Virtuous outcomes of instrumental intentions?

The case of Uruguay's 1996 Constitutional reform

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Abstract

In December 1996 a national referendum approved a constitutional reform that introduced substantial changes to Uruguay's electoral system. We argue that this reform was proposed by Uruguay's establishment parties to prevent the rise to power of the left-wing Frente Amplio in the 1999 elections. While successful in this instrumental goal, the policy introduced a series of changes that, paradoxically, would pave the way for a long period of Frente Amplio rule after 2004. It also facilitated the coalition formation process within the centre-right block in the last decade. In the pursuit of a short-term electoral victory, proponent parties created an institutional setting that would support Uruguay's relative political success in the first quarter of the XXI century. We argue that this reform is an example of instrumental mismatch: the private goals of the reformers were orthogonal to the reforms stated goals. We argue that this mismatch need not be an obstacle for a reform's ultimate success.

First version: November 2023

This version: April 2025

Acknowledgements: We would like to thank Jean Paul Faguet, Victoria Paniagua and participants at the 2023 Florence Workshop on Instrumental incoherence in institutional reform for useful comments and suggestions.

Introduction

The process of institutional reform is shaped by the incentives, intentions, beliefs, and capabilities of the actors that participate in a country's political life. In this context, it is unsurprising that institutional reforms are often instrumental to the objectives pursued by some of those actors. Yet the consequences of a reform can far exceed the concrete tactical gains pursued by the reformers, potentially generating a contradiction between private reformers intentions and reforms' long-term effects.

Our article contributes to this special issue by presenting the Uruguayan Constitutional Reform of 1996 through the lens provided by the notion of instrumental mismatch. In doing so, our analysis helps develop this concept and trace out its implications for other contexts. As discussed in this issue's lead article (Faguet, 2025), instrumental mismatch emerges when the stated goals of a reform are different from the instrumental objectives pursued by the reformers. In our analysis, we show that the 1996 Uruguayan constitutional reform was, to a substantial degree, pursued for reasons of short-term electoral expediency. We will show evidence that this was believed by many high-level participants in the national debate around the reform. That said, statements by politician's supporting the reform mainly emphasized the positive long-term changes that the reform would (hopefully) bring about. These features point to an issue of instrumental mismatch and motivates the inclusion of this case study in this issue.

The 1996 reform changed the electoral system by introducing, among other novelties, formal primaries and a second-round vote in Presidential elections. The introduction of the second-round vote in particular would have significant consequences for the Uruguayan political landscape. In the short run, it arguably delayed the transition of power from the traditional parties that had ruled Uruguay since independence to an emergent left-wing coalition that had gained electoral ascendancy in the previous decade. By affecting the time in which this transition ultimately took place, the reform also shaped the economic landscape that the left-wing coalition would face when in power. The delayed transition 'saved' the coalition from facing a crippling economic crisis and paved the way for a successful first term in office during the ensuing recovery. In the longer-run, the reform improved parties' capacity to engage in the formation of successful electoral coalitions between first and second-round votes and consolidated the view of Uruguayan politics as split into two well-defined right- and left-wing blocks.

Many of these consequences were *not* what had motivated the proponents to advance this reform in the first place. There is an apparent contradiction between the reform's long-term effects and its proponents' instrumental intentions. Through a systematic review of the political press in the two years before the referendum that introduced this institutional change, we show that reformers wanted to use changes to the electoral system in Uruguay as a tool to avoid the victory of the left-wing coalition Frente Amplio in the next election in 1999. While successful in that tactical objective, the reform itself led to a series of anticipated and unanticipated consequences that would lead to a consolidation of a new distribution of political preferences in the country, a series of electorally successful Frente Amplio governments in the next two decades, and a period of democratic stability that would come to characterize the country in the first quarter of the 21st century.

After discussing the applicability of the notion of instrumental mismatch to the case of the 1996 reform, we show how this case shapes our understanding of the concept itself by looking at the long-term consequences of the reform. The reform was reasonably successful in achieving the long-term objectives stated by its supporters. It succeeded in accommodating the new three-party landscape and is widely regarded as yielding an electoral system that constitutes an improvement relative to the

one it replaced. It provided greater transparency by simplifying aspects of the electoral system that made it difficult for voters to understand the effects of their vote. At the same time, it also gave voters more freedom by allowing them to vote for different parties at the national and subnational levels. By updating the institutional framework to accommodate a new political reality, the reform helped strengthen a political system political system that has, in many ways, outperformed both of the other nations one would typically compare Uruguay to (i.e., Argentina, Chile) and has improved relatively to its own historical trajectory. While the success of the Uruguayan polity over the last two decades cannot be attributed to the reform alone, we argue that the reform did play a role in that success.

This case shows that, from a normative point of view, instrumental mismatch does not appear to preclude a reform from resulting in in positive outcomes for the country where it is introduced. An implication of this is that, in the language of Faguet (2025), instrumental mismatch does not necessarily lead to incongruous institutions. This is a feature which makes the example of the 1996 Uruguayan constitutional reform different from other examples covered in this special issue, and a second reason why this case study is useful for our understanding of this concept.

