives, this second era of centralization would be consolidated following the *War of the Thousand Days* in the 1900s.

4.6 Replacing Anarchy with Order[349]: the Regeneration, 1886-1899

The state-building project known as *The Regeneration* proposed to strengthen central state institutions and counter regional and local political instability. During this period, policy-makers assumed that the federal system implemented in 1863 had created the political instability and violence. Thus, to change course, state autonomy had to be

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[349] Rafael Núñez, "Exposición sobre Reforma Constitucional que dirige al Consejo Nacional de Delegatarios el Presidente de la República, Contestación y Acuerdo.," ed. Presidencia de la República de Colombia (Bogotá: Imprenta de Silvestre y Compañía, 1885), 16.

weakened and the central government strengthened by replacing the federal system with a central unitary government that concentrated decision making in Bogotá.[350] Radical rebellion against the government in 1885 provided the opportunity to replace the federal constitution. On September 9, 1885, just as the news of the Radical Liberal defeat at *La Humareda* reached Bogotá, President Núñez abrogated the Constitution of 1863.[351]

The victorious coalition of Independent Liberals and Conservatives, brought together in the National Party, grabbed the opportunity to recentralize political decision-making, curtail state authority, and eliminate the fiscal autonomy of the states. Though predicated on political centralization and administrative decentralization, in reality the constitutional reform meant the national government seized the bulk of state authority. In addition, it curtailed state fiscal autonomy, nationalizing sources of revenue granted to the provinces in 1850. To further weaken subnational units, the president recovered the power to appoint governors, the chief executives in the departments, something that had been eliminated in 1853, and granted no autonomy to their legislatures (in 1886 renamed as assemblies).

Soon after the end of the 1885 civil war, the government began the designing the institutions that would replace those of the 1863 charter. Considering the state of the nation, President Núñez thought it untimely to call a constitutional convention.[352] Instead, he summoned a Council of Delegates, made up of delegates from the former states, to

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[350] Rafael Núñez and Rafael María Merchán, *La Reforma Política en Colombia; colección de artículos publicados en "La Luz" de Bogotá y "El Porvenir" de Cartagena, de 1884, por Rafael Núñez* (Bogotá: Imprenta de la Luz, 1885).
[351] Tascón, *Historia del derecho constitucional colombiano*: 141.
[352] Núñez, "Exposición sobre Reforma Constitucional que dirige al Consejo Nacional de Delegatarios el Presidente de la República, Contestación y Acuerdo.," 6.

draft a new constitution.[353] President Núñez referenced the Pact of Union from September 20, 1861 as the precedent for the Council of Delegate's actions.[354] In that year, delegates from seven of the nine states had abrogated the Constitution of 1858 and sanctioned the legal basis for a new union. However a significant difference existed between these two gatherings: In 1861 the delegates had decided on the sovereign character of the federal states; in 1885, representatives of the nine subnational units renounced that autonomy and ended the federation.

The Council of Delegates met in Bogotá on November 11, 1885, and the handpicked representatives from the nine subnational units passed the *Acuerdo sobre la reforma constitucional* (Agreement on the Constitutional Reform) less than a month later, on November 30, 1885. President Núñez signed the pact the following day, on December 1, 1885. In an attempt to legitimize this process, the government asked municipalities to discuss and approve a document containing the basics of the new regime. The majority of municipal councils, then controlled by the National Party, backed the end of the federation.

The *Acuerdo sobre la reforma constitucional* (Pact on the Constitutional Amendment) contained eighteen articles and focused on four issues, all highly conflictive ones during the federation (1858-1885). First, it curtailed the powers of the nine states and declared the national government to be the only sovereign authority within the national territory. Subnational territories would have ample authority on local issues,

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[353] On September 10, 1885, President Núñez issued the executive decree 694 authorizing the civil and military chiefs of the former states to appoint their representatives to the Consejo Nacional de Delegatarios. Tascón, *Historia del derecho constitucional colombiano*: 148.
[354] Colombia, *Antecedentes de la constitución de Colombia de 1886 y debates del proyecto en el Consejo nacional constituyente* (Bogotá: Librería americana, 1913). 4.

though that authority would be enacted by delegation and not as sovereign entities. Consequently, the nation became responsible for maintaining public order in all departments. Moreover, it explicitly forbade subnational units from raising armies or keeping materials of war, and granted the nation the sole authority to enact any civil, penal, electoral, commercial or mining legislation. Second, it recognized the Catholic Church as the religion of the majority of the population, re-establishing its legal status and historical privileges. It mandated that the national government organize public education according to Catholic doctrine.[355] These two questions, decentralization and State-Church separation, were at the core of conflicts between Liberals and Conservatives since the early 1850s. Rather than settling differences through compromise, Conservatives and Independents simply reversed these two key aspects of the Liberal Reforms.

The winning coalition of 1885 did not stop there. The Pact contemplated restrictions on civil rights and strengthened the executive to pre-1853 levels. A third key part of the agreement restricted the freedom of the press, and made citizens responsible for any opinion threatening social or public order. It also stated that individual rights would be considered in the new constitution, but with "reasonable limitations." The fourth and final part of the agreement increased the power of the executive branch of government. Signers of the Pact increased the presidential term from two to six years and granted the President veto power on any legislation.[356] The document said nothing about

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[355] Ibid., vii-viii.
[356] Ibid., viii-x.

property rights or the state's role in the economy, two major criticisms of the Liberal federation.

The next step was to draft a constitution. The Constitutional Council, a convention of eighteen delegates from the nine former states, met in Bogotá on May 14, 1886 to draft the new charter. In contrast to the Convention of 1863, this time the national government handpicked the two representatives from each subnational territory. Some were not even from the territory they represented. For example, both José María Campo Serrano, a native of Magdalena, and José Domingo Ospina Camacho, a native of Cundinamarca, acted as delegates for Antioquia. Panamá was also represented by non-Panamanian, by Bogotá natives Felipe F. Paul and Miguel Antonio Caro. Of the two Caucano representatives, General Rafael Reyes and Juan de Dios Ulloa, only the latter was born in Cauca. However, General Reyes had businesses in and had settled in Popayán in his youth. For historian Jorge Orlando Melo, President Núñez chose non-Antioqueños to represent this section because he distrusted the federalist tendencies of Antioqueño Conservatives, as much as Panamanian Conservatives.[357]

The charter of 1886, enacted by the Constitutional Council on August 5, established a centralized state based on a strong army and a loose cooperation with the Catholic Church.[358] On the first day of debate, the Council discussed three major topics: the unitary character of the nation, renaming the nine former federal states and the creation of new subnational units by statute. The delegates from Cauca, General Rafael

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[357] Jorge Orlando Melo, "La Constitución de 1886," in *Nueva Historia de Colombia*, ed. Jaime Jaramillo Uribe, et al. (Bogotá D.e.: Planeta, 1989), 44.
[358] Colombia, "Constitución de la República de Colombia," (Bogotá: Imprenta de Echeverría Hermanos, 1886).

Reyes and Juan de Dios Ulloa led the debate in opposition to the government's position, which was led by Conservative Miguel A. Caro. General Reyes opposed renaming the states as *departmentos*. He thought the term "departmento" downgraded the subnational units and that in Antioquia, Cauca and Santander in particular the new name would not be readily accepted due to their established political autonomy and the cultural homogeneity of their populations. Delegate Caro contradicted General Reyes, reminding him that Bolívar had divided the territory into three departments, and as such the name should not have negative connotations. In addition, the Council debated the drafting of the article authorizing Congress to create new departments. Reyes' proposal to keep the names of states was quickly dismissed.

The two delegates from Cauca, Juan de Dios Ulloa, President of the Constitutional Council, and General Rafael Reyes opposed the articles that dealt with the creation of new departments. General Reyes affirmed that though states might resign their sovereignty, they should not be dismembered.[359] He succeeded in putting down the vote on those articles in the first session, but only momentarily. On May 17, 1886, the Council reopened the debate on the creation of new departments. General Reyes once again led a defense of Cauca's territorial integrity. He proposed that new subnational units could be created only by amending the constitution. Reyes argued that the Council of Delegates could not take apart borders that had been recognized for more than a

[359] Colombia, *Antecedentes de la constitución de Colombia de 1886 y debates del proyecto en el Consejo nacional constituyente*: 79.

quarter century.[360] Reyes focused his efforts on voting down Art 5 of the draft, the article allowing Congress to create new departments.

Ulloa also rejected the idea of subdividing the existing departments. To the Council Cauca seemed the most suitable unit in the territory for sub-division because of its extension and population. Ulloa argued that should the Council pass these articles, future legislatures would be put in a compromising position because regional political cliques would pressure them to divide existing departments according to their interests. The population of Cauca loathed the division of their territory, but they could not stop others from dismembering the territory in a divide and rule policy.[361]

José Domingo Ospina Camacho, delegate from Antioquia, and Jesus Casas Rojas, delegate from Cundinamarca, answered Cauca's delegates. Ospina assured Cauca's delegates that the commission that had drafted the proposal had not had Cauca in mind when they wrote the article. The members of the commission, longing to end the anarchy caused by the predominance of a few states over the central government, had aimed to create new subnational units as a remedy. He continued, adding that some supposedly sovereign states, like Tolima, Magdalena and Panamá, had survived under pressure from the central government, and thus, sovereignty was not the problem. The problem, according to him, was that a few states, which he did not name, confronted the federal government and attempted to dominate it. One of the examples he provided was Antioquia that had challenged the government in 1875. The challenge had been accepted

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[360] Ibid., 103.
[361] Ibid., 103-04.

and the civil war of 1876 was the result. Antioquia had, like Esau, exchanged its birthright for a bowl of stew.[362]

Delegate Ulloa responded arguing that Cauca had never tried to impose on the central government. On the contrary, Cauca had been the victim of Bogotá's aggression. He mentioned a few instances to back up his position, namely, the annulment of Cauca's vote for president by Bogotá in 1875. In 1876 Cauca was the victim of Antioquia's aggression and in 1885 the victim of both Antioquia and Tolima. For Ulloa, Cauca had only taken up arms to resist aggressions and expel usurpers like President Garcés.[363] According to the transcripts, the debate dragged on with several interpellations to either defend or criticize the positions of Ulloa and Reyes. The division of Cauca into a southern and northern section had figured in political debates since the 1860s. Nevertheless, no decision would be taken until the end of the War of the Thousand Days.

Even though the delegates from Cauca could not block the decision to split the department, the process required by the Constitution to do so, prevented it from happening in practice. Under the new charter, in order to create a new department, four fifths of the territory that would become the new department had to request that Congress initiate the process. The new department had to have at least 200,000 inhabitants and the old one had to retain at least a quarter million inhabitants. In addition, the legislation had to pass two consecutive and ordinary (non-special) sessions (art. 5). The same procedure was needed to alter the border of departments (art. 6). The Council also passed an article (art. 7) that allowed the government to have different demarcations for fiscal, military or

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[362] Ibid., 104-05.
[363] Ibid., 105-06.

public education purposes. These districts could be different than the department's borders.

The Council debated the possibility of explicitly demarcating other partitions, fiscal or judiciary for instance, that did not coincide with department borders. A similar statute enacted by a Conservative controlled Congress in 1859 had been a thorn in the side of Liberals and Conservatives and a major cause for war. However, in 1886, the issue was insignificant, because departments had already lost most of their autonomy.[364]

The discussion of the draft included many other troublesome issues that impacted Cauca and Antioquia in particular. The Council determined the national government to be the only entity allowed to raise and maintain an army in the national territory. It conferred the executive branch with ample authority to suppress insurrections and guarantee public order, one of the main issues at the end of the federation. But, the council was not unanimously in agreement on these issues. Samper and Ospina Camacho, in particular, expressed their reservations about the new powers of the presidency. They were troubled by the unchecked powers of the executive. Samper criticized Miguel Antonio Caro's proposal because it gave ample authority to the President but annulled individual rights in times of war. He supported Ospina Camacho's modification that allowed for a postwar check of the decisions taken by state officers in the crushing of a rebellion. The proposal called for the government to turn over an annotated exposition of the provisions taken during the war, after public order had been reestablished. This provision aimed to prevent

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[364] Ibid., 115-21.

the president from becoming a dictator. In the end this provision was rejected because, in Caro's words, it made the new charter look like the 1863 Constitution. [365]

The enactment of the Constitution of 1886 officially ended semi-independent subnational territories. The recentralization process was only possible with the active collaboration of the political elites of Antioquia and Cauca. It evolved with their support or, at least, with their silent cooperation. Though opposed to recentralization, Conservative Antioquia supported their fellow party members in Bogotá.[366]

Recentralization, like all swift reforms that altered the balance of power between the regions and the central state, wound up being a gradual process. The Congress of 1888, the first elected under the new charter, continued the recentralization process legislatively. In 1888, Congress enacted Law 1, recentralizing the electoral law, stripping subnational territories of a formerly prized authority. Later that year, on November 3, Congress passed the Law 149 of 1888 that organized the political regime and regulated municipalities and departments. This legislation substituted the constitutions of the nine states. In this law, Congress enumerated the authority delegated to departments and municipalities. Art 155 of Law 149 determined a three-year term for governors but maintained that they could be fired, at any time, by the national government.[367] This legislation banned the popular election of governors, something that had been part of Colombia's legislation since 1853.

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[365] Ibid., 280-95.
[366] Melo, "La Constitución de 1886," 43-64.
[367] Colombia, *Leyes de 1888*: 215-84.

In the section on taxation, it granted the departments the same sources of revenues collected by the former states with the exception of maritime salt, stamped paper, mines, and livestock (Art. 160). The article 202 of the Constitution already stripped the departments of the ownership of *tierras baldías* granted to the states before 1885, mines and salt mines. This law also abrogated any departmental tax on goods subject to national taxes, with the exception of alcohol. Moreover, departmental assemblies were barred from creating new taxes without the authorization of Congress. Congress enabled assemblies to establish a direct tax on assets and real estate. The assemblies lost their authority to change the internal subdivisions of their department. Governors were granted rights to suspend any municipal agreements that they considered unconstitutional. This legislation strengthened the top-down hierarchical structure of the government.[368] Law 1 of 1888 ended the decentralization experiment started by Liberals soon after reaching power in 1850.[369] The pendulum had swung back.

Opposition to the recentralization process surfaced quickly. In a curious irony, Antioqueño Conservative Marceliano Vélez led the opposition to the Regeneration and to the Nationalist Party, the Conservative-Liberal coalition that had backed President Núñez. Vélez, at the time the most visible leader of Antioquia's Conservative Party, repeatedly criticized what he considered the government's reactionary reforms and its pernicious economic and fiscal policies. His opposition to the national government focused on several issues, including the violation of the Constitutions' Bill of Rights, censorship of the press, the intimidation and arrest of journalists, and the lack of an

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[368] Ibid.

[369] The title of the Act in Spanish is "Ley sobre decentralización de algunas rentas y gastos públicos, y sobre organizacion de la hacienda nacional." Colombia, *CN XIV*, XIV 1850-1851: 32-40.

independent judiciary. Vélez also demanded free and democratic elections. For him, the central government's conduct concerning all these issues ran counter to a long-term Conservative platform. He also remarked these were the very protests Conservatives had repeatedly lodged against Liberals after 1863.[370]

In addition, Vélez emphasized two key issues for Antioqueño Conservatives: the economic and fiscal policy of the Regeneration, and the unfulfilled promise of administrative decentralization. At the core of the dispute over economic policy, Vélez argued that the compulsory use of the *Banco Nacional* notes made it impossible to convert them into precious metals, taxations on exports, coffee primarily. Vélez argued this was an irresponsible fiscal policy.[371] Accordingly, Vélez asked the government to change its economic policy and make effective the principle of administrative decentralization.[372] The latter had been, since the early 1850s, a recurrent demand of Antioquia's political elite. Marceliano Vélez concluded his 1896 pamphlet with a reminder to the reader, about the devastating consequences that had come by denying South Americans their rights and liberties and free and fair elections.[373] Four years later, Liberals would remind themselves more directly.

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[370] Marceliano Vélez, "A mis Amigos Políticos," (Medellín: [s.n.], 1896), 13-19.
[371] Vélez accuses the government of violating the most trivial principles of economics and of public administration: "¿En qué época de la vida y preponderancia de este partido [conservador] se le vio renegar así de sus tradiciones gloriosas (…) erigiendo en sistema el papel-moneda y el embrollo y la irresponsabilidad en las cuentas referentes al manejo de los caudales públicos; gravar las exportaciones y acrecentar incansablemente los gastos públicos a medida que aumenta la miseria del país? ibid., 15.
[372] Ibid., 13-19.
[373] "La labor electoral en perspectiva debe tener, pues, ese objetivo, a fin de evitar las sangrientas soluciones de la fuerza que en los pueblos suramericanos casi siempre tienen por causa el desconocimiento por los gobernantes de los derechos y libertades de los asociados, en los cuales figuran como esenciales, el sufragio, la prensa y la seguridad personal. Cuando estos derechos están garantizados las revoluciones son crímenes injustificables que no pueden tener secuaces sino en gentes aventureras y despreciables. ibid., 19.

Colombia's nineteenth century ended with one more civil war, the last of the conflicts that had ravaged the country since independence. On July 28, 1899, Conservative President Manuel A. Sanclemente, then in residence at Anapoima (Cundinamarca) because of ill-health, declared a state of war in the departments of Santander and Cundinamarca. Sanclemente was no stranger to these events. As Secretary of the Interior of President Ospina, he had played a key role in the events of 1859 and 1860.[374] The government said they had information Liberals were about to launch a rebellion. President Sanclemente worried that Liberals in Santander could be getting aid from Venezuela, also in the middle of a civil war.[375] Three months later, the rebellion spread through Eastern Colombia and as a result, the President declared the whole country to be at war on October 18 by Executive Decree 480.[376]

On January 14, 1901, with the Liberal army nearly annihilated and only guerrillas surviving, the government authorized the expropriation of supporters of the Liberals.[377]In spite of Liberal's inability to defeat the national army, the war dragged on until 1902. The *War of the Thousand Days*, the last of the long list of nineteenth century civil conflicts, officially ended on January 1, 1903. In the years after, Liberals reluctantly recognized the constitutional arrangement of 1886. Up to the end of the twentieth century, governors were handpicked by the national government and mayors were appointed by governors.

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[374] In 1859 and 1860, Manuel A. Sanclemente was the Secretary of Government and War of President Ospina. He played a key role in the legislative agenda that sparked the conflict with the states of Santander, Bolivar and Cauca, thus, to the outbreak of the civil war of 1860.
[375] Colombia, *Decretos Legislativos, expedidos durante la guerra de 1899 a 1902* (Bogotá: Imprenta de Vapor, 1902). 3-4.
[376] Ibid., 15-16.
[377] Ibid., 123-24.

After 1885, the next time Colombians were able to choose their mayors and governors in direct elections was on 1988 and 1992, respectively.

4.7 Conclusions

In spite of great expectations and widespread support, the federal institutional arrangement in Colombia (1858-1885) failed to solve the country's problems and did not launch the economy into an era of prosperity. Though states and regional elites were satisfied with a greater share of power, political instability intensified. From 1858 to 1885, the number and frequency of armed conflicts within the nine federal states skyrocketed. The limitation of the central government's authority to intervene and guarantee public order within states played a role in determining that outcome. Nonetheless, the instability of the federal experiment reflected more profound issues. Jurisdictional conflicts festered and inhibited governance throughout that period. Any reinterpretation of the central government's sphere of action, something common to all federal structures, devolved into endless debates, sometimes threatening the whole system, as was the case with the elementary educational reform in 1870. Due to both uncompromising politics and deficient design, it became plainly evident, by the 1870s, that the federal experiment needed an overhaul.

As a result of the central government's inability to coordinate common policies and to guarantee public order, support for Radical Liberals greatly eroded. Radicals had held power since 1867 and were synonymous with federalism in many minds. Conservatives, with the exception of those in Antioquia, and the Independent faction of

the Liberal party, favored recentralization. Though Radical Liberals understood the need to reform the system, all attempts to do so were met with strong opposition. Distrust among all political factions was rampant and most constitutional amendments failed to pass the unanimity rule that had been enacted in 1863.

The opportunity for change arrived in 1885 when a coalition of Conservatives and Independent Liberals defeated the once powerful Radicals. In 1886 an all-Conservative constitutional convention transformed the states into mere administrative appendages of the central government. Though the new institutional structure halted regional armed conflicts, two additional national civil wars occurred before both parties could agree on basic issues. The devastation inflicted on Colombia during the *War of the Thousand Days*, generated some political and social consensus. Liberals recognized the unitary organization of Colombia and Conservatives pledged to recognize the rights of the minority party, i.e. Liberals.

One telling aspect of this transformation was that the territory and borders of the nine subnational units existing in 1886 remained unchanged until 1904. Policy-makers deemed any change too dangerous for the new regime. Congress would only reform the nine departments in 1904-1905. By breaking up Cauca and creating Caldas, a department that buffered Cauca and Antioquia, policy-makers attempted to leave behind the shared memories of conflicts between them.

Part III: Territorial Reorganization (1821-1910)

Chapter 5: The Calm before the Storm: Provinces (1821-1854)

5.1 Introduction

In 1846, former president and Secretary of the Interior José Ignacio de Márquez described Colombia's internal configuration as monstrous.[378] Márquez's appraisal echoed many critics who claimed that the dissonance between Colombia's geographic and cultural features and the existing subnational units (known as provinces at the time) rendered local governments incapable of serving their constituencies. The same applied to the national government; provincial governments claimed the central government failed to fulfill its obligations.[379]

Critics of Colombia's administrative division deemed it a poor match for the unitary regime implemented in 1832. They thought smaller subnational units more appropriate for a centralized institutional arrangement. They assumed that governors of smaller subnational units would be better able to oversee the state apparatus and control their territories. In their opinion, larger subnational territories worked better than smaller ones only in federal arrangements, because they gathered more resources to support the more complex state and because economies of scale provided them with greater operational efficiency, or so the theory went. Because of criticisms like these, the national

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[378] Nueva Granada. Secretaría de Gobierno, *Informe del Secretario de Gobierno de la Nueva Granada [José Ignacio de Márquez] al Congreso Constitucional de 1846* (Bogotá: Imp. de José A. Cualla, 1846). 6.

[379] In a memorandum to the then acting President, Juan Antonio Gutierrez de Piñeres, Superior Chief of the 1840 uprising in Cartagena, legitimated the rebellion precisely for that reason. He reminded the government that provinces had "intereses sagrados que no se atendían, necesitaban garantías y auxilios que no se les prestaban, y sin embargo sufrían en silencio mientras se les daba al menos seguridad." Gutiérrez de Piñeres, "Estado Soberano de Cartagena, Jefatura Superior ".

government, Congress, and officials from all levels of government (national, regional, etc...) attempted to 'rationalize' the nation's territorial organization from the early 1830s onwards. Among the criteria they used to try and do this: size, population, climate, and the distance of the most outlying settlements from provincial capitals.

Yet, in spite of the apparent consensus on the need to reform the nation's territorial organization, Congress failed to do so prior to 1849 — Congresses from 1849 to 1857 vigorously took up the task. Only two exceptions occurred during the pre-1849 period. On March 26, 1832, the Constituent Convention of the State of New Granada created the province of Vélez in northeastern Colombia. The second exception involved modifications of the southwestern corner of the national territory, a region that later (after 1857) became the state of Cauca. Modifications to Cauca are noteworthy because of the recurrent suspicions of secessionist desires in the region. The creation of the province of Cauca in 1835 (a small subsection of the 1857 Cauca) played a secondary role in creating this state of inaction on the issue of territorial reform. Dividing the territory was a complex and sensitive issue. Robert Gilmore argues that the creation of Cauca had been so contentious that neither Santander nor Márquez (presidents from 1832 to 1841) desired to deal with the issue again.[380]

Several other factors helped stall territorial and administrative reform. Deep-seated distrust between neighboring localities and fears of territorial disintegration aroused by the failed federal experiments of the *patria boba* and from other parts of Hispanic America bred caution and resistance to radical transformations. In addition,

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[380] Gilmore, *El federalismo en Colombia, 1810-1858*, I: 185.

widespread suspicion and distrust of the true intentions of administrations promoting these plans also contributed to stalling them. Local and regional political elites recognized that these schemes would divide larger provinces and increase Bogotá's control over the territory; it was a stated objective of the reforms. Thus, it is no surprise then that the proposed reorganization of territories for this end was met by resistance in regional centers. Pamplona, Popayán, Cartagena, and Bogotá, centers of power during the colonial period, feared losing their political and economic primacy, and resisted these changes. So, the provincial arrangement inherited from Gran Colombia remained in place, with minor adjustments, until 1849. During the same period, Colombia also retained a centralized form of government with decision-making concentrated in Bogotá. Sporadic calls for provincial autonomy remained unanswered until 1850.

In contrast, from 1849 to 1855 politicians dramatically reshaped Colombia's internal boundaries. During the first part of this time period, from 1849 to 1853, Congress split larger provinces into smaller subnational territories while also delegating authority to provincial governments. As a result, the number of provinces skyrocketed from twenty-two in 1848 to thirty-six in 1853. The creation of smaller subnational units and the delegation of authority to them occurred concurrently. The subdivision of the larger provinces was viable as part of a far-reaching decentralization process. Only then, when territorial reform was accompanied by the decentralization of power, could policy-makers garner the support needed to enact radical reforms of Colombia's territorial arrangement.

My argument in this chapter is broken down into the following sections. Following this introduction, I devote the second section to describing the internal configuration of the territory from 1821 to 1848, the decades during which Congress

enacted few if any reforms of subnational territories. The third and fourth sections analyze the plans to rearrange provinces most discussed at the time. None of these passed Congress; however, they provide insight on Colombia's territorial politics during the period. The fifth section focuses on the six-year period from 1849 to 1855. This was by far, the period in which Congress passed the most legislation reforming the internal configuration of Colombia. From 1849 to 1853, consecutive Congresses subdivided almost all existing provinces, creating smaller subnational territories. The 1854 Congress reversed this trend, regrouping smaller provinces into larger units. This section ends before the creation of Panamá, the first of the nine federal states. The sixth section describes the problem of conflicting borders generated by these reforms, something that developed into a heated issue, particularly between Antioquia and Cauca, and remained unresolved until 1910.

5.2 Departments, Provinces and Cantons: 1821-1848

The organization of the recently independent territories of New Granada and Venezuela was one of the first tasks addressed by the Constituent Congress that met in Cucuta in 1821.[381] On October 8, 1821, the Gran Colombian Congress subdivided the free territory of New Granada and Venezuela into seven departments, comprising twelve

[381] The Republic of Colombia was provisionally constituted by the Ley Fudamental de la Unión de los Pueblos de Colombia, enacted in Angostura on December 17, 1819. In that document, the representatives of Venezuela and New Granada declared their Independence from the Spanish Monarchy and pledged to constitute a new polity named Republic of Colombia. The new entity comprised the territories of the former General Captaincy of Venezuela and the Viceroyalty of the New Kingdom of Granada. The term Gran Colombia was coined in the late nineteenth century to differentiate present Colombia (former New Granada) from the 1819-1830 republic. Colombia, "Cuerpo de Leyes de la República de Colombia. Tomo I. Comprende la Constitución y leyes sancionadas por el primer congreso jeneral en las sesiones que celebró desde el 6 de mayo hasta el 14 de octubre de 1821," 1-4.

provinces.[382] Four of those departments—Boyacá, Cundinamarca, Cauca and Magdalena—were located in the former Viceroyalty of New Granada and the remaining three in Venezuela. Even though the organization of the territory retained some features from the colonial arrangement, Congress endeavored to standardize it by establishing the same administrative divisions for all of them.[383]

In late 1821, as towns and villages throughout Gran Colombia swore their alliance to the Constitution of 1821, Panamá declared its independence from Spain.[384] Soon after declaring its independence, Panamá *voluntarily* became part of Gran Colombia.[385] However, despite the formality of this incorporation, it is important to note that Panamá had been a part of the territory of New Granada since the Spanish monarchy established the *Presidencia de Santafé* in 1564.[386] The Gran Colombian department of Istmo, the eighth department of the new republic, included the provinces of Panamá and Veraguas, the latter bordering Costa Rica.

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[382] Ibid., 160-71; José Manuel Restrepo, "Memoria que el Secretario de Estado y del despacho del Interior presentó al Congreso de Colombia, sobre los negocios de su Departamento," ed. Colombia. Secretaría del Interior (Bogotá: por Espinosa, 1823), 9.

[383] Colombia, "Cuerpo de Leyes de la República de Colombia. Tomo I. Comprende la Constitución y leyes sancionadas por el primer congreso jeneral en las sesiones que celebró desde el 6 de mayo hasta el 14 de octubre de 1821," 160-71.

[384] Restrepo, "Memoria que el Secretario de Estado y del despacho del Interior presentó al Congreso de Colombia, sobre los negocios de su Departamento," 4, 9.

[385] In his 1855 pamphlet supporting the creation of the federal state of Panama, comprising all provinces in the isthmus, Justo Arosemena begin by reminding Congress the incorporation of Panama to Gran Colombia first, and after 1831 to New Granada was voluntary. Therefore, Panama may at pleasure secede from the country. Arosemena dates his pamphlet on February 1, 1855. At the time, the House of Representatives was discussing a bill creating the aforementioned state. Arosemena, "Estado Federal de Panamá."

[386] Manuel María Paz and Felipe Pérez, *Atlas Geográfico e Histórico de la República de Colombia (antigua Nueva Granada): el cual comprende las Repúblicas de Venezuela y Ecuador, con arreglo a los trabajos geográficos del General de Ingenieros Agustín Codazzi, ejecutados en Venezuela y Nueva Granada; construida la parte cartográfica por Manuel M. Paz; y redactado el texto explicativo por el Doctor Felipe Pérez; todo de orden del Gobierno Nacional de Colombia* (Paris: Imprenta A. Lahure, 1889). 7.

The following year, in 1822, the former Royal Audiencia of Quito incorporated to Gran Colombia as well. Quito declared its independence for the first time on August 10, 1809 and again on October 9, 1820. Quito was still a colony when the representatives of New Granada and Venezuela formed the Republic of Colombia. It consolidated its independence on May 22, 1822, the day that the army led by General Sucre defeated the royalist troops at Pichincha. Two days later, Melchor Aymerich, the last Spanish representative in the area, surrendered.[387] According to José Manuel Restrepo, Secretary of the Interior for Gran Colombia, the provinces of Quito, Loja and Cuenca voluntarily joined Gran Colombia, though difficulties arose concerning the incorporation of the province of Guayaquil. Nevertheless, "S.E. el Libertador presidente," Simón Bolívar, paved the way for its incorporation into Gran Colombia. By the end of 1822, Gran Colombia included three new departments (to make ten in total): Panamá, Guayaquil and Quito. It covered the territories of today's republics of Colombia, Ecuador, Panamá and Venezuela.[388]

General Bolívar created the departments of Quito and Guayaquil and the province of Pasto by executive order. The first included the provinces of Quito, Pastos, Cuenca, Loja and Maynas, and the latter its namesake province. The government requested that the internal organization of the national territory be updated to officially include these departments. However, the report of the Secretary of the Interior dated from April 2, 1823 showed no official request from the government. Of the entities Bolívar created with his extraordinary executive powers, only one was a province: Pastos (also known as

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[387] Ibid., 10.
[388] Restrepo, "Memoria que el Secretario de Estado y del despacho del Interior presentó al Congreso de Colombia, sobre los negocios de su Departamento," 3-9.

Pasto), in southern Colombia today, bordering Ecuador. The remaining five provinces were territories that had been recognized by the Spanish administration.[389] As of April 1823, Gran Colombia comprised twenty-three provinces, and pro-Spanish armies remained in only one, Pasto. The war in Pasto concluded in early 1827.[390]

In 1824, Congress officially updated the national territory and recognized the incorporation of Ecuador and Panamá into Gran Colombia. On June 23, 1824, Congress passed legislation (signed into law by Vice-President Santander two days later) organizing Colombia into twelve departments (see map 2): Orinoco, Venezuela, Apure and Zulia in current-day Venezuela; Boyacá, Cundinamarca, Magdalena, Cauca and Istmo in current-day Colombia; and Ecuador, Azuay and Guayaquil in current-day Ecuador. Each department was further subdivided into provinces and cantons.[391] Cauca contained the provinces of Popayán, Chocó, Pasto and Buenaventura, roughly the equivalent of 1857 Cauca.[392] Antioquia was part of Cundinamarca, with a territory equivalent to the 1856 state of Antioquia.[393] Congress also defined the border between the provinces of Cauca and Ecuador along the Carchi River, a division that still stands today.[394]

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[389] Ibid., 9-11.
[390] José Manuel Restrepo, "Esposición que el Secretario de Estado del Despacho del Interior de la República hace al Congreso de 1826, sobre los negocios de su departamento," ed. Colombia. Secretaría del Interior (Bogotá: Imprenta de Manuel M. Viller-Calderón, 1826), 12.
[391] Colombia, "Colección de las Leyes Dadas por el Congreso Constitucional de la República de Colombia en las Sesiones de los Años 1823 i 1824," (Bogotá: Imprenta de Manuel María Viller-Calderón, 1826), 150-58.
[392] Ibid., 154-55.
[393] Ibid., 153.
[394] Ibid., 158.

Map 2: Gran Colombia, 1828[395]

In 1826, Congress passed the last reforms of the internal territorial organization of Gran Colombia, creating the province of Mompox (also spelled Mompox) in the Caribbean department of Magdalena on April 18, 1826, and designating Medellín the capital of the province of Antioquia.[396] Even though the Constitution of 1821 placed no size or population requirements on provincial territories, Congress enacted these reforms

[395] Sidney Hall, "Colombia," (London: Longman, Rees, Orme, Brown & Green, 1828).
[396] Colombia, "Colección de las Leyes Dadas por el Congreso Constitucional de la República de Colombia en las Sesiones de los Años 1825 i 1826," (Bogotá: Imprenta de P. Cubides, 1826), 386-88.

to balance territories.[397] Prior to 1849, homogenization of the size and population of each subnational unit remained a main goal of territorial reform. Policy-makers also attempted to counter separatist and regionalist tendencies.

In 1830, one year prior to its official breakup, New Granada was organized into five departments and eighteen provinces. When the Constituent Congress of New Granada met in Bogotá they eliminated the five departments and made provinces the largest subnational territorial division.[398] Legislators thought departments hindered the national government's effectiveness and control over territory. So, they eliminated the five departments but left cantons and parochial districts with the same borders they had had since 1826. Provincial governors assumed the authority previously held by department chief executive officers.[399] They decided on this reform even before the Constituent Convention officially acknowledged the end of the Bolivarian experiment of Gran Colombia. After Venezuela's declaration of independence, New Granada, from that point forward Colombia, declared its own on November 21st, 1831.[400]

The Constituent Convention that declared the establishment of the State of New Granada in 1831 adjusted the internal organization of the territory with two main objectives in mind. First, they wanted to guarantee the territorial integrity of New Granada. Second, they wanted to establish efficient central government control over provincial and local governments.

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[397] Colombia, "Interior, Congreso," *Gaceta de Colombia*, 4 de julio 1824, No. 142, p. 1.
[398] Felipe Pérez, *Jeografia Jeneral de los Estados Unidos de Colombia* (París: Librería de Rosa y Bouret, 1865). 141-42.
[399] Colombia, *Colección de las Leyes Dadas por la Convencion Constituyente del Estado de la Nueva Granada, en las Sesiones de los Años 1831 y 1832*: 6-7.
[400] The Act was passed by the Constitutent Convention on November 17, 1831. The President of the Convention was Jose Ignacio de Marquez. Vice-President Domingo Caicedo signed into law on November 21 of the same year. ibid., 7-11.

Table 3: Territorial Configuration, New Granada (1821-1831)

New Granada (nowadays Colombia)			
Departments and Provinces, 1821-1826			
Law of October 8, 1821[401]		Laws of June 25, 1824 & April 18, 1826[402]	
Department	Province	Department	Province
Boyacá	Tunja, Socorro, Pamplona and Casanare	Boyacá	Tunja, Socorro, Pamplona and Casanare
Cundinamarca	Bogotá, Antioquia, Mariquita and Neiva	Cundinamarca	Bogotá, Antioquia, Mariquita and Neiva
Cauca	Popayán and Chocó	Cauca	Popayán, Chocó, Pasto and Buenaventura
Magdalena	Cartagena and Santa Marta	Magdalena	Cartagena, Santa Marta, Mompox and Riohacha
		Istmo	Panamá and Veraguas

Up to the mid-1850s, and in particular before 1849, policy-makers in Colombia argued against federalism and any major changes to the internal organization of the territory using Hispanic American precedents to back their position. The disintegration of the federation in Central America and political conflicts, including the risk of disintegration of Mexico and Argentina served as powerful reminders of the disadvantages of federalism. But, as Juan José Nieto, a Liberal politician from Cartagena, ironically reminded the Provincial Legislature of Cartagena after the majority snubbed

[401] Colombia, *Codificación Nacional*, vol. I 1821-1824 (Bogotá: Imprenta Nacional, 1924). 97-98, 306-08. Signed into law by Vice-President Domingo Caicedo on November 21, 1831.
[402] Ibid., II 1825-1826: 300.

the request to transform Colombia into a federal republic: the federal system in Mexico provided the same benefits that the empire and centralization had![403]

Unlike the post-1849 period, from 1832 to 1848 Congress enacted no radical reforms of the nation's territorial organization.[404] Throughout the period, Colombia remained a unitary republic with decision making centralized in Bogotá, organized into provinces, cantons and parochial districts. Even though Secretaries of the Interior Mariano Ospina and Manuel M. Mallarino requested that Congress consider their comprehensive plans to reorganize existing provinces into smaller units in 1844 and again in 1848, few changes were implemented.

On March 26, 1832, the Constituent Convention rearranged the provinces of northeastern New Granada and created the province of Vélez, containing the cantons of Vélez, Chiquinquirá and Moniquirá.[405] After this and until 1849, all the other changes implemented occurred in the territory later known as the state of Cauca. In 1835, Congress created the province of Cauca in the Cauca River Valley, with a capital in

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[403] Nieto Gil, "El ciudadano Juan José Nieto contesta el informe que se ha publicado emitido por una comisión de la Cámara de su provincia fecha 9 del pasado: que recayó a un escrito que introdujo suplicando se propusiese a la próxima legislatura la iniciativa de la cuestión sobre si conviene ya a la Nueva Granada el sistema federal; y de no, que se les concediesen atribuciones locales las latas a las cámaras de provincia," 5.

[404] Robert Gilmore argues the government stopped subdividing larger provinces after Congress created Cauca in 1835. The debate was so acrimonious that none of the 1830s Presidents wanted to deal with it. In addition to that, the government was so deluged with petitions that President Santander vetoed a project creating a province out of the cantons of de Girón and Piedecuesta. Gilmore, *El federalismo en Colombia, 1810-1858*, I: 185.

[405] The Act was signed into law by, The Constituent Convention, chaired by Florentino Gonzalez, passed the Act on March 24, 1832. Vice-President Marquez signed into law two days later. Colombia, *Colección de las Leyes Dadas por la Convencion Constituyente del Estado de la Nueva Granada, en las Sesiones de los Años 1831 y 1832*: 95.

Buga. It also redistributed cantons among the southern provinces of Pasto, Buenaventura and Popayán.[406] These reforms are detailed in the table that follows.

Table 4: Territorial Configuration, Southern Colombia (1832-1849)

Provinces and Cantons in Southwest Colombia			
Pre-1835[407]		Post-1835[408]	
Province	Canton	Province	Canton
Buenaventura	Barbacoas	Buenaventura	Iscuandé
	Tumaco		Micai
	Iscuandé		Raposo
	Micai		Cali (capital)
	Raposo		Roldanillo
Popayán	Popayán	Cauca	Supía
	Cali		Anserma
	Supía		Toro
	Anserma		Cartago
	Toro		Tuluá
	Cartago		Buga (capital)
	Tuluá		Palmira
	Buga	Popayán	Popayán
	Palmira		Caloto
	Caloto		Almaguer
	Almaguer	Pasto	Pasto
Pasto	Pasto		Túquerres
	Túquerres		Ipiales
	Ipiales		Barbacoas
			Tumaco

The decision to create the province of Cauca and to reorganize the cantons in the southern provinces was interpreted by many, including B. Castillo, as an attempt by Bogotá to diminish Popayán's influence on national affairs. It was also a way to weaken

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[406] Act of May 18, 1835, signed into law by President Francisco de Paula Santander. Colombia, *Colección de las Leyes i Decretos Espedidos por el Congreso Constitucional de la Nueva Granada en el año de 1835* (Bogotá: Imprenta por Jose Antonio Cualla, 1835). 41-42.
[407] Ibid., 104-09.
[408] Ibid., 41-42.

its influence on the territories that had belonged to it during the colonial era.[409] The central government doubted the loyalty of Popayán's political elite to New Granada and feared the region would be annexed to Ecuador (as occurred in 1830). In fact, from 1830 to early 1832, the entire department of Cauca (roughly equivalent to the 1810 province of Popayán) broke away from Colombia.

The secession of Cauca was one of the most pressing issues faced by Bogotá at the time. So much so that the second piece of legislation passed by New Granada's Constituent Convention, on November 8 1831, authorized Vice-President Domingo Caicedo to do everything possible, preferably by means of negotiation, to reintegrate the provinces of Pasto and Buenaventura.[410] A rapprochement between Colombia and Ecuador was reached soon after; none of the parties could afford a protracted military campaign. The plenipotentiaries of Colombia and Ecuador signed the treaty in the Colombian town of Pasto on December 8, 1832. Article 2 of the treaty fixed the boundary between the two nations as the Carchi River.[411] It was the limit established in June 2, 1824 for the Gran Colombian departments of Cauca and Quito, and the same border set by Conqueror Francisco Pizarro between the territories of Quito and Popayán in 1548.[412] In addition to recognizing Colombian sovereignty over the provinces of Pasto and Buenaventura, Article 10 required protection for the inhabitants in these two territories that resolutely supported, peacefully or by violent means, the cause and government of

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[409] Castillo, *División del Cauca en dos estados*: 19.
[410] Colombia, *Colección de las Leyes Dadas por la Convencion Constituyente del Estado de la Nueva Granada, en las Sesiones de los Años 1831 y 1832*: 2.
[411] Colombia, *Coleccion de tratados públicos, convenciones y declaraciones diplomáticas de los Estados Unidos de Colombia*: 78.
[412] Paz and Pérez, *Atlas de la República de Colombia*: 7.

Ecuador.[413] To pacify the area, the government of Bogotá and Congress acquiesced to a petition sent by neighbors of Popayán that requested the preservation of a regional subsidy for the university established in Popayán that Ecuador had paid—1,5% of the national rents collected in the territory of Cauca.[414]

Colombia's internal boundaries and organization remained untouched by Congress until 1846, when it created the Barbacoas, a gold mining region west of the Andes, bordering the Pacific Ocean and Ecuador. The reform affected Pasto because it transferred all but one of its cantons to the new province. Pasto and Túquerres were left with one canton each after the reform, while Barbacoas contained four (Barbacoas, Tumaco, Iscuandé and Micay).[415] The last reform prior to 1849 occurred after the Liberals victory in the presidential election, on May 7, 1847. President Tomás C. de Mosquera issued an Executive Decree dividing the province Túquerres into two cantons, Ipiales and Túquerres.[416] From 1832 to 1849, all reforms of the internal configuration of national territory occurred in Cauca.

Two weeks later, on May 29, 1847, President Mosquera signed into law legislation granting the president the authority to alter the borders between provinces when the size of the affected territory comprised less than a canton. Any other transformations, including the creation or suppression of provinces needed to pass

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[413] The government of Colombia appointed Jose Maria Obando and Joaquin Posada Gutierrez and Ecuador selected Pedro Jose Arteta. After approved by both Congresses, the ratifications were exchanged in Quito on September 15, 1835. Colombia, *Coleccion de tratados públicos, convenciones y declaraciones diplomáticas de los Estados Unidos de Colombia*: 78-80.
[414] Colombia, *Colección de las Leyes Dadas por la Convencion Constituyente del Estado de la Nueva Granada, en las Sesiones de los Años 1831 y 1832*: 133.
[415] Law of June 8, 1846. Colombia, *Leyes i Decretos Expedidos por el Congreso Constitucional de la Nueva Granada en el Año de 1846* (Bogotá: Imprenta de J.A. Cualla, 1846). 103-04.
[416] Colombia, *Leyes i Decretos Espedidos por el Congreso Constitucional de la Nueva Granada* (Bogotá: Imprenta de J.A. Cualla, 1847). 35-36.

Congress.[417] This authority would be used regularly in the years that followed, and played a key role in the conflict over Aldea María, a tiny village established in 1852 in the border between Antioquia and Cauca.

5.3 Failed Reforms: Antioquia (1831-1838)

Detractors of the existing administrative division of Colombia asked for radical reforms as early as the 1830s. The group included central government officials as well as local, regional, and national politicians. From 1831 to 1848, Congress discussed two types of projects. Congress received projects originating from cantons that wanted to be provinces or from municipalities that wanted to be cantons. These self-focused petitions comprise the first groups of proposed reforms. However, Congress also discussed plans to overhaul the entire territorial organization of the country, plans that usually originated from the Secretary of the Interior. In this section I will discuss a project that fell into the first category: recurrent petitions to split Antioquia (1831-1838) in two or three. All these plans were introduced in Congress by the cantons of Antioquia, Rionegro or Marinilla (the fourth canton being the capital, Medellín). In the next section, I will discuss schemes put forward by three Secretaries of the Interior between 1831 and 1848.

Throughout the 1830s, three cantons of Antioquia (Antioquia, Rionegro or Marinilla) repeatedly requested that Congress split Antioquia into two or three provinces. In 1831, the canton of Antioquia demanded that the national government split the

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[417] Ibid., 58-59.

province in three smaller units.[418] Santafé de Antioquia, the capital of the canton, had lost its status as capital to Medellín in 1826.[419] And though the proponents of splitting in the 1830s denied a link between the 1826 decision and their requests, the connection seemed rather obvious. In addition, the Bishop of Antioquia requested that Congress transfer the seat of the episcopal see to Medellín in 1831. On February 13, 1832, Congress voted against that proposal, though it would be carried out in 1868.[420]

In 1834, a group of inhabitants of the canton of Antioquia demanded to be transformed into a province. And again in 1837, they reiterated their desire to split the province, this time supported by similar petitions from the cantons of Rionegro and Marinilla. Supporters included the Provincial Legislature of Antioquia and four thousand individual signatures. Four members of the provincial legislature even went so far as to claim that the deeply ingrained jealousy of Medellín threatened the union of the remaining three cantons (Antioquia, Rionegro and Marinilla) with Medellín.[421] Congress remained unmoved and rejected the petitions.[422]

In 1838, Congress rejected the last proposal of this type to divide Antioquia that it would receive in the pre-1849 era. Though proponents of the plan recognized its downsides, including the increase in public spending it would require, it did not deter them. Their main argument remained cryptic; they claimed that it was impossible to

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[418] "División de Antioquia," (Bogotá: Imprenta de Lleras, 1838), 1.
[419] Colombia, "Colección de las Leyes Dadas por el Congreso Constitucional de la República de Colombia en las Sesiones de los Años 1825 i 1826," 387.
[420] Colombia, *Colección de las Leyes Dadas por la Convencion Constituyente del Estado de la Nueva Granada, en las Sesiones de los Años 1831 y 1832*: 27-28.
[421] José María Uribe Restrepo and Teodomiro Santamaría, "Advertencia," (Medellín: Imprenta de Manuel Antonio Balcázar, 1837).
[422] "División de Antioquia & Representación de la Ciudad de Antioquia, dirigido a los Senadores y Representante," (Bogotá: Imprenta del Neo-Granadino por León Echeverría, 1851), 3.

reestablish the unity of purpose that had existed between the different cantons of the province of Antioquia prior to early 1836. In addition, they concluded it was impossible for one governor to oversee the entire territory of Antioquia. In anticipation of criticisms, they explicitly stated that they did not want to damage Medellín but rather spur the development of the cantons. They also referenced the actions of two political parties in the region and warned the national government of the consequences of not heeding their request.[423] The threats fell on deaf ears and once again the project failed to gain majority support.

