The Creation and Dissolution of Gran Colombia

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The creation and dissolution of *Gran Colombia*: an evolutionary model of constitutional cooperation

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[continued on next page]
1. Introduction

Consider the following maps of the original “United States of America” and of “Greater Colombia,” a promising but short-lived federation of several South American republics:

Figure 1. Map of the Republic of Greater Colombia.

Figure 2. Map of the 13 original United States.

These old maps tell two similar, compelling stories: revolution, liberation,
and constitutional union. In summary, the native-born leaders of the peoples in both geographical regions, statesmen and generals like George Washington and Simón Bolívar, not only led successful revolutions against their colonial rulers; these great leaders also oversaw the drafting of concise federal constitutions and were able to establish promising constitutional unions: (i) the creation and ratification of the US Constitution and the integration of 13 separate states into a single nation (see map 1), and (ii) the creation of a promising South American federal republic, the Republic of Colombia or “Gran Colombia” (1819-1830), consisting of modern-day Colombia, Ecuador, and Venezuela (see map 2).¹

Despite these similar origins, the subsequent constitutional histories of both regions could not have been more different: one constitution proved to be successful, stable, and durable; the other, however, failed after just a few years, ending in dictatorship and dissolution. Why were the framers of the US Constitution, but not the framers of the Greater Colombia constitution, able to overcome their differences and create a durable constitution? This is the subject of this paper. Much of the scholarly literature in constitutional law, by contrast, tends to take the existence of constitutions as a given, focusing instead on supreme-court cases or constitutional-court cases (see, e.g., Tribe, 2000). In this paper, we will take a step back by analyzing the contingent and strategic nature of the initial constitutional “ratification game” -- that is, the initial decision to ratify or reject a proposed constitutional union, without which there would be no supreme charter in the first place.

Accordingly, the remainder of this paper is divided into five parts: following this brief introduction, we compare and contrast the successful drafting and ratification of the US Constitution with the dissolution and unraveling of the nascent Greater Columbia Constitution in South America (section two). Next, we present a simple evolutionary model of the ratification game (section three); building on our previous work (see Guerra-Pujol, 2008), our model uses the methods of evolutionary game theory (see generally, Maynard Smith, 1982), which do not require any unrealistic perfect-rationality or complete-information assumptions.

¹ The official name of this historic but short-lived union was “The Republic of Colombia,” but to avoid confusion with modern-day Colombia, historians now refer to this union as La Gran Colombia or Gran Colombia (see, e.g., Bushnell, 1970, p. 12).
Lastly, we identify and discuss two important insights generated by our model and apply these insights to the real-world ratification games that are the subject of this paper, the creation of the US Constitution and the dissolution of the Greater Colombia constitution. Section five concludes.

2. The creation and dissolution of Greater Colombia

The history of the drafting and ratification of the US Constitution is so well-known and familiar (see Amar, 2005; Farrand, 1913) that we need not take up much space repeating that standard history here. Instead, we shall focus on a lesser-known constitutional history, the history of the creation and dissolution of the constitution of Gran Colombian constitution. In summary, we present the history of the Greater Colombian union as a three-act play:

Act I, the creation of Gran Colombia

The creation of the promising Greater Colombian union begins with the “Congress of Angostura” of 1819. Delegates from the territories of Venezuela and Nueva Granada (modern-day Colombia and Panama) met in the city of Angostura on February 15, 1819. On this date, Simón Bolívar delivered one of his greatest speeches (“Discurso de Angostura,” Bolívar, 1971 [1819], pp. 93-123) and proposed a fundamental law (“proyecto de constitución”) uniting the territories of Nueva Granada and Venezuela into a single country (id., p. 122). The delegates revised and ratified Bolívar’s “fundamental law” (see Appendix A). The new constitution created the Republic of Colombia, or Gran Colombia (Greater Colombia), consisting of three states or “departments”: Venezuela, New Granada (modern-day Colombia and Panamá), and Quito (modern-day Ecuador), which was still under Spanish rule. In addition, the delegates appointed Simón Bolívar as President of the Republic, Francisco Antonio Zea as Vice President of the Republic, Francisco de Paula Santander as governor of the department of New Granada (now called “Cundinamarca”), and Juan Germán Roscío [???] as governor of the department of Venezuela.