In addition to highlighting the fact that instrumental incoherence will not always lead to detrimental outcomes, the case study considered in this paper also emphasizes how unforeseen circumstances (i.e., unintended consequences) can mean that reforms implemented seeking private political objectives may prove detrimental to the reform proponents in the middle-run. While, in a strict sense, the Uruguayan reformers succeeded in achieving their short-term goals with the reform, this would prove to be a mixed blessing in the next decade, leading ultimately to severe electoral consequences for the parties involved.[1]

We base our argument on secondary sources describing the political landscape before and during the discussion of the reform, the stated and implied position of the interested parties during the period, and the economic landscape faced by the country in the decades around the start of the XXth century. We complement our analysis with a systematic press review encompassing the country's most prestigious weekly political magazines in this period, *Búqueda and Brecha*. These cover both sides of the political spectrum and can be loosely related to the two party blocks that have characterized the country's political landscape since the 1990s. We conducted a comprehensive archival review of all issues from both weekly publications spanning the years 1995 and 1996, identifying and analyzing every article related to the reform. This timeframe encompasses the entire reform process: from the proposal in 1995 by the newly elected President Sanguinetti, through the debates within and among political parties, as well as in Parliament, to its legislative approval, and finally its ratification in the popular plebiscite held on December 8, 1996. In total, we examined 102 issues of Búsqueda and 104 issues of Brecha, identifying, codifying, and analysing 122 relevant articles in *Búsqueda* and 88 in *Brecha*.

Our study can be placed within the extensive scholarly tradition examining the causes and societal impacts of institutions and institutional change (March & Olsen, 1984; North, 1990; Mahoney & Thelen, 2010). In particular, it focuses on the unintended outcomes of institutional reform, adding new insights to the existing research. A large and diverse set of studies have emphasized the unintended consequences of reform in different settings, such as the European Union institutions (Moravcsik, 2008), Land Rights (Bouquet, 2009; Hunt, 2004), Higher Education (Krücken, 2014) and Electoral Systems (Bronner & Ifkovits, 2019). Our paper shares with these and other studies a perspective borrowed from Historical Institutionalism, in which specific institutional outcomes are

[1] That is the reason why the lead article to this special issue classifies this reform as failing to achieve the private goals of the reformers (see Faguet, 2025).

shaped not by functionalist principles or rational design but rather by historical circumstances (March & Olsen, 1984; Pierson, 2004). We differ from the literature on unintended consequences in that we also emphasize that many of the outcomes of the 1996 Reform were predictable and, in a sense, still accidental. The source of instrumental mismatch that characterizes the Uruguayan reformers results from a discrepancy between short-term tactical goals and long-term effects of the reform. This discrepancy generated negative effects for the reformers due to a special context (the 2002 economic crisis) that deeply impacted the environment in which the short- and medium-term outcomes of the institutional change took place. By prioritizing immediate short-term results without considering the predictable effects the reform could have in a scenario like the one that ultimately occurred, the reform arguable produced negative medium-term consequences for its promoters.

Our research also contributes to the development of the notion of instrumental mismatch that is featured prominently in the other articles of this special issue. The notion of instrumental mismatch is laid out in Faguet (2025) which opens this issue. It is intimately related to the notion of instrumental incoherence used in the analysis of institutional reform by Faguet and Shami (2022). Our case presents an example of institutional reform where the term is applicable. More importantly, the example itself helps us develop the concept, both by allowing us to reflect on the implications of instrumental incoherence for both the proponents of the reform and the broader country where the reform is introduced. In a related manner, the case highlights the complexity of institutional reform processes, particularly in uncertain contexts. This is developed in this special issue in the contribution by Bednar et al. (2024).

Finally, at the empirical level, our article contributes to the literature that has studied the causes and consequences of the 1996 Uruguayan constitutional reform. Altman et al. (2011) study both the origin and consequences of the reform and emphasize the fact that the reform was intended to prevent the access of *Frente Amplio* to power in 1999. They also highlight that the outcome of the reform would then turn against the interests of the reform's proponents. The causes of the reform are also covered in Cason (2000) and Luján (2011). The short-term consequences of the reform are discussed in Cason (2002). Our contribution to this literature is to incorporate the notion of instrumental mismatch to better understand the reform process and rationalize the peculiar consequences of the 1996 reform for its proponents.

The article proceeds as follows. The next section provides the conceptual and theoretical background of the article. The second section lays out some political and economic background of the case. The following section presents the reformers objectives and the main aspects of the reform. The fourth one introduce the main effects of the reform and discuss the application of the instrumental mismatch concept to the case. The article concludes with some final considerations on the empirical and theoretical lessons of the case study.

Section I. Conceptualization and Theory

This study engages with core debates in institutional change scholarship (March & Olsen, 1984; North, 1990). Aligning with this special issue's framework, it examines the outcomes that arise when reformers' declared institutional goals conflict with their underlying short-term political incentives. This analysis builds on scholarship addressing the unintended consequences of institutional reforms (Hunt, 2004; Moravcsik, 2008), using a case study that addresses complexity in institutional reform, by illustrating how both stated and unstated motives interact with expected and unexpected reform outcomes.