For recommendations on how to handle the 1838 request, the Senate asked three members to prepare a report on the subject. Senators Gomez, Riaño and Sarasti detailed four arguments against the division. First, they cited the negative impact of the division on public finances. Instead of one provincial administration, the inhabitants of Antioquia would need to fund three. Second, they argued that Antioquia was more orderly and better administered than other provinces. Therefore, there was no need for reform. Indeed, this argument was not new. The notion that Antioquia was better administered than any other territory in Colombia was taken at face value.[424] In a pamphlet related to the petition created by "neighbors of the petitioner cantons," the publishers focused on this issue, arguing that this perception was inaccurate and one governor incapable of administering the whole territory of Antioquia.[425]

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[423] "División de Antioquia," 1-6.
[424] J.M. Gómez, Domingo A. Riaño, and Agustín R. Sarasti, "Informe de una comisión del Senado contra la división de la provincia de Antioquia, aprobado por la honorable Cámara al rechazar en primer debate el proyecto presentado por los señores Montoya, etc," (Bogotá: Senado de la Nueva Granada, 1838).
[425] Unos vecinos de los cantones peticionarios, "Contestación a la "Advertencia."," (Medellín: Imprenta de Manuel Antonio Balcázar, 1838), 19.

The third argument raised by the Committee seemed the most influential on the government's decision not to support this request. In 1838, the central government argued that a yes vote would fan the desires of all towns of certain importance that longed to be provincial capitals.[426] Senators Gomez, Riaño and Sarasti basically repeated this position.[427] The government feared that any new territorial rearrangement would provide momentum for other cantons to petition similarly. Moreover, the Senators projected that the division would negatively impact the three cantons and make settling borders very difficult. These three Senators anticipated the difficulties the central government would face in the 1850s when settling boundary disputes. Because of all this, they concluded it was best to leave things as they were.

The fourth and last argument echoed ones put forth for and against territorial rearrangement throughout the nineteenth century. Proponents of the partition argued it was needed because the diversity of climate, production, and customs and practices in Antioquia. The three Senators concluded that if these claims were correct, no objective

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[426] "Mensaje del Secretario de lo Interior al Secretario de la Cámara," *Gaceta Oficial*, 6 de mayo de 1838 1838.

[427] "El mayor de los inconvenientes que el Poder Ejecutivo encuentra para que se acceda a la división pedida de la provincia de Antioquia, es el de que con tal acto, que no puede mirarse como indispensable, se daría nuevo [impulso] a la tendencia tan antigua i tal pronunciada de todas las poblaciones de alguna importancia de la República a ser capitales de provincia; tendencia que si no se contrarresta nos conducirá a la erección de todo cantón en provincia separada; a una multiplicación inmensa e innecesaria de empleados, oficinas y corporaciones populares; a un aumento excesivo de gastos y de trabajo para la marcha de la administración general, y a una grande complicación para esta misma marcha. En el año anterior pasé al Congreso el proyecto de formación de una nueva provincia con los cantones de Jirón, Piedecuesta y Bucaramanga; en el presente deberé pasarle expedientes sobre la formación de una provincia con los cantones de Soatá, Cocui, Sogamoso y Santa rosa; o de otra con los cantones de Soatá, Cocui, Malaga y Concepción: sobre desmembración de cantones de una provincia para agregarlos a otra; sobre erecciones de cantones nuevos, etc. Tantas solicitudes, y las examinadas en los años anteriores, prueban por si solas la inquietud y prurito de reformas que en lo relacionado con la división territorial existen de tiempo atrás." Gómez, Riaño, and Sarasti, "Informe de una comisión del Senado contra la división de la provincia de Antioquia, aprobado por la honorable Cámara al rechazar en primer debate el proyecto presentado por los señores Montoya, etc."

reason existed to maintain any existing administrative divisions, considering Colombia's topography and variety of climates. This position, they argued, led to the dissolution of Colombia.[428] The authors of a published response to the report dismissed this conclusion. In an attempt to reassure the public and Congress, they stated that the division of Antioquia would not lead to another *patria boba*.[429] In fact, fears of revisiting that era led policy-makers in the 1830s to oppose any political innovation that weakened central authority, and become a key argument against the federal reform in the 1850s.

Proponents of Antioquia's division were not easily discouraged. They tried to reassure the public, arguing that their project would have no negative consequences for Colombia. Moreover, they stated that in unitary regimes, smaller subnational units were desirable over larger ones because they maintained political equilibrium among the territories. They argued that larger subnational territories would only help the country should they want to transform the republic into a federation. To conclude, the authors of the published response reminded the public of the benefits of being a provincial capital. For instance, Medellín had a secondary school, postal service, and other institutions funded by all the inhabitants of Antioquia. Since becoming the provincial capital in 1826, Medellín had progressed at the expense of the cantons…"*Un pueblo si gana porque otro pierda."*[430]

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[428] Ibid.
[429] peticionarios, "Contestación a la "Advertencia."," 10.
[430] Ibid., 4, 10, 19, 25.

5.4 Failed Reforms: the 1840s

From the early 1830s on, critics of the administrative division of Colombia asked for radical reforms. In some cases, these requests took the form of a canton yearning to be elevated to the status of province. At other times, plans for territorial reform originated from within the government itself. In the 1840s, Secretaries of the Interior José Ignacio de Márquez, Mariano Ospina and Manuel María Mallarino agreed that smaller subnational units would fit better with the centralized institutional arrangements set up by the Constitutions of 1832 and 1843.[431] They asked Congress on several occasions to rearrange existing subnational units, creating smaller and more homogeneous provinces in terms of size and population.

These Secretaries of the Interior based their conclusions on the assumption that governors of smaller subnational units would be better able to oversee the functioning of the state apparatus and control their territory.[432] Nevertheless, vested interests, political infighting and distrust of the central government brought these efforts to a standstill. Between 1832 and 1848 Congress discussed several reorganization plans for the nation, the majority originating from the Secretary of the Interior, but no agreements were reached. The provincial arrangement Colombia inherited from Gran Colombia remained, for the most part, untouched until 1849. Nevertheless, these rejected plans provided a great deal of insights into the territorial politics of the era.

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[431] Gobierno, *Informe del Secretario de Gobierno de la Nueva Granada [José Ignacio de Márquez] al Congreso Constitucional de 1846*: 6.
[432] Despacho de lo Interior Nueva Granada, *Esposicion que el Secretario de Estado en el Despacho de lo Interior del Gobierno de la Nueva Granada [Mariano Ospina Rodríguez] dirije al Congreso Constitucional de 1844* (Bogotá: Imprenta de J. A. Cualla, 1844).

In 1843, Secretary of the Interior Mariano Ospina circulated a proposal for far-reaching reforms among public officials and others asking for comments and feedback. He included the bill in his annual report to Congress in 1844. His plan subdivided the existing twenty provinces, increasing their number to forty-four, and virtually abolished cantons. His stated objectives included the standardization of provincial territorial extension, the elimination of all provinces with more than one canton, and the homogenization of provinces in terms of extension and population. Reducing the number of cantons per province to one meant eliminating the position of *jefe político*, or political boss, the non-elected and non-remunerated executive cantonal authority. Though unpaid, this position was significant; in 1844, one hundred and fifty *jefes políticos* occupied the post.[433]

Ospina aimed to reduce disparities between provinces in terms of their size and populations. In the plan, the government would consider factors like the environment, i.e., similar types of territory, ecological niches, coastal vs. Andean, shared interests and habits and the character of a region's inhabitants. Ospina admitted that geography made it impossible to evenly distribute territory according to inhabitants. The uneven distribution of the population, sometimes crowded together in a valley and other times scattered across deserted plains or steep mountains, prevented the reorganization of the territory in symmetrical patterns like military regiments or gardens.[434]

In the statement of purpose for the proposal, Secretary Ospina indicated that in order to establish proper governance, a society must devise a form of territorial

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[433] Ibid., 8.
[434] Ibid.

organization specific to its extension and population. The institutional arrangement must establish a reasonable balance between subnational units, organizing the nation, making it united and compact, making law enforcement possible throughout the entire territory, and ensuring community influence on decisions affecting them.[435]

Indeed, the disparities existing between provinces were acute and many desperately lacked skilled administrators. In the majority of Colombian territories, few administrators were skilled enough to effectively manage local governments and formulate their own policies. By creating smaller provinces, Secretary Ospina argued, provincial governors would be able to visit municipalities more frequently and notify mayors about what they needed to do, and listen to their problems. This process would turn these public officials into what they were best at: implementers of decisions made by the central government.[436] In addition, smaller provinces guaranteed a better responsiveness of governors and provincial legislatures to the population. Balancing power in the legislature and increasing the probability that smaller communities would be represented in the provincial assembly, raised the chances that he interests of smaller communities would be well-represented. This would prevent provincial capitals from monopolizing the resources of the provincial government for their own benefit.[437]

The government also predicted that the reform would bring financial benefits, because the division of the country in provinces and cantons generated financial

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[435] "Una división territorial acomodada a la estension i población del país, que establezca entre las partes una razonable proporción, que forme de la Nación un todo regular, unido i compacto, que haga posible i fácil en todos los puntos del territorio la acción de la autoridad ejecutora de las leyes, i procure a los pueblos la influencia que deben ejercer en los negocios que les interesan, se ha reconocido, i con razón, como un elemento necesario para que un país sea bien gobernado." ibid., 7.
[436] [H]acer que este funcionario [el alcalde] sea lo único que hoy puede ser, simple ejecutor; y renunciar la idea de convertirlo en jefe de oficina, en relatador o escribiente, porque nada de eso puede ser. ibid., 11.
[437] Ibid., 12-13.

inefficiencies, the government concluded that the elimination of cantons would facilitate better tax collection and a more efficient investment of scarce financial resources, in accordance with the interests of communities. The Secretary disregarded the inability of smaller provinces to garner enough resources for infrastructure projects, because they were national endeavors. For example, Ospina concluded that the dock in the port of Cartagena was of no interest to the residents of the cantons of Lorica or Chinú, cantons that were part of the province of Cartagena but far from the capital.[438]

The central government's interest in the reform went beyond fervor for standardization or administrative zeal. The 1844 project was, above all else, part of the centralizing process started earlier that year by the enactment of a hyper-centralizing constitution, one designed to eradicate provincial autonomy. In this sense, the reform's real purpose was twofold. The central government would tighten its control over regional and local administrations. It would also weaken the power base of provincial elites, particularly in larger provinces like Popayán. Indeed, the declared purpose of the bill was to centralize decision-making in the hands of a few provincial governments appointed by Bogotá. Thus, this reform fulfilled the constitutional mandate of a centralized administration. By getting rid of the autonomous political bosses in each canton, it transferred most authority to provincial governors, who, according to the new Constitution of 1843, would be appointed by the President.[439]

In addition to tightening control over provincial and local administrations, the national government aimed to weaken the power base of regional elites. The central

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[438] Ibid., 14.
[439] Ibid., 7-8, 15, 20.

government distrusted larger provincial governments because of fears they could garner enough resources to challenge the national government, as had happened in the previous civil war. Centralists blamed provincial autonomy for the outbreak of the 1840 civil war, known as the *War of the Supremos*. During those years, regional leaders proclaimed themselves *jefes supremos*, the regional leaders of the rebellion, of their territories, and declared their autonomy from Bogotá. Centralists connected the capacity of the *supremos* to garner enough resources for their cause to the size of provincial territories.

Secretary Ospina concluded that every time rebels captured a capital city of a large province they accessed financial and human resources. He assumed that because people habitually obeyed the authority in those capitals, rebels could easily control other parts of a province. A larger province meant that rebels controlled a larger hinterland. A smaller province meant that rebels would have fewer resources to challenge the authority of the central government. Similarly, much smaller provinces next to larger ones were more vulnerable to being dragged into a conflict. Thus, Secretary Ospina also concluded that if all provinces had similar sizes and populations, rebellions would not extend across borders so easily. In brief, Conservatives concluded that to prevent another civil war, and prevent powerful regional leaders from challenging the national government authority, larger provinces had to be split.[440]

In 1844, Secretary Ospina proposed to split Antioquia not three but into five provinces: Santa Rosa de Osos, Antioquia, Medellín, Rionegro and Salamina. The Darien, claimed in part by Antioquia after Ospina became governor of that province,

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[440] Ibid., 8-13.

would be a dependent territory of the central government. The provinces that would later, in 1857, become the state of Cauca were already organized in six provinces: Cauca, Buenaventura, Popayán, Pasto, Túquerres and Barbacoas.[441] The shift in political interests after the Liberals won the presidency in 1849 can be clearly seen in Antioqueño resistance to the 1851 Liberal project. The resistance to the Liberal project would be led by Ospina himself, who alleged the split of Antioquia into three units to be motivated by electoral interests. Ospina, in power in a national government promoted centralization, but in 1851 in regional government, became a staunch opponent of the very same project.

In sum, the central government wanted to establish greater control and vigilance at the provincial administrative level by reducing the size of provinces, eliminating intermediaries like the *jefes politicos*, and selecting provincial governors to implement legislation devised at the national level. The bill sparked a heated debate in Bogotá and in the regions. Congress voted against the government's plan after the first debate and the project was soon abandoned. Congressmen from the southern provinces vociferously opposed the bill, concluding that smaller provinces and a strong presidency jeopardized public liberties and social progress.[442]

In 1846, Secretary of the Interior (and former president), José Ignacio Márquez, described Colombia's territorial organization as monstrous. For him, the coexistence of large populous provinces with more than 200,000 people next to provinces with fewer than 20,000 provided all the evidence one could need to justify reform. In addition to these disparities, troubled communications between areas made public administration a

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[441] Ibid., XXVIII-XXX.
[442] Gilmore, *El federalismo en Colombia, 1810-1858*, I: 186-87.

difficult undertaking. Secretary Márquez concluded that Colombia's provincial arrangement was mostly similar to what had existed under the Spanish monarchy.[443]

In 1847, Secretary of the Interior Manuel M. Mallarino also expressed support for smaller provinces. He claimed smaller provinces to be preferable to larger ones for two reasons. First, he argued that it would be easier to control public order in smaller provinces because political factions would act more cooperatively if they understood the costs of rebellion and disunity. In larger subnational units, the distances between communities made it less likely for them to share common interests. For example, he argued that the inhabitants of a province that is half Andean and half tropical rainforest would not likely share interests, and this would create disorder.[444]

Second, Secretary Mallarino claimed that smaller provinces were more desirable because larger provinces and their political and economic power caused jealousies and hatred. A more evenly divided territory, i.e. small provinces, produced confraternity. No small province could envy the superiority of a larger province if no large ones existed. In addition, he deemed all subnational units to be imaginary territories, with the exception of parochial districts.[445]

Secretary Mallarino urged Congress to enact comprehensive reforms of the existing structure of provinces. In his project, Secretary Mallarino divided the territory of Colombia into forty provinces. He proposed splitting Antioquia into three units,

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[443] Gobierno, *Informe del Secretario de Gobierno de la Nueva Granada [José Ignacio de Márquez] al Congreso Constitucional de 1846*: 6.
[444] Secretaría de Relaciones Exteriores y Mejoras Internas Nueva Granada, *Informe del Secretario de Estado en los despachos de Relaciones Exteriores i Mejoras Internas [Manuel M. Mallarino] al Congreso de 1848* (Bogotá: Imprenta de Nicolás Gómez, 1847). 32-34.
[445] Ibid.

Antioquia, Medellín and Salamina. And he proposed to split the territory that in 1857 would constitute the state of Cauca into seven provinces: Cauca, Quindío, Chocó, Pasto, Tumaco, Popayán and Túquerres. In addition, he asked Congress to determine the borders between Chocó and Antioquia and decided on the territorial affiliation of the district of Turbo. Mallarino's bill, like Ospina's, failed to pass Congress.[446]

In his 1848 report to Congress, Secretary Mallarino insisted once again on the need to divide the largest eight provinces—Antioquia, Bogotá, Buenaventura, Cartagena, Mompox, Pamplona Santa Marta and Tunja. He argued that these provinces encompassed an inconvenient agglomeration of territories. He proposed splitting Antioquia in three, Antioquia, Medellín and Rionegro, and Buenaventura into two new provinces, Buenaventura and Cali. While the three provinces of Antioquia would be located in the Andean region, the new province of Buenaventura would be entirely located in the tropical rainforest west of the Andes and Cali in the valley of the Cauca River.[447] This new project, based on Ospina's arrangement, passed Congress but was never enacted. The 1848 Congress decided to wait until they decided on a constitutional amendment limiting the executive powers.[448]

Liberals did eventually reorganize Antioquia and divide its territory into three provinces, with the same names proposed by Secretary Mallarino in 1848. They also split the largest provinces into smaller units, a short-lived decision as we will see in the next section. Ironically, Manuel M. Mallarino would eventually sign into law most of the

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[446] Ibid., 34 & proyecto de ley VII.
[447] Secretaría de Relaciones Exteriores y Mejoras Internas Nueva Granada, *Informe del Secretario de Estado en los despachos de Relaciones Exteriores i Mejoras Internas [Manuel M. Mallarino] al Congreso de 1848* (Bogotá: Imprenta de Nicolás Gómez, 1848). 28-29 & Sección IV, proyecto de ley I.
[448] Gilmore, *El federalismo en Colombia, 1810-1858*, I: 189.

Liberal legislation reorganizing the provinces in the early 1850s during his time as Vice-President of Colombia in 1855 and 1856. The fervent defender of smaller provinces oversaw the recreation of the provinces of Pamplona, Bogotá and Antioquia, entities he had earlier proposed to subdivide for the benefit of its inhabitants.

After 1850, Liberals took the initiative and enacted legislation transferring sources of revenue and state competencies to the provinces. In contrast to Secretary Ospina's plan, Liberal policy-makers assumed provinces and localities to be better able to promote the well-being of a community than Bogotá's public officers. Nonetheless, Liberals initially shared Conservative notions of smaller provinces being more capable of governing territories where rough topography and the lack of up-to-date transportation infrastructure made communication difficult.

Here, I present a table detailing the provinces and cantons in existence in 1847, two years before Liberals assumed the presidency. This was the internal configuration of Colombia so thoroughly reformed during the years 1850 to 1854. One can see the enormous differences in terms of the population per province. These differences led to significant variations in terms of their representation in Congress. Looking at these numbers it is easier to understand the reticence of larger provinces to be subdivided. The failure of the national government to reform this structure before 1849 speaks to the political and economic power of local elite, particularly in larger cities, vis-à-vis the cantons under their jurisdiction and in neighboring provinces. That was the case with the creation of the province of Barbacoas, at the time a leading gold producer in southern Cauca, which in 1846 received most of the cantons of Pasto and Túquerres.

The population of six of the provinces located on the Cordillera Oriental—Bogotá, Casanare, Pamplona, Socorro, Tunja, Vélez—comprised over 47% of the total population of Colombia, Antioquia and Cauca roughly 10% each, the Caribbean provinces 20%, and Tolima the remaining share. Comparing the population of each province, differences with Bogotá were substantial, followed closely by Tunja as the most populated. Riohacha was the least populated. The difference between the population of Bogotá and Riohacha was 262,000 inhabitants.

Table 5: Territorial Configuration, Colombia (1847) [449]

Provinces[450]	Cantons	Parochial Districts	Population	Senators	Representatives
Antioquia	7	71	189,534	2	6
Barbacoas	4	9	21,778	1	1
Bogotá	11	93	279,508	3	9
Buenaventura	3	11	26,877	1	1
Cartagena	8	77	141,855	2	4
Casanare	6	29	18,489	1	1
Cauca	6	22	61,894	1	2
Chocó	2	10	26,326	1	1
Mariquita	7	26	89,460	1	2
Mompox	5	42	48,828	1	1
Neiva	5	37	93,688	1	4
Pamplona	9	47	112,640	1	3
Panamá	6	33	72,519	1	2
Pasto	1	11	28,876	1	1

[449] Colombia, "Prontuario de las variaciones a la Recopilación Granadina " in *Leyes i decretos espedidos por el Congreso Constitucional de la Nueva Granada* (Bogotá: Imp. de J.A. Cualla, 1847), 11. Exteriores Colombia. Ministerio de Relaciones, *Estadistica jeneral de la Nueva Granada, que conforme al Decreto ejecutivo de 18 de diciembre de 1846. Publica la Secretaría de relaciones exteriores. Parte primera: Poblacion e instituciones* (Bogotá: Impr. de J.A. Cualla, 1848). 4.

[450] The Recopilación Granadina contains detailed information about provincial and cantonal population and the electors that corresponded to each of them according the 1843 census. Colombia, Lino de Pombo, and José Antonio de Plaza, *Recopilación de Leyes de la Nueva Granada. Formada i Publicada en Cumplimiento de la Lei de 4 de Mayo de 1843 i por Comision del Poder Ejecutivo por Lino de Pombo, miembro del Senado* (Bogotá: Imprenta de Zoilo Salazar, por Valentín Martínez, 1845). 463-69.

Table 5: Territorial Configuration, Colombia (1847), Continued

Popayán	3	25	67,132	1	2
Riohacha	2	17	16,734	1	1
Santa Marta	7	44	45,677	1	1
Socorro	6	37	138,937	3	4
Tunja	9	89	271,297	1	9
Túquerres	2	13	35,724	1	1
Vélez	3	27	96,303	1	3
Veraguas	2	23	45,376	1	1
Total	114	793	1,929,452	28	60
Population (average)					
Provinces			87,702		
Cantons			16,925		

In the next section, I will present the transformations of the internal organization of the territory from 1849 to 1854. In contrast to the period from 1831 to 1848, when both Congress and the central government took a cautious approach to territorial rearrangement, from 1849 to 1854 they did just the opposite. During these years, Congress aggressively rearranged the borders of the majority of the existing provinces, creating smaller subnational units and did this without a general plan. That is, Congress subdivided existing provinces one by one without having general criteria or defined objectives. Their boundaries served no explicit purposes, either in terms of building a more homogeneous nation, balancing territories in terms of size or income, or preventing the dominance of particular territories. Nevertheless, we have much more evidence of the political motivations behind the recurrent reforms.

5.5 Creating and Suppressing Provinces, 1849-1855

The Liberal administration of President López radically departed from the preceding Conservative platform of political centralization. Soon after taking office on April 1, 1849, he promulgated decentralizing legislation that altered the balance of power between the central government and the provinces. Simultaneously, the Liberal administration of José H. López pushed an agenda of subdividing the larger provinces into smaller units. From 1849 to 1853, all of the larger provinces in the nation were subdivided, raising the total number of provinces from twenty-two to thirty-six. This policy engendered opposition among Conservatives and those in the capital cities of the affected provinces. Political elites in places like Medellín considered the dismemberment of their provinces a threat to their privileged position, sometimes, inherited from the late colonial period.

Ironically, Conservatives opposed policies of the López administration that were remarkably similar to what their fellow party members had suggested in the 1840s. But, in the 1850s, they took the position that dismembering larger provinces was incompatible with a decentralization process. They argued that smaller provinces fit a centralized political system where most decision making occurred in Bogotá. In that institutional setting, smaller provinces improved public administration and assured law enforcement in the whole territory. However, in a decentralized system, like the one the Liberal administration proposed, they thought larger subnational units a superior choice over smaller ones unable to gather enough resources to pay for their own administration and development.

Liberals argued that autonomous provincial authorities would be in a better position to move their reformist agenda forward. In addition, they thought that having elected officials that would be closer to their constituencies would improve public services and the quality of public administration, including justice. Thus, the creation of smaller provinces was part of their plan to modernize the country, create a politically conscious citizenship and boost the economy. Liberal reasoning contradicted the Conservative ideas expressed by the likes of Ospina in 1844 who saw localities as incapable of promoting their own progress.[451]

These two antagonistic notions competed until the second half of the 1850s, when provinces were regrouped into nine subnational units. In the meantime, Liberals subdivided all provinces containing more than one canton, one by one. Here, in this section, I summarize many of the reforms enacted by the national government from 1849 to 1855. This is not an exhaustive analysis of the motives and consequences of every rearrangement in the early 1850s, because that would exceed the scope of this dissertation. However, I do offer insight on that process, particularly for Antioquia.

On March 7, 1849, when Congress elected Liberal José H. López president of Colombia, the country was organized in twenty-two provinces and decision-making occurred in Bogotá. The number of provinces, and the authority invested in them, radically increased after Liberals assumed the presidency. By the end of the López administration in 1853, Colombia had thirty-six provinces, the highest number of subnational units in the nation's history (see appendix B). Liberals rearranged the

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[451] Nueva Granada, *Esposicion que el Secretario de Estado en el Despacho de lo Interior del Gobierno de la Nueva Granada [Mariano Ospina Rodríguez] dirije al Congreso Constitucional de 1844*.

boundaries between provinces and created smaller ones, shaking off regional foundations of political power. From May 6, 1849, when Congress created the first province, to May 6, 1853, when the Legislature divided the province of Pamplona in two new entities, the number of provinces went from twenty-two to thirty-six. The 1854 Congress discussed projects to create two provinces and eliminate others: Zea out of Antioquia and Muzo from Vélez while also eliminating Azuero, Zipaquirá, Tequendama and Santander. The House of Representatives voted against the creation of the two new provinces and the Senate against the elimination of the four.[452]

These decisions represented a radical departure from Colombia's past. The Constitution of 1843 granted the president authority to appoint and remove provincial governments at will and relegated provincial administrations to mere agents of national authorities. Soon after taking office, Liberals set in motion sweeping reforms that shattered most of the nation's legal foundations, including political centralization. In 1850 Congress passed the Act of April 20, 1850, a bill supported by the Secretary of Hacienda Manuel Murillo that granted provinces sources of revenue previously collected by the national government.[453] A few days later, President López signed it into law. This groundbreaking legislation infused previously lethargic provincial administrations with dynamism, foreshadowing other changes to come. The most important transformation of the period occurred in 1853. That year, Congress enacted a new constitution sanctioning provincial autonomy. After 1853, provinces enacted their own constitutions, elected

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[452] Gilmore, *El federalismo en Colombia, 1810-1858*, II: 25.
[453] Colombia, "Leyes i Decretos expedidos por el Congreso Constitucional de la Nueva Granada en el año de 1850," (Bogotá: Imprenta del Neo-Granadino por Ramón González, 1850), 11-18.

provincial governors, collected taxes and passed budgets with little interference from Bogotá.

The motivations behind the reforms implemented during this period and their implications on the political system have not been extensively studied. The creation of smaller provinces was partly inspired by the idea that decentralizing governance would be beneficial to communities. In fact, many assumed that provincial governments were distant and detached from the needs of remote localities, and even neighboring ones. Peripheral regions suffered because of their remoteness from the centers of political power. Geographical remoteness, scarce populations, difficult topographies, and transport problems aggravated those feelings of isolation. To counter those difficulties, communities asked Congress to alter the structure of subnational units and to finance transportation infrastructure projects.

Delegates from the township of Antioquia, located in the Cauca Valley west of Medellín (the provincial capital of Antioquia), communicated this and more to the Senate and the House of Representatives. In their presentation, they asked Congress to disintegrate Antioquia, contradicting commonly held ideas about the province. For instance, they argued that Antioquia was not well governed and that provincial governors did not visit townships frequently. In fact, they claimed that none of Antioquia's governors had visited all of the towns because the province was so large and its 200,000 inhabitants spread all over the territory. Moreover, the delegates claimed that the benefits of provincial administration did not reach their municipality. When they signed their petition, on February 26, 1851, the township and canton of Antioquia lacked postal services because the Provincial Legislature and the governorship did not fund the service.

They did not stop there. They affirmed that Medellín had a school for teachers, a provincial high school, a Court of Justice, a governor and a treasury department bureaucracy. These were funded by taxes paid by the inhabitants of the province but the benefits were only for Medellín, the capital city.[454]

Conflicts over the allocation of sources of revenues transferred by the national government to the provinces in the early 1850s were recurrent. Competing towns, as was the case in Antioquia, claimed that all the benefits of those sources of revenue stayed in the provincial capital while the costs, i.e. taxes, were paid by all the inhabitants of the province. The petitioners claimed that the taxes paid by the 40,000 inhabitants of the canton of Antioquia were enough to sustain a provincial state apparatus, similar to the one already existing in Medellín. For them, the current state of affairs in Antioquia did not favor them or their interests, because the different sections of the province relied on separate resources. While commerce was essential for the inhabitants of Medellín, these petitioners argued, for the canton of Antioquia, mining and agriculture were their economic future. Their arguments reveal much, not only about their attempt to control mining in the region but also about their assumption that becoming a provincial capital would limit Medellín's influence in the region. The petitioners envisioned an expansion toward the Urabá as part of their strategy for economic success.[455]To finish, petitioners also claimed that Medellín's domination stretched all the way to Rome, where they

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[454] "Representación de la ciudad de Antioquia dirigido a los Senadores y Representantes," in *División de Antioquia* (Bogotá: Imprenta del Neo-Granadino por León Echeverría, 1851).
[455] Ibid.

accused Medellín of having petitioned the transfer of the diocese, something discussed in 1832.[456]

These petitioners gave voice to conflicts produced by the reformist agenda of the López administration. In this particular case, they went further saying that the civil war in 1840 would never have had a foothold in that area had Congress divided Antioquia in 1834 or 1837. Those proposals failed to pass Congress because of the opposition of the Senators from Antioquia (all but one from Medellín). In 1851, the inhabitants of the canton of Antioquia achieved their goal. Seventeen Senators supported the bill to elevate their canton into a province.[457]

Early in 1851, Camilo A. Echeverri questioned not only the authenticity of the signatures (and therefore the alleged majority support) but also the assertion that Antioquia was poorly governed. He contradicted the justifications given to defend the project. Echeverri disputed the supposed Liberal electoral gains that would result from the division of the province in three new units. In the three provinces, concluded Echeverri, Conservatives would get electoral majorities. In the (smaller) province of Antioquia all three cantons were Conservative and in Rionegro, only the namesake canton was Liberal while half of the northeastern cantons of Marinilla and Salamina were Conservative.

Moreover, C. A. Echeverri did not understand why, if Congress was in the process of replacing the Constitution of 1843 and deepening the structural reforms to

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[456] Colombia, *Colección de las Leyes Dadas por la Convencion Constituyente del Estado de la Nueva Granada, en las Sesiones de los Años 1831 y 1832*: 27-28.
[457] "División de Antioquia & Representación de la Ciudad de Antioquia, dirigido a los Senadores y Representante," 14.

advance the federation, congressmen would subdivide and weaken existing provinces.[458] His questions foreshadowed a change of direction. Less than three years later, Congress would reinstate the pre-1850 provinces.

In his pamphlet, Echeverri raised two other questions concerning the interests behind the project. After the division of Antioquia in three provinces, the eastern most territory would control the access of the other two to the Magdalena River, the main outlet to the Caribbean Sea. Echeverri worried that, as established by the decentralization legislation of April 15, 1850, the provincial government would be authorized to collect taxes and eventually obstruct commerce.[459] His concerns were well-founded. Provinces and, after 1855, states obstructed commerce throughout Colombia by enacting prohibitions and imposing duties on commerce.

Table 6: Creation and Suppression of Provinces (1849-1857)[460]

1849	Creation of the province of Tundama
	Division of Veraguas in two provinces: Veraguas and Chiriquí
	Creation of the province of Ocaña
1850	Creation of the province of Azuero
	Creation of the province of Valledupar
	Division of Pamplona in three provinces: Pamplona, Soto and Santander
1851	Division of Antioquia in three: Antioquia, Medellín and Córdova

[458] Camilo Antonio Echeverri, "División de Antioquia," (Bogotá: Imprenta del Neo-Granadino por León, Echeverría, 1851).
[459] Ibid.
[460] Colombia, *CN XIII*, XIII 1848-1849: 403, 25-27; Colombia, *CN XIV*, XIV 1850-1851: 25-29, 402-03; ibid., XV 1852-1853: 78, 105-06, 302; Colombia, *CN XVI*, XVI 1854-1855: 110, 27-28, 37, 96, 200; ibid., XVII 1856-1857: 279, 320. Congress had the authority to create and suppress provinces. In a few occasions, Congress authorized the President to enact specific changes of the internal organization of the territory. In those cases, the President issued an Executive Decree. The complete list of the legislation is as follows: Laws of May 7, 26, 29, 1849; Laws of April 8, 15 & 17, 1850; Law of May 15, 1851; Laws of March 22 and May 6, 1852; Law of May 9, 1853; Executive Decree of March 9, 1854; Executive Decree of May 22 and Laws of April 14 & 18 and May 24, 1855; Executive Decree of February 14, and Law of April 11, 1857

Table 6: Creation and Suppression of Provinces (1849-1857), Continued

1852	Creation of the province of Sabanilla
	Division of Bogotá in four provinces: Bogotá, Cundinamarca, Zipaquirá and Tequendama
1853	Division of Pamplona in two provinces: Pamplona and García Rovira
1854	Suppression of the province of Azuero; split between Veraguas y Panamá
1855	Reestablishment of the province of Pamplona, suppression of the provinces of Santander, García Rovira and Soto
	Reestablishment of the province of Antioquia, suppression of the provinces of Medellín and Córdova
	Suppression of the provinces of Túquerres and Barbacoas; their territories were integrated to Pasto
	Reestablishment of the province of Bogotá, suppression of Tequendama, Cundinamarca and Zipaquirá
1857	Suppression of Ocaña, annexed to Mompox
	Suppression of the province of Valledupar, its territory is annexed to Santa Marta

The second issue concerned the taxation of tobacco from the province of Ambalema. Prior to the 1851 project, Montoya & Saenz, a monopolist company responsible for introducing 30,000 arrobas of tobacco to Antioquia, transferred one share of the business to Manuel Abello. Soon after that, the Provincial Assembly of Antioquia established a tax of $8 *reales* per arroba of tobacco introduced from Ambalema. In 1851, Manuel Abello, then Senator from Santa Marta, was responsible for introducing the proposal to rearrange the province into three subnational units.[461] For Echeverri, the real intent behind the project was evasion of the $8 reales tax on tobacco. If they established a tobacco warehouse in Rionegro, the eastern province bordering Ambalema, they could

[461] In an anonymous replica to Echeverri, also entitled "División de Antioquia," the authors asked him if the other Senators that supported the project— Azuero, Plata, Gómez, Obaldía, Mantilla, Castilla, Gómez Camacho, Flóres, Maestre, Camargo, La Rota, Lora and Valenzuela—were expecting personal gains from the rearrangement of the province. Moreover, they reminded Echeverri that in 1837 Montoya & Saenz did not exist and that year another project to subdivide Antioquia was introduced in Congress. "División de Antioquia," (Bogotá: Imprenta del Neo-Granadino por León Echeverría, 1851?).

avoid paying the tax.[462] Echeverri assumed Abello had enough influence in Rionegro to convince the legislature of the new province to abrogate the tax on tobacco. On top of that, Montoya & Saenz were only one of the suppliers of tobacco from Ambalema.[463] Even though Echeverri could have been overstating Abello's influence, his assumptions made clear the stakes of the project being discussed by Congress in the early 1850s.

In the early months of 1851, proponents of the division of Antioquia worked hard to counter C. A. Echeverri and others who questioned the reasons behinf the projected changes. In an anonymous pamphlet published a few days later, also entitled *División de Antioquia*, the authors countered Echeverri and reiterated popular notions that had been in vogue since the early 1830s. They argued that, to be effective, enforcement authorities must provide prompt and immediate action.[464] This was impossible in *provincias monstruo*, large subnational territories where governors barely had the time to read the reports prepared by the *jefes políticos* and municipal mayors. The authors implied that this conditioned the efficacy of local administrators, particularly of mayors who were not exempt from responsibility, and hindered the ability of localities to attract capable citizens to fill those posts.[465]

The subdivision of Antioquia would not only bring government closer to the public, they continued, but would avert the secession of any provinces from Colombia or their annexation by neighboring states. Moreover, under *self-government* (in English in

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[462] Echeverri, "División de Antioquia."
[463] In the anonymous pamphlet considered below, the authors mentioned other suppliers in addition to Montoya & Saenz: Powles & Illingworth, Alvarez, Laverde, Uribe & Restrepo, Eujenio Uribe, and C. A. Echeverri, among others. "División de Antioquia."
[464] Ibid.; Varios vecinos de Rionegro, "División de Antioquia," ([s. l.]: [s. n.], 1851).
[465] "División de Antioquia."

the pamphlet), they expected far better and responsible government because they would govern themselves.[466] Furthermore, with Antioquia divided into smaller provinces, all its parts would be better represented in Congress. In sum, the writers embraced two of the central tenets of the Liberals platform, namely, that self-government combined with state authority close to the population engendered positive changes, including breaking cycles of fanaticism and poverty inherited from the colonial era.

Proponents of territorial rearrangement in Antioquia also worked hard to counter the negative propaganda about supposed hostility in the cantons. On the contrary, they argued that the Legislature of Antioquia submitted the 1837 plan to subdivide the province at a time when *los partidos dormían en esta parte de la República*, that is, before the consolidation of Colombia's political divide into parties. Their plan reflected Antioquia's geographical features not politics. The combination of a rough terrain, distance, and a sparsely populated territory made communications across Antioquia difficult and the tasks of government virtually unmanageable.[467]

The debate continued in the 1851 Congress. On March 26, 1851, Senator Raimundo Santamaría disclosed a report opposing the division of Antioquia. At the time, the draft under discussion contemplated the division of Antioquia into two provinces: Córdova, formed by the cantons of Rionegro, Salamina, Marinilla and Nordeste, and

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[466] "Veríamos entonces el principio de self-government imperando por do quiera: todos nos gobernaríamos mejor, porque nos gobernaríamos a sí mismos: todos nos interesaríamos en nuestro recíproco bienestar; porque ya no habría celos i rivalidades, i porque no nos veríamos acosados por la opresión de los grandes sobre los pequeños: todos seríamos pequeños, es verdad; pero reunidos i agrupados en torno del pabellón granadino, seríamos fuertes por nuestra unión i prosperidad: todos, en fin, parroquias como cantones, cantones como provincias, todos sin excepcion, serían mejor gobernados i mas gobernables tambien." ibid.
[467] Rionegro, "División de Antioquia."

Antioquia, comprised of the cantons of Medellín, Antioquia and Santa Rosa.[468] Santamaría contradicted all the aforementioned arguments. He concluded that, when compared with other provinces, Antioquia constituted a unity, particularly in its economic relations. Additionally, he argued, Medellín was perfectly situated at the geographic center of the territory, with reasonably short connections to the outlying areas of the province. Santamaría concluded that because Medellín and Rionegro were located relatively close to each other, in terms of travel to the provincial capital, the improvement would be marginal. In addition, Marinilla objected to being hierarchically dependent on Rionegro.[469]

On May 15, 1851, Congress disintegrated the province of Antioquia. Afterwards, Congress reformulated the original draft, creating three instead of two provinces. Despite opposing the plan, the canton of Marinilla was finally incorporated into Rionegro. The three provinces created were (see map below): Antioquia, consisting of the cantons of Antioquia and Santa Rosa, with a capital in its namesake city; Medellín, comprised of the cantons of Medellín and Nordeste and the parochial district of Santo Domingo; and Córdova, consisting of the cantons of Rionegro, Marinilla and Salamina, with a capital in the town of Rionegro.[470] In the end, the reorganization of the province became one of the most conflictive reforms enacted by the national government during that period. It

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[468] The Mosquera Administration introduced in 1848 a project subdividing Antioquia in three provinces. In April 1851, this project was again reconsidered. ibid., 8.
[469] Raimundo Santamaría, "Informe sobre el Proyecto de División de la Provincia de Antioquia, presentado por el Infrascrito Senador de ella," (1851: Imprenta de El Día, 1851).
[470] Colombia, "Leyes, Decretos i Actos Lejislativos espedidos por el Congreso Constitucional de la Nueva Granada en el año de 1851," (Bogotá: Imprenta del Neo-Granadino por Rubinat i Ovalle, 1851), 21-22.

amplified the growing opposition toward the Liberal Reforms in Antioquia becoming the casus belli for the 1851 uprising in that region.

From the start, Conservatives, the dominant party in Antioquia, assumed that Liberals aimed to dismantle the province for their political advantage.[471] Under the Constitution of 1843, provinces were congressional electoral districts. Therefore, by manipulating geographic boundaries of provinces, the government could create districts that privileged one party. Conservatives claimed the Liberals concentrated central Antioquia's mostly conservative population in the province of Medellín, so they would improve their electoral chances in Antioquia and Córdova. Some historians share this interpretation.[472] In addition, the Constitution of 1843 delegated to provincial legislatures the authority to count votes and declared the election of Senators and Representatives.[473] Therefore, control of provincial legislatures improved their chances of success, because a partisan-controlled assembly would eventually decide the validity of elections and rule in cases of void ballots.

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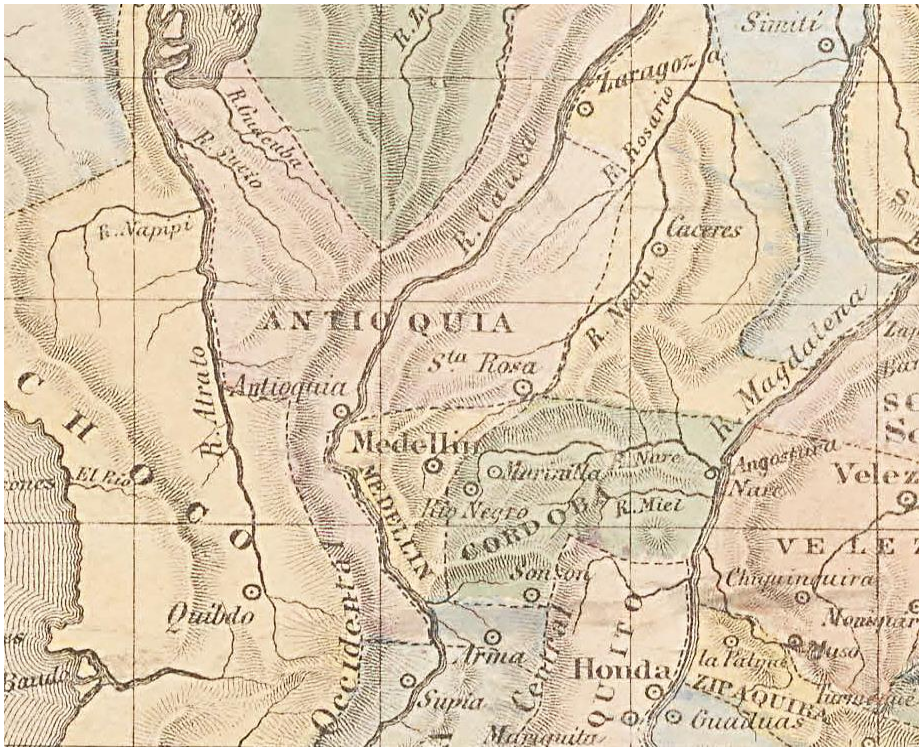
[471] As we saw above, even a prominent liberal like C. A. Echeverri assumed that. Echeverri, "División de Antioquia."

[472] Luis Javier Ortiz Mesa, *Aspectos políticos del federalismo en Antioquia, 1850-1880* ([Medellín, Colombia]: Universidad Nacional de Colombia, Seccional de Medellín, 1985). 16.

[473] The Electoral Act of 1843, sanctioned by the National Congress on May 20 and signed into law by President Herrán on May 23, 1843, established the procedures for all elections in Colombia. Under the Constitution of 1843, elections were indirect and enfranchisement was restricted to male over twenty-five years and who had achieved a certain level of education. Colombia, *Leyes i Decretos Espedidos por el Congreso Constitucional de la Nueva Granada* (Bogotá: Imprenta del Estado por J.A. Cualla, 1843). IV-VIII, 76-99.



Map 3: Provinces of Antioquia, Córdova and Medellín (1851)[474]

As we saw in the previous section, in the 1840s, when Conservatives controlled the presidency, Secretaries of the Interior Mariano Ospina and Manuel M. Mallarino introduced bills proposing to disintegrate Antioquia in three or four provinces to facilitate control over the territory. In 1851, Conservatives led opposition to a very similar project. In the new political environment of revolutionizing reforms, provincial autonomy and a Liberal-controlled national government, Conservatives retreated into Antioquia for

[474] Tomás Cipriano de Mosquera, "Carta de la Republica de N. Granada, conforme a su última división política, por Tomas Cipriano de Mosquera. Esta carta ha sido trabajada sobre la de Colombia publicada por el Coronel Codazzi en el atlas de Venezuela; pero corregida en cuanto a Nueva Granada en sus límites, dirección de cordilleras, curso de muchos ríos, costa del pacífico y varias posiciones geográficas. En cuanto al territorio de Venezuela nada se ha variado como es el trabajo más completo que se conoce," (New York: F. Mayer, 1852).

protection. In this scenario, a large Antioquia provided better shelter than three smaller units where their strength was dispersed. In addition, the reforms risked their domination of provincial resources and elections. The case of Antioquia received much attention in the 1850s; however, it is likely that electoral considerations played a role in other arrangements as well.

Conservatives in Congress fought the decision on Antioquia, but without success, and after exhausting all political channels they resorted to war. The Conservative rebellion in Antioquia was preceded by that of Pasto, near the border with Ecuador. In Pasto, a pro-slavery uprising led by Colonels Manuel Ibáñez and Julio Arboleda began on May 1851.[475] Conservatives rebelled in Medellín two months after the Pasto uprising, on July 1, 1851, the day the division of Antioquia became effective. Though we cannot argue that it was the only factor leading to the rebellion, we can safely argue that it played a significant role in the buildup to war. In fact, on July 26, the rebels called for a Constitutional Assembly to officially form the State of Antioquia.[476]

Even though they were defeated in 1851, Antioqueño Conservatives did not surrender. They saw victory for their cause around the corner. In 1855 Congress returned the province of Antioquia to its previous borders. The next year, in 1856, it granted Antioquia ample autonomy turning it into a federal state. The specifics of the conflicts surrounding the territorial transformations of Antioquia in the early 1850s are ones that have received more attention by Colombianists, though research is scant for other provinces. Nevertheless, Antioquia is a prime example of the complexity of the process.

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[475] Ortiz Mesa, *Aspectos políticos*: 14.
[476] Ibid., 16-24.

In fact, the manipulation of geographic boundaries was so problematic that the Council of Delegates drafting the Constitution of 1886—recentralizing decision-making after almost thirty years of federalism—decided not to change the structure of the nine subnational units inherited from the federal period. Delegates deemed the decisions about the borders of the nine subnational units too risky.

What were the advantages of rearranging existing provinces? In addition to establishing a political advantage for a particular party or group, by manipulating geographic boundaries, there were other advantages to creating smaller provinces. For instance, control of provincial governments provided a clear economic incentive. In 1850, for instance, Congress granted provinces the authority to autonomously administer their revenues and reform their tax systems. In addition, Congress granted provinces a significant portion of wasteland property of the nation. The law of June 1, 1853, granted 25,000 *fanegadas* per province.[477] Provincial governments were free to decide how to allocate those wastelands and had no one to report to about how they used them.

The allocation of wasteland was an important incentive for controlling a provincial government, but it also became a source of conflict, like all issues of property rights or any other resource that offered a chance to raise revenues. One of the finest examples of this type of struggle is the town of María on the border between Antioquia and Cauca. I will expand on this case in chapter seven, focusing on the struggle of the inhabitants of María to remain part of Cauca (chapter 7). Border conflicts became common during this period.