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2 The delegates also renamed the territories of New Granada “Cundinamarca” (see Article 5 of the fundamental law of 1819 in Appendix A). Although Gran Colombia included the union of modern-day Ecuador, Colombia, Panama, and Venezuela, no delegates from Quito (modern-day Ecuador) were present at this congress (Bethell, 1985, p. 142).

3 The office of governor for Quito was left vacant because Quito was still under Spanish colonial control. Also, the governors of the three departments had the title of Vice President (see Article 6 of the fundamental law in Appendix A).
The delegates formally declared the union of Gran Colombia December 17, 1819, after Bolívar’s decisive victory at the Battle of Boyacá (Bethell, 1985, pp. 140-141). The delegates also decided to meet again in January 1821 to draft a permanent constitution for Gran Colombia.

**Act II, the Greater Columbian Constitution of 1821**

The first official congress of Greater Colombia met in the church of Villa del Rosario in Cúcuta in January 1821. Once Venezuela became independent after Bolívar’s next great military victory at the Battle of Carabobo on June 24, 1821, the delegates reconvened on July 18, 1821, with delegates from the regions of Venezuela that were recently liberated by Bolivar’s forces.

During the summer of 1821, the delegates at the “Congress of Cúcuta” drafted a new constitution for Greater Colombia and in October 1821 elected Simón Bolívar as President of the Republic and Francisco de Paula Santander as Vice President (Bethell, 1985, p. 142). Because Bolívar wanted a strong central government, while Santander supported decentralization and autonomy for the member states, the Gran Colombia union was doomed from the start* ** The constitution of 1821, which consisted of 10 chapters and 91 articles, would remain in force until the dissolution of Greater Colombia ten years later in 1830. The main features of the new constitution were as follows (see Bushnell, 1970, pp. 18-21; Gibson, 1948, pp. 37-40):

**Federal structure.** Gran Colombia was a union of three great departments: (1) New Granada (recently renamed “Cundinamarca”), (2) Venezuela, and (3) Ecuador (Quito). Each department would be administered by a governor, who was appointed by the President of the Republic, and each department was divided into provinces. New Granada (Cundinamarca), for example, contained thirteen departments, Venezuela had ten provinces, and Quito seven. The provinces were divided into cantons, and cantons were divided into cabildos and municipalities, and these units were divided into local parishes, the smallest unit of government.

**Elections.** The constitution declared the government of Gran Colombia to be popular and representative. Each parish would convene a popular assembly that would meet on the last Sunday of July every four years. The delegates at these popular assemblies would then elect delegates for their respective cantons. [Voters
were required to be 25 years old and should have more than 500 *piastras* in real estate or 300 in rent.] These delegates would then meet on the first day of October (once every four years) at a provincial assembly in order to elect the president and vice-president of the Republic, the senators of the department, and the representatives of the province.

**The Executive.** The Executive authority consisted of a single-term president, chosen for 4 years, who could not stand for re-election. In the event of death, the president would be replaced by the president of the Senate. The president would have a pay of 30000 *piastras* per year.

**Congress.** The Congress consisted of two chambers: the Senate and the Chamber of Representatives. Senators were appointed for a period of either four or eight years; representatives for a period of four years. Each department would have four senators: two senators for eight-year terms and two senators for four-year terms.\(^4\) [Senators must be 30 years old, native-born (criollo) by birth, and own real estate worth 4000 piastras or a rent of 500 piastras per year, or practice a liberal profession. Foreigners were also allowed to be senators if they had resided in the country for twelve years and owned real estate worth 16000 piastras.] The Chamber of Representatives would be made up of Deputies: one per 30,000 inhabitants (i.e., proportional representation). [Delegates must be 25 and possess property worth 2000 piastras or a rent of 500 piastras, or be a professional. It was necessary to reside in the country two years before election. Foreigners had a residence requirement of eight years and had to have real estate worth 10000 piastras.] The Constitution also established that sessions of both chambers be public, that the main civil servants be excluded from legislative functions, and that the members of both houses enjoy immunity from prosecution during their terms in office.