We approach this case study through the lens provided by the notion of instrumental mismatch. In the lead article of this special issue Faguet (2025) states that instrumental mismatch emerges when the stated goals of a reform are different from the private goals that generate the incentives to carry out the reform in the first place. It is important to highlight that mismatch here is not just a consequence of the existence of private political goals. If this was the case, then in practice most reforms would be characterized by instrumental mismatch. Rather, this issue arises because of a misalignment between those private goals and the stated effects of the reform. This can happen because those are in direct contradiction to each other or, more commonly, because they belong to different domains and the interactions between domains are difficult to predict in a complex world (see Bednar et al. 2024).

The definition of instrumental mismatch relates to the notion of instrumental incoherence put forward in Faguet and Shami (2022), in that both emphasize a divergence between the instrumental goals of the reformers and other impacts of the reform itself. The distinction lies in that instrumental incoherence emphasizes the main effects of these reforms, rather than the stated effects. We could think of these main effects as the long-term, structural changes that reforms generate in a country's institutions. Both the notion of instrumental incoherence and instrumental mismatch will coincide when the stated effects of a reform coincide with their expected main effects. As we will show below, this is true to some degree in the case we consider in this paper.

Instrumental mismatch is important because it means that the design of a reform – and therefore, the resulting institutional framework – may be ill-suited to achieve normative objectives. One possible detrimental consequence of instrumental mismatch in institutional change is the creation of incongruous institutions (see Faguet 2025). These arise precisely because a proposed reform is designed to achieve a specific private tactical objective without attention to its other effects. When the main effects materialize, this may generate changes that are socially detrimental as the institutional framework is now ill-suited to achieve its core functions. Yet these negative effects are themselves not a *necessary* feature of instrumental mismatch. A reform that is characterized by instrumental mismatch may nonetheless prove successful in the long-run. We argue that this is the case with the 1996 constitutional reform.

A final aspect of a reform that is conceptually important for our discussion is whether or not the reform ultimately benefits the political actors that promote it. When the reform is instrumental to its promoters, one might expect the reform to be for beneficial them. Yet, the world that shapes the relationship of an institutional reform with its ultimate outcomes is a complex one. Uncertainty around a reform's outcomes, plus by the fact that reforms often have unintended consequences which may be hard to anticipate, means that in many cases reforms that are instrumental can also fail to benefit its promoters, or even affect them negatively. Instrumental intentions do not guarantee private success. In addition, private benefits in the short-run may not translate into long-term benefits for the reformers. This will be relevant when understanding the consequences of the 1996 reform for the parties that promoted and opposed it.

In summary, and revisiting this special issue's conceptual framework, our theoretical argument is as follows. The 1996 Uruguayan reform exemplifies instrumental mismatch: while reformers publicly justified the constitutional changes as necessary to enhance political governance and transparency, these arguments were orthogonal to their true short-term strategic motive—to prevent the opposition's near-certain electoral victory and retain power. The outcomes were paradoxical. Although reformers succeeded in retaining power for one presidential term, the opposition party eventually gained office under far more favorable conditions than it would have without the reform, winning three consecutive elections. Medium-term results proved detrimental to the reformers. Yet

when evaluated against the reform's publicly stated goals, it did achieve some intended effects—notably, fostering a two-bloc electoral logic that precluded minority presidencies. Thus, because the mismatch between private motivations and the stated goals of the reform was not extreme, the reform avoided the severe negative consequences typical of incongruous institutions.

Section II. Background

II.A) The Key Players: The Political Party Landscape in Uruguay since 1971

To explain the politico-electoral incentives that led to instrumental mismatch in the 1996 Reform, we need to first introduce the key players in the Uruguayan party system and their interactions in the years before the reform was proposed. Two parties dominated the Uruguayan political landscape in the long period between independence in the early XIXth century, and the late XXth century. These were the *Partido Colorado* or *Colorados* and the *Partido Nacional* or *Blancos*.[2] After decades of armed conflict, a final period of relative peace and stability between both factions emerged with the XXth century. Despite long-term rivalries, these parties would progressively engage in power-sharing agreements throughout the century. The dominance of these parties would face its first serious challenge with the creation of the left-wing coalition *Frente Amplio* (FA) in 1971.

This characteristically broad coalition – literally named, Broad Front – involved a wide sector of the ideological spectrum from Christian Democrats to Communists, through Social-Democrats and Socialists. It also included progressive factions from the *Partido Nacional* and the *Partido Colorado* that exited these parties. In spite of its origin as a coalition of political organizations, it quickly developed a common institutional structure, becoming a long lasting mass political party (Pérez Bentancur et al., 2019).