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[477] Colombia, *CN XV*, XV 1852-1853: 515. A fanegada is a unit of area equivalent of approximately 6,400 square meters, or 1.58 acres. 25,000 fanegadas are approximately 39,500 acres.

But even without property rights entering the picture, variations in provincial or municipal borders led to political tensions. Usually, these moves were challenged from the ground as regional and local interests challenged decisions made in Bogotá. Communities actively resisted and lobbied the provincial capital and Bogotá to prevent interventions that threatened their vested interests. Even though their political affiliations were usually never mentioned in their requests to Congress, it seemed to be a factor, most certainly in Antioquia.

Communities also feared tax increases. The decentralization process and the proliferation of provinces from 1850 to 1853 needed to be financed. In 1850, the national government transferred sources of revenue to the provinces. However, the majority of provinces eliminated the tithe, taxes on gold production and distilled liquors monopoly. These taxes were considered to violate the principles of good governance and economic interests of the provinces. To fund the new responsibilities assumed by the provincial governments, some instituted direct taxes. But the need for new resources was so acute that their implementation was overly hasty. The collection of the new direct tax began without reliable cadaster records. Provinces lacked the bureaucracy needed to deal with more complex forms of taxation. As a result, most provinces ran large deficits, a problem aggravated when Congress created more provinces out of existing ones.[478]

In his 1853 report to Congress, Secretary of the Interior Patrocinio Cuéllar mentioned that provinces increased tax rates to deal with an increasing number of government employees receiving low wages. Secretary Cuéllar considered that such low

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[478] Secretaría de Estado de Gobierno Nueva Granada, *Informe del Secretario de Estado del despacho de Gobierno [Patrocinio Cuellar] al Congreso Constitucional de 1853* (Bogotá: Imprenta de Echeverria Hermanos, 1853). 14.

wages made it impossible for provincial governments to attract trained civil servants to deal with the challenges these subnational units faced. He agreed with former Secretaries of the Interior Ospina and Mallarino that small provinces were better suited to centralized systems than decentralized ones. For him, engaging in decentralization and organizing the territory into small subnational units were contradictory actions.[479]

The combined effect of national sources of revenue transferred to the provinces in conjunction with the elimination of the tobacco monopoly has not been systematically studied yet, nor has the performance of the provinces in terms of their capacity to collect taxes and to administer those resources. The impact of public spending and of a greater tax pressure on localities is another subject to be studied. Secretary Cuéllar stated in his report that the increased tax pressure provoked unrest among the lower classes of society. However, because the experiment with smaller subnational units lasted just for a couple of years, only episodic evidence of these issues exists.

Indeed, the inhabitants of the township of Antioquia grew unsatisfied with the situation in less than four years. In 1855 the province of Antioquia was reintegrated and Medellín reinstated as the capital city for the whole territory, and it was not an isolated case. The creation of smaller provinces stopped suddenly in 1854 with the collapse of the Liberal administration of José María Obando. At that moment, the process of creating smaller provinces started in the 1830s, reversed course. In 1855, Congress reestablished the provinces of Pamplona, Antioquia, Pasto and Bogotá to their pre-1849 size and

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[479] Ibid., 15-16.

borders. They suppressed other provinces and redistributed their territories between neighboring provinces or simply annexed them to a more politically important one.

5.6 Conflicting Borders: Urabá

The subdivision of larger provinces satisfied the expectations of a dozen of towns longing for administrative primacy. But, the reorganization of internal boundaries created new problems. It revitalized long-standing conflicts between localities and revived tensions over disputed territories. Moreover, by altering the territorial status-quo, the reforms of the 1850s triggered new border conflicts. In this dissertation, I will focus on two disputes concerning the definition of borders between Antioquia and two provinces that, in 1857, were integrated into the new state of Cauca. These were only two of the several boundary disputes that occurred in Colombia during that period but were two of the most important. The first was a dispute between Antioquia and Chocó over the jurisdiction of a territory known as Urabá, in northwestern Colombia, on the right bank of the Atrato River. The second was a dispute over a small strip of land in southern Antioquia (northern Cauca). Both provinces claimed sovereignty over this territory where, in 1852, Cauca established the village of María.

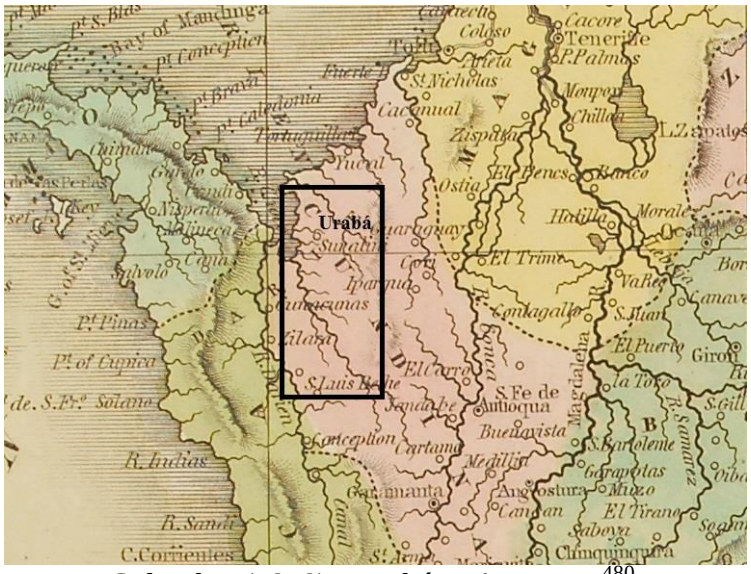
These protracted disputes stretched into the first decade of the twentieth century, straining the bilateral relationship between Antioquia and Cauca. These territories remained under the jurisdiction of Cauca until its territory was dismembered in 1905. In that year, Urabá was transferred to Antioquia and María to a new department named Caldas, a buffer territory created from municipalities from both subnational territories.

Even though on paper the border was already well-defined, the lack of precise maps of the territory triggered boundary disputes. In both cases, the border disputes focused on property rights and other resources, specifically mineral deposits and control of transportation projects. In this section, I will concentrate on the conflict over Urabá. In chapter seven, I will develop the key aspects of the conflict over María.

In the 1850s maps of the national territory remained inadequate for the task of redrawing borders between provinces. The *Comisión Corográfica*, the Chorographical Commission, the state-sponsored scientific project to create a complete set of maps and statistics about Colombia led by Italian-born Agustín Codazzi, began fieldwork on January 1, 1850 only nine months after President López took office. In general, the government lacked the precise cartographic data needed to set or redraw provincial borders. Even though successive administrations asked Colonel Codazzi for technical input on problematic issues, his pronouncements were usually deemed politically biased.

These conflicts became a new setting for the Liberal-Conservative struggle for political power. The cartographical limitations proved to be inconsequential for different administrations that, as explored in the previous section, redesigned the internal configuration of the territory anyways. The lack of accurate geographical information raised suspicions about the political motivations of the national government. That is, political foes assumed that Liberals wanted to establish a political advantage by manipulating geographic boundaries. Because provinces and cantons were administrative divisions and electoral districts, setting or moving boundaries meant Liberals could create partisan-protected districts. This added to the antagonism generated by the competition for resources in the territories in question.

Urabá's importance for Antioquia rested on its strategic location. It provided a direct link for Antioquia with the Caribbean Sea. The region, covered by thick tropical rainforest with a very low population and rich gold and platinum deposits, was bordered by the Caribbean to the north, the territories of Bolívar and Antioquia to the east, and the province of Chocó to the west and south. The natural borders of the territory under dispute were the Atrato River to the west, the Andes mountain range to the east, the Gulf of Urabá to the north and the Murrí River until its confluence to the Atrato to the south.



Map 4: Colombia (1828) - Urabá in Antioquia[480]

As we can see in the map above, a detail of a larger map of Gran Colombia republished in 1840, the whole territory of Urabá (in salmon) and Antioquia had previously been part of Cundinamarca. In 1832, the Constituent Convention of New Granada eliminated departments, retaining without alterations the provinces that existed

[480] Jeremiah Greenleaf, "Colombia," (Brattleboro: G. R. French, 1840).

in Gran Colombia in 1826. In the map above, Magdalena is in yellow and Cauca and Panamá in shades of green.

Communication between Antioquia, the rest of Colombia, and foreign markets, remained complicated by the region's mountainous terrain and lack of navigable rivers, except for the Magdalena River. Indeed, Antioquia's geographical complications explain the region's strategic importance. The Magdalena River, which bordered Antioquia to the east, provided indirect access to the Caribbean, though it was under the jurisdiction of the central government. But, incorporating Urabá would have allowed Antioquia to build a road to the Sea entirely within its own borders. Either route, to Urabá or via the Magdalena required first traversing the Andes Mountains.

On September 5, 1847, Vice-President Rufino Cuervo, acting President of Colombia, elevated the town of Turbo, province of Chocó, to the category of parochial district. Even though the vice-president acknowledged the need to clarify the borders between Antioquia and Chocó, he decided to keep Turbo in the jurisdiction of Chocó until the borders were reviewed.[481] In 1847 the province of Chocó had two cantons, San Juan and Atrato.[482] The district of Turbo was located in the latter. In Antioquia, the vice-president's actions were interpreted as having transferred Turbo to Chocó, thereby dispossessing them of not just the district but the whole area that linked Antioquia to the Caribbean. Thus, Antioquia challenged the decision and claimed the territory theirs.

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[481] Colombia, *Codificación Nacional*, vol. XII 1847 (Bogotá: Imprenta Nacional, 1928). 388-89.
[482] Colombia. Ministerio de Relaciones, *Estadistica jeneral de la Nueva Granada, que conforme al Decreto ejecutivo de 18 de diciembre de 1846. Publica la Secretaría de relaciones exteriores. Parte primera: Poblacion e instituciones*: 5-6.

Earlier that year, President Mosquera had issued another executive decree provisionally specifying, until the area was mapped, the borders of the territory of Darien, under the jurisdiction of the national government. Darien is located west of the Atrato River and bordered Chocó to the south, the province of Panamá to the north, and the Pacific Ocean to the west.[483] Even though it was not part of Antioquia, Antioqueños assumed the Atrato River to be the border between Darien and their own territory.

The governor of Antioquia protested. Manuel Ancízar, the Secretary of the Interior, replied on January 7, 1848 reminding Antioquia that the ruling had been provisional.[484] In addition, President Mosquera, who had been in Medellín when the vice-president had issued the decree, had already pledged to give Urabá to Antioquia.[485] He kept his promise. On July 15, 1848 President Mosquera issued a decree reinstating Urabá to Antioquia.[486] This decision would be reversed less than two years later. On April 16, 1850, Liberal President José H. López redrew the limits of Chocó and explicitly abrogated the previous executive decree.[487]

Each side interpreted these executive decrees very differently. For Antioquia, President López deprived them of that fertile and strategic territory. As such, the state (and later departmental) governments appealed to the central government for the 'return' of the disputed territory. For Cauca, Caucano President Mosquera had altered the historical border between Antioquia and Cauca. In fact, all maps of Gran Colombia

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[483] Colombia, *Codificación Nacional*, XII 1847: 380.
[484] Marceliano Vélez, *Exposición sobre límites del estado que hace el Jefe civil y militar de Antioquia al honorable Consejo de Delegatarios* (Medellín: Imprenta del Estado, 1886). 2-3.
[485] Manuel Uribe Ángel, *Geografía general y compendio historico del estado de Antioquia en Colombia* (París: Imprenta de V. Goupy y Jourdan, 1885). 14.
[486] Colombia, *CN XIII*, XIII 1848-1849: 255-56.
[487] Colombia, *CN XIV*, XIV 1850-1851: 28-29.

detailing administrative divisions had indicated the area known as Urabá to be part of Cundinamarca, and therefore, the province of Antioquia (see map 2).

Successive regional governments requested that the nation return the territory to Antioquia. On September 16, 1875, for instance, the Legislature of the Sovereign State of Antioquia unsuccessfully requested President de Villa to claim Urabá, which had been an integral part of their territory since the Conquest.[488] After Conservatives regained control of the national government in 1886, Governor Marceliano Vélez, petitioned the Council of Delegates drafting the new constitution to reintegrate Urabá into Antioquia.

Caucano representatives in Bogotá wasted no time and briefed Governor Eliseo Payán on Antioquia's request. Caucano Buenaventura Reinales published a pamphlet that same year that aimed to prevent Antioquia from recuperating Urabá. The text mainly contained historical evidence of the borders between the two provinces. Reinales argued that Urabá had been part of Popayán since Spaniards arrived in the territory in the early sixteenth century.[489] In fact, when Emperor Charles V created the province of Popayán in 1541, the *Gobernación* of Antioquia had been part of it.[490] Reinales claimed the borders of Antioquia never extended beyond the Cordillera Occidental; thus, they never reached the Atrato River. In 1579, when Antioquia was segregated from Popayán and transferred to Mariquita, Chocó had not yet been colonized, that occurred only after 1654 when missionaries Pedro de Cáseres and Francisco de Ortá arrived in Chocó.[491] In 1718, the

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[488] Uribe Ángel, *Geografía del estado de Antioquia*: 14-15.
[489] Buenaventura Reinales, "Demarcación de límites entre Antioquia y Cauca," (Bogotá: Imprenta de Vapor de Zalamea Hermanos, 1886).
[490] Paz and Pérez, *Atlas de la República de Colombia*: 7.
[491] Reinales, "Demarcación de límites entre Antioquia y Cauca," 19-22.

Spanish monarchy transferred Antioquia to the recently created Viceroyalty of New Granada.[492]

Even then, concluded Reinales, the border between Antioquia and the Gobernación of Chocó had been the summits of the Cordillera Occidental, as shown on the 1823 map of Antioquia created by José Manuel Restrepo. Reinales raised this point because the 1809 and 1886 maps of Antioquia resembled one another in one way: neither indicated that Urabá was under the jurisdiction of Antioquia.[493] Therefore, he argued, historical evidence sustained his position. Reinales argued that the interest of Antioquia in the disputed territory appeared only in 1846, when Antioquia's Governor Mariano Ospina promoted the construction of a road connecting the province to the Caribbean through Urabá.[494] It was only in 1848 that President Mosquera upset the historical order, and, for the first time since Vasco Núñez de Balboa arrived in the territory, Urabá became part of Antioquia.[495]

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[492] Paz and Pérez, *Atlas de la República de Colombia*: 7.

[493] Jose Manuel Restrepo first published his map of Antioquia in his 1809 "Ensayo sobre la geografía, producciones, industria y población de la Provincia de Antioquia en el Nuevo Reino de Granada." Indeed, the 1809 map resembled, by large, the maps of Antioquia produced in the late nineteenth century. Nevertheless, this evidence is not conclusive for in the 1828 map of Gran Colombia, produced by Sidney Hall, Urabá is part of Antioquia. Two maps of 1852 exemplify the dilemma, one of the province of Cartagena produced by Nepomuceno Santamaría and the other of Colombia produced by General Mosquera. In the first map, Urabá is not part of Antioquia; in the second, the one produced by Mosquera, it was.José Manuel Restrepo, *Ensayo sobre la geografía, producciones, industria y población de la Provincia de Antioquia en el Nuevo Reino de Granada* (Medellín: Eafit, 2007; repr., 2007); Hall, "Colombia."; Nepomuceno S. de Santamaría, "Mapa de la Provincia de Cartajena," (Bogotá: [s.n.], 1852); Mosquera, "Carta de la Republica de N. Granada, conforme a su última división política, por Tomas Cipriano de Mosquera. Esta carta ha sido trabajada sobre la de Colombia publicada por el Coronel Codazzi en el atlas de Venezuela; pero corregida en cuanto a Nueva Granada en sus límites, dirección de cordilleras, curso de muchos ríos, costa del pacífico y varias posiciones geográficas. En cuanto al territorio de Venezuela nada se ha variado como es el trabajo más completo que se conoce."

[494] "Camino Nacional al Golfo de Urabá o a un punto Navegable del Atrato," (Medellín: Imprenta de Manuel Antonio Balcázar, 1845).

[495] Reinales, "Demarcación de límites entre Antioquia y Cauca," 22-26.

Reinales continued, arguing that Medellín had not claimed the territory at the creation of Antioquia in 1855 nor at the time of the creation of Cauca in 1857. He recognized that during the Convention of Rionegro, the governors of Antioquia and Cauca, Tomás C. de Mosquera and Pascual Bravo, had signed a defensive and offensive pact. To reach an agreement, Mosquera ceded Urabá to Antioquia. However, the pact was denounced as illegal and the Convention rejected it.[496]

Map 5: Map of Antioquia (1864) – Urabá in Cauca[497]

[496] Ibid., 27.
[497] Manuel Ponce de León and Manuel María Paz, "Carta Corográfica del Estado de Antioquia construida con los datos de la Comisión Corográfica i de orden del Gobierno Jeneral," (1864).

In 1886, with Conservatives in the national government, Antioquia failed once again. The Council of Delegates deemed any alteration of the internal territorial configuration too risky for the new regime. The Council rejected all proposals to create new subnational units and alter borders between the existing nine departments. Antioquia would have to wait until 1905 to regain Urabá. On April 11, 1905, President Rafael Reyes issued Law 17. Article 4 of the mentioned statute declared the section of the province of Atrato on the right bank of the Atrato River to be part of Antioquia.[498] This statute was part of the most radical overhaul of the organization of national territory since the 1850s. Only then, would Antioquia finally achieve its goal of integrating the territory of Urabá.

[498] Colombia, "Constitución Política de Colombia: Actos Legislativos que la Reforma y Leyes de 1905," (Bogotá: Imprenta Nacional, 1906).

Chapter 6: Reigning and Ruling - Nine Subnational Territories (1855-1905/10)

6.1 Introduction

The Colombian Congress enacted two key pieces of legislation during its 1855 session. First, it amended the Constitution of 1853 to create the state of Panamá. This reform opened the door to transforming any province or groups of provinces into a federal state. Second, Congress reinstated most provinces to their pre-1849 sizes and borders. By doing that, they not only reversed the trend that had begun in 1832 of splitting provinces into smaller territories, but also deepened the decentralization process started in 1850. In just two years, from 1855 to 1857, Congress regrouped all existing provinces, one by one, into eight federal states. The lack of political consensus on the grouping of neighboring provinces into states had been a key reason these reforms had been hampered. Policymakers finally reached an agreement in 1857 and in 1858 Colombia officially became a confederation. Tolima, the ninth state, was created by executive decree in 1861. Despite the complex negotiations and intense criticism of this territorial arrangement, it proved to be surprisingly stable, lasting until 1904 and outliving the federal regime itself (1858-1885). With the exception of Cauca, no significant proposals were made to divide these territories into new states. The tenth subnational territory was created in 1904 by splitting the defunct province of Pasto from Cauca.

As we saw in chapters 3 and 4, these nine subnational territories came to represent the conflicts and failures of the federal period (1858-1885). The conflicted relationships between them shaped the turbulent decades of the late nineteenth century. Nevertheless,

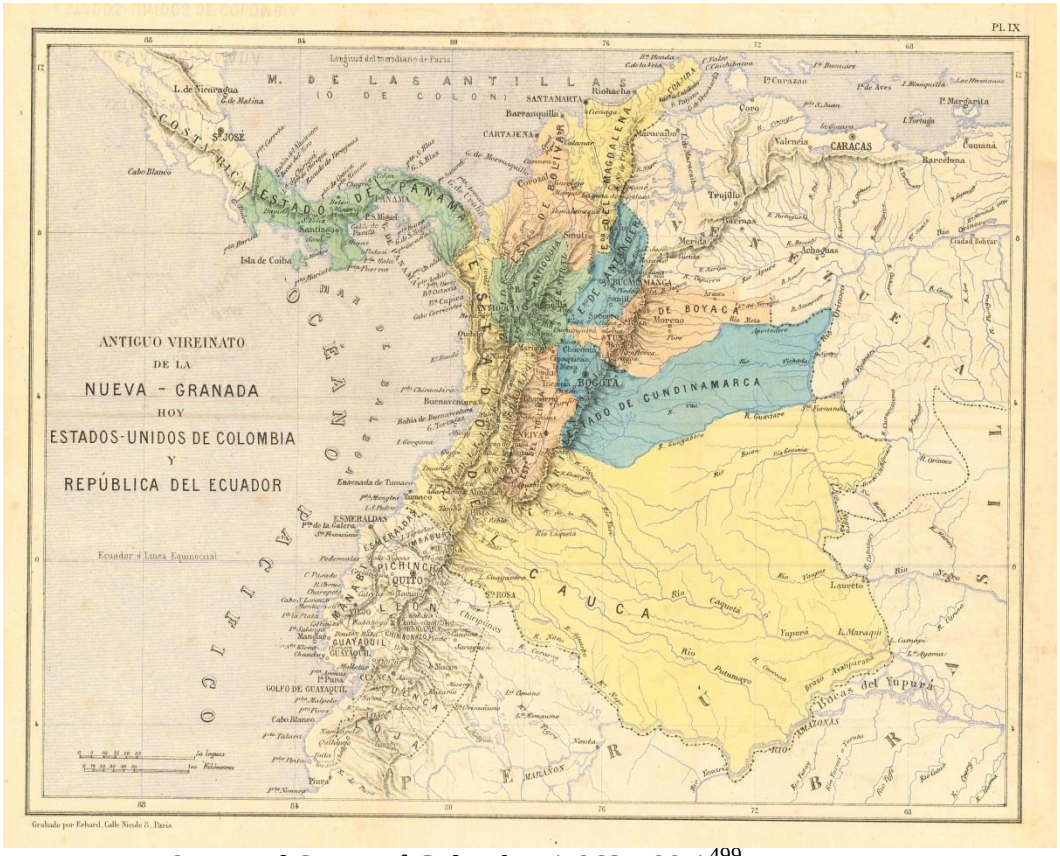
the framers of the centralizing constitution of 1886 concluded that territorial rearrangement was too risky for them to tackle. Policy-makers only felt comfortable tackling the issue again in 1904, when they carved out a tenth subnational territory from Cauca. It would be followed by others. Between 1905 and 1909 all subnational territories were subdivided and then reconfigured in 1910, a process comparable to the 1849-1857 reforms of Colombia's internal territorial organization. In 1910, Congress returned Boyacá, Cundinamarca and Magdalena to their 1857-1905 territories, enlarged Antioquia by adding the territory of Urabá, and thereby satisfying continuous petitions from 1847 on the matter, and permanently fragmented Cauca, Bolívar, Santander and Tolima. In 1903, Panamá seceded from Colombia. The territorial arrangement established at the start of the twentieth century lasted, with minor modifications, until the early 1950s.

The present chapter focuses on two aspects of Colombia's internal territorial organization. First, I will outline the creation of the nine subnational territories. The arrangement of state boundaries depended on the power of local elites vis-à-vis the central government and neighboring territories and not on their perceived financial or administrative capabilities of carrying out the modernizing policy envisioned by the proponents of decentralization. Boundaries were drawn without consideration of the size, population or region's access to resources. As a result, the nine subnational units that comprised Colombia from 1857 to 1904 were highly heterogeneous in their populations, territories, and financial resources. Their bargaining power and positions in relation to the central government also differed wildly.

Second, I will concentrate on proposals to partition territory. From 1857 to 1904, the only effective proposal to partition territory was the one that divided Cundinamarca in

1861. That year, in the middle of the civil war, General Mosquera carved Tolima out of Cundinamarca. Though the decision may have been unprecedented, at least since Bolívar's creation of provinces and cantons by executive order, it was foreseeable. The idea had been discussed during Congress's rearrangement of provinces into states in 1855-1857, though it was defeated at the very last moment. From that time onwards, Mariquita and Neiva, the provinces that constituted Tolima, openly agitated for a complete separation from Cundinamarca. From 1861, and the creation of Tolima, to 1904, no other states were created from parts of existing subnational territories. However, during that time period, the most vociferous proposals to split a territory focused on Cauca. From time to time the southern provinces, and occasionally provinces in the Cauca River Valley, supported splitting Cauca into two states. They argued that southern Cauca was politically distinct from northern Cauca, i.e. Conservative, and that tax money went to Popayán to fund institutions and wars that did not benefit their region. Separatist movements in Cauca contributed to the state's political instability and recurrent internal conflicts.

The debate about territorial arrangements restarted soon after the *War of the Thousand Days* ended. In 1904, Congress created a tenth subnational unit, Nariño, breaking up Cauca, in the first successful territorial reform since 1861. In 1905 the Reyes administration drafted a far-reaching plan to divide Colombia into smaller departments, and Congress passed it, raising the number of subnational units from ten to sixteen. In 1908, the government redrew departmental boundaries, increasing them from sixteen to twenty-seven. In 1910, Congress merged these departments into the ten pre-1905 departments and later the same year, definitively established new departments.



Map 6: United States of Colombia (1863-1885)[499]

My argument in this chapter is broken down into the following sections. Following this introduction to the issue, I then move to a description of the reforms of internal territorial configuration that occurred in 1855 and 1856. During those two years, Congress reestablished the provinces that had been divided in a preceding period, from 1849 to 1853 and they simultaneously created two of the nine federal states, Panamá and Antioquia. The third section examines several proposals made to group existing

[499] "Antiguo Virreinato de la Nueva-Granada hoy Estados-Unidos de Colombia y República del Ecuador," (París: C. Marpon et E. Flammarion editeurs, 1883).

provinces into larger federal states and the process that led to the creation of remaining seven subnational territories. The fourth and fifth sections focus on the partition proposals, from 1857 up to the end of the nineteenth century that failed to pass Congress. With the exception of the creation of Tolima, none of these proposals were adopted and for the next two and half decades the United States of Colombia would consist of nine sovereign federal states—Antioquia, Bolívar, Boyacá, Cauca, Cundinamarca, Magdalena, Panamá, Santander and Tolima (see map below). The sixth section explores the factors that prevented the Council of Delegates in 1885-1886 from dividing the nine subnational territories. The seventh section addresses the end of the 1857/1861 territorial arrangement and examines the creation of new departments from 1904 to 1910.

6.2 From Provinces to Federal States, 1855-1856

In the mid-1850s, even though sentiment favoring federation grew, political deadlock and inter and intraregional strife prevented legislation from moving in that direction. The perceived success of the United States nourished pro-federal sentiment in Colombia. However, a significant minority tirelessly argued that the Hispanic American republics and the United States could not be compared because, in the case of South American republics, federalism had only produced anarchy and political instability.[500] Pro-federalists argued that the federalism suited Colombia more than Unitarian arrangement, both because of its scattered population across a largely uninhabited territory and because of its poor transportation infrastructure. They argued that provincial

[500] Manuel José González and Scipion García-Herreros, "Opinión de dos Representantes sobre la Federación," (Bogotá1855), 1.

autonomy would, in general, improve governance throughout the country. The framers of the Constitution enacted in 1853 shared this vision. Though it was not a federal charter, it certainly deepened the decentralization process started in 1850. Nevertheless, it framers were not supporters of radical reforms, neither in terms of transforming Colombia into a federation nor in changing the existing arrangement of smaller provinces.

Patrocinio Cuéllar, Secretary of the Interior in 1853, shared this opinion. Cuéllar argued that it was not the time to alter Colombia's territorial configuration. He favored a more tame transformation whereby Congress would alter, year by year, the nation's territorial configuration in accordance with regional requests or reorganization. He expected provinces to be grouped into larger sections very quickly.[501] Congress began work on the issue soon after they passed the Constitution, though it made slow progress. Differences over how to arrange territories proved the key roadblock for the federal reform. In addition, the events of 1854 (Melo's coup and the military conflict to oust him) delayed decisions further.[502]

In 1855, Congress took up both issues once again and proceeded with a case by case approach. As a result, from 1855 to 1857 Congress changed course, initially abolishing the recently created provinces and recreating the larger pre-1849 provinces. Then, it grouped the remaining provinces, one by one, into federal states. They argued that larger territories were preferable in a federation because they could garner sufficient

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[501] Nueva Granada, *Informe del Secretario de Estado del despacho de Gobierno [Patrocinio Cuellar] al Congreso Constitucional de 1853*: 8-9.

[502] General Mosquera provides a very detailed account of the events unleashed by the coup of April 17, 1854. Tomás Cipriano de Mosquera, *Resumen Histórico de los Acontecimientos que han tenido lugar en la República, extractado de los Diarios y Noticias que ha podido Obtener el General Jefe del Estado Mayor General, T. C. de Mosquera* (Bogotá: Imprenta del Neo-Granadino, 1855).

resources and would have the fiscal capacity to implement legislation and pay for it with their own revenues. Policymakers created the first federal state in the Isthmus of Panamá, the territory equivalent to the Gran Colombian department of the Isthmus.

Panamanian legislator Justo Arosemena introduced the first project to create the State of Panamá in 1852. In 1854, the Senate passed the bill to create the state with a majority that astonished not only Arosemena, one of its main supporters, but other legislators as well. However, ill-timing prevented its discussion in the House of Representatives. The first discussion was scheduled to occur on April 17, 1854, the day that General Melo launched his rebellion. It was eventually discussed by the House, but with major changes not to the liking of the Panamanian delegation.[503] On February 27, 1855, Vice-President Obaldía, acting President since August of 1854, enacted the Constitutional Amendment that created the federal state of Panamá.[504]

The reform grouped together the provinces of Panamá, Azuero, Veraguas and Chiriquí into one subnational unit with the same territorial extension as the Gran Colombian department of the Isthmus.[505] This was just one of two cases, the other being Cauca, in which Congress reestablished a subnational unit with its extension and borders from the 1820s. In addition to creating the federal state of Panamá, this Constitutional Amendment provided the legal basis for the transformation of other provinces into federal states. Article 12 of the February 27th Amendment established that Congress

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[503] Arosemena, "Estado Federal de Panamá."
[504] Colombia, *Leyes i Decretos Espedidos por el Congreso Constitucional de la Nueva Granada en 1855*: 6-7.
[505] Ibid.

could transform, by statute, any section of the republic into a federal state. Once created, Congress could only alter it through a Constitutional Amendment.[506]

The Constitutional Amendment of 1855 enabled a gradual reorganization of the territory without replacing the constitution. Secretary Cuéllar recognized that fiscal decentralization in 1850 and the creation of smaller provinces from 1849 to 1853 had created vested interests in those smaller subnational units, and this made it more difficult to regroup provinces into larger territories. By grouping those provinces into nine or twelve states, Congress would strip twenty-three or twenty-two towns of their status as provincial capitals.[507] In spite of these complications, the Congress of 1855, in conjunction with the new administration led by Conservative Vice-President Mallarino (acting President from April 1, 1855 to April 1, 1857), passed legislation returning Antioquia, Pamplona, Pasto and Bogotá to their pre-1849 sizes and borders.

These provinces had been fragmented during the Liberal administration of J. H. López (1849-1853). Of those, Antioquia was the first province to be reintegrated. On April 14, 1855, Vice-President Mallarino signed the bill restoring Antioquia to its pre-1851 size and borders. On September 1, 1855, when the law came into effect, the Constitutional Assembly of Antioquia met in Medellín, the designated capital of the province. Among its tasks was the creation of a provincial constitution, election of the governor to a term starting on January 6, 1856, and organizing elections to choose Antioquia's Senators and Representatives to Congress. The Act of April 14 also confirmed that the reintegrated province would retain the wastelands that had been

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[506] Ibid., 7.
[507] Nueva Granada, *Informe del Secretario de Estado del despacho de Gobierno [Patrocinio Cuellar] al Congreso Constitucional de 1853*: 8-9.

granted to the smaller provinces of Antioquia, Medellín and Córdova.[508] This was a key resource of provincial politicians who distributed the *baldíos* among their supporters.[509] However, the restoration of Antioquia was not the ultimate objective of the Antioqueño political elites. They wanted to follow Panamá and become a federal state, something they would achieve one year later, in 1856.

In the meantime, Congress enlarged the province of Pamplona by combining it with Santander, García Rovira and Soto. This decision became effective on April 18, 1855.[510] That same year, on May 22, 1855, Congress eliminated the provinces of Túquerres and Barbacoas, and integrated them into the province of Pasto.[511] Two days later, on May 24, Congress restored the province of Bogotá to its pre-1849 size and borders and in doing so, eliminated Tequendama, Cundinamarca and Zipaquirá.[512]

Secretary of the Interior Pastor Ospina, brother of Conservative leader Mariano Ospina, encouraged this regrouping process because he thought larger subnational units were more efficient in decentralized systems. He suggested to Congress to reduce the number of provinces to between seven and twelve. Secretary Ospina shared the opinion that larger provinces were more capable of garnering the resources needed for an efficient administrative apparatus and promoting community wellbeing. Reducing the number of subnational territories had other advantages as well, especially reducing tax pressure.[513]

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[508] Colombia, *CN XVI*, XVI 1854-1855: 127-28.
[509] Wasteland was granted to reward loyalties and also to promote new settlements or as incentives for private entrepreneurs building transportation infrastructure.
[510] Colombia, *CN XVI*, XVI 1854-1855: 137.
[511] Ibid., 196.
[512] Ibid., 200.
[513] Nueva Granada. Secretaría de Gobierno, *Esposición del Secretario de Estado del Despacho de Gobierno de la Nueva Granada [Pastor Ospina] al Congreso Constitucional de 1855* (Bogotá: Imprenta del Neo-Granadino, 1855). 16-17.

In addition to reducing tax pressure and competition among provincial governments, the reduction in the number of provinces could also damper political conflicts and cronyism. In smaller provinces, cronies usually formed part of family networks that controlled the province and consolidated that control through violence. According to Ospina, the most violent and immoral faction usually controlled smaller provinces. He thought that it was impossible for oppressive and exclusive groups to consolidate such power in larger provinces and subordinate local interests to their own. He located the problem not in decentralization, but in the incongruences between local autonomy and the resources available to provincial governments. Ospina used these arguments to put forth his plan to reduce the number of provinces to between nine and twelve in accordance with geography, population, and shared traits.[514]

Despite the government's grand scheme, Congress reached no agreement and took decisions one province at a time. On June 11, 1856, the efforts of Antioqueño elites came to fruition. That day, Vice-President Mallarino signed into law the transformation of the province of Antioquia into a federal state, maintaining its same borders from 1850. Antioquia became the second federal state in Colombia, a decision made possible by Article 12 of the Constitutional Amendment of February 27, 1855, which created the state of Panamá. In the absence of a constitution regulating relations between the central government and a federal state, Congress included in the statute passed June 11th 1856, several provisions safeguarding national authority. For instance, it mandated that the constitution of the state of Antioquia must include the bill of rights from the Constitution

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[514] Ibid., 18-19.

of 1853.[515] This was an important mandate because Antioquia's Conservatives opposed most of the reforms enacted by Liberals from 1849 to 1853. A few days later, on June 19, 1856, Congress mandated the Constituent Assembly of Antioquia to meet on September 15, 1856.[516]

By the end of 1856, Colombia was organized in two federal states and twenty-six provinces. Even though politicians recognized the drawbacks of this hybrid form of organization, Congress took almost two more years to enact a new constitution. Since the majority of Conservatives—except those from the Caribbean coast and Antioquia—and a sizable section of Liberals opposed federation, those in favor of it had a tough time building the coalition needed to complete the transformation. The situation remained deadlock for nearly one more year. To speed up the process, Congress asked provinces for their input. The majority of the twenty-six provinces favored federation.[517] The result motivated those proponents of federation and in 1857, Congress pushed to complete the transformation of the remaining provinces into federal states. Despite widespread support, the main obstacle remained: how to group the remaining twenty-six provinces into federal states?

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[515] Article 5 comprised the bill of rights of the Constitution. It contained eleven indents that guaranteed the equality of all individuals under the law, freedom of speech, press, reunion and religion, habeas corpus, private property inviolability and trial by jury.
[516] Colombia, *CN XVII*, XVII 1856-1857: 72.
[517] Samper, *Los Partidos en Colombia: Estudio Histórico-Político*: 61-64.

6.3 Eight, Nine or Twelve States…

Well before Congress created the first federal state, in 1855, it had engaged in lively debates over the reorganization of subnational territories into larger units. In 1852, for instance, former President Mosquera outlined a plan to reorganize internal boundaries and create seven federal states: Panamá, Antioquia, Sur or Cauca, Guanentá, Boyacá, Cundinamarca and Magdalena. Mosquera declared his plan to be in line with the geographical features, customs, necessities and relationships of the provinces. The former president also declared the transformation into a federation to be only a matter of time — an opinion widely shared among his contemporaries.[518] In the coming years, different schemes to reorganize Colombia into larger federal states were introduced in Congress. Though they differed, sometimes dramatically, all resembled the 1852 plan.

Soon after Congress created the state of Panamá (on February 27, 1855), it debated a bill to reorganize the nation into eight federal states. On March 9, 1855, a Senate bill reorganizing the territory of Colombia into eight federal states garnered the support of the majority of Senators. The project contemplated the creation of the states of Cundinamarca, Boyacá, Socorro, Santander, Bajo Magdalena, Alto Magdalena, Caldas and Antioquia. It fulfilled Antioquia's long-sought-after goal of reclaiming the Urabá region and receiving the mining area of Supía, which in 1857 had become part of Cauca. It also reintegrated the colonial province of Popayán into one territory.

After the bill passed in the Senate, Caucano Conservative Julio Arboleda, then President of the Senate, sent it to the House of Representatives. Representatives began

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[518] Tomás Cipriano de Mosquera, *Memoria sobre la geografía, física y política, de la Nueva Granada* (Nueva York: Impr. de S.W. Benedict, 1852). 51.

debating the project on April 20, 1855, but it failed to garner enough support on the floor and two days later, at the end of the first debate, the House voted against the project.[519] Later that year the bill creating the federal state of Antioquia passed in both houses of Congress, but it differed from the previous bill in significant ways. In the latter, Antioquia received no additional territory and maintained the same extension and borders it had since 1850. Thus, the cantons of Atrato and Supía remained part of Chocó and Cauca respectively. In 1857, these two cantons were integrated into the state of Cauca.

Table 7: Territorial Reconfiguration Bill (1855)[520]

Cundinamarca	Provinces of Cundinamarca, Zipaquirá, Bogotá, Tequendama and the canton of Tocaima
Boyacá	Provinces of Tunja and Casanare and the canton of Chiquinquirá
Socorro	Provinces of Socorro and Vélez excepting the canton of Chiquinquirá, which was transferred to Boyacá
Santander	Provinces of García Rovira, Pamplona, Santander and Ocaña
Bajo Magdalena	All the provinces in the Caribbean region
Alto Magdalena	Provinces of Mariquita and Neiva
Caldas	Provinces of Buenaventura, Popayán, Pasto, Túquerres, Barbacoas and the canton of San Juan excepting the canton of Supía transferred to Antioquia
Antioquia	The pre-1851 province of Antioquia and the cantons of Atrato and Supía

[519] Senado Colombia, "Ley Sobre División Territorial," in *ALC 1857 Cámara de Representantes VI* (AGN, 1857), 234r.
[520] Ibid., 234, 25.

After Congress granted statehood to Antioquia in 1856, all the other bills creating individual states remained deadlocked in the House of Representatives. The success of proponents of statehood for Panamá and Antioquia was due, to a certain extent, to their atypical statuses. Panamá, located on an isthmus, was separated from the rest of Colombia by the insurmountable barrier of the Darien, even today, an impenetrable rainforest. It constitutes a geographical unit by itself. Its strategic location situated it perfectly for the emergent commerce between the Atlantic and the Pacific Ocean. In addition, the central government aimed to curb separatist tendencies on the isthmus by granting the region a great deal of autonomy. In his essay entitled *Estado Federal de Panamá,* Arosemena stated very clearly that if Colombia wanted to retain sovereignty over the isthmus, Congress must grant it statehood.[521] In fact, the 'either do this or else' pressure on Bogotá was widely recognized.[522]

Antioquia was also atypical because, as scholars agree, in the early 1850s the province constituted a solid socially and politically constructed community, different in some respects from the rest of Colombia. In his "*The economic development of Antioquia from 1850 to 1920,"* Roger Brew argued that it was reasonable to consider Antioquia as a unit of analysis not only because it was more homogeneous than most Colombian regions but also because in 1920, it was still isolated because of geographical barriers due to its

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[521] "Si la república quiere pues, como no hay duda, conservar la posesión del istmo, se halla en el deber estricto de darle instituciones políticas, que le permitan marchar con desembarazo, sin obligarle a dirigir frecuentes solicitudes, que muchas veces no son atendidas, o lo son muy tarde, a medias, y desvirtuadas por restricciones y cortapisas." Arosemena, "Estado Federal de Panamá."

[522] This view was reiterated in 1857 while Congress debated if Colombia would accept the terms of the agreement proposed by the United States to settle the conflict between the two nations, originated by the riot of April 15, 1856, in Panama. "Revista," *El Tiempo*, 17 de marzo 1857.

rough topography.[523] This helps explain why the decision to split the province in 1851 generated such a fervent opposition from within.[524] Furthermore, the fact that Antioquia was perceived as the single-most Conservative state in Colombia also contributed to the situation.

Under the leadership of Conservative Mariano Ospina, a primarily pro-centralizing party became a fervent supporter of Antioquia's statehood. It has often been said that Ospina and fellow Conservatives supported Antioquia's statehood transitorily, as a strategy to create a safe haven from the ample civil liberties granted by the Constitution of 1853.[525] In addition, the fact that Antioquia already constituted a recognizable territory, that is, it required no territorial readjustment to form a state, facilitated congress's approval. In contrast, to create the remaining six states legislators had to rearrange the remaining provinces into larger units.

At the end of 1856, different visions of the federation, a lack of political will, and a lack of consensus over how to achieve it, led to stalemate. Disagreements between the Senate, where pro-federalists had a scant majority, and the House of Representatives, where pro-centralizers held the majority, led to the introduction of opposing bills. In

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[523] Roger J. Brew, *El desarrollo económico de Antioquia desde la independencia hasta 1920*, 2. ed., Clío (Medellín, Colombia: Editorial Universidad de Antioquia, 2000). xxviii.

[524] Even more, in 1851 Antioqueño conservatives launched a rebellion supporting federalism and the defense of the Catholic Church. After their defeat, liberals split the province which reinforced, according to Jorge Orlando Melo, the regional identity and convinced the elite that in a country dominated by liberals, the best defense for the region was federalism. Melo, "Progreso y Guerras Civiles entre 1829 y 1851," 116.

[525] "[P]ero el caso es que generalmente se cree que no ha sido partidario del gobierno propio de las secciones sino transitoriamente y por táctica. Piénsase que disgustado con las libertades que consagró la Constitución de mayo de 53, y habiendo perdido la esperanza de reconstituir bajo el régimen central el despotismo que combinó la de 43, su intento procurando a todo trance el gobierno independiente de Antioquia, no fue otro que el de buscar un refugio a sus doctrinas; pero que su elección de Presidente volviéndole la esperanza a una reacción, lo hará desear que aquel mismo proyecto que tanto favorecía el año anterior, sea negado ahora sin que él aparezca responsable de esta negativa." "Revista."

1857, the pro-centralizing majority in the House increased their numbers, deepening the schism between the upper and the lower houses of Congress. Furthermore, during regular session in 1857, after the House voted down the draft constitution passed by the Senate, the upper-house concentrated on territorial reorganization. This rupture helps to explain why in Colombia, Congress first created eight federal states and one year later, enacted a constitution creating a federal arrangement.

The Legislative Archive of the Congress (ALC) recorded some of these projects. However, no information was kept about the debates or reports presented by congressmen in support of their projects and their explanation of the logic behind their proposals. In addition, the 1857 volume containing the transcripts of this process is missing. To get around this issue, I used other sources. The weekly Liberal newspaper *El Tiempo,* published in Bogotá, recounted the main events in Congress. In addition, the editor of the *Revista* summarized the key features of each bill addressed in the first semester of 1857, when congressmen focused on this issue. The information in both these sources greatly coincides with the narrative in Gustavo Arboleda's *Historia de Colombia*, originally published in 1918. By far, these two sources contain the most complete information on the process that ended with the reorganization of the remaining sixteen provinces into six federal states.

As soon as the ordinary session of Congress opened on February 1, 1857, the Senate and the House discussed several bills that would reorganize subnational territories, but only two of them eventually passed into law. On February 14, Congress abolished the

province of Ocaña, incorporating it into Mompox.[526] And on April 15, Congress abolished the province of Valledupar, incorporating it into Santa Marta.[527] According to the Liberal newspaper *El Tiempo*, nearly two-thirds of the inhabitants of Ocaña supported the Liberal party. Since its creation and until late 1854 Liberals controlled the provincial governorship and the legislature. This changed after Conservatives persuaded Generals González and Mosquera that the Liberal administration in the province supported the military coup of April 17, 1854.[528]

General Mosquera reorganized the provincial administration, excluding all Liberals accused of supporting General Melo. While his troops were stationed in the province, the Conservatives organized an election, resulting in an all-Conservative provincial legislature. The fraudulent election triggered an armed response. Initially, Liberals regained control of the province but soon after, Congress eliminated the province, annexing its territory to the Conservative-controlled province of Mompox. This sequence of events led the editors of *El Tiempo* to conclude that Ocaña was eliminated to create a Conservative electoral district.[529] Later that year, on June 15, the enlarged province of Mompox was once again divided. Pre-February 14, Mompox was integrated

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[526] Colombia, "Leyes i Decretos Espedidos por el Congreso Constitucional de la Nueva Granada en 1857," (Bogotá: Imprenta del Estado, 1857), 6; Gustavo Arboleda, *Historia Contemporánea de Colombia: desde la Disolución de la Antigua República de ese Nombre hasta la Época Presente*, vol. IX 1857-1859 (Bogotá: Arboleda & Valencia, 1918; repr., 1990). 20.
[527] Colombia, "Leyes i Decretos Espedidos por el Congreso Constitucional de la Nueva Granada en 1857," 34.
[528] "Sucesos de Ocaña," *El Tiempo*, 26 de mayo 1857.
[529] Ibid.

to the new state of Bolívar. The former province of Ocaña was split between the states of Magdalena and Santander.[530]

Congress also debated on abolishing the province of Casanare and merging Guanacas into the province of Popayán. Additionally, Congress debated annexing districts all over the country to neighboring provinces. Simultaneously, the legislature debated the creation of the *Estado del Sur*, a project introduced by Conservative Senator Carlos Holguín, and the project to create the *Estado del Tolima*. Both were rejected on February 8. Provincial legislatures also submitted draft legislation creating several states. For instance, the legislatures of Buenaventura, Cauca and Popayán requested that Congress create a new state by joining together these three provinces. Similar projects were submitted by the legislatures of Sabanilla and Pamplona and Socorro. A number of citizens from the defunct province of Ocaña submitted a petition asking Congress to integrate them into the state to be formed from the province of Socorro, a proposal that passed on June 15 (see previous paragraph). Congress put all these projects on hold until a federal constitution was enacted.[531]

Nevertheless, more projects were introduced either in the Senate or in the House of Representatives. One draft bill grouped the remaining provinces into six states, Boyacá, Cauca, Cundinamarca, Alto Magdalena, Guanentá [in 1857 renamed as Santander] and Bajo Magdalena. At their March 24, 1857 session, Senator Manuel María Castro brought up a plan to divide Cauca into two states, Pasto and Cauca. The bill was

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[530] Colombia, "Leyes i Decretos Espedidos por el Congreso Constitucional de la Nueva Granada en 1857," 57.
[531] Arboleda, *Historia Contemporánea de Colombia: desde la Disolución de la Antigua República de ese Nombre hasta la Época Presente*, IX 1857-1859: 21-24.

modified with a suggestion made by Carlos Holguín and approved (the modification was not recorded). Nevertheless, other congressmen eyed this bill and the previous one with suspicion, suspecting them to be attempts to delay the creation of the state of Santander. Indeed, the case of Santander exemplifies the foot-dragging and even unconstitutional procedures employed by the pro-centralizing president of the House in his attempts to derail constitutional reform.[532]

In the 1856 Congress, the House of Representatives debated the creation of Santander three times, following all congressional procedures, and voted for it. The bill went to the Senate in 1857. The upper-house debated it and passed it following the same procedures. Therefore, the bill should have been ready to go to the President to be signed into law—the president had no veto power over this type of legislation. However, the President of the House, in clear violation of legislative procedure, decided to put this bill to another vote of the plenary. Before the end of the ordinary session, the House not only voted against the project, but also against two other similar bills. The first of these other two would have created the *Estado de Bogotá* and the second would have created three states, Sur, *Boyacá* and *Magdalena*. After the Representatives voted against the bill creating the state of Bogotá, General Mosquera introduced another project to create Cundinamarca from the provinces of Bogotá, Neiva and Mariquita. This bill was almost unanimously rejected by the Senate.[533] At that point, Senator Del Real asked Congress to postpone all such projects and they agreed.[534] Once again, back to the beginning.