**Impeachment.** The Chamber of Representatives had the power to initiate impeachment proceedings against the President, the Vice President, and the judges of the High Court of Justice, and the Senate had the power to try impeachments.

In addition to adopting a federal constitution for the new nation of Gran

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\(^4\)The equal representation rule in the Senate mirrors the famous “Great Compromise” the Framers of the US Constitution agreed to in 1787. See, e.g., Farrand, 1913, pp. 91-112.
Colombia, the delegates at the Congress of Cúcuta debated the issue of slavery and decreed a “womb-free law” -- henceforth, no more slaves would be born on Gran Colombian soil -- and approved the creation of a fund to buy the freedom of slaves who were born before the adoption of this law. Among other things, the congress also suspended the Spanish Inquisition and reformed the appointment of bishops and archbishops.

The Constitution of 1821 and the reforms of the Congress of Cúcuta were remarkable achievements by any measure. Gran Colombia now had a formal constitution, heroic leaders, and a promising future, but the union only lasted ten years. What happened?

Simón Bolívar and Francisco Santander won re-election in 1826, but some of the military officers who had fought with Bolívar during the wars of liberation against Spain were now plotting against the central government. In 1826, the governor of the Department of Venezuela, General José Antonio Páez, threatened to separate the provinces of Venezuela from the republic. The federal congress initiated impeachment proceedings against General Páez, but support for General Páez and his cause began to spread throughout the departments of Venezuela and Ecuador as well. President Bolívar diffused the situation by offering a general amnesty to Páez and his supporters and by agreeing to convene a constitutional convention. [see Bushnell, 1970, pp. 287-305, 325-335, 343-345]

Act III, the convention of 1828, dictatorship, and dissolution

In retrospect, the decision to convene a constitutional convention was a fatal error because there was no room for compromise on the fundamental question of federalism. Bolívar himself saw federalism as a form of “institutional anarchy,” and he framed the constitutional choice to be made in the following stark terms: (i) the creation of a strong and permanent central government, or (ii) the dissolution and

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\(^5\) The Congress of Cúcuta, however, did not abolish slavery. The manumission law did not apply to children born before 1821, and children born after 1821 to slave parents had work for their mothers’ owners until they were 18 years old (see, e.g., Bethell, 1985, p. 142; Lasso, 2006, pp. 347-348).

\(^6\) In Bolívar’s own eloquent words: “Todavía tengo menos inclinación a tratar del gobierno federal: semejante forma social es una anarquía regularizada …” (Bolívar, 1971 [letter of Sept. 13, 1829], p. 161).
separation of the departments of Gran Colombia.\(^7\) In other words, either Gran Colombia would have a strong central government or there would be Gran Colombia at all.

The Convention of Ocaña met from April 9 to June 10, 1828. The delegates at this convention drafted a charter that would have implemented a radically federalist form of government with greatly reduced the powers for the central government. Unhappy with this outcome and unable to reach a compromise, pro-Bolívar delegates walked out of the convention and the proposed federal constitution was never ratified.

After the failure of the convention, the dissolution of Gran Colombia was all but inevitable. In August 1828, President Bolívar proposed a new constitution that would have added the countries of Peru and Bolivia to Greater Colombia. Bolivar’s constitution would have created a strong central government, including a lifetime president with the ability to hand-pick his successor and a hereditary third chamber of the legislature. But his vice president, Francisco Santander, was opposed to these proposals and supported a more federalist form of government. This open confrontation between Bolivar and Santander meant that Bolivar’s proposed constitution and Greater Colombia were doomed to failure.

President Bolívar finally proclaimed himself dictator of Greater Colombia on August 27, 1828. Although he considered this decision to be a temporary measure, as a means to reestablish his authority and save the republic, it had the opposite effect. Opponents of Bolivar now plotted his assassination, [Bolivar survived an attempt on his life on Sept. 25, 1828] and more revolts occurred in New Granada, Venezuela, and Ecuador during the next two years. The Gran Colombia union finally collapsed in late 1829 when Venezuela and Ecuador left the union.