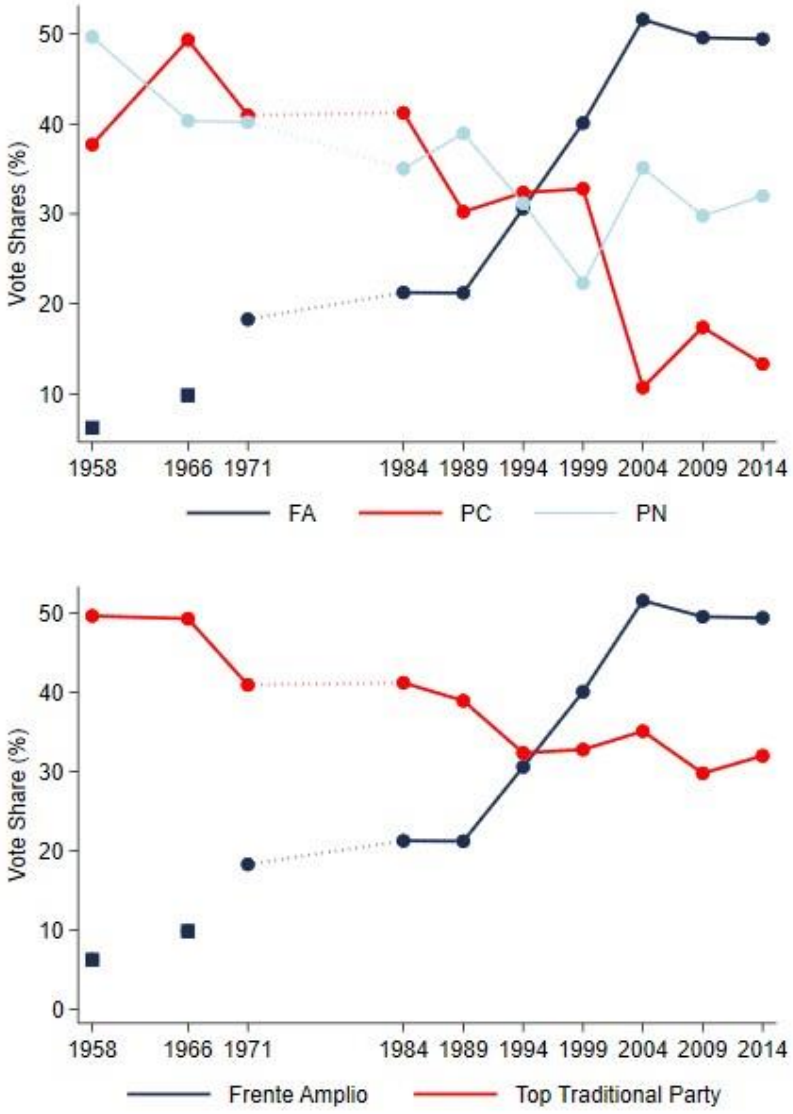
Electoral results of these three political parties in national elections for the period 1958-2009 is presented in the top panel of Figure 1. The emergence of *Frente Amplio* would come to be one of the most significant political shifts in the second half of the XXth century. Moreover, as argued below, the entry of this player into the arena of Uruguayan politics is critical to understand the 1996 constitutional reform.

A violent interruption of democratic rule came with the Uruguayan Civic-Military Dictatorship that lasted from 1973 to 1984. Following the end of the authoritarian regime came the definitive consolidation of the three-party landscape that had begun to emerge with the creation of *Frente Amplio* (FA). The 1984 elections that led the *Partido Colorado*'s candidate Julio María Sanguinetti to power were held under restrictions inherited from the agreements between the parties and the existing military leadership. Both the *Partido Nacional* and *Frente Amplio* had their most emblematic leaders barred for running. However, the party landscape that emerged from that election already suggested the country had abandoned the two-party system that had dominated its political history since independence. With a vote share of 21%, a sensible improvement over its 1971 vote result, *Frente Amplio* reasserted itself the most voted "third party" in the country's history and showed that it had survived the intense political repression of the decade-long dictatorship. At the same time, with a combined vote share of over 70%, the so-called *Traditional Parties* would continue to dominate national politics for the next ten years. To illustrate this point, the bottom panel of Figure 1 shows the evolution of the vote share of both *Frente Amplio* and the most voted Traditional Party in each election. The pre-reform electoral system in place between the return to democracy and 1996

[2] The reference to colors to denote each of the so-called *Traditional Parties* derived from the colors used by troops from each side in the different armed conflicts involving both parties throughout the XIXth century.

required a plurality of votes to secure the presidency and *Frente Amplio* was very far from attaining that plurality in 1984, a situation that would effectively continue for almost a decade.

Figure 1 – National Election Vote Shares in Uruguay



Note: Top panel represents national vote shares of *Frente Amplio*, *Partido Colorado* and *Partido Nacional* in Uruguayan Presidential Elections taking place between 1958 and 2009. Bottom panel represents national vote shares of *Frente Amplio* and the most voted Traditional Party (PN or PC) in Uruguayan Presidential Elections taking place between 1958 and 2009.The squares indicated in years 1958 and 1966 corresponds to the aggregated vote shares of the Communist and Socialist parties that would integrate *Frente Amplio* in 1971. Vote shares calculated as percentage of all valid and non-blank votes. Electoral data retrieved from Schmidt et al. (2023).

The consolidation of the electoral ascendance of *Frente Amplio* in Uruguayan politics came in 1994. In that year, FA would go on to repeat its victory in the Montevideo local election, securing a second tenure in the capital after Tabaré Vázquez's victory in 1989. Perhaps more importantly, the 1994 national election was characterized by the so-called *Triple Empate* (triple draw), in which the vote shares of the three parties came within less than 1.8% of each other. The election was so close that

throughout the traditionally slow vote count that took place on the night of the 27th and early hours of the 28th of November, there were several instances in which either of the three parties looked poised to carry the presidency. Ultimately, even though *Frente Amplio* had the most voted individual candidate, the presidency was won by Julio María Sanguinetti by virtue of the aggregation of votes across candidates within parties (a feature of the Uruguayan electoral system known as *ley de lemas*). Despite losing the election, the performance of FA was a shock to both the traditional parties and the Uruguayan public. If the electoral performance of the left-wing coalition continued along this trend, a *Frente Amplio* government would necessarily follow in 2000. This observation set the incentives for the traditional parties to pursue a constitutional reform that would recast the country's electoral system and protect the power-sharing agreements between them that had existed for years. We will return to this when we discuss the reformer's objectives in Section III.A.