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[532] "Revista," *El Tiempo*, 28 de abril 1857.
[533] Ibid.
[534] Castillo, *División del Cauca en dos estados*: 4.

Part of the difficulty in passing these projects stemmed from the different approaches used by the Senate and the House. While the Senate debated the creation of particular states, the House of Representatives concentrated on the draft of a federal constitution. Their different approaches had reasonable explanations. The 1856 Congress had passed a draft constitution published in the *Gaceta Oficial* on June 14, 1856. To enact the constitution, senators and representatives were required to debate it three times and vote for it during the next parliamentary term. The Senate did this, finishing debate before March 10, 1857.[535] In the House, the pro-centralizing faction maintained a majority. On March 17, 1857, *El Tiempo* reported that the first debate on the draft constitution had ended in the House. A scant majority of Representatives voted for it, but the editor argued that the draft would not pass a second debate. But, it also reported that if the incoming President Mariano Ospina supported the draft constitution, the House would follow his suggestion.[536]

While the House held its second debate on the draft constitution, the Senate debated a project introduced by Senator Rodríguez de la Torre to reorganize the remaining provinces into seven federal states and a federal district.[537] This would create a total of nine federal states —Congress had already granted statehood to Panamá and Antioquia. Rodríguez de la Torre's proposal contemplated no territorial changes to Panamá or Antioquia.[538] On March 23, 1857, the Senate voted against the amendments introduced to the demarcation of Antioquia and Magdalena; a few days before, it had

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[535] "Revista," *El Tiempo*, 10 de marzo 1857.
[536] Ibid., 116.
[537] Ibid., 117.
[538] Arboleda, *Historia Contemporánea de Colombia: desde la Disolución de la Antigua República de ese Nombre hasta la Época Presente*, IX 1857-1859: 24. "Revista."

voted for the demarcation of Atlántico as it was in the original draft. Meanwhile, the House voted for the draft constitution after the second debate. The editor of *El Tiempo* remarked that there were even fewer supporters of federation in this year's legislature than in the previous one. Even though Conservatives held a majority in both houses of Congress, a few voted with Liberals in favor of federation. The Liberal Party was nearly unanimously pro-federation.[539]

By March 31, the Senate had concluded the second debate on the Rodríguez de la Torre bill. The project had been modified along the way, in response to demands from the provinces. Radical Liberal leader Manuel Murillo described these amendments as mere electoral politics, manipulations of projected state boundaries to establish a political advantage for Conservatives in every of the new six subnational territories.[540] The editor of *El Tiempo* shared this opinion. Conservative Senators Carlos Holguín and Castro amended the project creating the 'Sur' State by proposing to create two states instead. Holguín proposed to create Cauca (from Popayán, Cauca and Buenaventura and the district of San Juan) and Castro to create Pasto (from the province of Pasto and the territory of Caquetá).

Table 8: Territorial Reconfiguration, Rodríguez de la Torre Bill (1857)[541]

Cundinamarca	Province of Bogotá, excepting its namesake municipality
Boyacá	Provinces of Tunja, Tundama and Casanare
Guanentá	Provinces of Pamplona, Socorro and Vélez

[539] "Revista."
[540] Arboleda, *Historia Contemporánea de Colombia: desde la Disolución de la Antigua República de ese Nombre hasta la Época Presente*, IX 1857-1859: 24.
[541] Ibid. "Revista."

Table 8: Territorial Reconfiguration, Rodríguez de la Torre Bill (1857), continued

Tolima	Provinces of Mariquita and Neiva and the territory del Caquetá north of the namesake river
Sur	Provinces of Popayán, Cauca, Pasto and Buenaventura, the canton of San Juan (province of Chocó) and the territory of Caquetá south of the namesake river
Atlántico	Provinces of Cartagena, Sabanilla and Mompox (excepting the territory of Ocaña), and the canton of Atrato (province of Chocó)
Magdalena	Santa Marta, Valledupar and Riohacha and the territory of former province of Ocaña
Panamá	Panamá
Antioquia	Antioquia

Conservative Senator Fernandez Madrid also modified the project to create Tolima. Fernandez Madrid requested that fellow congressmen transfer the strip of land east of the Magdalena Rive from Tolima to Cundinamarca, from the confluence of the Fusagasugá and the Magdalena to the border with the province of Vélez. *El Tiempo* saw gerrymandering in the request.[542] In addition, the majority shifted Vélez's cantons of Chiquinquirá and Moniquirá to Boyacá, following a recommendation from Senator Mendoza. The rest of Vélez was granted to Guanentá, i.e. Santander.[543] Congress passed this amendment to the bill in June 1857.

On April 2 (3 according to Arboleda), 1857, at the end of the second debate, the House of Representatives voted against the draft constitution.[544] This meant Congress had

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[542] "Revista," *El Tiempo*, 31 de marzo 1857.
[543] Ibid. Arboleda, *Historia Contemporánea de Colombia: desde la Disolución de la Antigua República de ese Nombre hasta la Época Presente*, IX 1857-1859: 24.
[544] "Cámara de Representantes," *El Tiempo*, 7 de abril 1857. Arboleda, *Historia Contemporánea de Colombia: desde la Disolución de la Antigua República de ese Nombre hasta la Época Presente*, IX 1857-1859: 28.

to start over once again on a proposed federal constitution.[545] The solution to this situation was twofold. On the one hand, federalists in the Senate, where they held a scant majority, decided to concentrate on finishing the rearrangement of the remaining provinces into federal states.[546] On the other hand, they introduced legislation to reform the procedures required to amend the constitution. The latter legislation, facilitating constitutional amendments, was enacted on February 10, 1858, and the new constitution was ratified on May 22, 1858.[547] Meanwhile, the Senate continued to discuss the reorganization of the internal configuration of the territory.

Before April 21, bills creating the states of Sur (provinces of Pasto, Popayán, Buenaventura, Chocó and Cauca) and Santander (provinces of Pamplona and Ocaña) had already passed their third debate in the Senate.[548] On April 25 the House of Representatives voted, at the end of the third debate, against the bill creating the states of Sur, Boyacá and Magdalena.[549] On April 27, the Senate voted against a project introduced by Senator Mosquera to create Cundinamarca by combining the provinces of Bogotá, Neiva and Mariquita. This vote reveals how unstable positions were, because one and a half months later, Congress created Cundinamarca out of these three provinces.

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[545] The Constitution of 1853 specified three procedures for amendment. Congress could call a constitutional convention elected to that effect. Congress could also amend the Constitution following the procedure for ordinary legislation but it required a supermajority of four-fifths of both houses. The third procedure, the one chosen in 1856, required to pass the constitutional amendment, following the procedure for ordinary legislation, in two consecutive legislatures. Even though it takes nearly two years to complete the reform, no supermajority was required.
[546] "Revista," *El Tiempo*, 21 de abril 1857.
[547] Colombia, "Actos Lejislativos Espedidos por el Congreso Nacional en 1858," III-XV, 1.
[548] "Revista."
[549] Ibid., 122; Arboleda, *Historia Contemporánea de Colombia: desde la Disolución de la Antigua República de ese Nombre hasta la Época Presente*, IX 1857-1859: 36.

Up to the end of April, several contradictory projects were introduced in the Senate creating, or even removing Antioquia's statehood.[550] On April 27, 1857, Antioqueño Senator José M Gómez H, introduced another scheme to reorganize all existing provinces into federal states, concurrent with other projects under discussion in both chambers of Congress. These other projects don't appear in the archives, but he mentions them in his own proposal. Senator Gómez wanted to regroup provinces into nine states, seen in the table below, in addition to the two already created, Panamá and Antioquia.[551] His project also failed to garner support in the Senate. However, unlike the motivations behind other projects that remain unclear due to the lack of archival documentation, for Senator Gomez's proposal, at least one thing was clear: Antioquia would get Urabá, i.e., the canton of Atrato. The regular sessions of Congress ended the last day of April and no decisions had been made. President Ospina decided to call extraordinary sessions and General Mosquera was elected President of the Senate.[552]

Table 9: Territorial Reconfiguration, Senator J. M. Gómez Bill (1857)[553]

Sur	Provinces of Popayán and Pasto and territory of Caquetá
Cauca	Provinces of Buenaventura and Cauca and the canton of San Juan, province of Chocó
Tolima	Provinces of Mariquita and Neiva including the territory of Inzá and Tierradentro and excluding the east bank of the Magdalena river, part of the province of Bogotá before the Law of May 6, 1852

[550] Arboleda, *Historia Contemporánea de Colombia: desde la Disolución de la Antigua República de ese Nombre hasta la Época Presente*, IX 1857-1859: 31-37.
[551] José M Gómez H, "Proyecto de Lei, Creando Varios Estados Federales," in *ALC 1857 Senado XI Folios 164-165* (AGN, 1857), 164-65.
[552] "Revista," *El Tiempo*, 5 de mayo 1857.
[553] Gómez H, "Proyecto de Lei, Creando Varios Estados Federales," 164-65.

Table 9: Territorial Reconfiguration, Senator J. M. Gómez Bill (1857), Continued

Magdalena	Provinces of Santa Marta and Riohacha and the former province of Ocaña
Atlántico	Provinces of Cartagena, Sabanilla and Mompox excluding the former provinces of Ocaña
Cundinamarca	Provinces of Bogotá as it was before the Law of May 6, 1852
Boyacá	Provinces of Tunja and Tundama
Guanentá	Provinces of Soto and Vélez
Pamplona	Provinces of Pamplona and Casanare
Antioquia (state since 1856)	It received the canton of Atrato, province of Chocó

Since his return from the United States in April 1857, Mosquera had become a key figure in this process. He revitalized debate on the creation of Santander, convincing his colleagues to vote for the 1856 bill creating that state that had already been passed by the House.[554] On May 13, 1857, the Constitutional Amendment creating Santander was signed by President Ospina.[555] The provinces of Pamplona and Socorro were integrated into the new state.[556] Former President Mosquera was also a key actor in the reorganization of the remaining provinces into the States of Bolívar, Boyacá, Cauca, Cundinamarca and Magdalena.[557] However, before completing the reorganization of the remaining seventeen provinces into federal states, Conservatives and Liberals had to resolve several conflicting issues.[558]

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[554] Tomás Cipriano de Mosquera, *Defensa del Presidente constitucional de Colombia, Gran General T.C. de Mosquera, ante el Senado* (Bogotá: Imprenta de Echeverría Hermanos, 1867). 4.
[555] Colombia, "Leyes i Decretos Espedidos por el Congreso Constitucional de la Nueva Granada en 1857," 43-44.
[556] Colombia, *CN XVII*, XVII 1856-1857: 279, 335-36. On February 14, 1857, the government eliminated the province of Ocaña and annexed its territory to Mompox. Parts of the provinces of Ocaña and Vélez were incorporated later to Santander.
[557] Castillo, *División del Cauca en dos estados*: 4.
[558] "Revista," *El Tiempo*, 12 de mayo 1857.

Four key decisions had to be made. First, they had to decide whether Cundinamarca would include only the province of Bogotá or if it would also incorporate the provinces of Neiva and Mariquita, as it had under Gran Colombia. In most draft bills, the latter two provinces would have been integrated into a state named either Alto Magdalena or Tolima. Though the provincial legislatures of these two provinces opposed the idea of being part of Cundinamarca, Congress sacrificed their interests. Before May 26, Liberal Senator Miguel Samper introduced a project to abolish Tolima and integrate the provinces of Mariquita and Neiva into Cundinamarca.[559] In spite of public opposition, the bill passed both houses of Congress less than one month later, on June 15. However, in 1861, General Mosquera recreated Tolima by executive order.

Miguel Samper's project also contemplated disintegration of the province of Vélez, the second conflicting issue.[560] The key question involved whether Vélez, a Liberal province according to *El Tiempo*, would be entirely integrated into either the recently created state of Santander or into Boyacá, or whether it would be divided between these two territories. On June 1, Liberals won a crucial vote in a joint session and Vélez became temporarily part of Boyacá.[561] Later that month, Conservatives and Liberals agreed to split the province. In the end, Boyacá received Vélez except for its namesake canton that was transferred to Santander.[562]

The last two conflicting issues involved the provinces west of the Central Cordillera and concerned the territory that in June 1857 became Cauca. Would Antioquia

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[559] Ibid., 126.
[560] Ibid.
[561] Ibid., 127.
[562] Colombia, "Leyes i Decretos Espedidos por el Congreso Constitucional de la Nueva Granada en 1857," 59.

or Cauca (called Sur in some proposals) receive the Urabá and the district of María? President Ospina lobbied for Antioquia to get these two territories. His position won the vote of the House of Representatives but lost it in the Senate. Conservatives, having nothing to lose, walked away from the plenary, and the session was suspended for lack of quorum.[563] On June 15, 1857, Cauca got both territories, a decision thought to be a hug victory for Liberals in Congress at the time. Nevertheless, until the end of the nineteenth century, Antioquia never missed an opportunity to claim these two territories. Its persistence paid off and in 1910, Urabá was transferred to Antioquia.

The fourth and last issue involved whether one or two states would be created out of the western provinces. Congress decided to integrate the provinces of Buenaventura, Cauca, Chocó, Pasto and Popayán into one subnational territory. This was another huge, but ultimately bittersweet victory for Liberals. Conservatives held the majority in Pasto. By integrating this province into Cauca, Liberals averted the creation of another Conservative state. For Popayán's political elite this was also a victory because they achieved their goal of reconstituting the colonial province with its capital in their city. However, the integration of Pasto into Cauca created a permanent source of tension. Pasto's political elite never accepted the decision and throughout the rest of the nineteenth century lobbied for the creation of a tenth state. Sure enough, the tenth subnational territory created by Law 1 on August 6th, 1904, was Nariño, roughly encompassing the former province of Pasto. Indeed, the creation of Nariño was the first piece of legislation enacted by Congress after the end of the *War of the Thousand Days*.

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[563] "Revista."

In June of 1857 Congress completed the reorganization of Colombia into federal states according to Mosquera's scheme.[564] A group of Senators led by Mosquera introduced a bill creating the states of Cauca, Bolívar, Cundinamarca and Boyacá. The bill passed in the Senate and the first two rounds of debate in the House of Representatives. In the third debate, Representatives returned the project to the Senate with two objections. The House asked the Senate to create two states out of the Caribbean provinces: Bolívar and Magdalena. In addition, it asked the Senate to grant the President the authority to establish electoral districts.[565]

Mosquera objected because he thought that President Ospina wanted to manipulate boundaries to create Conservative districts in the new states. The Senate accepted both amendments to the original draft but limited presidential authority in the second.[566] The Senate also introduced two transitional provisions that granted the president authority to set electoral districts to elect representatives to the state's constituent assemblies but established rules about how it was to be done. The population of each district must be roughly equivalent to the quotient of the total population of each state divided by the number of members of the assembly, also set in the Act.[567] On June 15, 1857, Congress completed the territorial reorganization of the nation by creating the states of Bolívar, Boyacá, Cauca, Cundinamarca and Magdalena.[568]

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[564] Valencia, Uribe, and Bucheli, *Informe de la Comisión sobre División Territorial*: 20.
[565] Mosquera, *Defensa del Presidente constitucional de Colombia, Gran General T.C. de Mosquera, ante el Senado*: 4-5.
[566] Ibid.
[567] Colombia, "Leyes i Decretos Espedidos por el Congreso Constitucional de la Nueva Granada en 1857," 60-61.
[568] Ibid., 60-62.

Both acts made up for the lack of a federal constitution by regulating the competencies granted to the national government and the states, in a similar fashion to what had been done for Panamá and Antioquia.[569] On June 27th, the government called constitutional assemblies from the new states to meet on September 15, 1857. That decree also listed the provinces of each state and the municipal districts reallocated to other provinces.[570]

Table 10: Territorial Reconfiguration, States Created in 1857

Six New States, 1857[571]	
State	Provinces
Boyacá	Casanare, Tundama, Tunja and Vélez excepting the canton of Vélez, which became part of Santander
Cauca	Buenaventura, Cauca, Chocó, Pasto, Popayán and the territory of Caquetá
Cundinamarca	Bogotá, Mariquita and Neiva
Bolívar	Cartagena and Sabanilla and the section of the province of Mompox west of the Magdalena River
Magdalena	Santa Marta, Riohacha, Valledupar, and the section of the province of Mompox east of the Magdalena River, excepting the later province of Ocaña, which became part of Santander
Santander	Pamplona, and Socorro

As mentioned before, the specifics of the bargaining process between politicians, the government, and the provinces that created this territorial configuration are not well-known. Though related documents are missing from the Legislative Archive, the press and writings of political commentators from the era give us a good sense of the ins and

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[569] Colombia, *CN XVII*, XVII 1856-1857: 356-59.
[570] Ibid., 380-405.
[571] Colombia, "Leyes i Decretos Espedidos por el Congreso Constitucional de la Nueva Granada en 1857," 60-61.

outs of the process. For instance, the Senators that produced the report supporting the 1909 territorial reorganization project claimed that the Congress of 1857 believed in grouping more advanced areas with backward provinces in order to generate a more harmonious and balanced development.[572] This view was at odds with the criticisms directed at the creation of federal states.

Advocates of federalism argued larger subnational territories were preferable because they could garner more resources to promote economic growth and develop a more capable state bureaucracy. From the early 1830s on, this had been one of the main arguments in support of restructuring provinces into larger units. Nevertheless, the internal configuration of the territory that was produced by the motley coalition of political parties and social movements supporting federalization did not quite achieve that goal. At least, that was what José María Samper argued in his work on Colombia's political parties: Cauca represented approximately half of the Colombian territory and Bolívar, Boyacá and Magdalena had insufficient resources to fund their state institutions.[573] Manuel Murillo Toro, a key figure in the Liberal party and future president of Colombia, concluded that Congress did not pay attention to topography or geography, to administrative convenience or the homogeneity of the new states, but rather to electoral interests. For him, the resulting eight states were organized to guarantee electoral dominance.[574]

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[572] Valencia, Uribe, and Bucheli, *Informe de la Comisión sobre División Territorial*: 21.
[573] Samper, *Los Partidos en Colombia: Estudio Histórico-Político*: 62-64.
[574] Arboleda, *Historia Contemporánea de Colombia: desde la Disolución de la Antigua República de ese Nombre hasta la Época Presente*, IX 1857-1859: 59.

The size of Cauca, nearly fifty percent of the territory of Colombia, the largest of the nine states, was interpreted as the product of Popayán's political elite and indicator of its ascendancy in national politics. General Mosquera's role was considered determinative, especially as he brokered the deal to complete the territorial reorganization. Nonetheless, Cauca's size and borders appeared very similar to those of the judicial district in existence since 1832 and those ratified in 1845: the namesake Gran Colombian department and the colonial province of Popayán.

Though the struggles to create federal states did create subnational units with new names, the internal configuration of the territory implemented in 1857 was far from novel. Despite all the reforms enacted between 1821 and 1854, and after all the complex negotiations, the resulting territorial arrangement appeared to be very similar, with slight changes, to the structure existing at the time of the Declaration of Independence in 1810. The internal configuration of the territory had been progressively reformed after 1821. In 1832, Congress abolished the departments inherited from Gran Colombia but retained the provinces and cantons created in the 1820s. Gradually, Congress subdivided provinces into smaller units. Nevertheless, the four judicial districts resembled, with the exception of the Caribbean provinces, the Gran Colombian departments from the territory of New Granada. In 1834, Congress ratified the existence of these four judicial districts.[575] They existed for more than a decade until Congress, in 1845, increased the number of judicial

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[575] Colombia, *Colección de las Leyes Dadas por la Convencion Constituyente del Estado de la Nueva Granada, en las Sesiones de los Años 1831 y 1832*: 89. Colombia, *Coleccion de las leyes i decretos espedidos por el Congreso Constitucional de la Nueva Granada, en el año de 1835* (Bogotá: Imprenta por Jose A. Cualla, 1835). 38.

districts from four to seven.[576] The eight states created in 1857 looked strikingly similar to the judicial districts, with the exception of the two Caribbean territories. In 1845, all the Caribbean provinces had been organized into one judicial district and in 1857 Congress created two states out of the Caribbean provinces. Though, one must note that up till the very end, Congress contemplated creating one state out of all the Caribbean provinces.

Table 11: Colombia, Judicial Districts (1832/34-1845)

1832/1834	Provinces	1845	Provinces
Boyacá	Tunja, Socorro, Pamplona and Casanare	Antioquia	Antioquia
		Boyacá	Casanare, Tunja and Vélez
Cauca	Buenaventura, Cauca, Chocó, Pasto and Popayán	Cauca	Buenaventura, Cauca, Chocó, Pasto and Popayán
Cundinamarca	Antioquia, Bogotá, Mariquita and Neiva	Cundinamarca	Bogotá, Mariquita and Neiva
		Guanentá (Santander)	Pamplona and Socorro
Magdalena	Panamá, Veraguas Cartagena, Mompox, Riohacha and Santa Marta	Istmo	Panamá and Veraguas
		Magdalena	Cartagena, Mompox, Riohacha and Santa Marta

Notwithstanding the intense criticism it sparked, this internal configuration proved surprisingly stable. Against all odds, the configuration of the territory that emerged in 1861 remained untouched until 1904, outliving the federal experiment itself. Moreover, with the exception of Cauca, no significant pressures to create new states from

[576] Colombia, Pombo, and Plaza, *Recopilación Granadina*: 469.

parts of already existing ones appeared. These nine subnational territories came to represent the conflicts and failures of the federal period (1858-1885). The conflicted relationship between them shaped these turbulent decades and until 1905, remained resilient mementos of a vanished era when these nine territories were key players in Colombian economic and political processes.

Table 12: Nine Federal States, Extension and Population (1851-1879)

	Area (km^2)	Population (1851)	Population (1879)[577]
Antioquia[578]	59,025	244,442	365,974
Bolívar[579]	70,000	182,157	241,704
Boyacá	86,300		428,874
Cauca[580]	666,800	322,585	435,078
Cundinamarca	206,400		409,602
Magdalena	69,800		85,255
Panamá[581]	82,675	138,108	220,542
Santander[582]	42,200	375,604	425,427
Tolima[583]	47,750	218,396	230,891
Federal District[584]	2,000-3,000	29,649	
Colombia	1,331,000	2,243,054[585]	2,950,813

[577] Joaquin Esguerra Ortiz, *Diccionario jeográfico de los Estados Unidos de Colombia* (Bogotá: J. B. Gaitan, 1879). 9, 29, 33, 53, 63, 65, 76, 134, 222, 50.
[578] Felipe Pérez, *Jeografía Física i Política del Estado de Antioquia, Escrita de Orden del Gobierno Jeneral* (Bogotá: Imprenta de la Nación, 1863). 1-2.
[579] Felipe Pérez, *Jeografía Física i Política del Estado de Bolívar, Escrita de Orden del Gobierno Jeneral* (Bogotá: Imprenta de la Nación, 1863). 1-2.
[580] The area of Cauca included the territory of Caqueta, with an extension of 527,200 square kilometers; at least 500,000 were wasteland. Felipe Pérez, *Jeografía Física i Política del Estado de Cauca, Escrita de Orden del Gobierno Jeneral* (Bogotá: Imprenta de la Nación, 1862). 3-4, 243.
[581] Felipe Pérez, *Jeografía Física i Política del Estado de Panamá, Escrita de Orden del Gobierno Jeneral* (Bogotá: Imprenta de la Nación, 1862). 3-4.
[582] Felipe Pérez, *Jeografía Física i Política del Estado de Santander, Escrita de Orden del Gobierno Jeneral* (Bogotá: Imprenta de la Nación, 1863). 1-2.
[583] Felipe Pérez, *Jeografía Física i Política del Estado del Tolima, Escrita de Orden del Gobierno Jeneral* (Bogotá: Imprenta de la Nación, 1863). 3-4.
[584] Felipe Pérez, *Jeografía Física i Política del Distrito Federal, Capital de los Estados Unidos de Colombia* (Bogotá: Imprenta de la Nación, 1861). 5.
[585] Mosquera, *Memoria sobre la geografía, física y política, de la Nueva Granada*: 94.

6.4 Disaffected Territories

The creation of these eight subnational units satisfied the long-term aspirations of local elites and overall, the transition toward a federal regime was peaceful. In some areas, however, the population objected to the actual partitioning of existing provinces and requested that Congress annex them to a neighboring province or state. The reasons provided varied greatly and ranged from the closeness of the provincial or state capital, assuming that proximity would provide benefits to the locality, to historical affiliation with a particular unit. In some cases, locals feared the negatives consequences of being transferred to another state. However, the motives were usually not clearly stated. The one significant exception would be the conflict over María. In that case, locals feared that Antioquia would violate their property rights and other resources. They considered their interests better served by Cauca (see next chapter).

In other petitions to Congress, we can speculate about the political affiliations of a locality and why they feared annexation to a province where their political foes held power. In those cases, the petitioner usually avoided providing the addressee with detailed information on those inter-locality political conflicts. In 1857, as Congress debated the creation of the state of Santander, representatives claiming to speak on behalf of the people of the parochial district of Molagavita requested the restitution of the province of García Rovira, eliminated in 1855. They complained of taxation in the province of Pamplona, the larger province that resulted in 1855 from grouping Santander, Pamplona, García Rovira and Soto. They claimed García Rovira raised no taxes to

sustain the provincial governmental apparatus. They asked Congress to create a new province made up of the cantons of Concepción, Málaga, Fortul and Cocui [586]

Similar requests were submitted the same year by neighbors and representatives of Puerto Nacional and Aguachica. Though they did not disclose their political affiliation in their petition, we can venture a guess that those that subscribed those petitions were Conservatives, because Carlos Holguín, a well-known representative of the party, supported their cause in Congress. They requested that, should the legislature of 1857 decide to eliminate the province of Ocaña, both communities wanted to be annexed to Mompox instead of Pamplona. They argued that because of their commercial links and proximity, they would benefit from being part of Mompox.[587]

In this case, the conflict had electoral undertones. The proposal to eliminate Ocaña was linked to the previous gubernatorial election (see previous section). The supporters of the defeated candidate refused to recognize the results and rebelled against the new provincial governor. The proposal to eliminate the province was seen as a way to mollify the conflict.[588] The national government abolished the province of Ocaña by Executive Decree on February 14, 1857 and annexed its territory to Mompox, including the communities Puerto Nacional and Aguachica. Rebels, however, remained adamant and labeled the community of Puerto Nacional "enemies of public order," refused to

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[586] Cabildo Parroquial de Molagavita, "Ciudadanos del Senado i Cámara de Representantes," in *ALC 1857 Senado XI* (AGN, 1857), 306-07.
[587] Carlos Holguín, "Varios vecinos de Puerto Nacional solicitan," in *ALC 1857 Senado XI* (AGN, 1857), 309. Carlos Holguín, "C. C. Senadores," in *ALC 1857 Senado XI* (AGN, 1857), 314.
[588] Nueva Granada. Secretaría de Gobierno, *Informe que el Secretario de Estado del Despacho de Gobierno de la Nueva Granada [Manuel A. Sanclemente] dirige al Congreso Nacional de1858* (Bogotá: Imprenta de la Nación, 1858). 5.

abandon arms and requested to be integrated into the province of Pamplona, and thus, to the state of Santander.[589] The conflict seemed to have no resolution.

The representatives of Puerto Nacional and Aguachica, which supported the decision of the national government, argued that their customs, commercial transactions and their security (personal and property) depended on the authorities of Mompox. The representatives of Puerto Nacional claimed that their foes had twice attacked their community since 1841, taking prisoners and stealing their clothes. Since the last intrusion, they remained in exile but provided no indication of their place of hiding.[590] Similarly, the neighbors of Aguachica hoped that their transferred to Mompox' jurisdiction would stop the aggression they suffered from 1840 to 1842 and that had resumed after 1856. Most of the people signing the petition were hiding in the woods, including the district priest who escaped while being transferred to the town of Ocaña. His only offense was being a Conservative. Aguachica had a mayor, but because the rebels were armed, it was as if the town had no authority at all.[591]

In 1858, the Secretary of the Interior Manuel A. Sanclemente reported to Congress that the conflict in Ocaña was far from resolved. Congress pardoned rebels on March 31, 1857 but they continued their military expeditions. In April 1857, the Governor of Mompox, supported by the *Guardia Colombiana*, failed to defeat the rebels. Rebels laid down arms only after Congress created the state of Santander and split the

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[589] Vecinos de Puerto Nacional, "Ciudadanos Senadores i Representantes," in *ALC 1857 Senado XI* (AGN, 1857), 310r.
[590] Ibid., 310v.
[591] Vecinos de Aguachica, "Ciudadanos Senadores i Representantes," in *ALC 1857 Senado XI* (AGN, 1857), 315-16.

former province of Ocaña between the new states according to the requests of the communities.[592]

Not all communities resorted to violence to advance their agendas. For some areas, desires for autonomy went unfulfilled by the reforms of 1857. More specifically, autonomous sentiments in the southern province of Pasto, integrated on June 15, 1857 into the new state of Cauca, and in the provinces of Mariquita and Neiva, integrated into Cundinamarca, were not reflected in the reforms. The pro-autonomy movement of the southern section of Cauca would eventually become known as the tenth-state movement—the tenth department movement after 1886. However, despite their political and economic significance, the tenth-state/department would only be created in 1904.

Mariquita and Neiva waited less than four years to achieve their goal of statehood. General Mosquera issued a decree creating Tolima, the ninth subnational unit consisting of those two provinces, on April 12, 1861, in the midst of the civil war that ravaged Colombia until 1862.[593] Prior to that decision, Congress had discussed the possibility of merging these two provinces into a state called Upper Magdalena. However, as we saw, those projects failed to pass the two chambers of the Colombian Congress. Despite its precarious origins, Tolima was created by the Constitutional Convention of 1863.

The incorporation of both provinces into Cundinamarca was a clear example of how the bargaining process and the balance of power in Congress shaped the territorial reorganization of 1857. The petitioners claimed that the creation of Cundinamarca, the incorporation of Mariquita and Neiva, had only received five votes. Indeed, the law had

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[592] Gobierno, *Informe que el Secretario de Estado del Despacho de Gobierno de la Nueva Granada [Manuel A. Sanclemente] dirige al Congreso Nacional de1858* 5-6.
[593] Colombia, *CN XIX*, XIX 1860-1861: 293-94.

passed on June 15th, 1857, at the end of the 1857 legislature when none of the provinces had representation in the Senate and a significant number of representatives were absent. The proposal to create Alto Magdalena rested on geographical, commercial and cultural arguments.[594] They argued that the law had been passed hastily, without consideration of provincial interests. Proponents of Tolima argued that the decision to merge Mariquita and Neiva into Cundinamarca had contradicted the spirit of the federal reform.

The petitioners raised a key point, one that had been used for decades to defend the idea of federation. The vast and under populated territory of New Granada was divided by impassable mountain ranges and large ethnic differences between territories. The transformation of New Granada into a federation was supposed to bring public administration closer to the citizenry and unite territories sharing environments and habits. The petitioners argued that these ideas were the foundation for the reforms, the legislators had failed Cundinamarca[595]. In fact, they argued that the inhabitants of Mariquita and Neiva were closer culturally to the Caribbean states than to Cundinamarca. In addition, while Mariquita and Neiva were located in the torrid valley of the Magdalena River, the province of Bogotá was located in the eastern Andean Cordillera; two areas independent from each other because of the difficulties transiting the valley and the plateau.[596]

In addition, the petitioners protested that these two provinces had been subject to a most outrageous centralism by the new state of Cundinamarca. They reminded Congress that Bogotá, Cundinamarca's capital, had favored centralism since the 1810s.

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[594] Mariquita, "Ciudadanos Senadores i Representantes," 10v, 11r.
[595] Ibid., 11v.
[596] Ibid., 17v.

After 1810 and in 1840, during the War of the Supremes, when most sections proclaimed federation, Bogotá pressed to establish a unitary form of government. Nevertheless, in 1857, when it became impossible for Bogotá to continue stonewalling, they had retained the provinces of Mariquita and Neiva as part of the newly created state of Cundinamarca. Later that year, when the Constituent Assembly of Cundinamarca enacted the state constitution, they implemented centralizing institutions. The petitioners protested that Bogotá's share of the total population of the state granted representatives of the city enough power to subordinate the other regions.[597]

6.5 The Tenth State

The creation of Tolima in 1861 was the last alteration of Colombia's internal territorial configuration during the nineteenth century. The structure of nine subnational units lasted until 1904, outlasting even the federal republic and the Regeneration (1886-1899). Though solid, attempts to reform this organization arose cyclically, mostly focused on Cauca, the largest of the nine states. In the 1860s and 1870s a movement to create the *décimo estado* (tenth state) arose in the southern provinces of Cauca, where Conservatives were the majority party. But, the project failed to garner enough support within the state and in Bogotá as Liberals controlled both chambers of Congress from 1863 to 1885. In 1886, the National Council of Delegates that drafted the centralist charter concluded that any restructuring of that arrangement risked the consolidation of the new regime.

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[597] Ibid., 11v, 12r.

However, the idea of the tenth state never fully disappeared. The proposal to create two states in southwestern Colombia had deep roots, and had been considered among the proposals introduced to Congress in the 1850s. However, at that point in time, Popayán's political elite had succeeded in reconstituting the colonial province of Cauca and retaining control over its vast territory until the first decade of the twentieth century. Nonetheless, the southern municipalities of Cauca never really gave up their dream of becoming the tenth state of the Union. On some occasions, they even resorted to war. In 1871-1872, an uprising in the southern municipalities of Cauca was fueled by the idea of the tenth state.

The northern municipalities also took hold of the idea of a tenth state. In 1872, a pamphlet entitled *Décimo Estado* (Tenth State), published in Cali, endorsed the creation of a new state out of the northern municipalities of Cauca.[598] The project divided Cauca into two states. To the south, a state would be created containing the municipalities of Popayán, Caldas, Pasto, Túquerres, Obando, Barbacoas and the territory of Caquetá. To the north, a state would be formed out of the municipalities of San Juan, Atrato, Palmira, Cali and Buga.[599] The author(s) of the pamphlet argued that Cauca had to be separated into two states because the interests of the inhabitants of the area still known as the Valley (of the Cauca River), located north of Popayán, were very divergent from those of the south.

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[598] The author of the pamphlet Jornada de una Verdad claims that former President Manuel Murillo Toro was the author of this pamphlet. Vetusto [pseud.], *Jornada de una Verdad* (Popayán: Imprenta del Departamento, 1894). 4.
[599] Castillo, *División del Cauca en dos estados*: 21.

They argued that, in relation to its vast territory, the territory of Cauca was scarcely occupied. The ratio of extension per inhabitant was low in comparison to other states such as Santander. They argued that a greater population concentration made for a better state capacity. For instance, they argued, Chile was prosperous because of its coast and its concentrated population, while Ecuador and Bolivia were ravaged by despotic governments and frequent rebellions.[600] Moreover, they argued that the links between the north and the south of Cauca were so tenuous that when a rebellion broke out in one half, the other barely knew about it. On top of that, they complained, the north paid to restore public order.

The idea of a tenth state was not novel. In 1857, when discussing all the bills to reorganize Colombia into federal states, President Manuel Murillo proposed a similar scheme. He suggested creating two states in southwestern Colombia, divided by the Ovejas River, also known as Aganche.[601]

The Tenth State Movement reflected not only dissatisfaction in Cauca, but also suspicions about Cauca's political elite and their interference in national affairs. For instance, to support their scheme to dismember Cauca, the author(s) of the *Décimo Estado* blamed Cauca for the destruction of the confederation, because General Mosquera had been president of the state that started the war of 1860. They went even further, arguing that Cauca had been a Brennus sword in the republic's destiny. B. Castillo in his published response to the pamphlet entitled *División del Cauca en dos estados,* defended Mosquera's behavior in 1860 and claimed that he had responded to Liberal requests from

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[600] Ibid., 9-10.
[601] Ibid., 3, 11, 14.

central states to help them defeat Conservative armies. In addition, Castillo reminded readers that at the end of 1863, Mosquera and his army, composed primarily of Caucano troops (around 4,500 soldiers) repelled the Ecuadorian invasion led by General Flores and Conservative émigrés (around 6,000 troops).[602]

Castillo, defending the territorial integrity of the state, rejected all arguments of the anonymous pamphlet and claimed that Cauca was neither rebellious nor held separatist ambitions.[603] For Castillo, the two state scheme was inconvenient, given the difficult communications between the municipalities. Though he opposed any move to split Cauca, he presented a plan to reorganize it into four units.[604] His plan foreshadowed the plan taken up by Congress in 1910.

The most significant objection to the scheme proposed by the pamphleteers lay in the implications their proposed split had on presidential and senate elections. The Constitution of 1863 established each of the nine states with one vote to elect the federal president and three senators. As states were considered sovereign, they were equally represented; by contrast, the House of Representatives represented people.[605] This arrangement was partly modified by the Constitution of 1886. With that charter, each subnational unit was represented by four senators regardless of population, one more than from 1863 to 1885. Despite the fact that after 1886 departments were no longer

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[602] Ibid., 4-8.
[603] Ibid., 9-10.
[604] The four would-be states were: one out of the municipalities of Pasto, Túquerres, Obando and Caquetá, containing 120,096 inhabitants; the second formed by Caldas, Popayán and Santander, with 104,478 inhabitants; the third out of Buga, Cali, Palmira and Tuluá, including the towns of Quindío until Otún, and Toro, La Union and Anserma Nuevo with 101,390 inhabitants; the last one, with the municipalities of Atrato, Barbacoas, Buenaventura and San Juan and the towns of Quindío and Toro that are not located in the Cauca Valley, containing 112,113 inhabitants.
[605] Articles 39 & 75 of the Constitution of 1863. Colombia, *Constitución Política de los Estados Unidos de Colombia. Sancionada el 8 de Mayo de 1863*: 17, 32.

considered sovereign, they remained equally represented. The most significant reform of 1886 occurred in presidential election procedures. If from 1863 to 1885, each state presented one vote to elect the president, after 1886 the election was national and elected by the public.[606] Only in 1910 would the National Assembly definitively reform the rule to elect the Senate. Article 11 of the Constitutional Amendment of October 31, 1910, determined each department represented in the Senate in proportion to its population: one senator for every 120,000 inhabitants.[607]

That meant that should any of the plans to split Cauca be successful, the balance of power would shift in favor of the western states. For instance, the four successor states proposed by Castillo acting together with the three Caribbean states (including Panamá) could elect a president over the objections of the remaining five (the eastern states plus Antioquia), which contained the majority of the population. In addition, the four successor states of Cauca would elect twelve Senators and only eight Representatives. Those that wanted to stop discussion of the electoral arithmetic behind these proposals were the same who wanted to split a few states so they could dominate via the Colombian guard.[608] In light of the electoral rules in place under the Constitution of 1863, Castillo's plan turned out to be a clever design to ensure Cauca's territorial integrity, because it showed the remaining eight subnational units, which had veto power of any territorial splitting, the political implications of creating an additional state out of Cauca.

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[606] Art 93 & 114 of the Constitution of 1886. Colombia, "Constitución de la República de Colombia," 30, 37.
[607] Colombia, "Actos Legislativos y Leyes de Colombia: Colección de los que expidió la Asamblea Nacional de 1910," (Bogotá: Imprenta Nacional, 1911), 9.
[608] Castillo, *División del Cauca en dos estados*: 22-23, 26.

As we will see, the defenders of Cauca's integrity succeeded, even after the demise of the federal regime in 1885-1886. When the Radical Liberals were ousted in 1885, the coalition of Independent Liberals and Conservatives deemed the project to create a tenth department highly inconvenient because of the strong opposition it generated within Cauca. The opposition of Cauca's representatives in the 1885-1886 constituent process halted the creation of new departments (the label assigned to the former federal states in the Constitution of 1886).[609]

The idea of a tenth department appeared again in 1894, in pamphlets (*Jornada de un Ideal*) and in Cali's newspaper *El Telegrama*. The arguments in favor of creating a tenth department were that the southern provinces contributed to the department's tax revenues in larger amounts than what they received from Popayán. Moreover, they argued that the north, south, and center of the state were ethnographically different from one another. In the pamphlet *Jornada de una Verdad* published in Popayán on August 7, 1894, defending Cauca's territorial integrity, an anonymous author claimed that the resurgence of the tenth department project resulted from the hatred of Cauca in Bogotá, inherited from the 1835 camarilla. They claimed that the author of *Jornada de un Ideal* hated Cauca, a fairly evident interpretation as it had defined Caucanos as unfair, vain, selfish, ignorant, barbaric, villainous, seditious and hostile.[610]

Even after 1905, when Congress abrogated the restrictions on creating new departments via statutes, the reorganization of Cauca was highly conflictive. Congress received all forms of requests to preserve Cauca's territorial integrity or to split it in this

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[609] Colombia, *Antecedentes de la constitución de Colombia de 1886 y debates del proyecto en el Consejo nacional constituyente*.
[610] [pseud.], *Jornada de una Verdad*: 5-6, 8.

or any other manner. All options were on the table. For instance, the Congressional Archives maintained records of petitions from Cali in which different citizens requested the preservation of the newly created department of Valle del Cauca, the reintegration of the larger department of Cauca with its capital city in Cali, and all kinds of other proposals except those defending Popayán's capital status. [611]

In the municipalities of Pereira, Anserma, Marmato, Supía, La Virginia and Riosucio, formerly part of Cauca, strong opposition existed to their integration with the new department of Caldas. In fact, Manizales, formerly part of Antioquia and in 1909 designated the capital of a new department integrated by the southern municipalities of Antioquia and the northern municipalities of Cauca, faced the opposition from the provinces of Pereira and Marmato, which requested to be reintegrated into Cauca.[612] However, Congress remained adamant and rejected all propositions to reintegrate the old Cauca. The tide had finally turned against Popayán.

6.6 From States to Departments, 1885-1886

As a result of the disastrous 1885 Radical Liberal uprising, the coalition of Independent Liberals and Conservatives put an end to the federation. President Rafael Núñez called a National Council of Delegates to enact a new constitution to replace the charter of 1863. The status of the former nine federal states stood at the forefront of their top priorities. After the Council discussed the territorial arrangement of the nation and the autonomy of the former states, the issue only appeared more pressing. The first day of

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[611] Valencia, Uribe, and Bucheli, *Informe de la Comisión sobre División Territorial*: 11.
[612] Ibid., 11, 13-14, 18.

debate, the Council discussed three major related topics: the unitary character of the nation, the name to be assigned to the former federal states, and the authorization to create new subnational units by statute.

The delegates from Cauca, General Rafael Reyes and Juan de Dios Ulloa led the push against the government's position, led by Conservative Miguel A. Caro. General Reyes opposed renaming states as *departmentos*. He considered the term department a downgrade of the existing units and predicted that specifically in Antioquia, Cauca and Santander, the new name would not be easily accepted considering their established political autonomy and the homogeneity of the customs of their population. Delegate Caro contradicted General Reyes and reminded them that Bolívar's Colombia had been divided into three departments, and thus, the name had no negative connotation. Reyes' proposal to retain the name of state was quickly dismissed. In addition, the Council debated the draft of the article authorizing Congress to create new departments. In both cases, the debate focused on Cauca.

The two delegates from Cauca, Juan de Dios Ulloa, President of the Constitutional Council, and General Rafael Reyes opposed the articles of the draft that dealt with the creation of new departments. General Reyes affirmed that the states had resigned their sovereignty, but not just to be dismembered.[613] He succeeded in putting down the vote for those articles in the first session but only momentarily. In the May 17, 1886 session, the Council reopened the debate on the creation of new departments. General Reyes once again led the defense of Cauca's territorial integrity. He proposed

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[613] Colombia, *Antecedentes de la constitución de Colombia de 1886 y debates del proyecto en el Consejo nacional constituyente*: 79.

that new subnational units could be created only by constitutional amendment. Reyes claimed that the Council of Delegates could not bring down borders that had been recognized for more than a quarter century.[614] Reyes focused his efforts on getting the Council to vote down Art 5 of the draft that allowed Congress to create new departments provided certain prerequisites were met; a proposal supported by Caro.

Delegate Ulloa also rejected the idea of subdividing existing departments. To the Council, Cauca seemed the most suitable unit in the territory for division because of its extension and population. Ulloa argued, should the Council pass these articles, future legislatures would be put in a compromising position because regional political cliques would pressure them to divide existing departments at their whim. He argued that the population of Cauca loathed the division of its territory, but their resistance could not stop other people from dismembering it so they could divide it to rule it.[615]

José Domingo Ospina Camacho, delegate from Antioquia, and Jesus Casas Rojas, delegate from Cundinamarca, responded to Cauca's delegates. Ospina claimed that the drafting commission did not have Cauca in mind when they wrote the article. The members of the commission, longing for an end to the anarchy caused by the predominance of a few states over the central government, had hoped to created new subnational units to remedy this situation. He continued, arguing that a few states, though supposedly sovereign Tolima, Magdalena and Panamá, had survived under pressure from the central government, and thus, sovereignty was not the problem. The problem was that a few states, in this instance he did not provide names, stood up to the federal government

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[614] Ibid., 103.
[615] Ibid., 103-04.

and attempted to dominate it. One of the two examples he provided was Antioquia, which in 1875 had flung down the gauntlet and challenged the federal government. The challenge was accepted and the result was the civil war of 1876. In the end, said Ospina, Antioquia had traded its birthright for a bowl of stew, just like Esau.[616]

Ulloa replied to Ospina, arguing that Cauca had never tried to impose anything on the central government. According to him, Cauca had always been a victim of Bogotá. For instance, he cited 1875, when the nation had declared Cauca's vote for the president void, or in 1876 when Cauca was the victim of Antioquia's actions, and 1885, the victim of the actions of Antioquia and Tolima. For Ulloa, Cauca had taken arms to resist those aggressions and expel usurpers like Garcés.[617] According to the transcripts, the debate dragged on. The division of Cauca into a southern and northern section had been part of the political debate since the 1860s, yet no decision would be taken until the twentieth century.

Even though the delegates from Cauca could not make it unconstitutional to split a department, they could ensure that the process required to do so made it impossible. And this they did. In the new constitution, to create a new department, four fifths of the territory that would become a new department had to request that Congress initiate the process. The new department had to have at least 200,000 inhabitants and the old had to retain a territory with at least a quarter million inhabitants. In addition, the legislation creating the new section had to pass two consecutive and ordinary sessions (art. 5). The same procedure was needed to alter the borders of departments (art. 6). Though, the

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[616] Ibid., 104-05.
[617] Ibid., 105-06.

Council did pass an article (art. 7) that allowed the government to have different demarcations for fiscal, military of public education purposes than those districts drawn by departments.

The Council also debated the possibility of explicitly delineating other territorial partitions, like fiscal or judiciary ones that did not coincide with departmental borders. A similar statute enacted by a Conservative Congress in 1859 had been a cause for conflict with Liberals and a major cause for war. In 1886, because departments had already lost so much of their autonomy, this issue was less prickly.[618] On August 6, 1886, an interim president enacted the new charter —President Núñez was in Cartagena. Even though the nine states, renamed departments, lost all their legislative and administrative autonomy, their borders remained intact. María and Urabá remained part of Cauca, at least for the next two decades.