Bolivar resigned his position in January 1830, and one last constitutional convention, known as the Admirable Congress, was held in Bogotá in January 1830 to rescue the union. The delegates of the Admirable Congress drafted a new constitution, the “Constitution of 1830” (see Appendix C), which gave the departments and municipalities more power and limited the powers of the central

\(^7\) See id., p. 163: “El congreso constituyente tendrá que elegir una de dos resoluciones únicas que le queden en la situación de las cosas: 1\(^{st}\) -- La división de la Nueva Granada y Venezuela. 2\(^{nd}\) -- La creación de un gobierno vitalicio y fuerte.”
government, but Venezuela and Ecuador had already decided to separate before the new constitution could take effect. His dream of a “United States of South America” now lost, Bolívar himself died later that the same year at age 47, on December 17. By the end of his life, Bolívar himself had concluded that Latin America was “ungovernable” and that his dream of a grand Gran Colombian union was doomed to failure.\(^8\)

3. The model

In essence, constitutional ratification games present an important puzzle. On the one hand, the member states of a proposed federal constitution will be collectively better off with a strong central government, one able to provide essential public goods for all member states, such as a common currency and national defense. But at the same time, each member state will individually prefer a large measure of cultural, economic, and political autonomy for a number of reasons. In US constitutional history, this tension is reflected in the historic (and still ongoing) debates between the federalists and the anti-federalists, and as we saw in section two above, this same debate occurred in South America as well, with the supporters of Simon Bolivar wanting a strong central government and the supporters of Francisco Santander preferring a more decentralized federation. Given this inherent tension in the constitutional ratification process, why were the framers of the US Constitution, but not the framers of the proposed Greater Colombia constitution, able to overcome this collective action problem? In this section of the paper, we present an evolutionary model of the ratification game in order to provide a testable (falsifiable) answer to this question.

Our model consists of a population of players or delegates playing the constitutional ratification game *** [cf. my “war of attrition” paper] During each round of the ratification game, each player can choose one of two strategies: reject or ratify. Accordingly, there are four possible interactions during each round of the ratification game: (i) ratify|ratify, (ii) ratify|reject, (iii) reject|ratify, and (iv) reject|reject. The payoffs produced during each interaction -- V1, V2, V3, and V4, corresponding to each one of these four possible interactions -- can be stated

\(^8\) In the timeless and tragic words of Bolívar: “[H]e mandado veinte años, y de ellos no he sacado más que pocos resultados ciertos: 1\(\text{o}\), la América es ingobernable para nosotros; 2\(\text{do}\), el que sirve una revolución ara en el mar ...” (Bolívar, 1971 [letter of Nov. 30, 1830], p. 169).
formally as follows:

(i) \[ V_1 = V(\text{ratify}|\text{ratify}) = r/2 \]

(ii) \[ V_2 = V(\text{ratify}|\text{reject}) = s - c \]

(iii) \[ V_3 = V(\text{reject}|\text{ratify}) = s \]

(iv) \[ V_4 = V(\text{reject}|\text{reject}) = s \]

Before proceeding, notice that this model of the ratification game is an analytical one: instead of expressing the payoffs using numerical values, the payoff structure of the game is set forth in abstract terms (specifically, the variables \( r, s, \) and \( c \))

[cf. my draft “law game” paper, pp. 5-6] To continue, this payoff structure may also be written in “normal form” as follows:

<table>
<thead>
<tr>
<th>Player A chooses ratify</th>
<th>Player B chooses ratify</th>
<th>Player B chooses reject</th>
</tr>
</thead>
<tbody>
<tr>
<td>( v/2, v/2 )</td>
<td>( v/2 )</td>
<td>( s - c, s )</td>
</tr>
<tr>
<td>( s, s - c )</td>
<td></td>
<td>( s, s )</td>
</tr>
</tbody>
</table>

Figure 3. Normal form payoff table of the ratification game.