II.B) The Uruguayan Economy in the Late XXth Century

After a golden age of growth and development in the first half of the XXth century, the Uruguayan economy went through a long period of stagnation in the period between 1955 and 1973 (Nahum, 2012; Oddone Paris, 2010). While growth would recover during the dictatorship – led in part by a new policy of trade openness – this arguably came at the cost of a significant amount of wage suppression, with real wages at the end of the authoritarian period being substantially lower than they were in the mid-60s.

Figure 2 - Real GDP Growth of the Uruguayan Economy

Note: Yearly Real GDP growth of Uruguay in the period between 1985 and 2009 in percentage terms. Data from Uruguayan National Accounts available from the IMF country profile through datamapper (available here). Horizontal dotted line corresponds to a growth rate of 0.

With the advent of democracy in 1985, the country entered a period of fairly consistent growth, with positive growth rates between that year and the 1995 recession that followed the Mexican peso crisis. Data on GDP growth rates for the period 1985-2009 are reported in Figure 2. The 1996 Constitutional Reform was voted in a period of relative stability, with economic growth in the order of 5% and moderate increases in real wages throughout that year. The period of stable growth would not last however, and from 1999 the country entered a long recession that would last for over 4 years and

lead to what arguably was the largest economic crisis in the country's recent history. This unforeseen crisis would have significant political consequences and influence the way the constitutional reform would affect the long-run political landscape in the XXth century.

Section III. Main Aspects of the 1996 Reform

III.A) Uruguayan constitutional reforms and the 1996 reformers' objectives

Constitutional reforms have been a recurrent feature of the Uruguayan political landscape. The 1917 Constitution was a milestone in the conformation of the country's liberal democracy, guaranteeing regular and fair elections almost a century after independence. As a consequence, the historical power dispute between *Partido Colorado* and *Partido Nacional*, which was until then often settled through armed confrontation, moved to the electoral field (Chasquetti & Buquet, 2004).[3]

During the XXth century, several other constitutional reforms were introduced in the country with consequences for the electoral system and the structure of the executive power.[4] The literature recognizes that, besides some normative debates, these reforms were motivated to a large extent by short term electoral interests of groups of political party fractions (Altman et al., 2011; Chasquetti, 2003). Interestingly, the coalitions opposing each other in these constitutional debates usually included both *Colorado* and *Blanco* fractions on each side.

Taking into consideration the frequency of reforms in Uruguayan constitutional history, the fact that these were often organized by factions of the traditional parties, and the increasing electoral weight of *Frente Amplio* discussed in the last section, it is perhaps unsurprising that the *Blanco* and *Colorado* parties considered employing a change to the electoral system to avoid the left-wing party's victory in the 1999 election. That this specific motivation existed was obvious to many analysts, politicians and a significant portion of the broader public (Buquet, 1997; Espíndola, 2001; Pereyra, 2017). For instance, according to Cason (2000, p. 89) the 1994 elections alarmed "traditional party leaders, who feared not so much that the system was not working but rather that it might in fact work to the detriment of the traditional parties. This led *Colorado* and *Blanco* party leaders to propose a constitutional reform to head off a victory by the Left in 1999." The press review undertaken for this study confirms this impression.

A significant number of articles published in the country's two main weekly magazines – *Brecha* and *Búsqueda* - make it clear that, for many actors across the political spectrum, reformers proposed the two round system as a means to prevent the *Frente Amplio* from winning the 1999 elections.[5] For

[3] In 1904 the last *Partido Nacional* revolution was defeated by the *Colorado* government of Batlle y Ordónez, when the *Blanco* leader Aparicio Saravia was killed in the battlefield. This date is highlighted by many authors as the confirmation of the Uruguayan modern State (Filgueira et al., 2003). It is an important date as well regarding the country's democratic process: the Aparicio Saravia revolution demanded for democratic guarantees, which were granted in the 1917 Constitution.

[4] Constitutional changes were frequent in the period, with reforms taking place in 1918, 1934, 1938, 1942, 1952 and 1966. These reforms affected many different aspects of the country's constitutional framework, including the expansion of individual rights, changes to the electoral system, and innovations in the structure of the executive. For example, between 1917 and 1934 and 1952 and 1966 Uruguay counted with a collegiate executive branch with bipartisan representation.

[5] There are explicit references to these types of motivations by political actors and analysts in issues 511, 518, 521, 534, and 573 of *Brecha*, as well as in issues 778, 781, 786, 800, 817, 819, 832, 834, 844, 863, and 870 of *Búsqueda*. See Appendix A for diverse examples illustrating how these motivations were consistently expressed in the analyzed media throughout all the reform debate.

example, shortly after the *Colorado* President Sanguinetti initiated the reformist debate, an article in the right-leaning weekly magazine *Búsqueda* was titled: "The *Frente Amplio* seems to lose its fear of the two-round system conceived by Sanguinetti and Lacalle to curb the advance of the left" (Romanoff, 1995). The article, which covered a government meeting to discuss constitutional changes, highlighted that "According to sources within the *Colorado* and *Blanco* parties, both Sanguinetti and former President Luis A. Lacalle view the runoff system as an effective tool to counter the *Frente Amplio*, which, in the last election, for the first time, competed for victory on equal footing with the traditional parties."