However, ever unsatisfied, congressmen resumed the discussion of territorial reorganization in 1888 in the first ordinary session of Congress under the new constitution. On November 14, 1888, President Carlos Holguín enacted Law 103, a bill sanctioning the first constitutional amendment. The essence of the amendment homogenized departments by establishing a cap of 200,000 inhabitants for each subnational unit (Article 3). Article 1 established that Congress had the authority to reorganize Colombia's internal structure via statute. The project also lowered the number of Senators elected by each department to one. Department with populations exceeding 150,000 inhabitants elected two Senators. In order to become a Constitutional

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[618] Ibid., 115-21.

Amendment, Law 103 had to be approved by the next ordinary session of Congress. In 1890 (at the time Congress met once every two years) it failed to garner enough support in the House and the Senate.[619]

6.7 Cauca Gets Smaller, Antioquia Gets Bigger: the End of the Nine Subnational Units

At the beginning of the twentieth century, the nine departments and Cauca in particular, were seen as all-too-powerful reminders of the federal era. The centralized state of the 1880s and 1890s had remained too weak to face the costs of territorial reorganization. In spite of President Núñez's opposition, congressmen backed the preservation of the nine subnational units existing since 1861. For some, this decision consoled departments upset over their lost autonomy.[620] In fact, aside from the creation of the Guajira Intendancy in the most northeasterly region of Colombia, bordering Venezuela and the Caribbean, there were no major transformations during that period.[621] The nine subnational units created in a six year span, from 1855 to 1861, remained unchanged until 1904.

In 1904, the southern section of Cauca became the new department of Nariño (Law 1 of 1904).[622] The inhabitants of the southern provinces had maintained an uneasy relationship with the authorities in Popayán since the inception of the state of Cauca in

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[619] Colombia, *Leyes de 1888*: 55-56.
[620] Valencia, Uribe, and Bucheli, *Informe de la Comisión sobre División Territorial*: 21.
[621] Colombia, *Leyes Colombianas de 1898* (Bogotá: Imprenta Nacional, 1898). 30. The Intendancy of La Guajira was created by the law 34 of November 19, 1898.
[622] Valencia, Uribe, and Bucheli, *Informe de la Comisión sobre División Territorial*: 3.

1857. The movement for the Tenth State (after 1886 for the creation of the Tenth Department), the creation of an autonomous region in the southern provinces of Cauca, around the city of Pasto, and the independence from Popayán had been recurring topics since 1835. These claims had appeared in 1835, 1857, 1873 and again after 1886. The arguments in favor of the separation of the region included the notion that Popayán's prosperity had been at the expense of the northern and southern provinces of Cauca.[623] In 1904, the Tenth State Project finally bore fruit.

Table 13: Territorial Reconfiguration, Colombia (1905)

Previous Entity	New Entity
Law 17 of 1905	
Santander	Galán (capital San Gil): southern provinces of Guanentá, Galán, Socorro, Charalá and Vélez
	Santander (capital Bucaramanga): provinces of Cúcuta, García Rovira, Pamplona, Soto, Ocaña and a section of the Sur Magdalena province
Antioquia & Cauca	Caldas (capital Manizales): provinces of Robledo and Marmato (previously in Cauca) and the province of Sur (Antioquia)
Cauca	Antioquia received a section of the Caucano province of Atrato (currently known as Urabá Antioqueño), access to the Caribbean
Tolima	Cauca received the municipalities of La Plata, Paicol, Carnicerías and Nátaga
Bolívar (split in two departments)	Atlántico (capital Barranquilla): provinces of Sabanalarga and Barranquilla
Cundinamarca	Bogotá, Capital District: administered by the central government, with the limits established by Law 26 of 1883 of the State of Cundinamarca

[623] [pseud.], *Jornada de una Verdad*: 3-4.

Table 13: Territorial Reconfiguration, Colombia (1905), Continued

Law 46 of 1905	
Boyacá (split in two departments)	Tundama (capital city in Santa Rosa de Viterbo) formed by the provinces of Gutiérrez, Norte, Tundama and Sugamuxi
	Boyacá integrated by the of Neira, Tenza, Centro, Nariño, Ricaurte and Occidente
Cundinamarca (split in two departments)	Quesada (capital Zipaquirá): provinces of Chocóntá, Ubaté, Guatavita, Zipaquirá and La Palma
	Cundinamarca: province of Bogotá, with the exception of the Capital District, renamed as Funza, Oriente, Sumapaz, Tequendama, Girardot, Guaduas and Facatativá.
Tolima (split in two departments)	Huila (capital Neiva), provinces of Neiva and Sur
	Tolima, provinces of Norte, Herveo and Centro

In 1905, the National Assembly approved the Third Amendment authorizing Congress to modify, by statute, the territorial organization of the Republic. That same year, the National Assembly enacted Laws 17 (April 11) & 46 (April 29) of 1905 creating the departments of Galán, Caldas, Atlántico, Tundama, Quesada and Huila and the Capital District of Bogotá (with the borders established by Law 23 of the State of Cundinamarca).[624] After this reorganization, the number of departments went from nine (Antioquia, Bolívar, Boyacá, Cauca, Cundinamarca, Magdalena, Nariño and Tolima) to sixteen, including the Capital District of Bogotá.[625] To form these new departments, Congress dismantled the existing nine departments.

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[624] Valencia, Uribe, and Bucheli, *Informe de la Comisión sobre División Territorial*: 4.
[625] Panama declared its independence from Colombia in 1903. However, it was still named in all official documents until Colombia recognized its independent status in 1922.

However, even this arrangement proved temporary, as the central government experimented with Colombia's internal organization between the years of 1905 and 1909. In 1908, the National Assembly reorganized (Law 1 of 1908) the number and size of all subnational units, doubling the number of departments from sixteen to thirty-four, including the Capital District. Yet the government, by the authority bestowed by article 14 & 22, only organized twenty-seven of those departments (including the capital district) and in the process, eliminated the names of the federal states created from 1855 to 1861. These reforms would last less than two years.

Table 14: Territorial Reconfiguration, Colombia (1908)

Law 1, 1908[626]	
Previous Entity	New Entity
Antioquia	Manizales (Caldas), Medellín, Antioquia, Jericó, Sonsón
Bolívar	Barranquilla (Atlántico), Cartagena, Mompox, Sincelejo
Boyacá	Boyacá, Tundama (Santa Rosa)
Cauca	Popayán, Cali, Buga, Quibdó
Cundinamarca	Facatativá, Zipaquirá (Quesada) and Bogotá (Capital District)
Magdalena	Magdalena
Nariño[627]	Tumaco, Ipiales, Pasto
Santander	Bucaramanga, Cúcuta, San Gil (Galán)
Tolima	Neiva (Huila), Ibagué (Tolima)

In 1909, a Senatorial Commission asked Congress to abrogate all innovations and to return to the nine departments' structure. The commission put forward two proposals.

[626] The departments of Tolima, Huila, Magdalena, Galán, Atlántico, Caldas and Tundama, created in 1905, had no changes excepting that were named after their capital cities. Valencia, Uribe, and Bucheli, *Informe de la Comisión sobre División Territorial*: 5.

[627] By Executive Decree 577 of 1908, the government reintegrated the department of Nariño, reorganized earlier this year in three units: Tumaco, Ipiales, Pasto. ibid.

The first invalidated all decisions taken after January 1, 1905, returning to ten subnational units. The second reintegrated the seventeen departments created in 1905 (laws 17 & 46). The Senatorial Commission suggested reorganizing Colombia into ten subnational units. They mentioned that Bolívar, Tolima and Santander had strong cases for disaggregation but said nothing about Cauca and Antioquia, the former being the most conflictive case.[628] With Law 65 of 1910, most of the twenty-five departments existing after Pasto's (Nariño's) creation were eliminated, leaving only ten: Antioquia, Bolívar, Boyacá, Cauca, Cundinamarca, Magdalena, Nariño, Panamá, Santander and Tolima. Later that year, Congress created Caldas, Atlántico, Huila and Santander del Norte.

6.8 Conclusions

The 1850s was an intense decade for Colombians. In addition to the reformist agenda implemented during those years, the internal configuration of the territory was repeatedly reformed in a short time spam. From 1849 to 1854 Congress subdivided most existing provinces while it granted autonomy to subnational governments. From 1855 to 1857, Congress regrouped all those provinces, one by one, into eight federal states (the ninth state created by executive decree in 1861). By doing that, Congress reversed the trend started in 1832, of splitting provinces into smaller territories and it deepened the decentralization process that began in 1850, in response to regional and local pressures.

Policy-makers were aware that determining the optimal size of the states was crucial for a successful decentralization process. In the 1850s they vacillated as changing

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[628] Ibid., 23.

ruling coalitions changed their preferences for smaller or larger subnational units. Even after the number of subnational units stabilized at nine, analysts doubted the nine federal states could garner enough financial resources to build the transportation infrastructure needed to connect them to coastal ports or to the Magdalena River, to name the most pressing issue. In addition, politicians debated mechanisms to maintain a balance among the federal states. They attempted to dampen the probability of a single unit becoming so strong that it could destroy the federation.

Despite all the reforms enacted from 1821 to 1854, and after complex negotiations, the resulting territorial arrangement was similar, with slight differences, to the structure existing at the time of the Declaration of Independence in 1810. Even though the Gran Colombian departments were abolished in 1832, the judicial districts of the 1830s and 1840s resembled their 1810 configuration. Further research is needed to comprehend the continuities in the internal configuration of the territory. Moreover, in 1857, Liberals deemed all Conservative proposals to be driven by electoral motivations. In this case too, more research is needed on electoral turnouts in the provinces of eastern Colombia, particularly in the territories of Vélez and Mariquita.

Notwithstanding the intense criticism it sparked, the arrangement proved surprisingly stable. Against all odds, the configuration of the territory that emerged in 1861 remained untouched until 1904, outliving the federal experiment. Moreover, except in the case of Cauca, no significant pressures emerged to create new states from parts of already existing states. At least in part, this stability was related to the rules for selecting the Senate and the President. In both cases, each sovereign state was equally represented. Even after the end of the federation, the Senate remained a territorial chamber.

These nine subnational territories came to represent the conflicts and failures of the federal period (1858-1885). The conflicted relationship between them shaped these turbulent decades. Until 1905, these entities remained a resilient memento of the era when these nine territories were sovereign actors in Colombian economic and political processes. The results of this process were mixed. However, we have no detailed evaluation of either their achievements or the consequences of their social, political and economic processes. In chapter eight, I will evaluate the tax systems created in Antioquia and Cauca. Before that, in chapter seven, I will examine the boundary dispute between Antioquia and Cauca over the territory known as María. It is an example that further helps shed light on the limitations and challenges of the nineteenth-century Colombia state-building process.

Chapter 7: New Spaces, New Territorialities: a Nineteenth Century Colombian Tale, The *Aldea María*

7.1 Introduction

In this chapter I explore the interaction between settlers and state agents in Antioquia during the mid-nineteenth century. In particular, I focus on the *Aldea de María*, hereafter referred to as "María," a village established in a frontier region of Colombia by the Provincial Legislature of Cauca on October 20, 1852. Founded on a deforested slope of the Andes mountains, María became the focal point of a heated boundary dispute between Córdova—a section of Antioquia—and Cauca, a province that also claimed sovereignty over the town.[629] The border between the provinces of Antioquia and Cauca according to national law was the Chinchiná River. At issue in this conflict was the ground, or rather, the water itself; two rivers, allegedly of the same name, ran through the region and added to this multilayered conflict.

Unsurprisingly, both provinces acted on their beliefs that María fell within their respective jurisdictions. The province of Cauca granted 7,680 hectares of land in the disputed territory to settlers in accordance with existing national legislation. Antioquia had established the township of Manizales, just across the riverbank, three years earlier. As soon as Cauca tried to settle María, provincial and local authorities in Córdova and

[629] Two notes about the provinces of Cordova and Cauca. The province of Cordova was part of that of Antioquia until 1851. In that year, the liberal government in Bogotá split Antioquia in three smaller units: Antioquia, Medellín and Cordova. Congress reinstated the province of Antioquia in 1855 and one year later it became a federal state. The province of Cauca became in 1857 par of the namesake state. It roughly constituted present day department of Risaralda and Quindío as well as the northern part of Valle del Cauca

Manizales claimed that another town so close by would be redundant. Both sides lobbied Bogotá to attempt to force the other to back down. The governments in the provinces of Córdova and Cauca proved unwilling to cede the strip of land around María. Locals on both sides raised irregular militias and in the neighboring town of Manizales, whose citizens on the whole were loyal to Córdova's claim, criminal penalties were instituted for citizens submitting to the other provincial authority. The mayor of María sporadically blocked roads and impeded regional commerce.

In this chapter, I reveal the limited capacities of the central and local governments to defend property rights, and how political inconsistencies at the national level triggered a conflict between these two recently established towns.[630] The conflict's aftermath exceeded the borders of this territory, spilling well beyond the boundaries of Antioquia and Cauca and eventually involved the national government. The incapacity of state institutions to settle the dispute between the towns transformed this conflict into a bitter symbol of the relations between Antioquia and Cauca that endured for the rest of the century.[631]

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[630] Manizales was founded in 1848.

[631] In the nineteenth-century, the states of Antioquia and Cauca comprised the western section of Colombia, from the border with Ecuador up to the Caribbean state of Bolivar. Antioquia is located in the central northwestern part of the country. Most of its territory is mountainous with some valleys, much of which is part of the central and western Andes cordilleras. Cauca bordered Antioquia to the south. The territory of Cauca, though similar in topography to Antioquia, also comprised the fertile plateau known as the Cauca Valley.

Map 7: – Border between Antioquia and Cauca, Detail (1863) [632]

My examination of this conflict is broken down in the following sections. After summarizing the different issues at stake in this conflict, I explain the geographic significance of the settlements of María and Manizales for each of the two provinces in question. Once the basic geography has been laid out, I introduce an important commercial actor in the conflict, the González & Salazar Company. The company purchased rights to the Aranzazu Concession, a large colonial land grant where the

[632] Manuel Ponce de León and Manuel María Paz, "Carta Corográfica del Estado del Cauca, Construida con los Datos de la Comisión Corográfica i de Orden del Gobierno Jeneral," (Bogotá1864).

townships of Manizales and María were established. I also introduce and address the road between the provinces of Antioquia and Mariquita running through the Ruiz mountain pass as it was a key factor in the conflict. As we will see, though the definition of property rights played a central role, the conflict over María was mostly political. The jurisdictional struggle over María can be understood as another stage in the struggle for political hegemony between Liberals and Conservatives in nineteenth century Colombia. Though its geographic location added to the importance of the land in question, the states inability to settle this conflict had little to do with the value of the land, but rather its political significance.

Table 15: María, Chronology of Events (1849-1870)

Date	Event
October 12, 1849	Antioquia enacts the ordinance founding Manizales.
May 15, 1851	Congress splits Antioquia into three provinces: Antioquia, Córdova and Medellín. Manizales belongs to Córdova.
October 20, 1852	The Legislature of Cauca establishes the *Aldea de María*.
1852	Codazzi mixed up the River Claro with the Chinchiná and the Chinchiná with the Manizales. Therefore, María belongs to Antioquia (and the land to González & Salazar).
June 8, 1853	Contract between the National Government and González & Salazar settling the dispute on the vacant lands claimed by the latter. The company gets the territory in between the Rivers Pozo and Chinchiná.
November 25, 1853	The Legislature of Córdova authorizes the governor to grant the rights to build a toll road. Cauca calculates the 18-month period to build the road from this day.
February 28, 1854	Liberal President José María Obando issues a decree clarifying the border; María is part of Cauca.
March 30, 1854	The province of Córdova grants Manizales the privilege to build a toll road. Manizales has 18-months to build it.

Table 15: María, Chronology of Events (1849-1870), Continued

April 17, 1854	Military coup against President Obando. Short-lived civil war, April to December, to overthrown Dictator Melo. The inhabitants of María were accused of supporting the coup.
January 10, 1855	Vice-President José de Obaldía and Secretary of Governance Pastor Ospina (Mariano Ospina's brother) transfer María to Antioquia.
April 14, 1855	Congress reinstates the province of Antioquia.
May 11, 1855	Congress overturns Obaldía's decision: María is once again part of Cauca.
October 19, 1855	The Legislature of Antioquia grants Manizales an 8-month extension to complete the toll road.
November 20, 1855[633]	The central government grants 7.680 hectares of vacant land to the inhabitants of María.
1856-1857	Lawsuit involving the dispute between María and Marcelino Palacios over the ownership of *La Florida*.
February 15, 1860	Conservative President Mariano Ospina confirmed González & Salazar's ownership on the land using the map of 1852 where the Chinchiná is named Manizales.
April 29, 1863	The all-Liberal Convention of Rionegro declares vacant land the territory in between the Rivers Chinchiná and Otún and grants it to the State of Cauca, aggravating the conflict.
March 9, 1870	Settlement of the seventeen-year dispute: González & Salazar gets 12,800 hectares of vacant land and $10,000. María gets titles for the 7.680 hectares granted in 1855. Marcelino Palacios gets the ownership of *La Florida*.

7.2 A Strategic Andean Pass: The Geographic Implications of María

To understand the geopolitical implications of control over the stretch of land surrounding María and the *páramo del Ruiz,* one must consider Colombian geography. The Andes Mountains split into three distinct roughly parallel mountain ranges in southern Colombia: the Cordillera Occidental (the Western Range), the Cordillera

[633] Avelino Escobar, "Alegato fundando los derechos del pueblo de Maria a las tierras de la "Florida", cuestionadas por el Señor Marcelino Palacios ante el Superior Tribunal del Cauca," (Bogotá: Imprenta de Echeverría Hermanos, 1857), 16.

Central (the Central Range), and the Cordillera Oriental (the Eastern Range). The three cordilleras extend northeastward almost to the Caribbean Sea. The western and central cordilleras extend from south to north up to the Caribbean lowlands. The eastern cordillera extends from southeast to northeast and continues on to Venezuela. These three ranges, though providing temperate climates for the population, are formidable barriers that make east-west transit across the national territory arduous. This topography is perhaps the most important factor in the formation and persistence of highly autonomous and differentiated regions in Colombia.

Between the western and central Andean ranges flows the Cauca River, a river navigable only in short stretches in the interior. The two cordilleras converge after the fertile plateau around the cities of Buga, Cali, and Palmira. From there, the Cauca River opens into a profound canyon that proceeds all the way to the Caribbean *sabanas*. In the nineteenth century, this fertile plateau, known as the *Valle del Cauca*, was part of the province and state of Cauca. West of María and Manizales, the Cauca River is not navigable.

The central range is separated from the eastern range by the Magdalena River. Unlike the Cauca River, the Magdalena River is navigable from the Caribbean Sea up to the interior of Colombia. Though interrupted midway by rapids, this river was the vital link between the interior of Colombia and world markets from the time the Spanish arrived in the region until the 1950s.[634] Therefore, direct access to the Magdalena River was crucial for establishing links to the eastern states (Cundinamarca, Boyacá and

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[634] The upper most navigable reach of the river was Honda, in the province of Mariquita, established at the bottom of the rapids.

Santander) and to the Caribbean Sea. María, Manizales, and most of Antioquia's population lived on the western slopes of the central range.

In addition, the central cordillera is the most elevated of the three mountain ridges, with an average altitude of 3,000 meters. The *Nevado* (snow peak) *del Ruiz*, next to María and Manizales, is the second highest peak in the central range. The scarcity of mountain passages, such as the one that traversed Ruiz, made control of them even more important and valuable.[635] The Chinchiná headwaters originate in the same mountain, flowing westward until emptying into the Cauca River. However, the Cauca River is not navigable in that region and provided no link to the Caribbean Sea. Thus, contact with the rest of the country and to foreign markets from Antioquia and northern Cauca depended on accessing the Magdalena. The topography of these two settlements was one of the reasons why the conflict between Antioquia and Cauca became so intense. Beyond defining property rights for settlers, fixing the border between the provinces of Córdova and Cauca entailed determining control of that mountain pass, a highly strategic passage for transportation, commerce and war.

In the central cordillera, there are no large plateaus, except for a few small valleys. Thus, most settlements are located on very difficult topography with frequent ridgelines and steep slopes. María and Manizales located in the central range were exemplary of the towns established by the Antioqueño population. During the nineteenth century, Antioqueños migrated south and southwest and deforested these particular Andean slopes, settling the region. The Antioqueño colonization of southern Antioquia

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[635] Páramos are high mountain ecosystem located in the northwestern corner of South American and southern Central America.

extended beyond the borders of that province and reached the neighboring Andean slopes of northern Cauca and western Tolima. This particular area became, by the late nineteenth century, the center of the expanding coffee industry. María may have been one of the first Antioqueño settlements in northern Cauca.

7.3 A New Space, A New Territory: Unleashing a Conflict

The establishment of Manizales and María marked important stages in the colonization of the central Andean cordillera in southern Antioquia, bordering Cauca. Settlers in both towns migrated from other areas within Antioquia, where the scarcity of arable land drove inhabitants southwards towards the open frontier. The shared geographical origin and backgrounds of immigrants on both sides of the border did not prevent the escalation of the conflict as one might have hoped. Both settlements were located a twenty minute walk from each other; Manizales on the northern bank of the Chinchiná River and María on the southern one. Not only did provincial and local authorities in Antioquia and Manizales claim it ridiculous to establish another town so close to Manizales, they also claimed, throughout the 1850s, that María was basically a refuge for undesirable persons.[636] In Cauca, the notion that María attracted undesirables was dismissed as uninformed. To protect their own interests and to prevent further defamation, María's settlers launched a public relations offensive.

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[636] Los habitantes de la Aldea María no son trastornadores del orden público y tampoco "hombres perdidos i vestidos de todos los vicios que aflíjen a la especie humana." "Declaraciones a que se refiere la hoja anterior," (Cauca?: [s.n.], 1854).

In 1854, the inhabitants of María responded to these accusations by publishing a pamphlet that contained three interviews of inhabitants of Cartago (Cauca). With this pamphlet, the mayor of María, Luis María Cevallos, attempted to counter the negative propaganda launched by Manizales during a military campaign to reinstate the constitutional government overthrown by General Melo on April 17, 1854. From November 14 to 16, 1854, the *personero* of María, Antonio Cárdenas, questioned Ramón Rubiano, Jerónimo del Castillo and Felis de la Abadía, all from Cartago, about the inhabitants of María. In their testimonies, they sustained that the settlers did not support the military coup of General Melo, had not been involved in any way in the skirmishes, but had contributed money and supplies to the constitutional army. In addition, they declared the inhabitants of María to be neither troublemakers nor slothful, but rather law-abiding, hard-working Catholic citizens.[637] Rubiano claimed the *aldea* contributed $100 pesos to the war effort, along with supplies and thirty-three local soldiers. Along the same lines, Castillo testified that he had personally seen these troops marching through Cartago on their way to Ibague. De la Abadía also stated that he saw the troops from María marching when he was casually standing in a place known as Mata de Caña.

Aside from demonstrating the law-abiding nature of the good inhabitants of María, local authorities wanted to highlight their hard-working character. Rubiano declared that villagers, despite their limited resources, supported a school with forty students. They also built a bridge to cross the Chinchiná River on the road that connects the province of Córdova with Cauca and built a decent church, all in the short time-span

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[637] Ibid.

of seven months. So, who was behind this negative propaganda? For Rubiano, the purchasers of the lands litigated by Elias González were responsible for the vilification of María. The González & Salazar Company resorted to denigrating the settlers after the central government dismissed their claim to the lands of the *aldea* in 1855. Indeed, Rubiano's version of events was widely supported by evidence. As Ramon Arana proclaimed on November 1, 1857, the heinous crimes of González & Salazar against the towns of Salamina, Neira and Manizales, marked its activities in the region.[638]

The González & Salazar Company was established by Juan de Dios Aranzazu in an attempt to control immigration and settlement within the territory stretching from the Rivers Pozo to Chinchiná (see map 1), a section of the area granted to his father José María.[639] Aranzazu constituted the company to counter the unstructured and, from his perspective, illegal occupation of his lands by migrants from other parts of Antioquia.[640] From the outset, settlers confronted the unyielding, and at times violent opposition of the company. [641] The conflict between González & Salazar and the newly established towns

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[638] Escobar, "Alegato fundando los derechos del pueblo de Maria a las tierras de la "Florida", cuestionadas por el Señor Marcelino Palacios ante el Superior Tribunal del Cauca," 3.

[639] According to Jaime Vallecilla in Café y Crecimiento Económico RegionaI, the Spanish Crown granted José María de Aranzazu a large track of wasteland in southern Antioquia in 1763. The Aranzazu Land Grant contained in between 200,000 and 240,000 hectares of land. This number, however, is still subject to debate for other scholars calculate its size up to 600,000 hectares. After the mid-nineteenth century, beneficiaries of this grant were successively Gonzalez & Salazar, Moreno & Walker and Angel, Velasquez & Company, the latter subsisting until 1922. Jaime Vallecilla Gordillo, *Café y crecimiento económico regional : el Antiguo Caldas, 1870-1970* (Manizales, Colombia: Universidad de Caldas, 2001). 311-12.

[640] Hermes Tovar Pinzón, *Que nos tengan en cuenta. Colonos, empresarios y aldeas: Colombia 1800-1900* ([Bogotá]: Tercer Mundo Editores, 1995). 93.

[641] Ibid., 93-94; Marco Palacios and Frank Safford, *Colombia: País Fragmentado, Sociedad Dividida* (Bogotá: Grupo Editorial Norma, 2002). 347. Elias Gonzalez Villegas, Juan de Dios Aranzazu's uncle and the most visible representative of Gonzalez & Salazar, was notorious for employing violent methods against settlers. In 1851 Gonzalez was assassinated in the bridge of Guacaica by two gunmen hired by Eduardo Agudelo, a negihbor of Salamina, in retaliation for burning settlers' cabins in the territory of the land grant. José María Restrepo Maya, *Apuntes para la historia de Manizales; desde antes de su fundación hasta fines de 1913* (Manizales: Imprenta de San Agustín, 1914). 38.

of Salamina (1827), Neira (1842) and Manizales (1849), located in the area of the Aranzazu Land Grant, dragged on until 1853 when the central government finally intervened to settle the dispute.[642]

On June 18, 1853, the Secretary of Hacienda José María Plata and Jorge Gutiérrez de la Lara, representative and partner of González & Salazar, signed a contract intended to end the dispute between settlers and the land company. The Nation recognized the land grant and relinquished any rights to the territory stretching from the Rivers San Lorenzo and Poso (northern boundary) to the Chinchiná (southern boundary) and from the highest point in the Cordillera Central (eastern boundary) to the Cauca River (western boundary). In return for renouncing its claims to the vacant lands in that territory, the Nation received 25% of the company's shares. For its part, González & Salazar agreed to grant 10 *fanegadas* of land to each settler already established in the territory and 12,000 *fanegadas* (7,680 hectares) to each of the town councils of Salamina, Neira and Manizales. President Obando signed the contract a few days later, on June 23, 1853.[643] Critics of the agreement would claim that because of the lack of in-depth inspection of the occupation of the territory, the agreement was unfair, not just to settlers, but the nation too. Moreover, as Ramon Arana claimed, the damages caused by the shortcomings

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[642] In 1851, an agreement between Gonzalez & Salazar and the inhabitants of Manizales, even though the parts signed a contract and recorded it in a notarial instrument, failed to settle the dispute in this township. Ambrosio Mejia, representative of Gonzalez & Salazar, and Manuel Grisales, president of the first cabildo of Manizales concluded an agreement by which the company granted the town the populated area of Manizales and settlers agreed to purchase their terrains at a discounted price. Restrepo Maya, *Apuntes para la historia de Manizales; desde antes de su fundación hasta fines de 1913*: 39.

[643] "Terrenos de Salamina, Neira y Manizales," *Gaceta Oficial*, 5 de julio de 1853 1853.

of the *juntas calificadoras* were so appalling, they thought the central government should compensate settlers.[644]

The agreement sparked conflict between the town of María and the González & Salazar Company that claimed the village to be within its territory. Yet, the land dispute between the settlers of María and the González & Salazar Company became just one stage in a decades-long conflict. Settlers and the owners of the company both claimed rights to the land where María was established. But, determining the rightful ownership of that land was secondary to the settling of the boundary dispute between the two provinces. In theory, the Chinchiná River marked the border between the province of Córdova (and, therefore the municipality of Manizales), and the land granted to González & Salazar.[645] But, in reality two different rivers carried that same name in the region. Liberals supported settlers' claims designating the Chinchiná border to be the river flowing north of María. Conservatives backed González & Salazar and used the 1852 map produced by the *Comisión Corográfica* that called the river flowing south of María the Chinchiná.

At first glance, this conflict appears to be a simple land dispute between settlers from Antioquia and the González & Salazar Company. What one must not forget is that this conflict was never about vacant lands. María represented a strategic town for Cauca, just in the same way Manizales had been for Antioquia. Both Cauca and Antioquia

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[644] Ramón María Arana, "Refutación al informe del Jeneral Codazzi sobre límites de los Estados Unidos de Antioquia i Cauca por la aldea de María," ([s. l.]: [s. n.], 1858), 7-8.
[645] "Terrenos de Salamina, Neira y Manizales."; "Decreto determinando los límites entre las Provincias de Córdoba i del Cauca," *Gaceta Oficial*, 1 de marzo de 1854 1854.

recognized the area to be a highly strategic crossroads for western Colombia. This would have to be, as the topography of the region was not well-suited in itself for settlement.[646]

The roads connecting Antioquia to Cauca, and eventually to southern Colombia and the Magdalena River, were another matter. The road connecting María and Manizales ran westerly, to the Cauca River and mining areas on the river's west bank. Mining interests had been present in the region since colonial times and the area was at that point Colombia's main producer of gold. The Magdalena River located to the east, was a critical waterway for transporting goods from central Colombia to the Caribbean. Thus, in commercial term, the region was strategically important for both Cauca and Antioquia. But, according to the arguments put forth by both provinces in front of Congress and the president in Bogotá, the issues were even more complex than that.

Defining the Chinchiná River implied determining who controlled an important mountain pass through the central Andean cordillera, the *páramo del Ruiz*. The road that traversed the Ruiz pass provided mountain-locked Antioquia (and northern Cauca) with a much-needed link to the Magdalena River, Colombia's most important inland waterway and link to the Caribbean Sea. To facilitate traffic through the Ruiz pass, the province of Córdova granted Manizales, in 1854, the rights to build a toll road. [647] Settling the border dispute meant determining which river would carry the name Chinchiná, and therefore the continuation of the road concession. The conflict between María and Manizales

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[646] Restrepo Maya, *Apuntes para la historia de Manizales; desde antes de su fundación hasta fines de 1913*: 32, 40.

[647] The concession was from Manizales to the border with the province of Mariquita, in the Ruiz. The road traverses the mountain pass and continues eastward until it reaches Lérida and other towns in the province of Mariquita. Ultimately, it reaches the Magdalena River. The province of Mariquita was from the 1850s to the 1870s the center of the tobacco industry, Colombia's main export during that period.

centered on a strategic mountain pass that played a key role for trade, war and migration.[648]

In addition to these factors, the conflict between María and Manizales touched on even larger political issues. The conflicts just outlined should be understood in the context of Liberal and Conservative competition for political hegemony. Even though the presence of competing political actors was not, in general, a problem for the inhabitants of María, that competition brought more uncertainty. Because the definition of property rights for persons inhabiting deforested land depended on the demarcation of state or provincial boundaries, should the national government change the border, property rights for María's settlers would be automatically altered too. It can be safely argued that Conservatives favored the interests of Manizales and Antioquia, and Liberals those of María, and Cauca. Thus, changes in power at the national level translated into perceived threats at the local level.

Liberals controlled the national government from 1849 until 1854, when a coup disrupted the Liberal administration of General Obando. Surprisingly, Conservatives took control of the executive following the removal of the military forces. On January 10, 1855, María was transferred to Cauca. Even though Congress reversed that decision in April of that same year, it did not end the conflict. In 1858, Conservatives attempted once again to reverse the delineation of the provincial border made by Liberals. Because of political competition between Liberals and Conservatives, the fate of María's settlers remained in the balance for two decades after its foundation in 1852.

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[648] Restrepo Maya, *Apuntes para la historia de Manizales; desde antes de su fundación hasta fines de 1913*: 40.

All the while, the nearly 3,000 inhabitants of María managed as best they could in their conflicts with Manizales's political and economic elites and with the González and Salazar Company.[649] Settlers in María dealt with state institutions that were severely limited in their capacity to enforce decisions and rife with political inconsistencies. By the mid-1850s, María was charged with symbolism for both Antioqueños and Caucanos. This state of affairs continued for more than two decades, and it exacerbated the already uneasy relations between Conservative Antioquia and Liberal Cauca.

This case exemplifies the challenges that Colombians faced when local state institutions were established to take advantage of the opportunities provided by the Liberal Reforms.[650] The situation in María mirrored the difficulties faced by impoverished Colombians migrating to new localities in the nineteenth century. The Liberal Reforms shook up lethargic New Granada and set in motion unprecedented institutional transformations.[651] One crucial aspect of these reforms was decentralization of state authority. From 1849 to 1858, Liberals passed legislation that translated decision-making closer to the population. It was a process by no means free of conflict, as seen in this dispute between Cauca and Antioquia. Indeed, as the central government transferred authority to the provinces, it limited the central government's capacity to settle disputes

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[649] In 1858, Ramón María Arana, mayor of Maria, estimates the population in more than 3,000 inhabitants. Arana, "Refutación al informe del Jeneral Codazzi sobre límites de los Estados Unidos de Antioquia i Cauca por la aldea de María," 1.

[650] Senado Colombia, "En la Aldea de María," in *ALC 1858 Senado XII* (AGN, 1854), 279r.

[651] Colombia, *CN XV*, XV 1852-1853: 515. The reforms enacted by the liberal administrations after 1849 expanded the sphere of action and autonomy of municipalities and provincial governments. For instance, in 1850, Congress granted provinces and municipalities the authority to autonomously administering their revenues and to reform their tax system. In addition to that, it also granted a significant portion of wasteland property of the nation. By law of June 1, 1853, Congress granted 25,000 fanegadas [one fanegada is approximately 6,400 square meters, or approximately 1.58 acres; 25,000 fanegadas are approximately 39,500 acres] per province.

and the capacity of provincial governments to enforce decisions. In addition, conflicts that erupted among provinces, later federal states, made governance even more challenging.

In 1858 Congress enacted a new constitution that reorganized Colombia into a federation. As the government lost competencies and the federal states challenged its authority to intervene in domestic issues and control public order, the central government's capacity to settle disputes virtually disappeared. Though the conflict between Antioquia and Cauca did not fade, the property rights of María's settlers actually became more secure once the central government lost its authority to resolve boundary conflicts or to force an agreement without both states' approval. Nevertheless, the dispute between the settlers and the González & Salazar Company continued, returning to political limelight after Conservatives regained power in 1857.

The conflict between María and Manizales is relevant for three reasons. It provides insight on the interaction among central, provincial (after 1857 federal states), and local governments in Colombia during the 1850s, a pivotal nexus of state formation. Second, this case highlights how political affiliations emerged and were consolidated during this time. Third, the problems faced by María's residents echo the difficulties faced by an innumerable number of small communities in the 1850s and 1860s, two decades full of dramatic institutional changes in Colombia.

7.4 A New Start: the Aldea de María and the Symbolic Border

María, officially the *Aldea de María*, was established by the Provincial Legislature of Cauca on October 19, 1852.[652] The foundation of a new town on the slopes of Colombia's central cordillera was not an uncommon occurrence during the 1850s. The colonization of south and southwestern Antioquia in the nineteenth century was seen as a solution to the problem of scarce cultivable lands in the more populated areas of the province. This geographical region on the slopes of the central cordillera became the *Eje Cafetero*, or Colombia's coffee-growing axis. The consecuences of Antioqueño colonization of the region on Colombia's economic growth has made Antioquia one of the most studied and debated sites in the country's history. In addition to its economic implications, the historical process was also studied because of its democratizing and equalizing undertones.[653]

So, the official recognition of María by the Legislature of Cauca in 1852 was by no means unique. Manizales, the neighboring town and contender in this dispute, had been established in 1848. However, unlike the establishment of Manizales and other settlements, María's creation off a boundary dispute between Antioquia and Cauca that lasted for decades. The dispute resulted from poor understandings of the local geography of the central Andean cordillera and its abundant rivers and streams, all tributaries of the

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[652] In some of the document available at the Archivo Legislativo del Congreso, ALC, the town is also designated as Chinchiná. I don't use that term here to avoid confusions with another settlement founded in the area in 1857 with that name.

[653] Further readings: Keith H. Christie, "Antioqueño Colonization in Western Colombia: A Reappraisal," *Hispanic American Historical Review* 58, no. 2 (1978). Everett Einar Hagen, *El cambio social en Colombia* ([Bogotá]: Ediciones Tercer Mundo, 1963). James Jerome Parsons, "La colonización antioqueña en el occidente de Colombia," s.n. Frank Safford, "Significación de los antioqueños en el desarrollo económico colombiano," in *Aspectos del siglo XIX en Colombia* ([Medellín]: Ediciones Hombre Nuevo, 1977).

Cauca River, by national and provincial legislators in their attempts to resolve the issue after 1852.

The central government determined the Chinchiná River to be the border between the provinces of Antioquia and Cauca, but failed to specify which Chinchiná River. Participants on the ground in the region claimed two rivers carried the same name. For Antioquia and for the González & Salazar Company, the Chinchiná River flowed south of María (see map 2). For Cauca, the Chinchiná River flowed between Manizales and María (see map 1), or north of María. Though Congress attempted to settle the issue on May 11, 1855, identifying the Chinchiná as the stream flowing north of María, the Conservative administration of Mariano Ospina reopened the debate after 1857. In 1860, he accepted the validity of the 1852 map (map 2) and in doing that, overrode the 1855 congressional decision, reopening the conflict between María and the González & Salazar Company.

Before that decision, on February 28, 1854, Liberal President José María Obando issued a presidential decree that defined the borders between the two provinces of Córdova and Cauca. In that document, he specified that the Chinchiná was the stream flowing between the two towns. To the west, the border extended until the Chinchiná emptied into the Cauca River. To the east, the border followed the stream, north of a place known as *Lagunetas* and until the Chinchiná rose in the *páramo del Ruiz*.[654] Later that year, a military coup abruptly ended Obando's presidency.

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[654] Colombia, *CN XVI*, XVI 1854-1855: 14.

On January 10, 1855, Obando's successor, Vice-President Obaldía reversed the February 28, 1854 resolution. The new executive decree transferred María to Córdova (Antioquia). To avoid further conflict, the new document specified that the border between Antioquia and Cauca was the river that originated in the *páramo del Ruiz*, flowed south of *Lagunetas*, south of María, and emptied in the Cauca River.[655] This is the stream that in map 1 was named the *Rio Claro* and in map 2 was named the *Chinchiná*. The government defended this revision by arguing that the previous decree upset public order and created administrative misunderstandings. This decision was also short-lived. In the meantime, Córdova granted Manizales rights to build a toll road linking southern Antioquia's to the Magdalena River.[656]

On May 11, 1855, Congress overturned the January 10th decision. The Chinchiná River remained the border between the two provinces, but Congress decided that the stream named the Chinchiná was the one flowing north of María, and thus, the town was once again, in Cauca. Though this decision aimed to settle the boundary dispute once and for all, the conflict continued, in part because Congress specified the border as the river originating from the slopes of the *páramo de* Ruiz and continuing until it merged into the Cauca River.[657] An alternate interpretation of this declaration allowed the government of Antioquia to continue claiming sovereignty over the strip of land. Shortly after Congress enacted this new law, Córdova (and later the state of Antioquia) argued the Chinchiná River originated north of the Ruiz and not in the *páramo* of that name.

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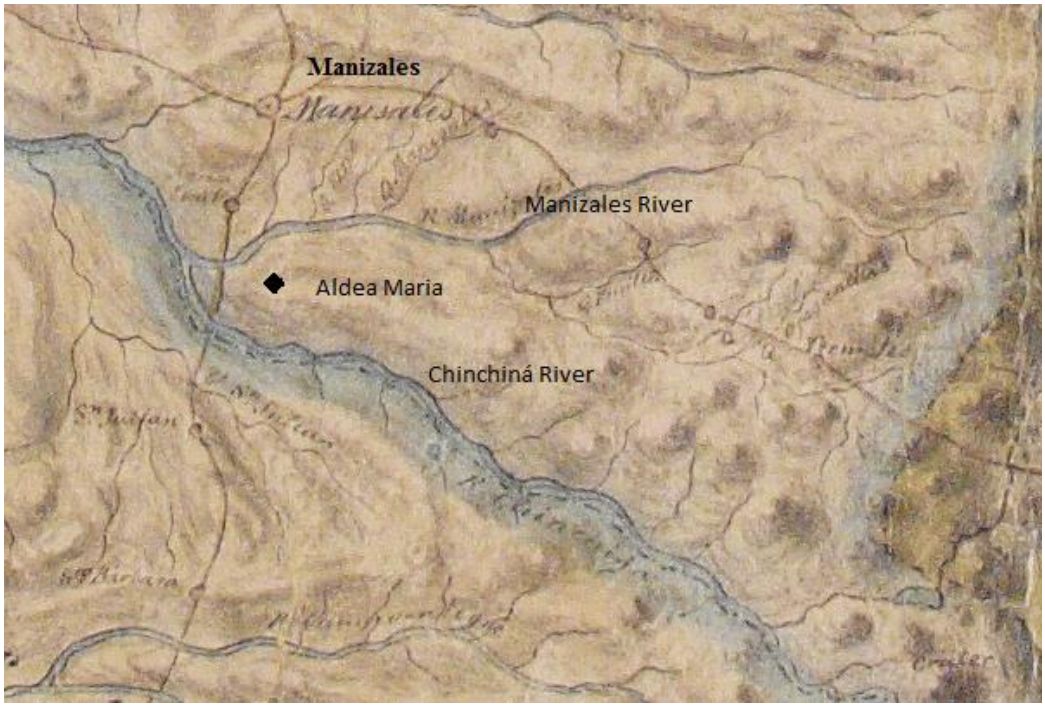
[655] Ibid., 95.
[656] Colombia, *Leyes i Decretos Espedidos por el Congreso Constitucional de la Nueva Granada en 1855*: 50.
[657] Colombia, *CN XVI*, XVI 1854-1855: 186.

Several interpretations submitted by Agustin Codazzi—chief of the *Comisión Coreográfica*, the state-sponsored geographic expedition responsible for map-making—supported Antioquia's claim.[658] In addition, previous pronouncements determined the Claro River, the more southerly stream of the two also called the Chinchiná, as the border between the two entities.[659]



Map 8: Province of Córdova produced by the Chorographic Commission, Detail (1852).[660]

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[658] For Hermes Tovar, the conflict originated in a map produced by the Comisión Coreográfica in 1853. In that map, the Chinchiná River appears as Manizales. Tovar Pinzón, *Que nos tengan en cuenta. Colonos, empresarios y aldeas: Colombia 1800-1900*: 96.
[659] Rafael María Giraldo, "Gobernacion de la Provincia de Antioquia, No. 19," in *ALC 1858 Senado XII* (Medellín: AGN, 1856), 88r-v.
[660] Agustín Codazzi, Manuel Ponce de León, and Manuel María Paz, "Mapa corográfico de la provincia de Córdova," (1852).

The next phase of this conflict began on April 1, 1857 when Conservative Mariano Ospina assumed the presidency and reopened debate on the border dispute. On May 16, 1857, while Congress debated the reorganization of the remaining provinces into federal states, Conservatives introduced a project to declare the border between Antioquia and the province of Cauca to be the river flowing south of María. On May 30, Congress created the State of Cauca without modifying the border, a huge success for Liberals. Up to the very last minute, Antioquia's representatives, supported by President Ospina, lobbied forcefully to get Urabá and María.[661]

On February 7, 1858, the inhabitants of María submitted a request to the Senate and the House of Representatives once they knew Congress was ready to reopen the debate. They opposed the umpteenth attempt to transfer María from Cauca to Antioquia. The undersigned claimed that María had acquired its current property rights under the jurisdiction of Cauca. They distrusted the authorities of Antioquia and were certain that should Congress transfer the village to the latter, their properties would be confiscated. They emphasize that they had emigrated from Antioquia fleeing misery, and in Cauca had found a new patria that provided them with means of subsistence for their families and made them property owners. They even threatened Congress, declaring that they were willing to explore the full extent of their capacity to resist before they would surrender six years of hard work.[662]

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[661] Arboleda, *Historia Contemporánea de Colombia: desde la Disolución de la Antigua República de ese Nombre hasta la Época Presente*, IX 1857-1859: 46-49, 52-53.
[662] Senado Colombia, "Ciudadanos Senadores i Representantes," in *ALC 1858 Senado XII* (AGN, 1858), 85r.

It seems the threat worked. In 1858, though Congress reopened the debate, it neither abrogated nor reformed previous decisions on this boundary conflict. On February 7, 1858, Ramon Arana, representative of María, published a pamphlet contradicting the Chorographical Commission. On April 1, 1858, Codazzi replied, sustaining his previous assertion that the Chinchiná was the river that flows south of María. Arana attacked Codazzi anew on January 22, 1859. In both pamphlets, Arana accused Codazzi of misidentifying geographic features for the benefit of Antioquia. It was a well-known fact, declared Arana, that Codazzi changed the name of the river separating María and Manizales. This mischievous prank, *inocente travesura*, triggered the conflict that still today, in 1858, swept up the inhabitants of María. Arana tooted his own horn, identifying his pamphlets as key factors in convincing Congress to uphold the statute of May 11, 1855 that established María as part of Cauca. That vote had been a defeat for President Ospina, Antioqueños in Congress, and had been the "boa constrictor of Antioquia."[663]

The vote did not stop the Ospina administration. On February 15, 1860, the Secretary of Hacienda of the Confederation enacted a resolution outlining the Cabinet's position on the dispute. The Conservative administration of Mariano Ospina respected the 1852 ruling of the Chorographic Commission, in spite of the evidence presented against it and the Congress's act of 1855. By doing this, the Ospina administration recognized the rights of the González & Salazar Company to the territory granted by Cauca to María. The government not only placed María in Antioquia's jurisdiction, but accused settlers of

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[663] Arana, "Refutación al informe del Jeneral Codazzi sobre límites de los Estados Unidos de Antioquia i Cauca por la aldea de María." Ramón María Arana, "Aldea de María: Réplica al Jeneral Codazzi sobre su remitido "Aldea de María," inserto en "El Porvenir" número 17," (Bogotá: Imprenta de Echeverría Hermanos, 1859).

having illegally occupied land owned by the González & Salazar Company. However, the government decided not to oust them from the lands they were occupying. The Secretary acknowledged that the settlers had established themselves there in good faith with the government of Cauca, which had assured them the lands were vacant. In addition, the Secretary recognized that the inhabitants of María had transformed those steep Andean slopes into highly productive terrains. Expelling them, he concluded, would be unfair not just because they would be dispossessed from the wealth they had created but also because González & Salazar would receive a huge value they had not created. [664]

The Secretary of Hacienda did not automatically grant settlers the 7,680 hectares they had received in 1855. In fact, the national government had already granted those terrains to the inhabitants of María. The plots of land had been officially distributed before 1858 and colonizers had been farming those lands since they settled them in 1850. The community complained there were not 7,680 hectares of arable land between the Rivers Chinchiná and Claro, and they were determined to remain on the western slope of the Cordillera Central. Standing on the precipice of another conflict in 1858, the community pledged that González & Salazar would take possession of their lands over their dead bodies.[665]

The Ospina administration granted (for a second time) 7,680 hectares to the inhabitants of María, but not necessarily the ones they occupied, and explicitly excluded the hacienda La Florida (see below). The February 15 resolution was not just vague but

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[664] "Resolución ejecutiva de 15 de febrero de 1860," (Bogotá: A.G.N. Sección República. Fondo: Ministerio de Industrias. Serie: Baldíos. Tomo 1., 1860), 57-58.
[665] Arana, "Refutación al informe del Jeneral Codazzi sobre límites de los Estados Unidos de Antioquia i Cauca por la aldea de María," 7.

included terrains that had been previously granted to settlers of Santa Rosa de Cabal.[666] The community was to receive part of the 7,680 hectares to the right of the River that in the official map is known as Chinchiná (also known as Claro). If that fell short of 7,680 hectares, they will receive the residual land on the northern bank of the Chinchiná-Claro River. In the latter case, they would only receive vacant land—this section excluded land they occupied but that was claimed by González & Salazar as theirs. If María, the town, were located in La Florida, dwellers would have had to pay the company for land on which it was built. The González & Salazar Company would receive the same amount of land as settlers on the right bank of the Chinchiná River, "also known as Claro," as compensation.[667]

Ramón Arana, representative of the interests of María in Bogotá, reminded the administration that the central government had recognized their rights with the Executive Decree of November 20, 1855. He also reminded the Ospina administration that even Marcelino Palacios, partner of Moreno & Walker, shareholder of González & Salazar, *personero* of Manizales, and the one claiming ownership of La Florida, identified the river flowing in between Manizales and María as the Chinchiná, as did the municipality of Manizales.[668] All his efforts were for naught. The national government refused to alter their resolution. However, the civil war that began in 1860 did turn out in María's favor, as it blocked the enactment of the resolution.