In plain English, the payoff structure of the constitutional ratification game can be summarized as follows:

1. the payoff to a constitutional cooperator who interacts with another cooperator is equal to the benefit \( r \) resulting from cooperation divided by two, or stated formally, \( V_1 = V(\text{ratify}|\text{ratify}) = r/2 \)
2. the payoff to a cooperator who interacts with a defector is equal to the benefit \( s \) resulting from the status quo minus the cost of supporting a change to the status quo, or \( V_2 = V(\text{ratify}|\text{reject}) = s - c \)
the payoff to a defector who interacts with a cooperator is equal to the
benefit \(s\) resulting from the status quo, or \(V_3 = V(\text{reject|ratify}) = s\)

4. the payoff to a defector who interacts with another defector is also equal
to the benefit \(s\) resulting from the status quo: \(V_4 = V(\text{reject|reject}) = s\)

Since the evolutionary fitness of a given strategy is “frequency dependent”—
that is, since the success of a given strategy (relative to the success of the other
strategy) depends not only on the fitness of such strategy but also on the fitness of
the other strategy—we turn to the methods of evolutionary game theory to
determine the equilibrium frequency (if any) of defectors and cooperators over
many rounds of play in the ratification game.

Further assumptions ** [id., p. 6]

Let \(p\) be the frequency of defectors in the population and \(1 - p\) the frequency
of cooperators in the same population. In other words, the fraction \(p\) of the
population consists of defectors who support the status quo, while the fraction \(1 - p\)
of the population supports a new constitutional framework. Next, we determine
whether either type of strategy (defect-reject or cooperate-ratify) is able to resist an
invasion from the other type of strategy. That is, will a population consisting mostly
of defectors (\(p \approx 1\)) be able to resist an invasion from a mutant cooperator, and
likewise, will a population consisting mostly of cooperators (\(1 - p \approx 1\)) be able to
resist an invasion from a mutant defector?

First, consider a large population in which the frequency of defectors is very
high; in other words, most members of the population support the status quo, or
stated formally, \(p \approx 1\). In this type of population, defectors rarely interact with
cooperators, since the frequency of cooperators is very low, or \(1 - p \approx 0\). As a result,
the expected payoff to a defector \(W(\text{reject})\) is determined by his interactions with
other defectors and can be expressed mathematically as follows:

\[
W(\text{reject}) = w + (p)[V(\text{reject|reject})] + (1 - p)[V(\text{reject|ratify})]
\]

\[
W(\text{reject}) = w + (1)[V(\text{reject|reject})] + (0)[V(\text{reject|ratify})]
\]

\[
W(\text{reject}) = w + V(\text{reject|reject}) + 0
\]

\[
W(\text{reject}) = w + s
\]
Consider next what might occur when a few pro-ratification “mutants” appear in the population. Will the rare constitutional cooperators be able to spread across the population and displace the selfish defectors, or will the status-quo defectors instead be able to resist invasion and eliminate the pro-ratification cooperators from the population? To answer this question, we find the expected payoff to a rare cooperator, \( W(\text{ratify}) \), and compare this value with the expected payoff corresponding to defectors. In essence, since constitutional cooperators are rare, the chance of one cooperator interacting with another cooperator is likewise small, close to zero, or once again stated formally, \( 1 - p \approx 0 \). Thus, the expected payoff to a rare cooperator is determined by his interactions with defectors as follows:

\[
W(\text{ratify}) = w + (p) [V(\text{ratify}|\text{reject})] + (1-p) [V(\text{ratify}|\text{ratify})]
\]
\[
W(\text{ratify}) = w + (1) [V(\text{ratify}|\text{reject})] + (0) [V(\text{ratify}|\text{ratify})]
\]
\[
W(\text{ratify}) = w + V(\text{ratify}|\text{reject}) + 0
\]
\[
W(\text{ratify}) = w + s - c
\]

In other words, when constitutional cooperators are rare, defectors will resist invasion because \( 0 \) is greater than \(-c\); that is, because \( s \), the expected payoff to defectors, is greater than \( s - c \), the expected payoff to cooperators, or stated formally, \( W(\text{reject}) > W(\text{ratify}) \). But what happens when it is the defectors who are rare? ***