On the opposite end of the political spectrum, a few months later, the weekly magazine *Brecha* reported on an internal debate within the *Frente Amplio* regarding the constitutional reform. During this discussion, a prominent *Frente Amplio* leader and former presidential candidate, Juan José Crottogini, rejected the possibility of the *Frente Amplio* supporting the reform, arguing: "The two-round system is inspired by malicious and perverse intentions, and it would be suicidal to accept it. It is better to be killed than to take one's own life" (Zibechi, 1995). In the same vein, a prominent intellectual, historian Benjamín Nahum, argued in a column published by *Brecha* a few weeks before the plebiscite that the reform "(...) has a central, exclusive objective, which for *Blancos* and *Colorados* is exchangeable for anything, no matter how painful it may be: the runoff, the second round of voting that will allow them - in theory - to combine their votes in the face of the left's advance" (Nahum, 1996).

Three days before the constitutional plebiscite, a political cartoon from *Brecha*, highlighted the sceptical view many people held about the true intentions of the *Colorados* and *Blancos* in promoting the reform. The illustration depicted the leader of the *Frente Amplio* (Tabaré Vázquez) as Little Red Riding Hood. Instead of the big bad wolf disguised as the grandmother, two government leaders were in the bed: the *Colorado* president Julio María Sanguinetti and the *Blanco* leader Alberto Volonté. In the cartoon Tabaré Vázquez exclaims, "Grandmothers, what a big Constitution you have!" and the coalition leaders simultaneously: "All the better to eat you with!".

For obvious reasons, the short-term tactical objectives of the reform were usually not featured among the arguments stated publicly by the reformers.[6] The constitutional reform debate, which included the participation of *Frente Amplio* representatives during an important part of the reform's design, revolved around other issues. In fact, the normative arguments behind the 1996 reform were shared by some previous reform attempts that took place since the 1985 transition, but failed to be approved (Cardarello, 1996). There was a general perception that the electoral system needed to be simplified in order to be more efficient and transparent to voters. Besides, and in line with the regime debates that took place all along the region since democratization, minority governments in a Presidential regime were increasingly perceived as problematic for democratic stability. Therefore, the Uruguayan evolution from bipartism to multipartism was considered by the reformers as a problem (Linz, 1990; Cardarello, 1996; Chasquetti, 2008). Accordingly, the closeness of the 1994 election results (the triple draw) was very present during the constitutional debate. These arguments are evident in many of the articles analysed in the press review and are the ones that inspired the document with which President Sanguinetti initiated the reformist debate ("Las Bases de Diálogo Del Presidente Electo Julio Sanguinetti," 1995). The gap between the public arguments of the reform's proponents and their often

[6] That is not to say that the tactical goal of reformers was never mentioned publicly from within the reformist camp. See quote from Ope Pasquet and excerpts from *Búsqueda* issues 778 and 863 in Appendix A.

unstated short-term motivations reflects a situation of instrumental mismatch, as they can be situated in distinct, orthogonal dimensions.

Figure 3 – *Brecha* political cartoon

Note: Political cartoon by cartoonist *Ombú*, published in *Brecha* on December 5th 1996. Issue 575, page 6. See translation in the text.

In a nutshell, the main purposes expressed publicly by the reformers were the following: increasing the internal democracy of the political parties, enhancing the political parties internal coherence, clarifying electoral options for voters through the promotion of a "two blocks" electoral logic (in response to multipartyism), fostering the political moderation of the electoral offer and promoting the formation of governmental coalitions to provide Presidents with legislative majorities and ensure governability (Yaffé, 1999). To understand the rationale of these objectives, it is important to highlight some features of the pre-reform Uruguayan political system and the specific features of the proposed reform.

III.B) Main aspects of the Reform

The Uruguayan electoral system previous to the reform counted with some long-lasting characteristics that made it unique in the regional context and defined some important features of the country's party system. Two of the most important ones were the following.

The Double Simultaneous Vote (DSV) allowed voters to express their preferences at the same time within a party and between parties with the same ballot. For instance, in Presidential elections, each party could present several candidates. The voter had to choose a specific candidate within a party's offering. When counting votes, all the votes for each party were taken together in order to determine the winning party. The votes of each one of the candidates of the winning party were then compared to define who was elected President. As a result, a citizen that had voted for a losing candidate of a winner party would have contributed with his ballot to the election of a President who was not his

first preference. Likewise, the elected President could count with less personal electoral support than losing candidates of other parties who individually gained more votes.

A second important feature of the system was that all the country's elections were linked and took place at the same time. On election day, each voter had to support a single party to elect representatives from very different levels of government: a) President and vice-president, b) Senators, c) Deputies, d) *Intendente* (Departmental Major), e) *Ediles* (Departmental Legislators), e) Departmental Electoral Courts. If the voter casted ballots of different parties, his vote was annulled (Altman et al., 2011, pp. 4–5).