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[666] Ramón María Arana, "Aldea de María: ciudadano Presidente de la Confederación," (Bogotá: Imprenta de Echeverría Hermanos, 1860).
[667] "Resolución ejecutiva de 15 de febrero de 1860," 58v, 59r.
[668] Arana, "Aldea de María: ciudadano Presidente de la Confederación."

On April 29, 1863, the all-Liberal Convention of Rionegro aggravated the conflict between the community and the González & Salazar Company by declaring the whole territory in between the Rivers Chinchiná and Otún to be vacant. In addition, the Convention granted Cauca the authority to distribute land among settlers, five hectares of vacant lands per member of each family, in the townships of María, Santa Rosa de Cabal, Palestina and San Francisco, all localities in Cauca.[669] One year later, in 1864, the central government officially granted (*por título de concesión*) 7,680 hectares to the settlers of María.[670] These two decisions overturned the decision taken by the Conservative administration of Mariano Ospina, though González & Salazar continued to claim the land as theirs.

On July 1864, Pablo Marulanda, representing González & Salazar, sent a petition to the *procurador* of María asking him to stop the Municipal Corporation from allocating the land granted to them by the Convention in 1863. He argued that the terrains were not vacant land. Jorge Villegas, procurador of María, politely replied to Marulanda he had no authority to halt the application of any legislation enacted either by the Convention of Rionegro or the State's Legislature. Villegas also informed Marulanda the government of Cauca would defend the state's rights.[671] This dispute, a quintessential example of limited state authority in nineteenth-century Colombia, dragged on until 1871 when Secretary of Hacienda Salvador Camacho Roldán reached an agreement with the representative of the

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[669] Colombia, *Codificación Nacional*, vol. XX 1862-1863 (Bogotá: Imprenta Nacional, 1930). 257.
[670] Colombia, Facundo Mutis Durán, and Julio Liévano, *Recopilación de las leyes y disposiciones vigentes sobre tierras baldías* (Bogotá: Imprenta de Medardo Rivas, 1884). 98.
[671] Jorge Villegas, "El Procurador del Distrito Judicial de María," in (Maria: A.G.N. Sección: República. Fondo: Ministerio de Industrias. Serie: Baldíos. Tomo: 1., 1864), 63v, 64r.

company. As a result of that arrangement, settlers finally received titles for the land they had been working since the early 1850s.

In the meantime, the geographical corridor that turned a conflict between two tiny towns in the middle of nowhere in Colombia's central cordillera into a bitter and long term engagement, also became a highly strategic military pathway. The roads connecting Manizales and María to the Magdalena Valley and to Cauca became strategic military paths for Liberals attempting to conquer Antioquia and for Antioqueño Conservatives in their military interventions in Cauca. Manizales became the southernmost bastion of Antioqueño Conservatives. In the civil wars of 1860-1862 and 1876-1877, the Liberal armies attacked Antioquia through Manizales, using María as their camp. The border between María and Manizales, and thus Cauca and Antioquia, became a symbolic border of the political divide of Colombia.

This was made manifest in 1859 and 1860 during the conflict between Conservative President Mariano Ospina and the Liberal President of Cauca General Tomás C. de Mosquera. As part of that conflict, Mosquera denounced President Ospina in Congress. One of the main allegations against Ospina was his abuse of authority by changing the names of two rivers, the Claro to Chinchiná and the Chinchiná to Manizales, without any substantiation except for a map produced by Colonel Codazzi, which Mosquera claimed was erroneous. General Mosquera accused President Ospina not only of infringing the 1855 law that cleared up the dispute but also of promoting a conflict between Antioquia and Cauca. Given the national context in1860, the conflict over María could have turned into open warfare between the two states. Mosquera hoped this would not further deteriorate the relations between Antioquia and Cauca, and he

affirmed that he was trying to calm the passions of the 3,000 inhabitants of Aldea María.672

The region also became a symbol for peace. In 1867 the presidents of the states of Antioquia (Conservative) and Cauca (Liberal) met in María to settle their differences. The uneasy relationship of both groups with the ruling Radical Liberal faction in Bogotá brought them together. They signed a Treaty of Friendship and Cooperation; as if Antioquia and Cauca were two sovereign nations. In 1877, the Caucano Liberal armies led by General Trujillo signed in Manizales the agreement that officially ending the war of 1876-1877 and temporarily establishing a Liberal predominance in Antioquia.

In spite of all the conflicts engendered by its foundation in 1852 and the obstacles faced by settlers of this region, María's population grew. In 1876, María had an estimated population of 4,654 inhabitants (2,394 men and 2,260 women). At the time, it was the second most populated district in the municipality of Cartago, only after its namesake capital city (7,696 inhabitants).673 Manizales had 10,562 inhabitants.674 More than twenty-five years after the boundary conflict was settled, in 1885, Manuel Uribe, author of a geography of Antioquia, bemoaned that Antioquia had lost a fertile stretch of land. It did not matter that on both sides of the border the settlers had been Antioqueños.675

In 1905, in a somewhat ironic turn of events, María, with an estimated population of 4,654 inhabitants, became part of the newly created department of Caldas— and

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672 Tomás Cipriano de Mosquera, "El Gobernador del Estado Soberano del Cauca al Sr. Secretario de la Honorable Cámara de Representantes," (Cali: Imprenta de Hurtado, 1860), 13-14.
673 Oficina de Estadística Nacional Estados Unidos de Colombia, *Anuario estadístico de los Estados Unidos de Colombia. Parte primera - territorio* (Bogotá: Imprenta de Medardo Rivas, 1876). 53.
674 Ibid., 23.
675 Uribe Ángel, *Geografía del estado de Antioquia*: 15.

Manizales the department's capital (pop. 14,603).676 Villamaría, the current name of the municipality, has remained part of Caldas up to today. For most of the twentieth century, Villamaría remained a Liberal municipality in a department where Conservatives held the majority.677 Even though more in-depth research is needed to track María's electoral preferences, it appears that settlers and their descendants remained loyal to the Liberal Party.

7.5 La Florida: Another Brick in the Conflict

In 1857, the villagers of María found themselves in the middle of another lawsuit, this time with Marcelino Palacios, a partner of Moreno & Walker, a company claiming ownership of the lands known as *La Florida*. Palacios claimed to have bought the land from González & Salazar before 1850, that is, before migrants from Antioquia settled south of the Chinchiná River. His lawyer, Ramon Arango, claimed that Palacios had been in possession of the terrain since 1849, that is, three years before the Legislature of the Province of Cauca recognized María. Villagers challenged that claim. Local authorities claimed that, in spite of the deed issued by a public notary in Manizales (which his lawyer claimed was void) Palacios had never been in possession of the terrain.[678]

In the first instance, a judge from Cartago, Cauca, ruled against María and on September 1857, Avelino Escobar, María's representative, appealed. In addition to appealing in Court, Escobar prepared a pamphlet for the general public. Escobar claimed

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[676] Colombia, "Estadística anual [1905] de la República de Colombia," ed. Dirección General de Estadística Ministerio de Hacienda y Crédito Público (Bogotá: Imprenta eléctrica, 1907).
[677] Patricia Pinzón de Lewin, "Pueblos, regiones y partidos: "la regionalización electoral;" atlas electoral colombiano," (Bogotá: CIDER; Ediciones Uniandes; CEREC, 1989), 49, 74.
[678] Escobar, "Alegato fundando los derechos del pueblo de Maria a las tierras de la "Florida", cuestionadas por el Señor Marcelino Palacios ante el Superior Tribunal del Cauca."

that Palacios could not have purchased the terrain because La Florida was located south of the Chinchiná River and therefore never within the area claimed by González & Salazar. In this case, as with all issues involving María, defining the Chinchiná River became crucial for defining property rights.

In addition, settlers claimed they had been in possession of Florida since 1854. From 1854 to 1856 villagers used the land without incidents. For Avelino Escobar, María's representative, this proved that Palacios had never been in possession of La Florida. Furthermore, Escobar argued that Palacios had disregarded all opportunities to claim ownership of the land until a judge from Manizales granted a title to the *aldea*. Ramon Arango P., Palacios attorney, claimed his client had been the sole proprietor of La Florida since 1849, three years before María was officially recognized as an *aldea*.[679]

María was recognized by Cauca on October 20, 1852, less than four years after the first migrants settled in the area south of the Chinchiná. On November 16, 1854, the Parents' Assembly of María, the decision-making body recognized by the Constitution of Cauca, granted La Florida as an *ejido*, common land, for the use of the settlers. The assembly had the authority to grant the land under the provision of Article 12 of Cauca's provincial constitution. Article 3 of the assembly's agreement stated any person without a legal deed but in possession of La Florida should claim it within a period of a month or vacate the land. The agreement was published on November 18, 1854 and even though Palacios admitted that he knew about the resolution taken by the Parents' Assembly, he

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[679] Ibid., 5.

neither claimed the 10 *fanegadas* offered to him as neighbor of María, nor asked a civil court to nullify the decision to grant it as an ejido.[680]

Map 9: Northern Cauca[681]

[680] Ibid., 6-8.
[681] Comisión Corográfica, "Sin título," (A.G.N. Sección: Colecciones. Fondo: Enrique Ortega Ricaurte. Serie: Comisión Corográfica. Caja: 21.).

Twenty-one months after the publishing of the Parents' Assembly decision, in August 1856, Palacios sued María. Why Marcelino Palacios took so long to initiate the case is not known, but we do know the event that started the process. In order to secure the community's right to use the land, María's *personero* requested the title. On August 21, 1856, a Manizales parish judge officially granted La Florida to the village. Palacios heard directly from the judge that he was going to grant the deed. The court informed Palacios that a legal proceeding had been started concerning the ownership of La Florida. However, his lawyer argued the citation was void from the outset as it was not in accordance with legal rules.[682] He also argued that the Assembly of Parents of María had no authority to grant the land.

Escobar concluded that even if the Parents' Assembly lacked the authority to grant the terrain known as La Florida as common land, the provincial government had the authority to do so. According to Law 7, Part 5, Treaty 1 of the *Recopilación Granadina*, the government could grant up to 12,000 *fanegadas*, roughly equivalent to 7,680 hectares of land of vacant lands to migrants in new settlements, as was the case in María. This law, enacted on May 6, 1834, also authorized it to grant up to 60 *fanegadas* (roughly equivalent to 38 hectares) to each householder, taking into account the wealth and the size of the family.[683] Villagers sustained their claims over La Florida until the early 1870s to no avail. In the end, the community of María lost access to the lands of the hacienda. In 1860, the Ospina administration declared La Florida private property, though it was not until 1871 that Marcelino Palacios's ownership was recognized.

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[682] Escobar, "Alegato fundando los derechos del pueblo de Maria a las tierras de la "Florida", cuestionadas por el Señor Marcelino Palacios ante el Superior Tribunal del Cauca," 7-8.
[683] Colombia, Pombo, and Plaza, *Recopilación Granadina*.

7.6 The Road to the Páramo de Ruiz: Control of a Strategic Pass

In addition to the conflict with the land grant concessionary of Salamina, Neira and Manizales, María's settlers dealt with another and at the time, more pressing issue. On October 19, 1855 the Constitutional Legislature of Antioquia granted Manizales a six month extension to complete a toll road from its town center to the border with the province of Mariquita. As mentioned, the road was a strategic project for southern Antioquia because it connected Manizales to the Magdalena River, traversing the central cordillera via the *Ruiz Pass.* Aside from being the shortest route from southern Antioquia's western central cordillera slopes to the Magdalena River, an important route for commerce, it was also strategic because of its potential military use.

The original concession to build the road had been signed by the Governor of Córdova and the Municipality of Manizales on March 30, 1854.[684] The municipality of Manizales was responsible for building, operating, and maintaining the roadway for ten years. The construction period was to be eighteen months. Tolls were to be determined in a contract between the province and Manizales.[685] The province of Córdova also awarded Manizales a subsidy of $1,200 pesos to fund the project. In addition, it requested that the central government grant land to the franchise holder from the acreage reserved by the former in the deal struck with the society of Salamina, Neira and Manizales. As we saw

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[684] Legislatura Provincial de Córdova, "Decreto Provincial," in *ALC 1858 Senado XII* (AGN, 1854), 92-94.
[685] Ibid., 92r, 94v. The contract to build the road was dully signed on March 30, 1854. The government clearly specified the responsibilities of the grantee and the tolls. For instance, a unit of imported cargo paid fourth tenths of a peso; a unit of national-produced cargo three tenths; cattle, mules or horse and personal baggage two tenths; pigs, sheep or goats one tenth. Cargo property of the province of Cordova or of the National Government paid nothing.

previously, this society was one of the main actors in the boundary conflict because it claimed the land colonized by the settlers of María.[686]

Though work on the road began soon after the contract was signed on March 30, political instability brought it to a standstill. Soon after the start of construction, General Melo, the commander of Bogotá's main garrison, revolted against President Obando. On April 17, 1854 a military coup ended the Obando administration, igniting a civil war that lasted until the end of the year. After public order was restored by a coalition of Liberals and Conservatives, Manizales reinitiated work on the construction of the road.[687] Because of the delay in construction, in late September 1855, Manizales requested an extension on the contract.

The contract contemplated extensions to the constructing period under certain circumstances. Manizales requested the extension from the Legislature of the recently created State of Antioquia and it acquiesced. On October 19, 1855, the Constitutional Legislature of Antioquia granted an eight month extension to Manizales.[688] Both Manizales and the Legislature established the legality of the extension based on the political instability. The decision to restart work on the construction of the road ignited conflict with María.

All parties to the conflict lobbied congressmen and executive officials, particularly the Secretary of Governance, to advance their case. Antioquia defended its right to grant the concession and build the road, as well as their claim to the territory of

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[686] Ibid., 94r.
[687] As mentioned above, the coup had several implications for Maria's settlers. As conservatives regained control of the national government, the village was shortly transferred to Antioquia by executive decree of January 10, 1855.
[688] Córdova, "Decreto Provincial," 93v.

María. Cauca, though opposing the direct actions taken by local authorities in María, supported the village's claim to the territory and the land granted to settlers. The government of Cauca in Cartago also asked the central government to abrogate the contract between Antioquia and Manizales because the road passed through their territory. Local governments and interest groups in María and Manizales vigorously defended their rights.

The extension, granted by the Constituent Legislature of Antioquia on October 19, 1855, exacerbated the conflict between the two communities. Irregular militias mobilized and moved to positions on opposite sides of the Chinchiná River or blocked roads connecting Antioquia and Cauca. However, aside from taunting and imprisoning people who attempted to open roads, the two forces interacted very little. Authorities in María blocked roads and destroyed bridges, not only those related to the aforementioned concession but also to the toll road connecting Manizales and María to Santa Rosa de Cabal and Cartago, Cauca's capital.

One of the first protest against the blockades arose from the municipality of Lerida, a town located on the eastern slopes of the central cordillera (province of Mariquita), mid-way to the Magdalena River. On April 14, 1856, José M de Sanoto, mayor of the parochial district of Lerida complained of disruptions on the road that traversed the *páramo de Ruiz*. On a letter to the vice-president, he reported that the mayor of María had blocked the road in order to force passers-by, travelers and cargo to detour through María's central plaza. He feared violent outbursts because of the blockade.[689]

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[689] Alcaldía Parroquial Lérida, "Ciudadano Vicepresidente," in *ALC 1858 Senado XII* (Lérida: AGN, 1856), 95r-v.

The Mayor of María, Agustín José Patiño, was one of the most active participants in this conflict. He attempted to influence decision-making at the provincial and national levels. Mayor Patiño provided provincial and national government officials with maps and affidavits from locals in support of María's claims. Witnesses swore the affidavits in front of the Mayor and other local officials, something that aroused suspicions about their accuracy in Manizales and Bogotá. Throughout the whole process and until he was removed by the provincial government of Cauca, Mayor Patiño presented himself as a defender of the interests of Cauca's territorial integrity and economic prosperity. He claimed Antioquia sided with the powerful to reduce María's settlers to extreme poverty.

In his July 9, 1856 (No. 47) memorandum to the governor of Cauca, the mayor recognized that María had taken the law into its own hands by stopping Manizales from reinitiating the construction of the road on several occasions, as he also informed the Legislature of Cauca on September 1, 4 and 16, 1855. Further actions were taken during the first semester of 1856 when they resorted to roadblocks and detoured travelers through María's central plaza. The Mayor of María argued that Antioquia provoked those actions by reactivating the unlawful concession. He sustained that Antioquia had neither the authority to grant the road concession nor to prolong the duration of the contract. María was created on October 20, 1852 and was aggregated to Antioquia on January 10, 1855 but the latter granted the privilege in late 1853 or early 1854 (the contract was signed on March 30, 1854). Therefore, the privilege was unlawful because Antioquia had no authority to grant a concession for a road that traversed the territory of another province. In addition, the extension was also illegal because Congress passed a statute settling the boundary dispute between Antioquia and Cauca on May 11, 1855. The

Legislature of Antioquia granted the extension on October 19, 1855, five months after Congress confirmed María to be part of Cauca.[690]

The Mayor also argued that, even if María were still been part of Antioquia, the concession would have already expired. Manizales had been given eighteen months to build the road. According to María, the construction period started on November 25, 1853 and ended on May 25, 1855 and not on September 30 of the same year as claimed by Antioquia. Therefore, the Mayor of María concluded Manizales had no right to the extension because it had been granted more than eighteen months after the city and the province signed the contract.[691] The problem with his argument was that he confused the date the Legislature of Córdova authorized the governor to grant the concession (November 25, 1853) with the day both entities signed the contract, March 30, 1854.

The Mayor also provided the governorship of Cauca with other arguments. For instance, he claimed the governor of Córdova was so certain about the illegality of the concession that they chose to first contact the government in Bogotá and send a false statement assuring the President that María was part of Antioquia when they granted it. In addition, he argued that the road had to pass through María's main plaza because it was less sinuous that way. He concluded that the road, as planned, hurt Cauca's commerce. Finally, he requested that the Legislature of Cauca empower him to adopt measures guaranteeing Cauca's territorial integrity.[692]

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[690] Agustín José Patiño, "Nueva Granada, Número 47, el Regidor de Chinchiná," in *ALC 1858 Senado XII* (Maria: AGN, 1856), 101-03r.
[691] Ibid.
[692] Ibid., 102r-v.

On July 9, 1856, Ramón Sanclemente, representing the Governor of Cauca, asked Mayor Patiño to inform Manizales that Cauca considered the concession to be invalid, as the Legislature of Cauca was the sole authority able to grant a privilege affecting its territory. Additionally, Sanclemente asked Mayor Patiño to act with calm deliberation.[693] The Governor of Cauca contacted the Governor of Antioquia and the Minister of Governance in Bogotá. Four days prior, on July 5, the Governor of Cauca Ramón Sanclemente sent a letter to the Governor of Antioquia asking him to modify the terms of the concession.[694]

The conflict did not abate in the second semester of 1856 and the Mayor of María continued his offensive against Manizales. On October 31, 1856, the Governor censored the blockades and ordered the Mayor of María to compensate all passer-byes and merchants. In addition, the Governor removed the Mayor from office and informed the Governor of Antioquia and the Minister of Governance in Bogotá of these decisions. In his November 26, 1856 memorandum to the Minister, the Governor of Cauca recognized the Mayor of María proceeded in an arbitrary manner without regard for legal norms. Ramón Sanclemente assured the Minister that the Government of Cauca neither encouraged nor approved of those actions. In addition, the Governor affirmed that the impetus behind the decision to block those roads, for lack of a better explanation, was to force passer-byes to stop at María's central plaza and probably profit from commerce.[695]

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[693] Ramón Sanclemente, "Gobernación de la provincia del Cauca No. 732," in *ALC 1858 Senado XII* (Buga: AGN, 1856), 103v-04v.
[694] Ramón Sanclemente, "Gobernación de la provincia del Cauca No. 118," in *ALC 1858 Senado XII* (Buga: AGN, 1856), 105r.
[695] Ramón Sanclemente, "Número 113 Gobernación de la provincia del Cauca " in *ALC 1858 Senado XII* (Buga: AGN, 1856), 107r-v, 08r.

In late 1856 Antioquia recognized, though reluctantly, that María was part of Cauca. However, the governorship claimed the contract was legal because, prior to 1855, the jurisdiction of María had been in dispute. In brief, Antioquia said that María had remained part of Antioquia until May 11, 1855 when Congress finally settled the dispute with Cauca. They disregarded previous executive decrees granting María to Cauca (see chronology). For María and Cauca, the village was part of Antioquia only from January 10, 1855 to May 11, 1855.

In his August 18, 1856, letter to the Secretary of Government, Antioquia's Governor Rafael M. Giraldo argued that Córdova granted the privilege before the government "stripped," using this word, the province of the disputed territory. His statement was debatable, but at the time the government of Córdova considered the Chinchiná River to be the stream flowing south of María. Governor Giraldo insisted Córdova had stronger claims than Cauca to that strip of land for two reasons. First, Agustin Codazzi—chief of the *Comisión Coreográfica*— had supported Antioquia's claims. In addition, previous pronouncements determined the Claro River, the southern stream of the two that on the ground received the name Chinchiná, as the border between the two entities.[696]

The government of Manizales also complained about the blockade. On October 12, 1856, Marcelino Palacios reported to Medellín on the events of the previous week. Palacios, returning from *Guineo* his estate in the area, informed that the mayor of María and his cronies had blocked the road from Manizales that connects it with Mariquita and

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[696] Giraldo, "Gobernacion de la Provincia de Antioquia, No. 19," 88r-v.

all roads from Cauca to Antioquia. They pulled-down the bridge he built to access his estate and blockaded the road from Manizales to María. They assured the public that the next day they would barricade the road that connected Manizales to Cauca. Gavino Arango, who dared to unblock the road with two axes, was caught in the act by the *partidas de jenízaros de la aldea* (Janissaries infantry unit, a derogatory term used to designate those behaving in an inappropriate manner), brought to María and sentenced to lose his two axes without a proper trial. In addition, Torrente [a person of authority in María whose official role is not defined by Palacios] harangued people in the plaza and affirmed he was willing to organize an armed unit to liberate people from over taxation.[697]

On October 20, 1856, Rafael M. Giraldo, governor of the recently created State of Antioquia, reported the previous events to the Vice-President. Governor Giraldo requested that the central government take energetic action to prevent a violent outburst between the two communities of Manizales and María. The blockade not only restricted transit but interrupted the whole road construction project. He also claimed that it was impossible to think that the boundary between the two communities was the stream that flowed north of María. He argued that the particular stream in question could not originate from Lagunetas, at the top of the Ruiz. For him, that was the key feature of the river that since "immemorial times" divided Antioquia and Popayán, the colonial province where contemporary Cauca belonged.[698]

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[697] Marcelino Palacios, "Señor doctor Manuel Uribe, Medellín," in *ALC 1858 Senado XII* (Manizales: AGN, 1856), 98r-v, 99r.
[698] Rafael María Giraldo, "Gobernacion del Estado de Antioquia, No. 3," in *ALC 1858 Senado XII* (Medellín: AGN, 1856), 96-97.

The government of Cauca reacted to these accusations and contacted the Secretary of Government about the conflict between the two communities.[699] In a memorandum dated July 9, 1856, the government of María informed Buga, the capital city of Cauca, of their interpretation of events surrounding the blockade. According to Agustín José Patiño, mayor of María, Manizales' attempt to restart work on the road, in spite of the expired contract, sparked the conflict. The mayor assumed November 25, 1853 to be the date Manizales got the privilege. And, if the concession had been granted that day, the privilege would have expired on May 25, 1855, before the extension was granted. The Mayor argued that construction negatively affected commerce and hindered María's progress without explaining how. In addition, he argued that the concession never should have been made because María had already been part of Cauca in 1853. Sanclemente sustained that Córdova had no authority in the disputed strip to grant the privilege.

At the end of the 1850s, the conflict between Manizales and María simmered without resolution and the road, as originally planned, was never built. Both sides continued to accuse the other of obstructing commerce and of acting in violation of the law. This conflict added to the struggle over the wasteland granted to the settlers and the ownership of La Florida. Nevertheless, unlike those two issues, I found no additional evidence concerning a resolution of this conflict. Even though the road, as originally planned was never built, I found no documentation confirming whether the Ospina administration had settled the dispute or not.

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[699] Ramón Sanclemente, "Gobernación de la provincia del Cauca No. 114," in *ALC 1858 Senado XII* (Buga: AGN, 1856), 100r-v & 06r-v.

7.7 Conclusions

The conflict triggered by the establishment of María reveals how, during the nineteenth century, the capacity of the Colombian state to define and enforce property rights was limited. In this particular case, political inconsistencies at the national level contributed to the conflict between Manizales and María. This added to the already conflicting relations between Conservative Antioquia and Liberal-controlled Cauca. As we saw above, the conflict's aftermath exceeded the borders of this territory. It spilled well beyond the confines of Antioquia and Cauca, and eventually involved the national government. The incapacity of state institutions to settle the dispute between towns transformed this conflict typical of frontier societies, into a bitter symbol of the relations between Antioquia and Cauca

Though property rights played a role in generating these conflicts, politics played a central role. The jurisdictional struggle over María was yet another stage in the conflict for political hegemony between Liberals and Conservatives in nineteenth century Colombia. Though its geographic location added to its importance and the complexity of the issues at stake, the incapacity of state institutions to settle this conflict in the 1850s had nothing to do with the value of the land of that Andean slope. State institutions were unable to resolve these conflicts because of the political significance of the land.

Antioquia would continue to claim sovereignty on María and Urabá until the end of the century. In 1905, as part of the territorial rearrangement promoted by the Reyes administration, María and the northern most municipalities of Cauca were transferred to

the newly created department of Caldas with its capital in Manizales. In addition, the new subnational unit was integrated with the southernmost municipalities of Antioquia. The only plausible solution for all actors in this conflict was to create a buffer territory between Antioquia and Cauca and, Caldas played that role.

Part Four: Taxation and State-Building

Chapter 8: Similar Taxation Systems, Dissimilar Outcomes: Antioquia and Cauca (1857-1895)

8.1 Introduction

Colombia provides particularly interesting ground to investigate the links between territorial reorganization and the creation of state institutions. Boundaries drawn for administrative purposes led to crucial divergences between states, as can be seen in the case of neighboring territories Antioquia and Cauca. I focus on Antioquia and Cauca because they were not only key players in national politics, but that events that occurred in those two territories were crucial in shaping the transformations that allowed Colombia to leave behind the cycle of political turbulence and economic instability which had been present since Independence. From the mid-1850s to 1885, regional elites implemented highly divergent state-building projects with little interference from the central government. The nine federal states collected taxes, enacted civil and penal codes, organized militias and put forward legislation covering every aspect of life. The dissimilar capacities of the state institutions created during this period produced wide-ranging consequences for state and the national economies.

In this chapter, I explore the evolution of tax revenue in the sub-national governments of Antioquia and Cauca from their foundation in the second half of the 1850s to the end of the nineteenth century. I emphasize taxation because I consider it a key measure of political authority and institutional development in direct correlation to a

state's capacity to enforce centralized rule.[700] The taxation system also provides information about the political process and economic foundations of a society. The distribution of the tax burden among the population can reflect political values and the effective degree of control of local elites.

I collected data on tax revenues from the annual and biannual financial reports submitted by the Secretaries of Hacienda of Antioquia (1857-1895) and Cauca (1864-1895) to their state presidents as well as from other sources. I compiled and summarized data from the reports, either their published versions or original manuscripts, and contrasted them, when possible, with other sources. In this process, I rectified arithmetic errors. The reports were regularly delivered before all revenue data had been submitted from municipal tax collecting offices. Accordingly, Secretaries corrected the data of previous fiscal periods in their reports. In all cases used here, I chose the most up to date information. Even though the creation of tax systems began earlier in the 1850s in the provinces preceding the creation of states, the archives contained almost no records for the years from 1850 to 1857.

In Antioquia, the first report dates from 1857, one year after Congress granted statehood to the former province, and the last from 1895. All tax revenue data from Antioquia analyzed in this chapter originate from these reports.[701] I did not interpolate

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[700] M.A. Centeno, *Blood and Debt: War and the Nation-State in Latin America* (Pennsylvania State University Press, 2002). 28.

[701] 57Antioquia, "Informe que presenta al Sr. Gobernador del Estado el Secretario del Despacho de Hacienda de Antioquia [Demetrio Viana]," ed. Secretaría de Hacienda de Antioquia (Medellín: Imprenta de Jacobo Facio Lince, 1857), 4. ibid., 7, 10 ; Antioquia, "Informe que el Secretario de Hacienda [Abraham Moreno] dirige al Presidente del Estado para la Legislatura de 1869," ed. Secretaría de Hacienda de Antioquia (Medellín: Imprenta del Estado, 1869), 4, Balance del Mayor. Antioquia, "Memoria sobre Hacienda Pública [Abraham Moreno] del Estado Soberano de Antioquia," ed. Secretaría de Hacienda de Antioquia (Medellín: Imprenta del Estado, 1871), 12-14. ibid., 4. Antioquia, "Memoria del Secretario de

values for either of the two states. For Antioquia, the missing years are consequences of civil wars: 1859-1862, 1864, 1876-1879 and after 1895. National civil wars occurred from 1859 to 1863 and from mid-1876 to 1877. There were also three military coups in Antioquia, one lasting from December 7, 1863 to January 4, 1864, another from January to May 1879, and a final one from January 28 to May 6, 1880. All were uprisings against Liberal administrations. In some cases, following these coups, states required a few years to reorganize their public offices and restart recording financial data.

In Cauca, the first report was generated in 1862, one year after the end of the 1860-1862 national civil war and the last report in 1896. Like Antioquia, all tax revenue data from Cauca also comes from these official reports.[702] For Cauca too, civil wars

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Hacienda [Luis M. Mejía Álvarez] del Estado de Antioquia," ed. Secretaría de Hacienda de Antioquia (Medellín: Imprenta del Estado, 1875), 4, 8-9 & Annex. Antioquia, "Informe que presenta al Ciudadano Vicepresidente encargado de la Presidencia del Estado S. de Antioquia el Secretario de Hacienda y Fomento [Juan B Londoño]," ed. Secretaría de Hacienda y Fomento (Medellín: Imprenta del Estado, 1881), Annex 1-2, 4. Antioquia, "Memoria que el Secretario de Hacienda y Fomento [Benjamin Palacio] presenta al Ciudadano Presidente del Estado," ed. Secretaría de Hacienda de Antioquia (Medellín: Imprenta del Estado, 1883), Annex 1-2; Antioquia, "Memoria que el Secretario de Hacienda y Fomento [Guillermo Restrepo J] presenta al Sr. Gobernador del Departamento para la Asamblea de 1888," ed. Secretaría de Hacienda de Antioquia (Medellín: Imprenta del Departamento, 1888), Annex 3-4. Antioquia, "Informe que el Secretario de Hacienda y Fomento [Rafael Giraldo y Viana] presenta al Sr. Gobernador de Antioquia para la Asamblea de 1890," ed. Secretaría de Hacienda de Antioquia (Medellín: Imprenta del Departamento, 1890), 14, 31. Antioquia, "Informe del Gobernador del Departamento del Antioquia a la Asamblea en sus sesiones de 1892," ed. Gobernación de Antioquia (Medellín: Imprenta del Departamento, 1892), Annex 31. Antioquia, "Informe del Gobernador del Departamento de Antioquia [Nicolás Estrada A.] a la Asamblea en sus sesiones de 1894: Ramo Hacienda," ed. Secretaría de Hacienda de Antioquia (Medellín: Imprenta del Departamento, 1894), Annex 10, 15. Antioquia, "Informe que el Subsecretario de Hacienda engargado del despacho [Eusebio Robledo] presenta al Sr. Gobernador del Departamento para la Asamblea de 1896," ed. Secretaría de Hacienda de Antioquia (Medellín: Imprenta del Departamento, 1896), Annex 18-19.

[702] "Informe que presenta el Secretario de Hacienda [J. Cesar Velazco] a la Lejislatura del Estado Soberano del Cauca, en sus sesiones de 1865," *Gaceta Oficial del Cauca*, 11 y 13 de julio de 1865 1865, 375-76. Cauca, "Informe del Secretario de Hacienda a la Lejislatura de 1869," ed. Secretaría de Hacienda (Popayán: Imprenta del Colejio Mayor, 1869). Cauca, "Informe del Secretario de Hacienda [Federico Restrepo] a la Lejislatura de 1871," ed. Secretaría de Hacienda (Popayán1871), 3, 8-9 & Annex. Cauca, "Memoria del Secretario de Hacienda del Estado Soberano del Cauca, a la Convención," ed. Secretaría de Hacienda (Popayán: Imprenta del Estado, 1872), 1 & Annex A. Cauca, "Informe del Secretario de Hacienda del Estado Soberano del Cauca a la Legislatura en sus sesiones ordinarias de 1875," ed. Secretaría de Hacienda (Popayán: Imprenta del Estado, 1875), 12-14, Annex & Document X. Cauca, "Memoria del Secretario de

created lagoons in the data, missing years that only appear as reproductions in subsequent reports. In addition to the national conflicts listed previously, short-lived regional uprisings occurred in Cauca that impacted these reports, including those of September 27, 1865 and from March to April of 1879. The first was a failed Conservative uprising led by Sergio Arboleda, who rebelled along with their fellow party members in Boyacá, Cundinamarca and Tolima. The second was a Liberal uprising, led by Eliseo Payán against the Radical Liberal administration of Modesto Garcés.

Unsurprisingly for the period, both sub-national governments relied on indirect taxation, monopolies, and license and administrative fees to sustain their state apparatus. Though those in charge of the state's taxation systems often debated the unequal distribution of the tax burden among the population, they took no measures to develop more progressive tax structures. In addition, neither Antioquia nor Cauca built cadastral records. In fact, in Antioquia in particular, any direct form of taxation met strong opposition. As we will see, the government of Antioquia went so far as to transfer funds to municipalities in order to stop their collection of property taxes.

I found substantial differences between the two states in terms of revenue collected. For instance, despite its lower population Antioquia had substantially larger tax

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Hacienda del Estado Soberano del Cauca," ed. Secretaría de Hacienda (Popayán: Imprenta del Estado, 1877), 34-37, 88-89, 94 & Documents XI, XIV. Cauca, "Informe del Secretario Jeneral a la Lejislatura del Estado, en sus sesiones ordinarias de 1879," (Popayán: Imprenta del Estado, 1879), 37 & Chart A. Cauca, "Informe del Secretario de Hacienda, a la Legislatura en sus sesiones ordinarias de 1881," ed. Secretaría de Hacienda (Popayán: Imprenta del Estado, 1881), 4 & Charts 1, 2. Cauca, "Informe del Secretario de Hacienda a la Legislatura del Estado Soberano del Cauca en sus sesiones ordinarias de 1883," ed. Secretaría de Hacienda (Popayán: Imprenta del Estado, 1883), 83 & Charts 1, 4. Cauca, "Informe del Gobernador del Departamento del Cauca a la Asamblea del mismo en sus sesiones ordinarias de 1890," ed. Gobernación del Cauca (Popayán: Imprenta del Departamento, 1890), Annex A, B & D. Cauca, "Informe del Gobernador del Departamento del Cauca [Jose A. Pinto] a la Asamblea de 1896," ed. Gobernación del Cauca (Popayán: Imprenta del Departamento, 1896), 104.

revenues than Cauca, throughout the entire period (see table 2 in the Appendix). In addition, while per capita tax revenues remained relatively stable in Cauca, especially during the period when Colombian states were virtually independent from each other, in Antioquia they grew. By 1895, per capita tax revenues in Antioquia were more than double what they were in Cauca. I argue that these results cannot be explained by external or geographical factors but rather by internal ones. Furthermore, it is important to note that this increase in tax revenue in Antioquia occurred before the consolidation of the coffee export economy in Antioquia and sugarcane production in northern Cauca (since 1910, the department of Valle del Cauca).

Table 16: Population (in thousands), Antioquia and Cauca (1843-1898)[703]

Year	Antioquia	Cauca	Colombia
1843	190	269	1,812
1851	243	312	2,095
1864[e]	303	386	1,680
1870	366	435	2,713
1883	464		
1887[e]	520	635	3,666
1898[e]	620	800	4,172

Even though more research is required to fully comprehend the origins of these differences, they do seem to reflect Antioquia's greater institutional capacity to levy taxes, from the mid-1850s to the end of the nineteenth century. Their institutions allowed the government of Medellín to tax its population more effectively than Popayán.

[703] Cauca, "Informe del Secretario Jeneral a la Lejislatura del Estado, en sus sesiones ordinarias de 1879," 37 & Chart A.

Moreover, Antioquia appears to have controlled its territory more effectively than Cauca. This is in part, reflects the stability of Antioquia's territory. It changed very little from the late eighteenth century to the twentieth. Cauca, on the other hand, was a composite of five different provinces—Buenaventura, Cauca, Chocó, Pasto, Popayán—and the territory of Caquetá.[704] Furthermore, their territorial extensions were dramatically different. Cauca's total territorial expanse was eleven times larger than Antioquia's, and remained significantly larger even after discounting the 500,000 square kilometers of wasteland in Caquetá.[705]

When examining these differences, one must keep in mind the lack of state institutions present in the provinces when Colombia's Congress reorganized them into federal states in the 1850s. Federal states did not emerge with the institutional capacity to control their territories, to support markets, or even to levy taxes. We cannot presume they had the capacity to enforce contracts or even legislation. In fact, evidence points to a national government, and subnational governments, that lacked the legal and financial abilities to cope with the responsibilities of contemporary states, to say nothing of sustaining a market economy. Therefore, the differences between Antioquia and Cauca resulted from decisions made within those states. Complementary research is currently underway on the political factors that conditioned the development of state capacity to collect taxes and their effects on state economies.

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[704] Colombia, "Leyes i Decretos Espedidos por el Congreso Constitucional de la Nueva Granada en 1857," 60-61.

[705] Antioquia had an estimated area of 59,025 square kilometers and Cauca of 666,800. Pérez, *Jeografía Física i Política del Estado de Antioquia, Escrita de Orden del Gobierno Jeneral*: 1-2. Pérez, *Jeografía Física i Política del Estado de Cauca, Escrita de Orden del Gobierno Jeneral*: 3-4, 243.

This project is part of long-term research on the building of state capacity in Colombia during the nineteenth century and the persistence of fragile state institutions at the national and regional levels. Colombia's state-building process dragged on—as did the self-reinforcing cycle of political instability and economic stagnation—until the end of the *War of the Thousand Days* (1899-1902). In the decade after the end of that war, Colombia's political elite from both parties agreed to reforms that finally allowed political conflicts to be diverted into more peaceful channels.

From 1858 to 1885, the governments of Colombia's nine sovereign states enacted legislation and implemented public policies on a multiplicity of issues, including taxation and spending, as authorized by the Constitutions of 1858 and 1863. Antioquia and Cauca become perfect case studies because their political leaderships implemented divergent state-building projects. They followed very different plans of economic and political development up to 1885, and as a result experiences very different political, social and economic processes, differences that survived well into the twentieth century.

In the nineteenth century, the states of Antioquia and Cauca comprised western Colombia, from the border with Ecuador up to the Caribbean Sea. The territory of Antioquia remained nearly unmodified from the early nineteenth century. It is mostly mountainous with some Andean valleys. Cauca, Antioquia's neighbor to the south, was created on June 15, 1857, and in contrast to its northern neighbor, was created as a composite of five former provinces.[706]

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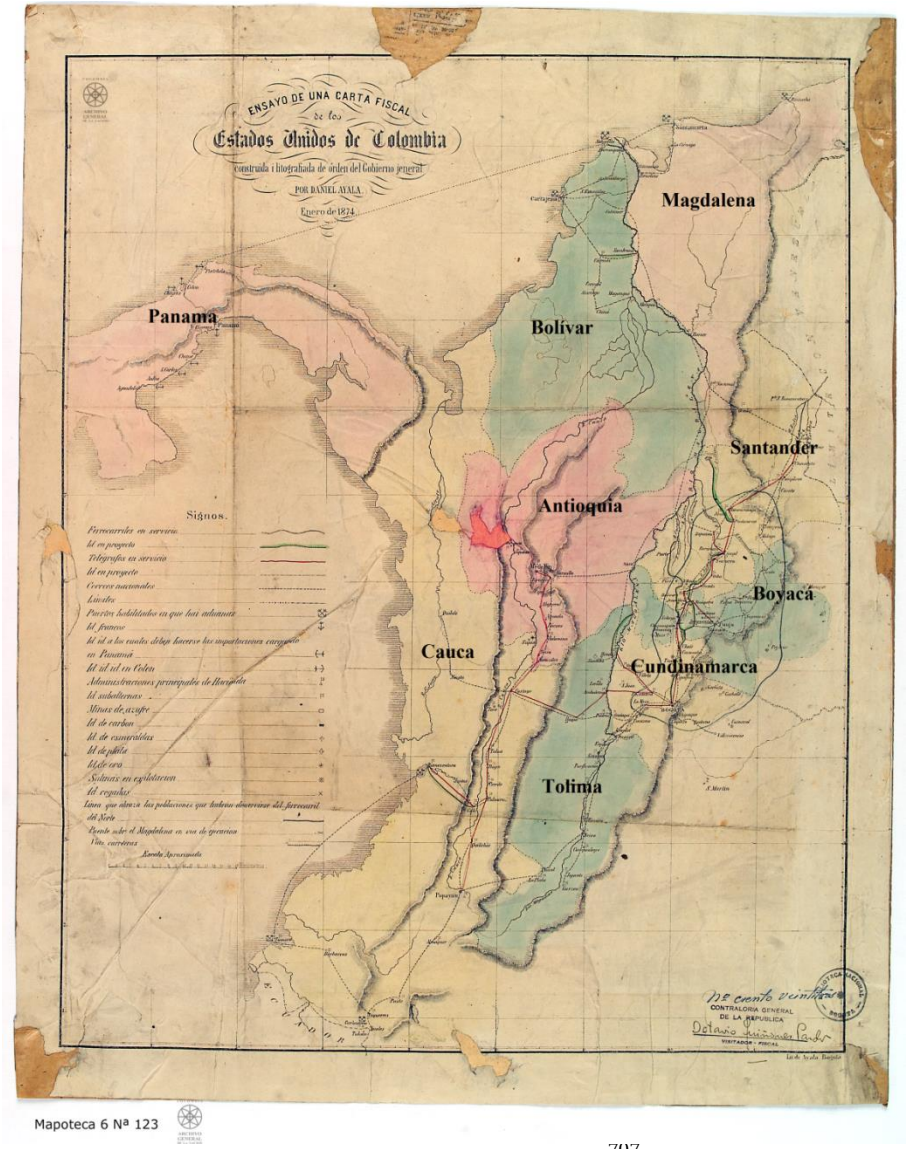
[706] Colombia, *CN XVII*, XVII 1856-1857: 356-59.



Map 10: United States of Colombia (1874)[707]

In the nineteenth century, Cauca encompassed the entire Pacific coast and the Amazonian region of Colombia bordering Brazil. Cauca, though similar in some areast to Antioquia, also encompassed the fertile plateau known as the Cauca Valley that was

[707] Daniel Ayala, "Ensayo de una Carta Fiscal de los Estados Unidos de Colombia construida i litografiada de órden del Gobierno general," (1874).

roughly fifty percent of the national territory. Cauca was the largest of the nine states in the time period studied for this dissertation. In the first decade of the twentieth century, Congress broke Cauca into five departments: Cauca, Nariño, Valle del Cauca, Chocó and a section that became part of Caldas.

In this chapter, I trace taxation and state capacity in Cauca and Antioquia. First, I develop the theoretical relationship between taxation and the building of state institutions in greater detail. After that, I present and analyze tax revenues for the subnational governments of Antioquia and Cauca. Finally, I introduce questions and observations concerning the results of my previous analyses. Tables with the data for both states can be found in the annex.

8.2 War was not the Answer: Taxation and the Building of State Institutions

The construction of Colombia's fiscal system, both at the national and regional levels, is a poorly understood matter. The lack of research on the topic appears ever more striking once one considers the impact of insufficient tax revenues and fiscal institutions on topics that have been well-studied. For example, insufficient tax revenues directly delayed the establishment of some state institutions, contributed to the persistence of others, and are widely understood to have had negative impacts all round. They compromised the construction of infrastructure projects and impaired the governments' ability to sustain both a market economy and public order.

Historians generally agree that insufficient revenues limited national and state government's abilities to control their territories and maintain public order, resulting in

the well-known cycles of upheavals and civil wars. [708] However, we barely understand the other side of the equation: How did governments levy taxes and why were tax revenues insufficient for the tasks of government? To fully understand the fragility of Colombia's nineteenth century state building process, we must address this question.[709]

In this section, I will draw on evidence from the development of fiscal systems and state capacity in Europe. Until recently, historical evidence from Europe has provided the measure for evaluating the formation of state capacity and the development of fiscal systems in other regions of the world. For Europe, war and international commerce have long been recognized as forces that fostered the development of fiscal systems and stimulated states to change.[710] And though the limitations of war-centered explanations of nineteenth-century Latin America state-formation has also been recognized, this literature provides valuable insights that further our understanding of this issue.

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[708] In his essay Money, Taxes, and Finance, Carlos Marichal concludes that after Independence, "a vicious cycle was initiated in which fiscal deficits led to weak government, which, in turn, stimulated frequent challenges to the political or military elite in power. As a result, civil strife proliferated, particularly as national military leaders frequently forged political alliances with disaffected regional elites. The high expenditures of those disjointed, albeit highly militarized, states provoked severe deficits that could only be covered with emergency loans from domestic merchant bankers. Inevitably, much of each country's tax revenue was mortgaged to moneylenders and, consequently, even worse fiscal conditions prevailed, provoking even more internal strife." V. Bulmer-Thomas, J. Coatsworth, and R. Cortes-Conde, *The Cambridge Economic History of Latin America: Volume 1, The Colonial Era and the Short Nineteenth Century* (Cambridge University Press, 2005). 448-49.