Consider a population consisting mostly of pro-ratification cooperators, that is, a population in which the frequency of cooperators is very high and the frequency of defectors is very low. In this type of population, constitutional cooperators rarely interact with defectors, since the frequency of defectors is very low, or \( 1 - p \approx 0 \). As a result, the expected payoff to a cooperator, \( W(\text{ratify}) \), is determined by his interactions with other cooperators and can be stated formally as follows:

\[
W(\text{ratify}) = w + (p) [V(\text{ratify}|\text{ratify})] + (1-p) [V(\text{ratify}|\text{reject})]
\]
\[
W(\text{ratify}) = w + (1) [V(\text{ratify}|\text{ratify})] + (0) [V(\text{ratify}|\text{reject})]
\]
\[
W(\text{ratify}) = w + V(\text{ratify}|\text{ratify}) + 0
\]
\[ W(ratify) = w + r/2 \]

Now, consider what might happen if a few selfish “mutants” or defectors appear in a population consisting of cooperators. Will such rare defectors be able to spread and displace the constitutional cooperators, or will the cooperators be able to resist an invasion of the mutant defectors? To answer this question, we employ the same methodology as above. First, we determine what a rare defector’s expected payoff \( W(\text{reject}) \) will be, and then we compare this value with a cooperator’s expected payoff, \( W(ratify) \). In essence, since defectors are rare, the chance of one defector interacting with another defector is likewise small, close to zero (i.e., \( 1 - p \approx 0 \)). Thus, the expected payoff to a rare defector is determined by his interactions with the majority cooperators as follows:

\[
W(\text{reject}) = w + (p)[V(\text{reject}|\text{ratify})] + (1 - p)[V(\text{reject}|\text{reject})]
\]
\[
W(\text{reject}) = w + (1)[V(\text{reject}|\text{ratify})] + (0)[V(\text{reject}|\text{reject})]
\]
\[
W(\text{reject}) = w + V(\text{reject}|\text{ratify}) + 0
\]
\[
W(\text{reject}) = w + s
\]

In plain English, the ability of cooperators to resist an invasion of defectors (or, what is the same thing, the ability of defectors to displace cooperators) will depend on the value of \( s \) (the expected payoff of defectors) relative to \( r/2 \) (the expected payoff of cooperators). In summary, if the value of \( r \) turns out to be greater than \( 2s \), then constitutional cooperation will thrive because cooperators will be able to resist defectors. But if the value of \( r \) is less than \( 2s \) (that is, \( r \) is large, but not large enough), then constitutional failure (no ratification) is more likely to occur as the mutant defectors gradually displace the cooperators.

Of course, since this evolutionary model of constitutional cooperation is an analytical one, the model does not tell us what the values of \( r \) and \( s \) are, and without more information about these values, we cannot predict whether cooperation or defection (constitutional success or failure) will prevail. In theory, we could assign arbitrary or make-believe values to the terms \( s \) and \( r \) (the usual method in economics, see, e.g., Coase, 1960, p. 3), or in the alternative, we could attempt the
impossible task of finding the true numerical values of $s$ and $r$. But we think that any attempt to assign actual values to these terms is either intellectually flimsy or too speculative. Therefore, instead of attempting to quantify $r$ or $s$, we will conclude our analysis of constitutional cooperation by restating the main qualitative insights of our evolutionary model and then applying these insights to the two real-world “ratification games” that are the subject of this paper: (i) the successful drafting and ratification of the US Constitution, and (ii) the dissolution of the nascent Greater Columbia Constitution of South America.

4. Discussion

In summary, our model imparts two important lessons: (i) the type of population really matters, and (ii) the benefits of cooperation need to be much larger than the benefits of defection in order for cooperation to prevail.

4.1. Population type

Thus far, we have assumed two types of populations (majority-defector populations and majority-cooperator populations), but in reality, there are at least three possible types of population in constitutional ratification games: (i) a population consisting mostly of anti-federalist defectors, (ii) a population consisting mostly of federalists or “constitutional cooperators,” and (iii) a well-mixed population consisting of both cooperators and defectors. [Actually, there are several additional types of population structure, depending on the spatial arrangements of the members of the population. See generally, Nowak & Highfeld, 2011, pp. ***]. But since this spatial complication does not affect the analysis of our model, we shall for simplicity confine our analysis to the three population types listed above.] Why is population structure so important? Because our model tells us that cooperation has no chance of succeeding ex ante in a population consisting mostly of defectors. Cooperators might be able succeed under some population structures (see subsection *** below) but never when defectors are a majority of the population.