This electoral system fostered party discipline at the same time as opening important levels of internal competition within parties. According to Altman et al (2011, p. 5), the system "was designed to maintain a two-party system, allowing fractions within parties to compete with each other without hurting the party's chances of getting elected". During most of the XXth century the traditional parties both covered a large portion of the ideological spectrum, counting with numerous internal fractions, which ranged from left- to right-wing positions. Nonetheless, the 1971 foundation of the *Frente Amplio* as a left-wing party progressively pushed the traditional parties to the center-right side of the political offer. Moreover, the *Frente Amplio* increasing electoral weight successfully challenged the historical bipartisan feature of the Uruguayan party system.

In the 1990s, it was clear for political actors that the existing electoral system did not match well with the new multiparty landscape. As previously stated, the 1996 reformers argued that institutional changes were needed to increase the transparency of the elections for voters and make them more efficient, strengthening governability. These public justifications, combined with the private interests noted earlier, resulted in an instrumental mismatch. The most important specific institutional changes are presented in the next paragraph.

In the first place, the reform split the national from the subnational (departmental) elections. As a result, voters could vote for different parties between these elections. This choice aimed to provide voters with more electoral freedom.[7] Secondly, it defined simultaneous primary mandatory elections for all parties to select their presidential candidates meaning that general elections would feature a single presidential single candidate from each party. This change aimed to provide transparency for voters when voting for the presidency. Thirdly, electoral "cooperatives" were forbidden. In the previous system, it was permitted that a deputy candidate collected votes through different lists. As a result, there were countless lists in each party, which added votes from the bottom to the top (the Presidential election). This reform aimed to simplify the system. Finally, and perhaps more importantly, the simple majority presidential election system was replaced by a two-round system. Through this change, reformers wanted to provide elected presidents with more popular support and promote coalition formation between the two rounds to ensure legislative majorities. They also expected to foster centripetal competition, moderating the political offer and a two-block electoral dynamic.

Section IV. Instrumental Mismatch and the 1996 Constitutional Reform

IV.A) The effects of the reform

On December 8, 1996, the Uruguayans voted in a Plebiscite to accept or reject the reform previously approved, on October 15, by the Uruguayan Congress. In spite of the special majorities reached among

[7] The electoral freedom continued to be limited by the fact that voters had to maintain party consistency in their vote for the executive and legislative bodies.

parliamentarians (2/3), the popular vote was very close: the reform was supported by 50,5% of voters (Mieres, 1999). As a result, the reform was approved and the electoral rules of the country significantly changed, producing several effects on the political system.

The main short-term effect was arguably the result of the 1999 presidential election. The inauguration of the two round election system denied the *Frente Amplio* a likely victory in spite of obtaining the relative majority with a 39% vote share on the first round in October. With the pre-reform electoral rules, its candidate, Tabaré Vázquez, would have been elected. The new scenario allowed the two traditional parties to coalesce for the second round and support their most voted candidate, the *Colorado* leader Jorge Batlle, who had obtained 31,9% of support in the first round. In the second round, Jorge Batlle was elected president with 54,1% of votes.

It was arguably a bittersweet victory, though. Jorge Batlle's presidency (2000-2005) faced the harshest economic and social crisis of Uruguay modern history. A recession had already begun in 1999. Shortly after the Argentinian 2001 economic, social and political crisis, Uruguay faced its own financial collapse in 2002. The Uruguayan political system proved capable to overcome the crisis without an institutional crisis (Rosenblatt, 2006), but the electoral costs for the traditional parties, and particularly the *Partido Colorado*, were severe. The party which had dominated Uruguayan politics in the XXth century reached a historical low electoral support in the 2004 elections with a vote share of only 10,4% in the first round. In the three subsequent elections it would remain in the third place, behind *Partido Nacional* and *Frente Amplio*.

The electoral reform had only postponed the *Frente Amplio*'s victory. In the 2004 elections, the left-wing coalition continued along its electoral growth trend (see Figure 1) and obtained a majority in the first round, with 50,4% of electoral support. As a result, Tabaré Vázquez secured a majority in both chambers of parliament. The party won the two following national elections, keeping control of Congress for 15 years (2005-2020). José Mujica was elected President in the 2009 elections, and Tabaré Vázquez re-elected in 2014.

In the economic arena, by the time Vázquez took office in 2005, the economy was starting to recover, and for the whole 2005-2019 period the country experienced economic growth. The legislative majorities and favorable economic conditions were key to allow the *Frente Amplio* to follow its ambitious political programme, promoting a series of important reforms that strengthened the role of the State in economic and social matters (Bidegain et al., 2021). This agenda, in the general context of economic and social debacle that followed the 2002 crisis, was well received by a substantial part of the electorate.

How did the approval of the 1996 reform contribute to shape the electoral landscape over this period? A plausible counterfactual shows a very different picture. As already stated, most key actors in the Uruguayan political system believed that, without the 1996 reform, *Frente Amplio* would have in all likelihood won the 1999 presidential elections. The consequences of this victory for its governmental and electoral fate would have been important. On one hand, it would have governed during a recession (see Section I) enduring the collateral effects of the 2001 Argentinian crisis (Uruguay most important trading partner at the time). On the other hand, it would not have counted with parliamentarian majorities in Congress. Therefore, its capacity to face the economic context, and more importantly, to foster its longstanding reformist programme would have been much weaker. This would have surely diminished its prospects to govern effectively and win the following elections.