[709] State-building is defined as the expansion of state institutions and their capability to accomplish diverse goals. It encompasses a set of growing capacities to penetrate society, extract resources, and regulate social relationships. Migdal, *Strong Societies and Weak States*, p. 4. This process also consists of the expansion of interconnected state-agencies to fulfill several duties. Among them, the establishment of a bureaucracy to enforce state legislation; of a judiciary system to adjudicate disputes; of a standing army and police forces to enhance the state's coercion capability; and of other institutions that contributes to enhance state's legitimacy such as school systems. In *State in Society*, J. Migdal presents a detailed discussion on this topic. Migdal, *State in Society*, p.126

[710] Bartolomé Yun-Casalilla, "Introduction: the Rise of the Fiscal State in Eurasia from a Global, Comparative and Transnational Perspective," in *The Rise of Fiscal States: A Global History 1500–1914*, ed. B. Yun-Casalilla, P.K. O'Brien, and F.C. Comín (Cambridge: Cambridge University Press, 2012), 3.

The creation of the first modern states in Europe involved the building of three structures: a standing army, improved tax-collecting mechanisms, and an expanded set of courts.[711] Scholars agree that wars acted as causal mechanisms for the growth of state capacity in Europe, including for these three structures.[712] In the seventeenth and eighteen centuries, competition among European states posed a fundamental challenge to existing fiscal regimes, and forced a transformation. Warfare and mercantilist policies stimulated the transformation of most European tax systems that struggled to cope with rising military expenditures. Warfare not only contributed to the building of state institutions, it also to the expansion of markets and global trade. Charles Tilly was the most well-known exponent of the idea that European state capacity developed in reaction to the demands of war.[713]

Even though historians confirm the causal role played by war in the growth of state capabilities in Europe and Asia, they caution against oversimplification.[714] Indeed, in the nineteenth century, fiscal states in Europe and other areas formed during sustained periods of peace. The need to establish internal order and to protect property rights has relegated war as an explanation for state development.[715]

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[711] Migdal, *State in Society: Studying How States and Societies Transform and Constitute One Another*: 51.
[712] Joel Migdal defines state capability as "the ability of state leaders to use the agencies of the state to get people in the society to do what they want them to do." These capabilities include the capacity to penetrate society, to regulate social relationships, to extract resources and to appropriate or use resources in determined ways. Migdal, *Strong Societies and Weak States: State-Society Relations and State Capabilities in the Third World*: xiii, 4.
[713] Tilly argues that "by placing the organization of coercion and preparation for war squarely in the middle of the analysis, arguing in its rasher moments that state structure appeared chiefly as a by-product of rulers' efforts to acquire the means of war and preparation for war." Charles Tilly, *Coercion, Capital and European States: AD 990 - 1992* (Cambridge, MA: Blackwell, 1992). 14.
[714] B. Yun-Casalilla, P.K. O'Brien, and F.C. Comín, *The Rise of Fiscal States: A Global History, 1500-1914* (Cambridge University Press, 2012).
[715] Yun-Casalilla, "Introduction: the Rise of the Fiscal State in Eurasia from a Global, Comparative and Transnational Perspective," 17.

The war-centric explanation does not seem to hold for Latin America in general, or for Colombia in particular. In Latin America, war had almost no effect on the fiscal capacity of the states.[716] In part, this was due to the relative accessibility of external resources. States could go to war without "coming into conflict with those social sectors that possessed the required resources" because Latin American states paid for their wars through inflationary taxation and loans from abroad.[717] However, because of a government default in the late 1820s, loans from abroad were not available to Colombian governments for most of the nineteenth century. The government failed to regain the confidence of international capital markets until the early decades of the twentieth century. Thus, inflationary taxation, internal loans and expropriations were key sources of income.

One of the key findings of my research is that frequent civil wars and uprisings had no positive effect on the capacity of the governments of Antioquia and Cauca to collect tax revenues. On the contrary, tax revenues grew during periods of political stability; a conclusion quite in line with current theoretical scholarship. M. A. Centeno argues that in contrast to the European war-centered hypothesis, the building of state institutions in Latin America was more closely related to the expansion of the export

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[716] In Blood and Debt: War and the Nation-State in Latin America, Miguel Angel Centeno argues this outcome is a consequence of the types of war fought by the Latin American nations. While Europeans fought total wars, Latin America states fought limited wars. The result in the latter is limited states. Some of the effects of total wars in Europe were an increased state capacity to extract resources; the centralization of power and the gradual disappearance of regional loyalties or identities; an stronger emotional links between the population and both a set of state institutions and the often notion of nation that these institutions meant to represent and a qualitative shift in the relationship of individuals with those institutions, that is, a transition from subject to citizen. Limited wars, he continues, rarely leave positive institutional legacies and often have long-term costs, debt for instance. Centeno, *Blood and Debt: War and the Nation-State in Latin America*: 20-28.

[717] Ibid., 28.

economy than to the logistical requirements of war.[718] Overall, the case of Colombia, and those of Antioquia and Cauca in particular, seem to confirm his thesis.

The nineteenth century civil wars left behind nothing but a legacy of chronic fiscal deficits, expropriated property, forced loans and debased currency. Civil conflicts interrupted administrative processes and left incipient bureaucracies in disarray. State-institutions in Colombia consolidated only after the expansion of the coffee-export economy in the first thirty years of the twentieth century. Nonetheless, the Colombian state remained weak with little ability to implement decisions for most of the twentieth century. The fragility of Colombia's nineteenth century state-building process remains unexplained.

8.3 Taxation in Antioquia and Cauca

On April 20, 1850, Liberal President José Hilario López transferred revenue sources and new competencies to Colombia's subnational governments.[719] With this move, Liberals aimed to bring decision-making closer to the population and revitalize lethargic provincial and local administrations. On January 1, 1851, though little prepared and lacking the state institutions needed to fulfill the task, provinces began to collect the taxes authorized to them by the aforementioned legislation. The act of 1850 became the first step in a decentralization process that culminated with the federal constitutions of 1858 and 1863. During this decade, Congress regrouped provinces into nine federal states

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[718] Ibid., 114, 32-33.
[719] The title of the Act in Spanish is "Ley sobre decentralización de algunas rentas y gastos públicos, y sobre organizacion de la hacienda nacional." Colombia, *CN XIV*, XIV 1850-1851: 32-40.

(see chapter six). These sub-national territories became highly autonomous units, functioning with little interference from Bogotá, the country's capital city. This institutional arrangement ended abruptly in 1886 when the states lost their autonomy and were transformed in to departments, and mere agents of the national government.

The 1850 legislation listed the taxes transferred to the provinces and those retained by the national government. The central government retained the administration of customs and revenues from imports. To preserve the unity of the internal market, Congress banned subnational governments from taxing imports with tariff-like duties. However, they could levy a consumption tax within their borders. To avoid conflicts with neighboring provinces, the act banned subnational governments from establishing higher rates on the consumption of imported goods. Congress explicitly prohibited the taxation of exports. Furthermore, provinces could not enact barriers of entry to their territories or overtax those goods already subject to national duties.[720] We will see that after 1858, when Congress approved the first federal constitution, Antioquia and Cauca, and many other states, enacted barriers of entry into their markets and taxed internal trade, even though the charters banned them from doing so.

Frank Safford argues against interpreting these barriers as reflections of regional economic interests, at least at this point. Safford concludes that prior to the 1870s few conflicting regional economic interests existed, or at least few that were serious enough to induce war. Even though Safford focused on the origins of internal wars in Latin America, his essay is relevant for the issues discussed here. In Colombia, and perhaps

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[720] Ibid., 457-59.

also in Argentina, "the economic roots of civil war before 1870 lay not in conflicting regional interests but rather in the lack of an integrated national market. The lack of large integrated markets stunted economic opportunity and inclined elites to political enterprise." For Safford, Cauca and Antioquia were paradigmatic contrasting examples: elites in Cauca were inclined to political enterprises and in Antioquia to business.[721] This conclusion, albeit problematic and reductionist, contains an element of truth. The economy of Antioquia, reliant on gold exports for most of the nineteenth century, remained manifestly more dynamic than that of Cauca. Moreover, by raising these barriers to trade, though productive in terms of generating tax revenue, the governments of the nine states restrained the expansion of the internal market, obstructing economic opportunities.

The national government retained the administration of and income generated by the postal service, the sale of stamped paper, the two *Casas de Moneda* (the mint houses located in Bogotá and Popayán), the tolls on national roads, and the salt monopoly. Payroll taxes on national employees, service fees and any penalty or interests generated by national taxes also went to the central government. All sources of revenue not included in the previous list were granted to the provinces. They could eliminate or create new taxes and increase or decrease rates of existing ones. The sources of revenue transferred included mining taxes (abolished by most provinces soon after they were transferred), local sales taxes, the sale of stamped paper and others. By far, the most productive of the revenues transferred to the province was the alcohol monopoly. The

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[721] Safford, "Reflection on the Internal Wars in Nineteenth-Century Latin America," 16.

tobacco monopoly was abolished in 1849 and by the time of this reform, Indian tribute was no longer levied at the provincial level. However, more research is needed to know if the southern provinces of Cauca levied any form of Indian tribute.

The Constitutions of 1858 and 1863 preserved this allocation of state revenue and left in place restrictions intended to preserve free trade, though legislation passed between 1858 and 1886 was less explicit in defining what federal states could or could not tax. Nevertheless, both charters prohibited the nine federal states from levying taxes on internal commerce and on property, goods or services already taxed by the national government. Subnational governments ignored this prohibition, implementing duties on internal commerce as early as 1859. Taxes on imported goods introduced to the states of Antioquia and Cauca became the single most important source of revenue for those states from the early 1860s to 1886. So significant that in 1886, when Conservatives passed a centralizing constitution and reclaimed most of the sources of revenue that had previously been in the hands of the federal states, the president had to create a new 25% surcharge, that was used to substitute the newly nationalized consumption taxes and livestock sacrifice taxes.[722]

In addition to imposing duties on imports, the federal states imposed restrictions in the forms of tolls, mandatory storage fees and the like.[723] Both Antioquia and Cauca levied transit taxes known as *peajes*, specifically dedicated to funding the construction of

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[722] G. Colmenares and J.A. Ocampo, *Historia Económica de Colombia* (Bogotá: Planeta, 2007). 176.
[723] The Federal Supreme Court routinely discussed these restrictions. For instance, in 1881, the Federal Supreme Court declared the law 35 of 1877 enacted by Antioquia violated the Constitution of 1863 for it taxed the introduction of cattle ($4 pesos per unit) into the state territory. The law was considered unconstitutional because this duty was interpreted as a trade barrier. Antioquia, "Informe que presenta al Ciudadano Vicepresidente encargado de la Presidencia del Estado S. de Antioquia el Secretario de Hacienda y Fomento [Juan B Londoño]," 29.

transportation infrastructure. However, complaints alleged these tolls functioned as *aduanillas* (internal customs), and as such, constituted restrictions on internal commerce. In Colombia, state sales and transit taxes, in the form of *peajes*, hindered interregional trade.[724] In 1877, the Secretary of Finance of Cauca even requested that the State Legislature prohibit the entry of foreign goods not imported directly by sea.[725] If approved, it would have blocked commerce with all other federal states except Panamá.

Even though these restrictions were clearly unconstitutional, states usually got away with them, because the national government lacked the institutional capacity to enforce constitutional provisions. Had the national government or any of the nine states resorted to the Federal Supreme Court to settle the conflict generated by these restrictions, the defendant could have the Senate override any ruling (with the support of other states). This happened with a case concerning Cauca in 1867.

Cauca's 1867 tax statute created a new tax, *derechos de introducción* (introduction duties) and reformed the *derechos de consumo* (consumption tax). To collect these two duties, Julian Trujillo, the President of Cauca, signed an executive decree of February 8, 1868, creating the *Aduanilla* of Buenaventura, the state's customhouse in this Pacific port. Later that month, the Federal Supreme Court suspended a few provisions of Cauca's 1867 tax statute because they blatantly violated the

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[724] Bulmer-Thomas affirms that "in contrast to the United States, which experienced a strong movement toward the integration of regional markets into national markets, in the first half of the nineteenth century, Latin American economies were confronted by marked fiscal obstacles to domestic trade transactions." V. Bulmer-Thomas, J. Coatsworth, and R. Cortes-Conde, *The Cambridge Economic History of Latin America: Volume 2, The Long Twentieth Century* (Cambridge University Press, 2006). 446-48.
[725] Cauca, "Memoria del Secretario de Hacienda del Estado Soberano del Cauca," 143.

Constitution of 1863 and imposed restrictions on internal trade. [726] On March 27, 1868, the Colombian Senate annulled the same provisions using similar arguments as those employed by the Federal Supreme Court. The Government of Cauca appealed and the Senate reconsidered it previous vote, this time reversing its position. On May 19, 1868 the Senate clarified the meaning of the words *estraccion* and *explotacion* used by the Court in its ruling, and thus, sanctioned the double taxation.[727]

Three years later, the Supreme Court invalidated two new provisions of Cauca's tax statute 259 of 1869 on the grounds they authorized state taxes on goods introduced into the state territory.[728] These were not the only examples. During the federal period, from 1863 to1885, restrictions on internal commerce were so important that the Secretary of Finance of Cauca suggested in 1869 that the State Legislature authorize the negotiation of a bilateral trade agreement with Antioquia. The agreement would have intensified bilateral trade by reducing taxes on certain goods.[729]

Subnational government also received income from other sources. Occasionally, the central government transferred funds, like the surcharge on customs after 1886. In wartime, forced loans or the expropriated property of political opponents provided other sources of income.[730] Risk of expropriation ran very high during periods of political

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[726] It violated Article 8, Section 4 of the Federal Constitution [Article 8. En obsequio de la integridad nacional, de la marcha expedita de la Unión y de las relaciones pacíficas entre los Estados, estos se comprometen:… 4. A no gravar con impuestos, antes de haberse ofrecido al consumo, los objetos que sean ya materia de impuestos nacionales, aun cuando se hayan declarado libres de los derechos de importación; ni los productos destinados a la exportación, cuya libertad mantendrá el Gobierno general].
[727] Cauca, "Mensaje del Presidente del Estado Soberano del Cauca [Trujillo, Julián] a la Lejislatura de 1869," ed. Presidencia del Cauca (Cali: Imprenta de Eustaquio Palacios, 1869), 21-22.
[728] Cauca, "Informe del Secretario de Hacienda [Federico Restrepo] a la Lejislatura de 1871."
[729] Cauca, "Informe del Secretario de Hacienda a la Lejislatura de 1869," 14.
[730] Usually, state governments kept track of forced loans requested to political foes. These distributed by municipalities, as it was the case of the loan collected by liberal to the supporters of the previous

conflicts and civil war. Even though banned by law, expropriations from political adversaries became a customary tool for financing military campaigns. For example, in 1863, expropriations and forced loans provided 47% of Antioquia's total income, and in 1866 and 1867 approximately 21%. In Cauca, public officers did not record these two sources of income. However, forced loans and expropriations do appear in debt reports. State predation was a constant complain of politicians and entrepreneurs during the federal period.

The federal states implemented a wide array of taxes, including a livestock sacrifice tax, export and import duties (euphemistically called extraction and introduction taxes), stamped paper, mortuary taxes, and mortgage and registry fees. Sectional governments also leased the right to administer ford and river crossings. States charged a duty for the right to operate a public or private barge. In Antioquia and in Cauca, two states with large mining industries, their governments collected a *derecho de títulos*, a fee paid for the issuance of property documents for mines and privileges granted by the state. Most of the revenue produced by this tax came from new mines, though both states also collected an annual tax on mines that preserved the property rights to a mine. The amount paid was proportional to the size of the exploitation. [731]

The Secretaries of Hacienda of each state repeatedly required their legislatures to suppress certain taxes because they netted few returns. However, in the financial reports they submitted, they gave no evidence of the net income received from each source of

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conservative administration. Antioquia, "Informe del Secretario de Hacienda [Eladio M. Gónima] de Antioquia," *Crónica Oficial*, 3 de abril de 1863 1863.

[731] Antioquia, "Memoria sobre Hacienda Pública [Abraham Moreno] del Estado Soberano de Antioquia," ed. Secretaría de Hacienda de Antioquia (Medellín: Imprenta del Estado, 1873), 19.

revenue. Despite recognizing the limitations of their tax systems, neither Antioquia nor Cauca implemented far-reaching reforms to overhaul them. Tax laws were frequently amended, and almost all these adjustments were motivated not by the desire for more efficient tax collection, but to cover acute fiscal deficits in the short-term.

The Legislature of Antioquia enacted tax-related norms in most of its biannual meetings after becoming a state in 1856. However, it only passed its first systematized tax code in 1864 (Law 10 of that year).[732] As mentioned previously, government officials and assembly members recognized inconsistencies in the state's tax legislation and complained that tax rates were too high. Nonetheless, fiscal deficits and political interests had prevented them from overhauling the system.[733] In Antioquia, in contrast to Cauca, taxes were uniformly collected throughout its territory. That meant that there was only one tax system and all the inhabitants within the borders of the state were subject to it. In Cauca, by contrast, certain taxes were not levied in all municipalities, the alcohol excise tax being the most noteworthy. This gives us a good idea of the degree of centralization achieved very early on by the government of Antioquia. But, in all fairness, Cauca, created one year after Antioquia, faced the difficult task of centralizing the authority previously exercised and held by five different provinces into one. Antioquia's historical territorial integrity may have eased the centralization process.

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[732] Antioquia, "Informe que el Secretario de Hacienda [Abraham Moreno] presenta al Ciudadano Gobernador del Estado," ed. Secretaría de Hacienda de Antioquia (Medellín: Imprenta de Isidoro Isaza, 1867), 4.
[733] Antioquia, "Informe que el Secretario de Hacienda [Víctor Molina] presenta al Gobernador Provisorio del Estado," ed. Secretaría de Hacienda de Antioquia (Medellín: Imprenta de Isidoro Isaza, 1864), 6-7.

Since its creation, Cauca's Legislature reformed its tax legislation nearly every time they met.[734] In 1857, the Constituent Assembly of Cauca decided to retain the tax system inherited from the provinces of Pasto, Popayán, Cauca, Buenaventura and Chocó (Law 1 of September 26, 1857). In effect, from they start they delayed the standardization of the tax code for the federal state. Article 22 authorized the governor to homogenize the tax system and determine its implementation.[735]Cauca would not enact its own tax code statute until ten years later (Law 209 of 1867) and even then, the system was far from standardized.[736] One national civil war (1859-1862) and a regional uprising in 1865 contributed to this inaction of the Cauca state government. In addition, resistance from municipalities also contributed to the delay. The result of this uneven implementation and lack of standardization can be seen with the sugarcane alcohol excise tax: a most important source of revenue levied unevenly throughout Cauca.

Tax Law 148 of July 27, 1865 authorized the government of Cauca to collect the sugarcane alcohol tax in the southern municipalities of Pasto, Túquerres, Obando, and Caldas (exempted until that year). The implementation of the law proved difficult because of resistance in the regions, and new legislation was needed to enable the collection of the tax (Law 179 of July 17, 1866).[737] The state president went further, issuing executive decrees regarding the collection of the tax on July 29, 1865 and

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[734] Cauca, "Memoria del Secretario de Hacienda del Estado Soberano del Cauca," 32. The first tax statute was enacted on September 26, 1857 (Law 1). It was reformed in 1858, 1859, 1863, 1864, 1865, 1866, 1869, 1871 and 1875 (Acts 33, 87, 140, 148, 160, 209, 259, 322 and 58 respectively.

[735] Tomás Cipriano de Mosquera, "Mensaje del Gobernador del Estado del Cauca," ed. Gobernación del Cauca (Popayán1859), 10-11.

[736] Cauca, "Mensaje del Presidente del Estado Soberano del Cauca [Trujillo, Julián] a la Lejislatura de 1869," 20.

[737] Cauca. Secretaría de Hacienda, "Informe que presenta a la Lejislatura el Secretario de Hacienda [J. Cesar Velazco], en sus sesiones ordinarias de 1867," in *Gaceta Oficial del Cauca* (Popayán1867), 852.

September 15, 1866.[738] Tax exemptions had aggravated Cauca's fiscal deficit. Debt accumulated from the civil war in 1860 (that lasted until 1863 in the state), the regional rebellion that began on September 27, 1865, and the opposition to the sugarcane alcohol tax. The constant fears of an approaching rebellion that could paralyze commerce also played a part. [739]

The difficulty faced by the state government in collecting the alcohol excise tax in certain regions of Cauca is puzzling. Further research is needed to determine ethnic composition and patterns of consumption, as well as possible changes in land use in those areas where the alcohol excise tax shifted after 1867. Contraband and illicit alcohol production, for instance, hit state revenues hard and caused discord between local, regional and central authorities well into the twentieth century. These were conflicts that required more extensive policing than even more developed states could conduct.

8.4 A Similar Tax System with Dissimilar Outcomes

Throughout the period examined in this dissertation, Antioquia and Cauca levied many different taxes, though the majority of state revenues originated from only a few (see table 2 in the Annex). Antioquia relied on the liquor monopoly and on taxes on internal commerce to finance its state apparatus. In Cauca, the tax on internal commerce provided the largest single source of revenue, followed by the excise tax on alcohol and the livestock sacrifice tax. These conclusions are consistent with other empirical evidence

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[738] Cauca, "Memoria del Secretario de Hacienda del Estado Soberano del Cauca," 16.
[739] Hacienda, "Informe que presenta a la Lejislatura el Secretario de Hacienda [J. Cesar Velazco], en sus sesiones ordinarias de 1867," 852.

on the issue.[740] The stamped paper monopoly and taxes on exports also provided significant revenues in Cauca. In both states, tax collection was leased to private entrepreneurs.

Throughout the period, tax farming remained the preferred method of tax collection in Antioquia and Cauca. States auctioned the right to collect tax revenues to the highest bidders. The procedures used to assess the minimum value of the rent and the auction process differed in Antioquia and Cauca. In the former, a committee appointed by the state president assessed the rent and controlled the auction for all fiscal districts. In Cauca the whole process was decentralized to the *jefes politicos*, the municipal chief executive officers. This procedure provides another indication of the level of centralization achieved by Antioquia early in its statehood. For recently established subnational units, tax farming provided evident benefits.

A centralized tax-collecting process requires considerable expenditures on administration and a state bureaucracy needed to assess and collect revenue. In addition, the yield remains uncertain in terms of the amount and the timing. All of the nine subnational territories created from 1855 to 1861 lacked the state machinery to directly collect their taxes. Thus, all of their governments decided to lease out tax collection. This system provided a defined revenue stream that was paid out at certain periods, something that facilitated budgeting and planning, and allowed governments to collect taxes in their territories without government bureaucracy. Only when no private entrepreneurs leased

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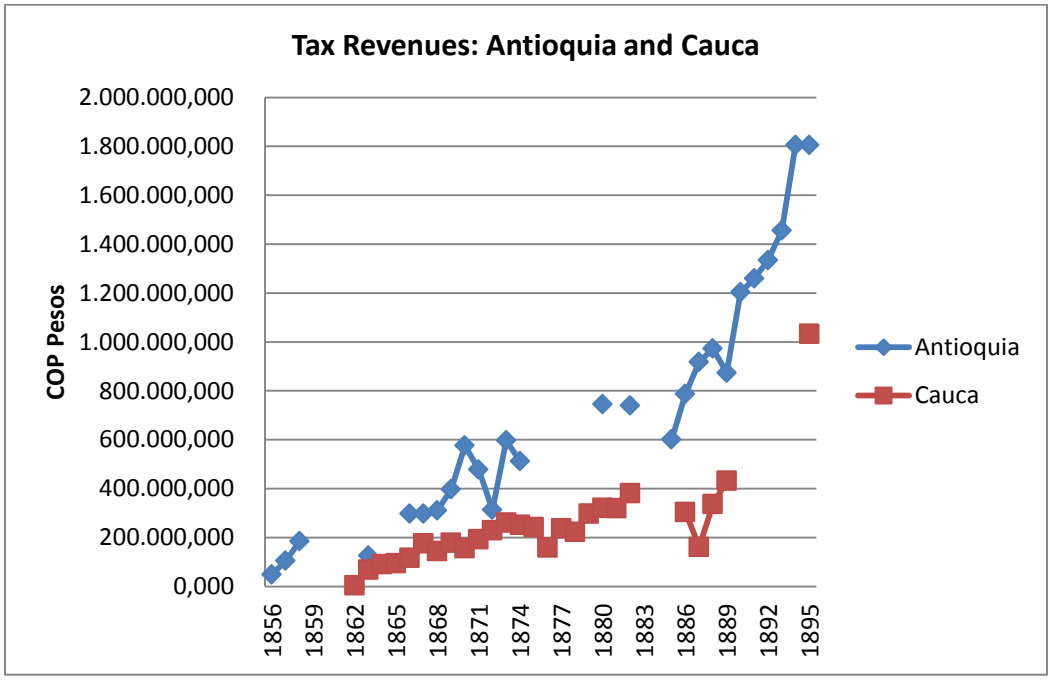
[740] In his 2009 paper on the origins of state capacity, Besley and Persson conclude that "governments in countries with little fiscal capacity tend to use border taxes, such as tariffs, as the basis of their tax systems. They also tend to require less institutionalized structures of compliance compared to income taxation." Timothy Besley and Torsten Persson, "The Origins of State Capacity: Property Rights, Taxation, and Politics," *The American Economic Review* 99, no. 4 (2009): 1238.

the right to collect any tax revenue, was tax collection centralized. The downside of this arrangement was that governments relied on private agents, who worked for a profit, to collect their taxes. Thus, the amount received by government was reduced.

Both Cauca and Antioquia divided their territory into fiscal districts for tax collection purposes. In Antioquia, sources of revenue were leased out in all districts. In Cauca, the same source of revenue was leased in some municipalities and administered by the state in others. In the latter case, more research is needed to understand this apparently contradictory policy. As of now, I have no information about the individuals who leased rights to tax collection in Antioquia and Cauca; this will form part of a future research agenda. In the periodic Hacienda reports, evidence concerning tax leasers appears only episodically.

Graph 1: Tax Revenues, Antioquia and Cauca (1856-1894)



Despite their similar tax systems, Antioquia organized its collection infrastructure more efficiently than Cauca. As a result, tax revenues, both nominal and per capita, were consistently higher in Antioquia than in Cauca. Nevertheless, more research is needed to understand the causes of the institutional dissimilarity. I hypothesize that differences in their political processes and the territorial tensions within Cauca, which led to recurrent challenges to Popayán's supremacy, contributed to these results. Civil wars also played a part in these results.

Though impacted by internal disorders and civil wars to a lesser degree than Cauca, Antioquia could not escape the negative effects of persistent political instability. In his work on Antioquia's economic history, Roger Brew concludes that despite greater homogeneity, Antioquia was not exempt from the negative consequences of violence. The commerce providing most of the economic activity in the region was easily interrupted by disturbances on the Magdalena River and the Caribbean coast. However, the predominance of the distilled liquor monopoly in Antioquia's state revenue (50% of the income after 1856), the state was able to partially insulate itself from the negative effects of war741

To counter the rebellion that began in Antioquia on January 25, 1879, the government collected (in accordance with Article 5, Law 45 of December 5, 1877) war contributions that were paid by the revolutionaries and their political supporters. At the moment of the publication of the 1879 financial report, the state government had collected $424,534.375 pesos. Part of this amount had been paid in cash, and another part

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[741] Brew, *El desarrollo económico de Antioquia desde la Independencia hasta 1920*: xl.

in real estate sold by the state. To counter the rebellion, the government of Antioquia increased the rate of the livestock sacrifice tax. Liberal citizens donated money to the state to support the war effort and the government confiscated the deposits of Conservatives from the Bank of Antioquia. The Secretary did not specify the amounts for either of these contributions.[742]

8.5 Direct Taxes

Direct taxes generated a strong opposition among political elites, especially in Antioquia. In the first financial report produced by the state government, in 1857, the Secretary of Finance strongly opposed any direct contribution because, he argued, it had not worked properly in any state in the Republic. Moreover, he proclaimed the economy of Antioquia to be better suited to indirect taxes.[743] Neither Antioquia nor Cauca developed cadastral records and the opposition remained until the end of the century.

The arguments in opposition to property taxes provided by governments centered on the difficulties in assessing and administering the tax.[744] In 1859, the new Secretary of Finances of Antioquia stated his opposition to any form of direct taxes, arguing that they were more difficult to collect.[745] In 1867, replying to critics of Antioquia's regressive tax

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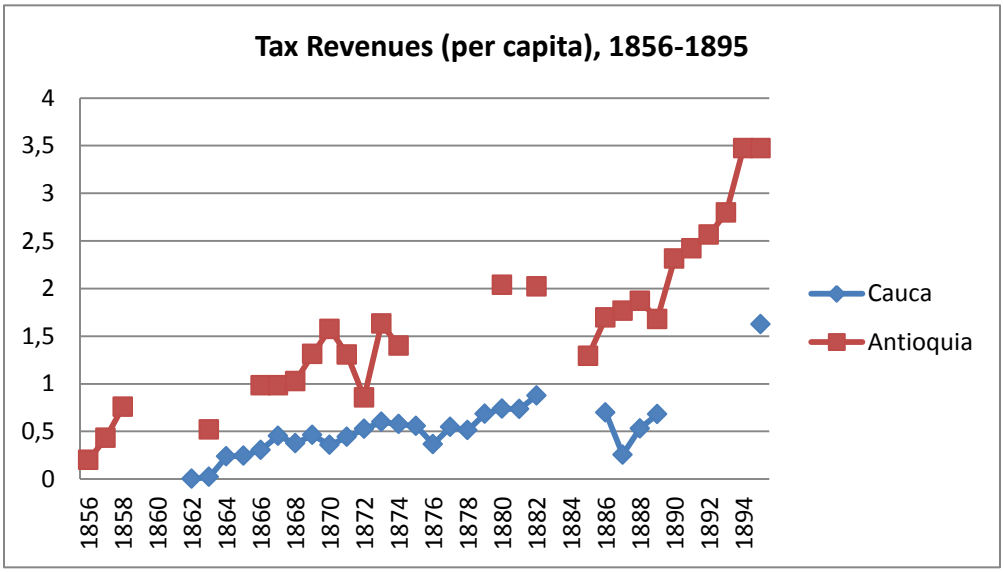
[742] Antioquia, "Memoria que el Secretario de Hacienda i Fomento [Isaias Cuartas] presenta al Ciudadano Presidente del Estado S. de Antioquia en el año de 1879," ed. Secretaría de Hacienda de Antioquia (Medellín: Imprenta del Estado, 1879), 4-5.
[743] Antioquia, "Informe que presenta al Sr. Gobernador del Estado el Secretario del Despacho de Hacienda de Antioquia [Demetrio Viana]," 7-9.
[744] Antioquia, "Informe que el Secretario de Hacienda [Víctor Molina] presenta al Gobernador Provisorio del Estado," 6-8.
[745] The consumption tax was enacted by Law of December 3, 1857. Antioquia auctioned the tax on distilled liquors on October 15, 1859 for $53,779.25 pesos. Antioquia, "Informe que el Secretario de Hacienda

code of 1864, the Secretary argued that in comparison with the other states the Antioqueño tax code was well adapted to *nuestro modo de ser* [our way of being], even though it was not the best it could be. In addition, he affirmed that states that had implemented direct contributions were all either broke, like Tolima and Bolívar, or had to reinstate indirect contributions to avoid bankruptcy, like Cauca and Santander.[746] While, Liberals criticized tax-structures based on indirect taxes, once in government, they implemented no direct taxes.[747]

Graph 2: Tax Revenues Per Capita, Antioquia and Cauca (1856-1895)



[Demetrio Viana] presenta al Gobernador del Estado," ed. Secretaría de Hacienda (Medellín: Imprenta de la "Sociedad" por Pedro A. Echavarría, 1859), 16, 25, 34.

[746] Antioquia, "Informe que el Secretario de Hacienda [Abraham Moreno] presenta al Ciudadano Gobernador del Estado," 4-5.

[747] Antioquia, "Informe que el Secretario de Hacienda [Abraham Moreno] dirige al Presidente del Estado para la Legislatura de 1869," 8-9.

Opposition to direct taxes was so acute that the governor of Antioquia asked the 1871 legislature to transfer funds to municipalities and prohibit them from collecting property taxes. The Secretary of Finances estimated that this contribution produced $43,831.7 —it is unclear in the report whether that amount is the revenue collected for one year or of the biennial fiscal period .According to his estimation, the financial situation of districts could be improved by granting municipalities a share of the livestock sacrifice tax, at least $25,000 annually and another $25,000 allocated from state revenues.[748] Law 182 came into effect on January 1, 1872, reducing tax rates and transferring livestock sacrifice revenue to the districts. The law aimed to gradually eliminate the direct contribution. Municipalities, however, did not fully stop collecting those taxes.[749]

Municipalities were prohibited from collecting direct taxes in 1881.Article 1 of law CXVII of November 29, 1881 prohibited municipalities from raising direct taxes and granted them an annual subsidy of $100,000. However, the secretary who prepared the 1883 report considered the allocation of the contribution excessive and saw no reason, at the local level, to prohibit this type of tax. He saw no reason why security or other services provided by the state could not be financed through direct taxation. In addition, he observed that this decision (to block direct taxes) would further prevent the creation of a land registry.[750]

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[748] Antioquia, "Memoria sobre Hacienda Pública [Abraham Moreno] del Estado Soberano de Antioquia," 30-31.
[749] Antioquia, "Memoria sobre Hacienda Pública [Abraham Moreno] del Estado Soberano de Antioquia," 3-5, 8, 10.
[750] Antioquia, "Informe que presenta al Ciudadano Vicepresidente encargado de la Presidencia del Estado S. de Antioquia el Secretario de Hacienda y Fomento [Juan B Londoño]," 11-12.

In 1879, Cauca's Legislature authorized the state president (law 16 of that year) to levy a direct contribution to fund certain projects, though it was never actually collected.[751] In 1878 and 1879, the government of Popayán levied a direct contribution though the revenue collected was insignificant. Until the end of the century Cauca and Antioquia relied on indirect taxes. Cauca's President Ezequiel Hurtado recognized in 1881 that even if efficiently administered, the revenues produced by indirect taxes would still be insufficient to fund the state's government, including the enforcement of property rights and judicial rulings. Even though he recognized the inadequacies of the state's tax system, President Hurtado opposed radical reforms of the tax system because people were accustomed to indirect taxes and willing to pay them without major opposition.[752]

Though one could argue that for Colombia, these turns of events were the result of the lack of state capacity, the argument is inherently circular. During the same period, governments throughout the world faced similar limitations and implemented property taxes and built cadastral maps regardless. We need to first understand the dynamics of political processes in different regions of Colombia in order to understand not just taxation patterns, but also why the state's capacity to raise revenues and support market institutions remained limited well into the twentieth century. And even in the twentieth century, the capacity of the central and regional governments to implement policy remained weak. Complementary research on Antioquia and Cauca's nineteenth century historical processes could provide us with explanations of these interrelated issues.

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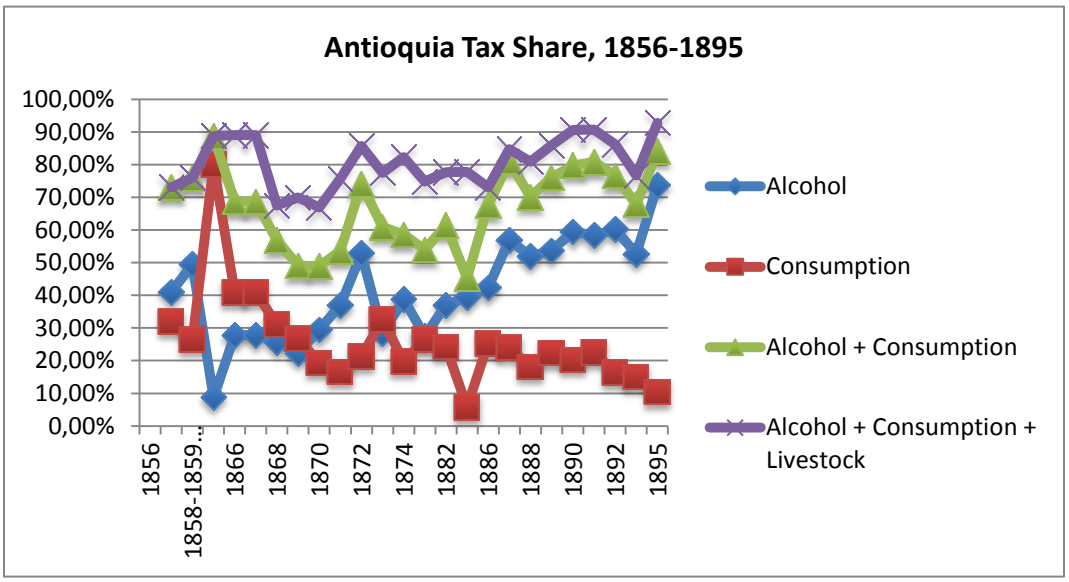
[751] Cauca, "Informe del Secretario de Hacienda, a la Legislatura en sus sesiones ordinarias de 1881," 11.
[752] Cauca, "Mensaje del Presidente Constitucional del Estado S. del Cauca [Ezequiel Hurtado] a la Lejislatura de 1881," ed. Presidencia del Cauca (Popayán: Imprenta del Estado, 1881), 5, 15.

8.6 Conclusions

In the early 1850s, the decentralization of Colombia's fiscal-management system enabled the government to regulate fiscal transfers to subnational governments, with the primary aim of clarifying revenue and expenditure at all levels of government. Before the Liberal Reforms, municipal councils and provincial assemblies did not conduct much business and dealt with a narrow range of issues. The economic reforms implemented by the national government reached a turning point with the introduction of a tax-distribution system that reduced the proportion of tax revenue held by the central government. The Decentralization Act of Sources of Revenue of 1850 granted local and provincial governments the authority to collect taxes and control the scale and structure of their budgets. Local and provincial governments were compelled to seek other ways to augment fiscal revenue.

From 1855/61 to 1885, the central government had no authority to regulate the states' fiscal-management systems. Subnational governments were virtually independent, collecting their own taxes and spending tax revenues without any interference from Bogotá. Moreover, they were not required to submit their budgets for approval to the legislatures above them. During this period, fiscal competition between the central and local governments as well as among local governments was rampant. Regional leaders in Antioquia established a more effective administration than those in Cauca. As a result, Antioquia became a more efficient tax collector.

Graph 3: Tax Revenues Share, Antioquia (1856-1895)



Supporters of a fiscal decentralization assumed this would promote efficiency, stability, innovation, and dynamism at the local and provincial (or state) level. Nevertheless, local and provincial (and after 1857 state) governments turned to debt financing where available and to recurrent defaults, exacerbating the problem of soft budget constraints. In periods of civil unrest, cash-strapped local governments implemented arbitrary taxes and seized the farmlands or merchandise of political opponents in order to finance military operations, while accumulating massive debt through short-term funding by either forced or voluntary loans, or by not paying salaries to public officers.

This institutional arrangement ended abruptly in 1885. After that year, the central government attempted to recentralize Colombia's fiscal-management system in order to revitalize its own financial position and to weaken the power base of the nine subnational

governments. Though the new Conservative regime successfully achieved this goal, it took twenty more years before they could subdivide the nine subnational territories. They never could solve the structural mismatch of fiscal resources. Even though politicians from both political parties raised questions about the equity of the fiscal system, particularly the regressive nature of local, state and central tax systems, no in-depth reforms were enacted before 1899. By relying on indirect taxes, lower income brackets bore a disproportionate share of the tax burden. But again, no structural reforms were enacted.

The findings in this chapter raise questions that expand my research agenda. Two issues interest me in particular, and epitomize my future research agenda on this topic. The first, deals with the internal factors and political arrangements that enabled the regional elite in Antioquia to establish a more effective administration than Cauca. The second is the refusal to levy a property tax and the opposition to direct taxes in general. The significance of the first issue lies on the findings that show Antioquia, despite being territorially and demographically smaller than Cauca, to be a far more effective collector of taxes. Moreover, tax revenues in Antioquia steadily increased before the consolidation of the coffee export economy in the early twentieth century. In this regard, the connection between the income generated by the mining economy and its effect on tax revenue will be explored. In contrast, tax revenues did not follow the same pattern in Cauca. Though the two regions may have been more similar than different in many senses, in political terms, Antioquia was much more stable than Cauca.

The refusal to levy a property tax and the opposition to direct taxes in general, is even more intriguing. In both these states, resistance to the development of a land registry

seems to suggest that the issue of land harbors important clues about regional development, and in turn, about the state's ability to effectively administer its territory. This is true not only in Antioquia and Cauca but appears so for Colombia in general. Before the development of coffee cultivation for export in the latter part of the nineteenth century, land was not particularly valuable in Antioquia except in so far as it could be used for cattle raising and sugar cane cultivation to support mining production. Transport and food costs in and out of the mountainous region were among the most frequently identified impediments to economic growth.

As such, a direct tax on land would have produced very little revenue for the state in the nineteenth century. But, the second half of this period was characterized by the accelerated concession of public lands for commercial wood extraction, cattle production, and gold mining. I suggest that looking at revenue records for particular municipalities and correlating these to production, population and land use might provide clues to this dynamic. During the nineteenth century, the prevailing sense was that by taxing land, one would negatively impact agricultural productions and therefore, slow a region's economic growth. Though this might partially explain the refusal to build cadastral records, other elements could have also been important, for instance, whether the governing regional elite would have born the burden of any direct form of taxation. In addition, extraction and export of gold and a contraband trade in goods from Europe via the Caribbean were not inconsiderable sources of income in nineteenth-century Antioquia. Historians still need to understand what impact this has had on Antioqueño authorities shaping fiscal policy for the region.

Unlike Antioquia where large estates were the exception rather than the norm, in Cauca estates could be sizeable. Was there a correlation between the interests of regional power brokers who determined fiscal policy and the composition of the sectors of society most likely to be affected by something like a land tax? How might (or did) the levy of an alcohol excise tax and its collection vary depending on fears of violent mobilizations by recently emancipated blacks or by the ethnic composition and consumption patterns of particular municipalities? A comparative study of regional taxation and the political processes that made tax collection and state-building more effective in some places than others, promises to shed light on the reasons behind persistent differences between Colombia regions in the nineteenth and twentieth centuries.

Conclusions

Aníbal Galindo, a nineteenth-century liberal politician and economic historian stated in his Memoirs, "in the preceding decades [we] Colombians have tried everything but twenty years of peace.[753] And that year, the nightmare was not yet over for Colombia was once again in the middle of a civil conflict (and about to reform once again a constitution and the territorial organization set in 1857). Even in Africa, continued Galindo, we can now find prosperous political communities. For him, this seemed like the height of absurdity. Even Africans and an insignificant minority of white people were able to achieve what Colombians could not accomplish yet, stability and economic prosperity.[754]

The second half of the nineteenth century embodies the stereotypical depiction of Colombia's history as one of an interminable list of civil wars, conflicts of every type and local and regional uprisings of indeterminate character. The list of nineteenth-century civil wars is impressive. From 1831 to 1902, ten civil wars and coups affected the country at the national level. This list of civil wars does not include fifty-two rebellions, riots or coups of a regional character that affected limited areas of the country and did not lead to more generalized conflicts. Particularly after the issuance of the Constitution of 1863—which organized the country into a loose federation of sovereign states—political conflicts and violence broke out on the regional and local levels. In all these conflicts Antioquia, but particularly Cauca, were crucial players.

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[753] Galindo, *Recuerdos Históricos, 1840 a 1895*.
[754] "Aún en el continente negro se han formado, con razas africanas e insignificante minoría de blancos, comunidades políticas, con las cuales no podemos comprarnos, bajo el punto de vista de la riqueza y el comercio." ibid., 292.

Until recently, the dominant thesis to explain nineteenth-century Colombia's civil wars was that of a multiplicity of conflicts without any substance. Thus, the history of Colombia was seen as a succession of temporary factions of the same elite, organized around two political parties, Liberal and Conservative. According to this interpretation, violence partially resulted from a closed two-party system that co-opted or excluded, by means of violence, other political options. This two-party system evolved through cycles of peace and violence that ended with a truce among members of the elite. In this narrative, nineteenth-century civil wars were merely a symbolic clash in which factions within a homogeneous elite, in ethnic and class interest terms, struggled to impose their idea of society. Indeed, for politicians such as Manuel Murillo, the most prominent Radical leader and twice President of Colombia, there was no justification for armed conflict. For him, "maybe war is an addiction, a plain incapacity to use the resources of civilization and the rights that the constitution [of 1863] recognizes and guarantees."[755]

The explanations advanced to elucidate this chain of violence range from structural elements inherited from three centuries of colonial domination, to political and ideological factors, including the debates about the Catholic Church's role in society, or competition for economic resources. Conflictive ideologies, strong regionalism, political factionalism, competition for fiscal resources and politically-allocated rights, a stagnated economy, weak state institutions, structural variables such as land tenure, a difficult topography and the lack of an *imagined community* contributed to the frequency of civil conflicts in nineteenth-century Colombia. Scholars have also argued that political

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[755] Murillo Toro, *Obras selectas*.

instability was the expression of conflicting ideologies, regional and economic interests, and the aspirations of different social actors.

Violence or the threat of its use was recurrent in Colombia's nineteenth-century state-building process. It was endemic to the pursuit of economic interests and political agendas and an omnipresent topic of discussion then and now. These conflicts severely delayed Colombia's ability to institutionalize state authority, despite Conservatives and Liberals' efforts to build a functioning state. As a result, state capacity—the ability of state officials to implement decisions and to carry out the functions assumed by the state—remained limited. The basic tasks performed by other governments during the same period, ensuring security, protecting property rights, collecting taxes, and developing transportation infrastructure, went unfulfilled in Colombia.

Liberalism

But this period was more than that. It represented the apogee of liberalism, as an ideology, and of a liberal state-building project in Colombia. David Bushnell, whom worked extensively in Colombia, in an essay published in 1996 in the book *Liberals, Politics, and Power: State Formation in Nineteenth-century Latin America*, reminds the reader Liberals considered themselves as "standard-bearers of progress, committed to enlarging the sphere of human freedom in opposition to the massed corporate interests of church, army, and great landowners."[756] Therefore, in Latin America's official narrative

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[756] David Bushnell, "Assessing the Legacy of Liberalism " in *Liberals, Politics, and Power: State Formation in Nineteenth-century Latin America*, ed. Vincent Peloso and Barbara Tenenbaum (Athens, GA: University of Georgia Press, 1996), 278.

of the conflict between Conservatives and Liberals, it was one between the forces of freedom and enlightenment on one side, obscurantism and oppression on the other. Colombia was not the exception. The struggle between Conservatives and Liberals at the national and local levels, in Antioquia and Cauca as well an in the remaining subnational territories had a lot of that. That is, a narrative of a relentless conflict between the forces of enlightenment and obscurantism, with the consequences we already know.

As an outcome of that struggle, from 1849 to 1899, Colombia experimented with several forms of state organization, territorial arrangements, economic policies, and ways of integrating the Catholic Church into the public sphere. Liberals struggled to create a liberal, federal, and secular political order and to foster a market-driven economy, while Conservatives defended less-sweeping reforms and demanded the preservation of the Catholic Church's traditional role. The continued struggles and dynamic interactions of Colombian political actors at the national, regional and local levels reflected these positions. In the grand scheme of things, elites fought for either federal or centralized institutions under ideological and religious banners. When elite groups did agree on larger issues, for instance reorganizing internal boundaries in the 1850s, they were uncertain about how to implement changes. Moreover, uncertainty over whether political opponents would abide by constitutional rules was rampant, as was evident from the many civil wars since independence.