This insight regarding population structure also helps to predict the outcome of many actual or potential constitutional ratification games in the real world and to explain why so few regions of the world (with the exception of a handful of countries like the US, Germany, and Russia, for example) have federal constitutions in the first place. [For a complete listing of federal constitutions, see Dahl, 2001,
Simply put, where a majority of the relevant population consists of anti-federalist defectors (a condition that appears to be generally true in most regions of the world), constitutional cooperation cannot get off the ground. Furthermore, the default position in most ratification games is “no federal constitution” (i.e., the default is that there will no central government and no federal constitution unless a sufficient number of delegates or States negotiate and ratify a mutually-acceptable constitution). As such, anti-federalist defectors will have the upper hand and will almost always prevail when the majority of the delegates at a proposed or actual constitutional convention consist mostly of defectors. But as the dissolution of the Greater Colombia constitution shows, having a sufficient number of constitutional cooperators in the relevant population is not enough to produce a federal constitution, which leads us to the second insight of our model (see subsection 4.2 below).

4.2. Benefits of cooperation relative to defection

Our model also addresses and helps to answer another critical question. Why did the delegates of the Philadelphia Convention succeed in drafting a federal constitution for the United States, while the delegates of the Ocaña convention fail to produce a federal constitution for South America? Although anti-federalist defectors were part of the relevant population of delegates in Philadelphia (1787) and Ocaña (1828), both constitutional conventions also contained a large fraction of pro-federal “constitutional cooperators.” So why did one convention produce a cooperative equilibrium, while the other did not?

Recall the second important insight generated by our model: constitutional cooperation might be able to prevail in populations that are not dominated by anti-federalist defectors, but whether cooperation or defection will prevail in such populations depends on the benefits of cooperation relative to the benefits of defection. Stated formally, constitutional cooperation will occur only when the value of \( r \) is greater than \( 2s \). Otherwise, when \( r \) is less than \( 2s \), constitutional failure (no ratification) is the more likely outcome, even when cooperators are a majority of the population.

This analysis thus provides a possible reason (as well as a plausible reason) for the radically different outcomes of the US and Greater Colombia constitutions.
Simply put, perhaps the benefits of constitutional cooperation were far greater than the benefits of defection in the US ratification game than in the Greater Colombia ratification game. That is, perhaps the US federalists had far more to gain from cooperation than the anti-federalists had to gain from defection. The case of South American, in contrast, may have been far different. Although the pro-Bolivar federalists may have had a lot to gain from cooperation as well, perhaps their gain was not large enough relative to the gain the pro-Santander anti-federalists would generate from defecting from the Bolivarian union.***

Furthermore, one possible (and plausible) reason for these different cost-benefit assessments might be found in the existence of differing degrees of external threats in both the US and South America. Following the Revolutionary War, the US still had to contend with many powerful enemies and foreign forces, including hostile Indian tribes and the great European powers (Britain, Spain, and France). The US would thus stand to benefit greatly from a strong federal government in order to counteract these threats. In contrast, once Simon Bolivar defeated royalist forces and liberated the various countries of South America from Spanish colonial rule, the external threat to these Bolivarian countries largely subsided. With the external threat to Greater Colombia at an end, the benefit from constitutional cooperation and from a centralized South American federation was considerably smaller than the benefit from separation.***

5. Conclusion

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References [see also references in Guerra-Pujol, 2008, p. 21]


**Maps**


Map of the thirteen original United States (map 2), available at http://www.sonofthesouth.net/revolutionary-war/maps/original-states-map.htm (last visited on October 17, 2011).

Appendix A, Fundamental Law of 1819 [attachment]

Appendix B, Constitution of 1821 [see Gibson, 1948]

Appendix C, Constitution of 1830 [id.]