Starting in 1849, Liberals put forward reforms based on the assumption that a liberal institutional framework with few restraints on individuals' actions would mollify political instabilities and stimulate the economy. From 1849 to 1885—with an interregnum from 1854 until the end of the civil war of 1859-1862—Liberals controlled

Colombia's national government as well as key regions in the country, including Cauca. They struggled to establish the permanent institutions of a liberal nation state that included different regional and social interests while still upholding a vigorous and modern market-driven economy. They sought to replace colonial institutions and transform the state in accordance to prevalent liberal ideas of government, the economy and society at large. Their reform agenda included the abolition of slavery, the removal Church privileges and those of other corporate groups, the elimination of monopolies and corporate lands, trade liberalization, and the breakup of the Church's ideological and institutional power. They proposed the abandonment of rent-seeking activities and politically allocated privileges in favor of merit and profit-oriented behavior.

The government progressively decentralized state authority transferring responsibilities and sources of revenue to the thirty-five provinces existent in the early 1850s. The Constitution of 1853 enabled provinces to organize their government according to their needs and transferred to them more responsibilities, a process enhanced by the federal constitutions of 1858 (enacted by a Conservative-led legislature) and 1863. As part of this process, Congress also reorganized internal boundaries. First, it created new provinces by splitting existing ones, in the hope this would weaken regional and local power groups, and after 1855 merged them into eight states: Panamá, Antioquia, Boyacá, Cauca, Cundinamarca, Bolívar, Magdalena, and Santander. From 1855 to 1857, the central government yielded to the powerful regional elites. In 1861 in the midst of a civil war, General Mosquera created the state of Tolima from the southern section of Cundinamarca, creating the ninth state of the Union. The extensions of these nine administrative units remained unchanged until after the *War of the Thousand Days* (1899-

1902). At the same time, the central government became an increasingly weak entity with fewer responsibilities, particularly with the Federal Constitution of 1863, and from 1863 to 1885.

The territories of Antioquia and Cauca (the largest state of the federation) played key roles in this process. Caucano caudillos abounded in Colombia's political life during most of the period, from the 1820s to the 1880s. Regional governments in Popayán (Cauca's capital) and Medellín (Antioquia's capital) pushed for increased decentralization and found the institutional structure of the loose federation established in 1863 to be particularly well suited to their interests and agendas. In contrast, they opposed the centralizing process led by the Conservatives after 1886. Even though Conservatives dominated Antioquia, it remained a staunch defender of federalism, even when that meant opposing the political project led by their own fellow party members in Bogotá.

The Liberal state-building project reached its apex with the Constitution of 1863, a charter that embodied current liberal ideology. It drew heavily on nineteenth century liberal notions of the legal equality of political subjects and the autonomy of private agents. It established a federation with weak central institutions, an institutional arrangement designed to prevent the formation of strong governments that could eventually supersede state autonomy and individual rights. The Constitution of 1863, also called the Constitution of Rionegro after the town in Antioquia where the constitutional assembly met, fully outlined individual liberties and the right to profess any religion. But, it gave no direct responsibilities to the central government aside from managing international relations and commerce, the regulation of weights and measures, and the

production of specie among other minor tasks. The constitution also stated that all responsibilities not granted to the federal government were reserved for the nine sovereign states, including the right to maintain their own armed forces and to engage in the purchase of armaments. In 1867 the Congress, dominated by members of the Radical Liberal faction, enacted a public order law that prevented the president from intervening in conflicts within or between states. From that point forward, national authorities had even fewer possibilities for preventing civil war, exacerbating political instability.

Disillusionment with Radical Liberal administrations grew as people became disenchanted with federal institutions, the economy failed to recover from a crisis in the tobacco sector in the 1870s, and above all, the cycle of regional conflicts churned on. Radical electoral methods also increasingly became the focus of criticism, in particular their exclusion of all non-Radicals from government. Thus, the pendulum swung once again. In the late 1870s the war-wracked federation morphed into a centralized state with authority and state functions concentrated in Bogotá. This process, led by a coalition of so-called Independent Liberals and Conservatives, came to fruition in 1886 with the replacement of the 1863 Constitution with the centralist and authoritarian Constitution of 1886. The coalition of Conservatives and Independent Liberals leading this sea change, first excluded Radicals from all government positions. Later in the 1880s, the Independent Liberals would suffer the same fate at the hands of Conservatives.

This period is known in Colombian history as *La Regeneración,* a centralizing state-building project implemented with the support of the Catholic Church and the Conservative elites. The new constitution enacted in 1886 re-centralized Colombia's political system and allowed the state to intervene in the economy. The constitution

embodied a political project based on centralized and authoritarian institutions, limited enfranchisement, a national army, the disbanding of state militias, a national monopoly on currency issuance, and a preponderant role for the Catholic Church. At the time, stronger and centralized state institutions were seen as the antidote to decades of political instability. The Núñez Administration reorganized the army, signed a Concordat with the Vatican, established the National Bank as the only institution currency issuing entity, nationalized the judiciary and the educational system, and ended states jurisdiction over electoral rules.

Conflict surfaced among ruling Conservative elites' right after the enactment of the 1886 Constitution. The move to a more centralized political regime clashed with several entrenched interests, including those of Antioquia's mostly Conservative mining and commercial elite. Despite their pro-federalist attitudes, Antioquia's Conservative party supported the new charter hoping that centralization could halt the cycle of instability that had been aggravated by federalism. While Antioquia's Conservatives supported the government in Bogotá in spite of economic policies that damaged their regional economy, they became increasingly critical of the regime. Conservatives from Antioquia chiefly criticized press censorship, the political exclusion of Liberals from public corporations, and monetary policy, particularly the prohibition on private banks issuing currency. The debate over splitting the territories of Antioquia and Cauca, in 1888 and 1890, further alienated Antioqueño Conservatives

In spite of the long list of conflicts presented above, Colombia did experience periods of stability from 1850 to 1899. Elections were, with a few exceptions, the regular mechanism for selecting political officials at the national, state, and local levels,

including Antioquia and Cauca, and terms of office were on the whole respected. There were also periods of economic growth. However, more frequently than not, political competition degenerated into violence. Frequent constitutional reforms reflected not only the different political agendas of Liberals and Conservatives but also their uncompromising behavior. Though the regional differences present within both parties, and the factionalism, trouble the characterization of Liberal and Conservative Party platforms as entirely coherent, one can affirm that two different and conflicting state-building projects were implemented in the years from 1850 to 1899.

David Bushnell denies the existence of large differences between Liberals and Conservatives. He concludes that programmatic differences, if any, were minimal. Liberals and Conservatives alike advocated for a liberal, representative and constitutional regime. For him, the Conservative Party professed a moderate liberalism. Both parties supported a Republican government with different approaches regarding certain issues, among them, the maintenance of public order and the role of the Catholic Church in society. As far as the economy was concerned, both groups differed on unimportant issues and positions.

Nonetheless, at the subnational level, party lines were blurrier than the official narrative (and Bushnell) recognized. In his discussion of the historiography of liberalism in Latin America, Bushnell focuses on three central themes: Liberalism as ideology, Liberal political action and Liberal economic policy.[757] If we discuss the differences between Antioqueño and Caucano liberals in those terms, we find that important

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[757] Ibid., 278-79.

differences in their political actions, policies and programs, and especially in their attitudes toward the incorporation of popular groups in the political system. In terms of economic policy, Antioqueño Conservatives and Liberals supported the standard liberal nineteenth-century economic policy of free trade. The latter, contributed to the distrust Conservatives in Bogotá had toward their fellow party members in Antioquia. According to Bushnell, in the essay quoted above, in the nineteenth century, the desirability of liberal economic policy was taken for granted, even by many who rejected liberal prescriptions in other areas.[758] By and large, Colombia confirms his hypothesis. But, in the 1850s, free trade policies were supported by conservative Antioquia and opposed by liberal Cundinamarca.

We now know political parties (and the Church) were not monolithic institutions in their actions and reactions. Though there were national structures, both political parties fragmented along regional and ideological lines. Moreover, both political parties at the state levels were highly autonomous from the national organization. Even within the state level, political parties were fragmented making it difficult for the national leadership to keep a consistent agenda. This aspect contributes to understand the inability of liberals to establish functioning state institutions from 1863 to 1885.

Moreover, research on the regional determinants of political instability and conflict remains limited. Indeed, our knowledge of state-formation and the political and economic processes in the highly autonomous nineteenth-century federal states is basically none existent. In this aspect, my dissertation contributes to fill this gap as it

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[758] Ibid., 290.

permitted a first approximation to Antioquia and Cauca' revenue policies. As Bushnell mentions in the essay quoted throughout this presentation, this has been a neglected aspect of liberal economic policy during the nineteenth century. [759] "There were likewise numerous tax reforms favored by liberal leaders, from abolition of state monopolies to the various direct-tax nostrums that became popular in the immediate afterwards of independence and resurfaced, for example, in the Colombian state of Santander at midcentury. (…) But taxation as such has yet to receive the attention it deserves," concludes Bushnell.[760]

Even more, Latin America's state-building process faced a dilemma clearly manifest in the nineteenth-century. On the one hand, political instability and internal civil strife burdened productive economic activities. The costs and risks associated with engaging in any productive economic activity increased as a result of political insecurity and the disruptions of violent conflicts. On the other hand, economic backwardness reinforced the cycle of insecurity and civil uprisings. A paucity of revenues hindered the consolidation of state institutions and thus limited the government's capacity to control public order, something that for contemporaries seemed impossible. Colombia's nineteenth-century economic performance was poor even by Latin American standards. However, more in-depth research is needed to get to the heart of these two reinforcing processes.

The view that the conflict between Conservatives and Liberals was one between the forces of freedom and enlightenment on one side, obscurantism and oppression on the

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[759] Ibid., 292.
[760] Ibid.

other came under strong attack in the early 1900s for, among other reasons, in the 1900s it was hard to demonstrate that many real advances had been made, at least in Colombia. In his Memoirs, Galindo reproduces a conversation with the French Legate in Bogotá, Mr. Daloz. As Galindo humbly explained what he considered Colombia's shameful situation, the French Envoy replied that no defense was conceivable for a society that after eighty years as an Independent country was not able to build a road linking Bogotá, the capital, with the Magdalena River; the deteriorated road that Spaniards left after they fled in 1819 remained the only passage. [761] The most insignificant of your rebellions, Mr. Daloz asserted, cost more than one hundred times what would have been required to build that road.

Why Antioquia and Cauca?

Antioquia and Cauca played significant roles in nineteenth century Colombia politics and civil wars. But, while events in Cauca (as well as in Santander) were at the origins of most national political crises and civil wars, Antioquia's political position seemed to be restrained by economic considerations. Antioqueño political and economic elites, mostly conservative merchants and miners, worried about the effects of war on their businesses; in contrast, most nineteenth-century national civil wars, and almost all of the conflicts during the years covered by this project (1839-1842, 1851, 1859-1862

[761] "¿Pero qué defensa admite el hecho de que en ochenta años que llevan ustedes de vida independiente, no han podido ustedes construir ni un camino, siquiera sea de ruedas, del borde de la altiplanicie [de Bogotá] a su puerto fluvial de Honda sobre el Magdalena, y aún se sirven ustedes, desmejorado según me han dicho, del mismo camino de mulas o de herradura que bajando y trepando aquellas crestas les dejaron los españoles al emigrar del país en 1819, al paso que la más insignificante de las revoluciones en que ustedes se han empleado, ha consumido cien veces más de lo que habría costado la construcción de aquel camino?" Galindo, *Recuerdos Históricos, 1840 a 1895*: 292.

and 1876-77) originated in Cauca. This led Sergio Arboleda, a leading Conservative Caucano politician in the 1880s, to ask the attendees of a banquet in honor of Liberal general and former President of Cauca Eliseo Payán: what wars had not started in Cauca?[762]

The nine subnational territories in which Colombia was internally organized from 1857 to 1905 were not homogeneous. They influenced national trends to different degrees because their bargaining powers vis-à-vis the central government and other subnational territories were dissimilar. Levels of social conflict within those territories also differed. For instance, we can safely affirm that two of the states, Cauca and Santander, had higher levels of social conflict than Antioquia.[763] Most nineteenth-century civil wars in Colombia began either in Cauca (mostly before the 1880s) or in Santander.

Jorge Orlando Melo argues that military passion was not extensively present among Antioqueños. Though a couple of hundred participated in the wars of independence, it proved difficult to recruit troops to either defend or attack the government. Moreover, Melo argues that their leadership looked for mechanisms to stop the wars in which they participated. This was the case with the war of 1851, when Colonel Braulio Henao was blamed by radical conservatives for the defeat because of his eagerness to bargain with General Tomás Herrera. Melo goes further, stating that politics in the region centered on controlling public offices (governorships, the state and national legislature) and on promoting economic and social progress, specifically mining and

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[762] "¿Cuál no ha empezado allí? ¿Cuál no ha diezmado el número de sus moradores, y cuál, en fin, no ha dado en el Cauca sus últimos disparos? "Obsequio de los Conservadores Caucanos al Señor General Eliseo Payan," 5.

[763] Ortiz Mesa, "Guerras civiles e Iglesia Católica en la segunda mitad del siglo XIX en Colombia," 71.

commerce. During this period, regional politics were largely controlled by groups of merchants and miners whose interests lay in promoting mining, abrogating taxation of gold, avoiding direct forms of taxation, and promoting colonization, education, etc. Melo concluded that these elites most valued order and the protection of private property.[764]

Nevertheless, as Frank Safford concluded in his 1977 essay, the Antioqueño elite concentrated on the economy because gold mining and commerce within their borders provided them with a worthy focus. Cauca, Cundinamarca, and Santander lacked such worthy economic activities to focus on. So, in the nineteenth century it was much harder to get rich in the latter three territories than in Antioquia. As a result, political and civil wars provided no economic benefits to the Antioqueño elite, and only presented risks. Furthermore, Medellín's powerful elite faced no other challengers within Antioquia, because no other provincial capitals existed within the state. In contrast, Popayán's claims to political and territorial supremacy were offset by Pasto and Cali.

Though disorders and civil wars affected Antioquia less than neighboring Cauca, it could not escape the negative effects of persistent political instability. In *El Desarrollo Económico de Antioquia desde la Independencia hasta 1920*, Roger Brew concluded that although Antioquia was more homogeneous than Cauca—whose social structure made it more prone for violent confrontations—it was not exempt from the negative consequences of violence. One positive outcome of this state of affairs was that, in spite of recurrent uprisings in Colombia, by the mid nineteenth-century, Antioquia had one of the most organized regional and local governments in the country.[765]

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[764] Melo, "Progreso y Guerras Civiles entre 1829 y 1851," 102-3.
[765] Brew, *El desarrollo económico de Antioquia desde la Independencia hasta 1920*: xxviii, xl.

Significant differences existed in other areas. From the mid-1850s to the end of the century each of the nine states took a different path of economic and political development. Differences continued well after 1886, the year Conservatives suppressed the federation and transformed the nine federal states into mere agents of the central government. For Brew, this persistence of different economic and political policies reflected the geographical barriers, and cultural ones, that remained into the mid-twentieth century.[766]

The differences between the nine states can also been seen in other sectors. Economic performance differed alongside each state's ability to meet its own goals. These differences could be seen not only in their control of their territories but also in their finances. States were wildly dissimilar in their revenues, as we saw in chapter 8. Indeed, Antioquia's tax revenues grew steadily from the late 1850s up to the end of the century. Cauca's revenues grew at a slower pace and were subject to more pronounced variations.

Moreover, we can see that relations between Antioquia and Cauca helped determine important political processes at the national level. Cauca's centrality in nineteenth century civil wars took a toll on the state's economy. In his speech, Arboleda also reminded attendees of the banquet that Cauca's only reward from its involvement in all those conflicts was misery and pain.[767] By contrast, in the aftermaths of the *War of the*

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[766] Ibid.

[767] Ahora bien, ¿Qué ha alcanzado nuestra desgraciada tierra en premio de su noble desprendimiento, de su egregio valor, de su virtud, de su heroísmo? Miradla: allí la tenéis, solo rica en miserias y dolores (…) ¿No lo habéis leído en los periódicos? Nos llaman barbaros y salvajes. Esta es la recompensa. ¡Recompensa he dicho! "Obsequio de los Conservadores Caucanos al Señor General Eliseo Payan," 5.

Thousand Days, Antioquia became the center of the coffee boom and of Colombia's industrialization.

Post-1903

The *War of the Thousand Days* (1899-1902) brought to an end to Colombia's conflictive nineteenth-century. The devastation provoked by this lengthy armed struggle, and the separation of Panamá triggered a rapprochement between Conservatives and Liberals. The *negotiated peace* that ended the war, an expression usually enclosed in quotation marks for its concealment of the utter defeat of Liberal armies, brought former enemies together, at least momentarily, for peaceful cooperation. Leaders in both parties reached a novel understanding to settle Colombia's characteristically volatile political situation and reconstruct the war-torn economy.

In his influential work *Industria y Protección en Colombia 1810-1920*, Luis Ospina Vásquez asserted that despite the short time span separating the years, the Colombia of 1899 was vastly different than that of 1905, and the same could be said of Medellín. For Vásquez, the chaotic 1899-1905 period brought about a change in mood in key individuals and powerful groups, enabling the consolidation of peace.[768]This contrasted sharply with nineteenth-century politics in which uncompromising behavior was the norm at the national and subnational levels.

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[768]"Pero el país cambiaba, y cambiaba con rapidez desacostumbrada. Hay una diferencia enorme entre Colombia en 1899 y Colombia en 1905, entre Medellín en 1899 y Medellín en 1905. La distancia en años es corta. Pero en ellos había ocurrido un cambio anímico muy profundo en hombres y grupos de gran influencia." Luis Ospina Vásquez, *Industria y Protección en Colombia, 1810-1930* (Medellín: Santafé, 1955). 456.

Even though bipartisan efforts to create a modern, centralized and functioning State were limited, this novel cooperation enabled major transformations. Political competition was channeled through the electoral process and basic state institutions were finally firmly established. The stabilization of state institutions and the improvement in the political climate were crucial for achieving steady growth rates in coffee exports up to 1929. Furthermore, until *La Violencia* in the mid-1940s, Conservatives and Liberals for the most part settled their disputes within the framework of the institutions of 1886 that were amended in 1910 to accommodate a minority party. As a result, Liberals complied with the norms set by the centralized institutions that had been imposed by conservatives in 1886 and renounced any appeal to war in exchange for political recognition.

In more practical terms, the new spirit of cooperation permitted the incorporation of key Liberal leaders of the aforementioned rebellions. This crucial integration occurred during the Reyes administration (1904-1909) when Antioqueño Liberal hero Rafael Uribe Uribe, signatory of one of the two agreements that ended the war, became part of the cabinet. Even though members of the Conservative party eyed this rapprochement with some reservation, and President Reyes's dictatorial manners engendered a growing hostility towards his administration that eventually forced him to resign and flee Colombia in 1909, the entente between the two parties lasted several decades.

For Ospina Vásquez, President Rafael Reyes' new political strategy proved crucial in the achievement of this entente. He concluded that the Reyes administration inverted the logical sequence of Radical Liberals' mid-nineteenth century political project; instead of freedom leading Colombia to progress, economic development would lead the country to freedom. In fact, in years that followed, the government succeeded to

a certain degree in diverting attention away from political infighting and towards the promotion of new industries and the construction of transportation infrastructure projects. This vision, shared by political leaders from both parties and apparently throughout Colombia, contributed not only to unraveling political gridlock, facilitating Liberal participation in a Conservative government, but also contributed to economic stabilization.[769]

Finally, the political elite built a functioning, although fragile, state. After a century of institutional (and constitutional) innovations, state institutions were finally firmly established. The Constitutional Amendment of 1910 and the creation of the Banco de la República, Colombia's central bank, as well as other institutions proposed by the Kemmerer Mission in 1923 contributed to the foundations of a functioning centralized state. Liberal recognition of the unitary regime instituted in 1886 and Conservative tolerance of their political opponents contributed to this result. But, most importantly, the fiscal income generated by a growing economy boosted by coffee exports, supplemented for a few years (the first payment was made in 1922) by the indemnity paid by the United States government for Panama, allowed the central government to surpass the limitations of the previous century. From this point forward the central government secured its dominant role in national politics, as none of the regional elites could garner enough resources to challenge its authority, as had happened repeatedly in the past. Nonetheless, limited fiscal revenues, a result of political decisions, prevented the central government from exerting control over the whole national territory. This would become a major issue

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[769]Ibid., 326-27.

in the nineteen seventies when large spaces devoid of state institutions were filled by guerrilla groups and narco-trafficking cartels.

The reallocation of economic and political power, consolidated in the early decades of the twentieth century, contributed to this result. In the last decade of the nineteenth century, Cundinamarca and Santander, the main scenarios of the War of the Thousand Days, accounted for 80% of Colombia's coffee production. By the 1930s, coffee production had relocated to Antioquia, Caldas and Valle del Cauca in western Colombia. By and large, these territories had escaped the worst of the war's destruction. In social terms, this relocation was noteworthy because it was grounded not on haciendas, as in eastern Colombia, but on smaller units of production.[770] In addition to its positive effect on the consolidation of the internal market, this shift of coffee production generated another significant effect. In contrast to nineteenth-century export products, tobacco for instance, coffee production crossed internal regional boundaries. Coffee was planted in most of the national territory, with the exception of the Caribbean departments and the eastern lowlands. Thus, Conservatives and Liberals alike had a stake in the coffee economy.

All these changes contributed to a remarkable effect. Post-1910 institutions operated normally without the debilitating jurisdictional conflicts encountered during the federation. To prevent subnational territories from being influential political actors, the institutions laid out in 1886 by President Núñez and his political allies were highly hierarchical. The majority of the governing powers resided in an apparently almighty

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[770]Jesús Antonio Bejarano, "El Despegue Cafetero (1900-1928)," in *Historia Económica de Colombia*, ed. José Antonio Ocampo (Bogotá: Planeta; Fedesarrollo, 2007), 195-96, 98-99, 204.

presidency, which delegated limited authority to subnational units and channeled policy decisions down to them for implementation. Liberals challenged this institutional arrangement in 1895 and 1899, but in the 1900s they gave up their federalism. Liberals complied with the arrangement, despite the tendency of the Reyes administration (1904-1909) to an asphyxiating form of political and administrative centralization, a form that Colombia seemed to have gotten over in the fifty years prior, at least according to Ospina Vásquez.[771] And apparently, it ceased to be a conflictive issue. The National Assembly of 1910, which amended the Constitution of 1886, left the balance of power between the central and subnational governments untouched. That is, departments and municipalities continued to have limited autonomy and restricted financial resources and the President retained the authority to appoint governors.

In addition to the aforementioned transformations, the government decided to disband the remaining eight subnational territories, the last remnants of the nineteenth-century-long struggle for autonomy. In the 1900s, this remained a thorny issue. As soon as President Reyes assumed office, his administration began the task of reorganizing Colombia's eight department structure. The ninth subnational territory, Panamá, declared its independence from Colombia in November, 1903. Initially, the government created Nariño, carved out of the conservative provinces of Cauca bordering Ecuador. Soon after, the government disbanded the nine departments hoping to tame Colombia's regional power groups by making them insignificant. In this regard, President Reyes temporarily

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[771]Ospina Vásquez, *Industria y Protección en Colombia, 1810-1930*: 322.

succeeded, but at the cost of generating strong opposition to his administration (see chapter six).

In1910, the National Assembly reconstituted the majority of the departments to their pre-1903sizes, with the exception of Cauca, Santander and Tolima. For the latter two, the government split them in two departments along party lines. Cauca, and specifically Popayán, proved the most conflictive case, as it had been from 1832 to 1857, and was the biggest loser in this reorganization (it was split in four and its northern municipalities transferred to the new department of Caldas). The old and powerful colonial provincial city, whose *caudillos* had played such a significant role in nineteenth-century politics, was reduced to insignificance in the new territorial structure. This was the end of its struggle to remain the dominant political center of southwestern Colombia.

But Popayán's troubles resulted not from the central government's strengths but rather from its own weaknesses. Cauca's central government's difficulties in unifying its tax legislation resulted from Popayán's weakness vis-à-vis emerging regional power centers, Pasto and Cali. As a result, in 1910, these two cities became capitals of their own departments: Nariño, the territory that comprised the late nineteenth-century tenth state project, and Valle del Cauca. In 1885-1886, Rafael Reyes, Cauca's representative in the Constitutional Council, defended the integrity of its territory. In the 1900s, the same person then acting as President, signed the death certificate of the colonial territory known as the Province of Popayán, and since 1857 as Cauca.

In contrast, Antioquia, and its capital Medellín, represented the success of the new political strategy, and of the new Colombia. Antioquia remained a powerful regional center, as it had been in the previous century, and Colombia's economic powerhouse. The

booming coffee economy developed in this department and in Caldas, the culturally Antioqueño territory carved out of southern Antioquia and northern Cauca. Medellín became the epitome of Colombia's industrial development until the end of the twentieth century. The growth of coffee exports led Colombia to surpass the limitations of the export economy's boom and bust cycles. The region's newly acquired power bore fruit in 1910, when the constitutional Congress elected Carlos E. Restrepo as the first Antioqueño President in Colombia's history. In this new order, Antioquia was not only a key economic powerhouse but also a crucial political player.

As I documented throughout this dissertation, Colombia's central government had limited control of its territory and limited capacity to persuade subnational territories to comply with its own constitutional mandates. Even though there were national political parties, which from my perspective proved to be a crucial factor preventing the balkanization of the territory now known as Colombia, these organizations were regionally based. That is, parties were built along regional lines, with local party members having ample authority to run their own businesses. This was reflected not only in their ability to counter the encroachment of the central government and national party leaders in the regions, but also in the fact that being Liberal in Cauca or in Santander were totally different experiences. The continuing struggle between Antioquia's Conservatives and the party in Bogotá also demonstrate this.

Several chapters in this dissertation show the limited capacity of the nineteenth-century state to settle disputes and safeguard property rights, endorsing the hypothesis of Colombia as a country with strong regions. Regionalism remained a prominent feature of Colombia well into the twentieth century. In that sense, the title of David Bushnell's book

The Making of Modern Colombia: a Nation in Spite of Itself quite appropriately describes the evolution of this society since Independence. But in-depth research is still needed to comprehend political, social, and economic processes at the regional level and how these regions interacted among themselves and with the central government. Without this, the historiography of nineteenth-century Colombia will remain, at large, as a black hole.

Appendices A-D

Appendix A

Colombia, Constitutional Provisions (1832-1886)

	1832	1843	1853	1858	1863	1886
State System	**Unitary state and centralized government**	**Unitary state and centralized government**	**Unitary state and decentralized government**	**Federation**	**Federation**	**Unitary state and centralized government**
Territorial subdivisions (subnational units)	Provinces, cantons, and parochial districts	Provinces, cantons, and parochial districts	Provinces, and parochial districts with the possibility to create federal states by statute	Federal states	Sovereign states	Departments, municipalities
Territorial Subdivisions Authority	Only powers explicitly delegated	Only powers explicitly delegated (by statute)	Ample powers without interfering with the national govemment competencies	Responsibilities not granted to the federal government were reserved to the states. It set limits and obligations to the states	Central govemment exercises only powers explicitly delegated by the states	Only powers explicitly delegated
Public Order				Federal government had the constitutional mandate to reestablish public order among states or within a state	Federal government could not declare war to the states (or intervene) without Congressional authorization.	
State Militias	No	No	No	Yes	Yes	No
Right to Bear and Keep Arms	No	No	No	Yes	Yes	No
Provinces, States, and Departments' Govemors/Presidents	4 years term govemors selected by the President from list submitted by the Provincial Assembly.	Appointed by the President (at-will employee)	2 years term, elected with the possibility of one inmediate reelection	Determined by the state	Determined by the state	Appointed by the President (at-will employee)
Governors/States' Presidents	Agent of the President	Agent of the President and could be removed by him	Agent of the President and could be removed by him	Autonomous	Autonomous	Agent of the President and could be removed by him
Provinces, States, and Departments' Legislation	Must be submitted to Congress annually, promulgated when not explicitly rejected				Senate could overturn State Assemblies legislation that violates the federal constitution	Govemors could overtum Assemblies' legislation
Federal Legislation	N/A	N/A	N/A		Any decision of the federal Congress or government that violates Art. 15 (individual rights or states' sovereignty, could be overturned by the majority of states' legislatures	N/A
Elections	Indirect elections, restricted suffrage for men over 21, property qualification, literacy requirement to be enforced after 1850	Indirect elections, restricted suffrage for men over 21, property qualification specified in the constitution, literacy requirement to be enforced after 1850	Direct elections, universal suffrage for all men over 21 or that have been married	Direct elections, universal suffrage for all men over the age of 21 or married regardless of their age. 3 Senators by state	Determined by the state. Each state casted 1 vote for President. 3 Senators by state.	Indirect elections for President and Vice-President, direct elections for Representatives; Senator were elected by the Department Assemblies; restricted suffrage for men over 21, property or income qualification and who know how to read and write
National Terms of Office	President, Senators, and Representatives: 4 years term	President, Senators, and Representatives: 4 years term	President: 4 years; Senators, and Representatives: 2 years	President, and Senators: 4 years; Representatives: 2 years	President, Senators, and Representatives: 2 years	President, and Senators: 6 years; Representatives: 4 years

Appendix B

Colombia, Subnational Units (1810-1904)

1810 15 provinces		**1826** 18 provinces		**1848** 22 provinces		**1853** 36 provinces		**1857/1861-1904** 9 units	
1	Antioquia	1	Antioquia	1	Antioquia	1	Antioquia	1	Antioquia
						2	Azuero	2	Bolivar
				2	Barbacoas	3	Barbacoas	3	Boyacá
2	Bogotá (Santafé)	2	Bogotá	3	Bogotá	4	Bogotá	4	Cauca
		3	Buenaventura	4	Buenaventura	5	Buenaventura	5	Cundinamarca
3	Cartagena	4	Cartagena	5	Cartagena	6	Cartagena	6	Magdalena
4	Casanare	5	Casanare	6	Casanare	7	Casanare	7	Panamá
				7	Cauca	8	Cauca	8	Santander
						9	Córdova	9	Tolima
						10	Cundinamarca		
						11	Chiriquí		
5	Chocó	6	Chocó	8	Chocó	12	Chocó		
6	Mariquita	7	Mariquita	9	Mariquita	13	Mariquita		
						14	Medellín		
		8	Mompox	10	Mompox	15	Mompox		
7	Neiva	9	Neiva	11	Neiva	16	Neiva		
						17	Ocaña		
8	Pamplona	10	Pamplona	12	Pamplona	18	Pamplona		
9	Panamá	11	Panamá	13	Panamá	19	Panamá		
		12	Pasto	14	Pasto	20	Pasto		
10	Popayán	13	Popayán	15	Popayán	21	Popayán		
11	Riohacha	14	Riohacha	16	Riohacha	22	Riohacha		
						23	Sabanilla		
12	Santa Marta	15	Santa Marta	17	Santa Marta	24	Santa Marta		
						25	Santander		
13	Socorro	16	Socorro	18	Socorro	26	Socorro		
						27	Soto		
						28	Tequendama		
						29	Tundama		
14	Tunja	17	Tunja	19	Tunja	30	Tunja		
				20	Túquerres	31	Túquerres		
						32	Valledupar		
				21	Vélez	33	Vélez		
15	Veraguas	18	Veraguas	22	Veraguas	34	Veraguas		
						35	Zipaquirá		
						36	Garcia Rovira		

Appendix C

Tax Revenues Antioquia and Cauca, 1856-1895 (in pesos)

	Antioquia	Cauca
1856	49,022.9	
1857	104,934.4	
1858	184,554.2	
1859		
1860		
1861		
1862		3,747.4
1863	126,296.4	68,502.0
1864		91,037.8
1865		94,868.3
1866	297,950.0	117,184.5
1867	297,950.0	175,116.5
1868	311,028.1	144,342.4
1869	397,362.5	178,466.3
1870	576,418.4	155,846.8
1871	477,758.1	192,122.8
1872	313,376.4	228,987.7
1873	597,145.4	260,983.9
1874	511,971.3	250,917.5
1875		242,705.6
1876		159,051.0
1877		237,056.3
1878		222,565.8
1879		297,374.0
1880	745,620.7	321,278.6
1881		318,994.5
1882	740,154.9	381,197.5
1883		
1884		
1885	600,352.2	
1886	787,484.3	304,229.9
1887	918,342.6	161,855.1
1888	972,649.9	336,594.0
1889	873,591.1	431,612.6
1890	1,202,468.1	
1891	1,258,935.1	
1892	1,334,083.7	
1893	1,455,209.2	
1894	1,805,155.5	
1895	1,805,155.5	1,032,918.1

Appendix D

Antioquia and Cauca State Revenues, 1856-1895 (in pesos)

State Revenues, Antioquia 1856-1874 (Pesos)

Tax Revenue	1856	1857	1858-1859 [January 1, 1858-June 30, 1859, 18 months]	1863	1866-1867	1868	1869	1870	1871	1872	1873	1874
Alcohol Excise Tax		43.084,800	91.335,900	11.071,300	169.491,650	79.836,050	88.467,925	170.150,000	176.491,125	165.374,650	169.026,150	198.719,550
Anise Tax												
Consumption Tax		33.619,270	48.842,425	101.046,225	248.480,350	96.753,775	106.563,475	111.636,625	79.398,550	66.684,625	194.590,500	101.218,700
Surcharge on Consumption Tax												
15% of the 25% Surcharge on (Imports) Tariffs enacted to substitute the states' consumption Tax												
Inheritance Tax				78,685	2.806,475	2.257,550	4.289,450	4.821,750	3.003,900	3.315,275	4.031,300	4.853,950
Livestock Sacrifice Tax					124.275,850	33.459,400	82.745,500	104.156,675	105.676,100	36.506,900	98.825,925	121.445,800
Mining Rights		2.419,000	2.111,000	984,000	14.184,150	4.235,450	6.593,700	7.710,300	7.186,925	5.025,575	7.779,025	7.864,150
Mortgage & Registry Tax		5.917,125	11.962,375	8.044,250	12.506,975	4.092,000	8.589,475	9.282,550	10.761,800	5.600,875	13.504,350	11.499,650
Raffles Tax		2,300	43,675		181,200	27,750	284,550	579,250	1.488,800	289,350	494,300	351,550
Road Tax		196,500										
Tobacco Excise Tax						61.920,275	68.403,150	84.201,650	1.605,870			151,790
(1) Subtotal Tax Revenue		**85.238,995**	**154.295,375**	**121.224,460**	**571.926,650**	**282.582,250**	**365.937,225**	**492.538,800**	**385.613,070**	**282.797,250**	**488.251,550**	**446.105,140**
Non-Tax Revenue												
Fines		336,700	1.743,200	40,000	2.074,350	775,125	1.335,425	2.088,125	2.416,025	1.603,725	1.873,950	1.372,675
Forced Loans	36.197,000											
Forced and Voluntary Loans				115.610,275	167.608,025							
Interests, Profits & Others		841,100	2.686,200	3.760,700	3.755,825	3.931,250	3.413,900	3.802,200	2.295,750	18.379,300	61.865,100	5.416,700
Post, Telegraphs & Telephones		376,100			894,600	1.664,875	662,250	2.348,975	1.916,875	1.669,450	3.960,000	9.273,050
Revenues from Sales of State Assets		411,200	492,775		1.511,025	3.601,650	275,450	50.472,025	56.275,675			2.085,250
Sale of Stamped Paper		11.314,300	24.954,100	660,400	26.723,600	7.067,000	15.966,800	20.129,800	23.111,275	8.761,525	19.436,550	22.107,800
State-Owned Enterprises		730,125	382,550	123,000	619,800	10.856,600	9.062,675	4.344,350	5.472,900	165,100	21.758,225	25.577,125
Storage Rights		2.578,800										
Toll Roads and Bridges		3.107,050		487,800	1.373,975	549,350	708,800	694,100	656,525			33,550
Previous Years' Revenue	8.274,900											
(2) Subtotal Non-Tax Revenue	**44.471,900**	**19.695,375**	**30.258,825**	**120.682,175**	**204.561,200**	**28.445,850**	**31.425,300**	**83.879,575**	**92.145,025**	**30.579,100**	**108.893,825**	**65.866,150**
(1 + 2) Total Revenue	**44.471,900**	**104.934,370**	**184.554,200**	**241.906,635**	**776.487,850**	**311.028,100**	**397.362,525**	**576.418,375**	**477.758,095**	**313.376,350**	**597.145,375**	**511.971,290**
Values Declared by the Secretariat of Hacienda	**93.494,765**											
Source: Informes del Secretario de Hacienda de Antioquia												

State Revenues, Antioquia 1881-1895 (Pesos)

Tax Revenue	March 5, 1880-March 5, 1881	1882	April 1-December 31, 1885	1886	1887	1888	1889	1890	1891	1892	1893	1894	1895
Alcohol Excise Tax	205.433,250	274.392,100	236.478,925	333.436,300	523.143,425	498.190,550	468.164,875	715.142,825	730.952,325	784.844,225	767.189,275		1.331.715,950
Anise Tax				2.410,325	3.540,750	4.180,500	3.122,572	4.494,500	5.251,450	4.372,950	1.629,150		3.640,000
Consumption Tax	197.105,000	180.086,100	35.085,375	198.958,300	187.951,275								
Surcharge on Consumption Tax			9.396,000	99.592,400	50.997,975								
15% of the 25% Surcharge on (Imports) Tariffs enacted to substitute the states' consumption Tax					32.727,750	174.044,250	194.497,700	243.646,350	282.362,400	213.463,400	218.879,925		187.131,600
Inheritance Tax													
Livestock Sacrifice Tax	155.360,000	120.626,925	195.569,600	42.983,325	33.917,575	103.447,000	86.399,000	129.971,500	123.811,200	125.808,750	130.235,400		156.529,050
Mining Rights													
Mortgage & Registry Tax	13.268,375	18.716,000	11.118,275	13.128,675	7.102,100	38.601,925	30.774,725	38.090,650	13.576,325	26.161,425	60.977,225		24.020,500
Raffles Tax													
Road Tax		2.057,625							17.858,650	23.917,275	8.789,475		
Tobacco Excise Tax	20.601,000	19.154,850	65.896,725	13.521,000	8.400,375	30.597,125	51.522,150	37.478,625	36.223,725	46.602,700	57.491,025		12.399,750
(1) Subtotal Tax Revenue	**591.767,625**	**615.033,600**	**553.544,900**	**704.030,325**	**847.781,225**	**849.061,350**	**834.481,022**	**1.168.824,450**	**1.210.036,075**	**1.225.170,725**	**1.245.191,475**		**1.715.436,850**
Non-Tax Revenue													
Fines	201,000	198,600											
Forced Loans													
Forced and Voluntary Loans	200,125												15.388,450
Interests, Profits & Others	36.159,875	41.359,650	11.408,813	4.818,400	12.720,246	16.225,325	21.836,650	15.024,975	14.206,450	18.883,745	32.658,455		21.041,325
Post, Telegraphs & Telephones	1.834,100	5.995,300	237,050	4.185,300	12.539,275	16.370,725	4.290,000	8.194,775	3.421,850	8.153,425	10.224,725		13.885,625
Revenues from Sales of State Assets	77.934,000	4.878,450	172,100	1.384,800	1.269,521	1.470,600	3.720,225	1.028,000	904,925	287,700	78.403,900		1.644,275
Sale of Stamped Paper	15.399,000	23.521,150	9.756,700	19.832,600									
State-Owned Enterprises	9.027,625	22.114,725	13.847,200	33.192,975	34.990,972	72.104,575	3.843,625	4.044,825	16.017,300	35.186,875	82.485,650		169.668,525
Storage Rights													
Toll Roads and Bridges						3.376,000	3.314,500	4.637,600	9.179,150	16.218,650	6.244,950		16.880,075
Previous Years' Revenue	45.268,750					14.041,350	2.105,025	713,450	3.063,950	30.182,600			
(2) Subtotal Non-Tax Revenue	**186.024,475**	**98.067,875**	**35.421,863**	**63.414,075**	**61.520,014**	**123.588,575**	**39.110,025**	**33.643,625**	**46.793,625**	**108.912,995**	**210.017,680**		**238.508,275**
(1 + 2) Total Revenue	**777.792,100**	**713.101,475**	**588.966,763**	**767.444,400**	**909.301,239**	**972.649,925**	**873.591,047**	**1.202.468,075**	**1.256.829,700**	**1.334.083,720**	**1.455.209,155**		**1.953.945,125**
Values Declared by the Secretariat of Hacienda	**791.388,375**	**740.292,850**										**1.805.155,495**	
Source: Informes del Secretario de Hacienda de Antioquia													

State Revenues, Cauca 1864-1876 (Pesos)

Tax Revenue	1864	1866	1868	1869	1870	1871	1872	1873	1874	1875	1876
Alcohol Excise Tax		7.788,785	6.164,540	11.627,515	17.472,650	16.830,675	18.750,125	22.111,350	22.943,675	26.138,225	23.497,425
Cacao Tax											
Consumption Tax	48.596,310	50.876,335	49.113,505	79.388,587	59.971,335	94.010,020	125.754,317	151.649,050	130.745,945	116.360,055	101.066,755
15% of the 25% Surcharge on (Imports) Tariffs enacted to substitute the states' consumption Tax											
15% of the 15% Surcharge on (Imports) Tariffs											
Direct Contribution											
Export Duties			57,700	32,010							
Extraction Duties	7.863,375	17.054,725	13.805,875	17.685,755	18.562,075	13.504,250	22.255,855	15.781,400	17.696,570	20.330,450	4.320,775
Inheritance Tax											
Introduction Duties			24.931,555	17.669,656	6.098,240	5.111,915					
Livestock Sacrifice Tax		7.760,650	16.214,135	18.129,170	19.493,185	24.325,925	25.763,350	25.787,750	27.576,750	33.211,675	14.848,800
Mortgage & Registry Tax	3.042,638	3.393,555	3.954,845	4.048,919	3.726,607	3.934,220	4.039,030	6.152,861	6.663,337	6.634,870	2.651,715
Manumission Duties		3.267,390									
Salt Introduction Duties (later Cauca's share on federal salt monopoly)						1.221,400	230,450		8.042,375	1.362,700	258,400
Taxes Miscellaneous	13.657,965	7.341,400	2.125,896	871,392	1.487,023	4.157,130	4.889,595	10.384,295	2.357,350	1.818,375	1.599,475
(1) Subtotal Tax Revenue	**73.160,288**	**97.482,840**	**116.368,051**	**149.453,004**	**126.811,115**	**163.095,535**	**201.682,722**	**231.866,706**	**216.026,002**	**205.856,350**	**148.243,345**
Non-Tax Revenue											
Banco del Estado (Profits)											
Barge Rights			228,300	111,000	222,000	222,000	316,500	111,000	111,000	655,500	433,500
Camino del Comercio (Profit)											
Fines, Interests & Others											
Lazaretos											
Cauca's Post Service	25,700	90,565	142,075	226,195	285,345	235,700	89,775	75,675	312,081	109,400	11,800
Sale of Stamped Paper	17.831,800	14.928,750	19.701,350	18.473,300	20.783,700	21.331,710	18.586,700	22.947,600	25.889,400	27.065,400	9.648,100
Storage Rights			300,100	646,200							
Toll Roads and Bridges		4.682,375	7.960,350	9.588,625	7.744,650	7.237,900	8.267,050	5.982,875	8.579,050	9.018,950	714,300
Tolls											
Previous Years' Revenue											
(2) Subtotal Non-Tax Revenue	**17.857,500**	**19.701,690**	**28.332,175**	**29.045,320**	**29.035,695**	**29.027,310**	**27.260,025**	**29.117,150**	**34.891,531**	**36.849,250**	**10.807,700**
(1 + 2) Total Revenue	**91.017,788**	**117.184,530**	**144.700,226**	**178.498,324**	**155.846,810**	**192.122,845**	**228.942,747**	**260.983,856**	**250.917,533**	**242.705,600**	**159.051,045**
Non-Reported Revenues (Estimated)					4.541,067						
Source: Informes del Secretario de Hacienda del Cauca											

State Revenues, Cauca 1877-1895 (Pesos)

Tax Revenue	1877	1878	1879	1880	1881	1882	1886	1887	1888	1889	1895 (1/1-3/31)
Alcohol Excise Tax	26.540,525	37.534,166	31.558,875	36.900,825	39.453,425	59.854,675	69.999,765	78.179,725	83.934,717	155.875,505	850.171,300
Cacao Tax											15.245,650
Consumption Tax	132.826,695	109.673,450	149.234,571	166.429,925	149.685,200	147.581,895	154.281,595	27.035,336	8.122,325	5.596,700	
15% of the 25% Surcharge on (Imports) Tariffs enacted to substitute the states' consumption Tax									173.986,900	208.287,200	
15% of the 15% Surcharge on (Imports) Tariffs											48.267,800
Direct Contribution									3.467,960	3.092,350	
Export Duties											
Extraction Duties	15.254,135	10.093,575	7.365,510	15.334,475	24.780,700	28.229,075	27.300,700	10.364,760			
Inheritance Tax		6.887,114	2.336,535		1.698,150	9.117,881	10.063,680	7.648,126	11.807,063	10.110,625	
Introduction Duties											
Livestock Sacrifice Tax	25.271,900	64,800	22.233,000	43.419,075	46.170,325	71.859,100					
Mortgage & Registry Tax	3.621,982	7.819,613	4.326,537	5.913,588	6.595,372	6.247,975	7.246,505	12.381,913	14.459,200	20.410,237	13.675,400
Manumission Duties											
Salt Introduction Duties (later Cauca's share on federal salt monopoly)			35,350	2.542,410	5.007,600	520,760					
Taxes Miscellaneous	16.000,600	16.496,200	47.413,800	15.078,580	7.396,857	3.185,415	3.372,535	2.458,345	22.743,452	4.069,441	23.078,750
(1) Subtotal Tax Revenue	**219.515,837**	**188.568,918**	**264.504,178**	**285.618,878**	**280.787,629**	**326.596,776**	**272.264,780**	**138.068,205**	**318.521,617**	**407.442,058**	**950.438,900**
Non-Tax Revenue											
Banco del Estado (Profits)											23.579,400
Barge Rights	18,900	1.625,625	2.982,600	5.650,725	5.342,550	5.604,850	2.487,200	1.736,000	2.390,800	343,650	11.169,450
Camino del Comercio (Profit)											1.033,150
Fines, Interests & Others											6.511,950
Lazaretos											8.549,250
Cauca's Post Service	22,200	77,050	65,775	222,925	413,645	890,600	167,975	226,500	385,390	358,550	67,800
Sale of Stamped Paper	13.246,300	25.293,200	22.593,500	23.955,500	25.818,100	27.859,700					
Storage Rights											
Toll Roads and Bridges	4.253,075	7.001,000	7.227,950	5.830,525	6.632,600	20.245,615	14.781,375	19.027,150	13.746,650	17.675,200	25.468,850
Tolls							2.800,600	2.079,040			
Previous Years' Revenue							11.727,920	718,225	1.549,591	5.793,155	6.099,350
(2) Subtotal Non-Tax Revenue	**17.540,475**	**33.996,875**	**32.869,825**	**35.659,675**	**38.206,895**	**54.600,765**	**31.965,070**	**23.786,915**	**18.072,431**	**24.170,555**	**82.479,200**
(1 + 2) Total Revenue	**237.056,312**	**222.565,793**	**297.374,003**	**321.278,553**	**318.994,524**	**381.197,541**	**304.229,850**	**161.855,120**	**336.594,048**	**431.612,613**	**1.032.918,100**
Non-Reported Revenues (Estimated)											
Source: Informes del Secretario de Hacienda del Cauca											

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AGN	Archivo General de la Nación, Bogotá
AHA	Archivo Histórico de Antioquia, Medellín
ALC	Archivo Legislativo del Congreso
BACH	Biblioteca Academia Colombiana de Historia
BLAA	Biblioteca Luis Ángel Arango, Bogotá
BNC	Biblioteca Nacional de Colombia, Bogotá
BUA	Biblioteca Universidad de Antioquia

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