At the party system level, the reform consolidated the two-blocks political dynamic that was already taking shape due to *Frente Amplio*'s growth. The two traditional parties that animated Uruguayan

bipartism in the XXth century, and historically represented antagonist political communities, progressively got closer as *Frente Amplio* gained weight in the political landscape. The 1996 reform institutionalized the collaboration between *Partido Colorado* and *Partido Nacional* (Albala, 2021; Luján, 2011). Under the new electoral rules, the mutual support in the second rounds of presidential elections started to be taken for granted, even though some decades before it would have been very difficult to imagine a *Blanco* politician campaigning for the *Colorados*, or the other way round. The victory of Luis Lacalle Pou from *Partido Nacional* in the second round of the 2019 Presidential Election is arguably an example of this new collaborative landscape.

IV.B) Applicability of the notion of instrumental mismatch

Can we use the notion of instrumental mismatch to describe the behaviour of reformers promoting the 1996 Uruguayan Constitutional Reform? As argued above, the reformers' private motives diverged from their public justifications. While they publicly promoted to improve political governance and transparency, the 1996 Uruguayan constitutional reform was introduced by the traditional parties with the (rarely explicit) instrumental intention of preventing *Frente Amplio* from winning the presidency in the 1999 election.

The reform was arguably successful in achieving that objective, making it a tactical success of the reformers. However, the consequences of the reform would extend beyond that initial tactical objective. In terms of the description in Faguet and Shami (2022), the main effects of the 1996 constitutional reform were its long-term impacts. In the second place, there was an unintended effect of the reform that would result in unambiguously negative consequences for the parties involved in its promotion.

Consider in the first place the predictable main effects of the policy on the Uruguayan electoral landscape. By introducing second-round vote, the reform effectively forced the traditional parties to engage in electoral coalitions that would add to the parliamentary and circumstantial agreements that had existed before the reform was introduced. This had two consequences. In the first place, it consolidated the two blocks that now characterize the Uruguayan party system: *Frente Amplio* as a large coalition in one block and the traditional parties in the other. The time of the triple draw had come and gone, now the electoral arithmetic that would determine who would take the presidency would operate around these two blocks. In the second place, the need of traditional parties to pool forces for the second-round vote implied that any future FA government would have to rule with a parliamentary majority or not rule at all. Moreover, future traditional party governments – including the government elected in 1999 – would be forced to rely on the actions of a (potentially) fractious parliamentary coalition while in power. This was a predictable aspect of the reform, and one that would have been anticipated by the traditional parties. However, in 1995 and 1996, the echoes of the *triple empate* meant reformers were primarily coordinating to avoid the *Frente Amplio* victory in 1999. Other considerations were probably second-order at the time, as victory in the next election was the only way to ensure the sustaining the traditional power-sharing agreements that had characterized Uruguayan democratic politics for decades. One could argue that the circumstantial side effect of facilitating victory in 1999 was more important in motivating the reform than its long-term main effects (see section III.A). Tactics took precedence over strategy.

That this is the case is perhaps not surprising. As highlighted in Faguet and Shami (2022), Faguet (2025), and other articles in this volume, the mismatch between the main institutional effects of a reform and the instrumental effects that generate the incentives for that reform is not uncommon. What is perhaps peculiar of the Uruguayan 1996 Reform is the speed with which the mismatch became

explicit, and the degree to which the effects of the reform turned against the interests of the reformers.

As discussed above, the economic situation in Uruguay quickly deteriorated after the reform was approved. As shown in Figure 2 above, in 1996 the Uruguayan economy was experiencing a period of accelerated growth, indicating that the country had swiftly recovered from the negative effects of the tequila effect of 1994-95. The period of economic expansion would continue through to 1998. However, during the electoral campaign leading up to the 1999 national election, the economic situation had deteriorated, and the country entered a recessive period that would last all the way to 2003. The first government elected after the constitutional reform would face the worst economic and social in the country's history. The dire situation faced by the incoming government was patently clear to President Jorge Batlle, who stated in his inaugural speech before parliament in March 2000 "I have always tried to speak clearly without measuring the advantage or disadvantage in doing so (…) the year that begins will be a difficult year for Uruguay (Batlle, 2000)." An unusually gloomy point with which to begin a Presidency. The economic difficulties the country faced would last well into 2002. Ultimately, the economic crisis resulted in an electoral disaster for the incumbent *Colorados*.

Simultaneously, the crisis paved the way for the victory of *Frente Amplio*. The fact that *Frente Amplio* was unable to win the election in 1999, meant the left-wing coalition avoided being in power during a period of substantial economic turmoil. *Frente Amplio* would go on to obtain a first-round victory in 2004. Thus, the party that had been disputing entry into power with the traditional parties for decades had gained power commanding a parliamentary majority, facing a divided opposition, and enjoying the recovery from the crisis that had preceded its victory. Had the 1996 reform not been promoted and approved, it is likely that this would not have happened. That is arguably the interpretation of many of the political actors in Uruguay at the time (including those from *Frente Amplio*). Thus, one unintended consequence of the reform was that it affected the timing of the *Frente Amplio* victory.

Taken together, these facts indicate that the Uruguayan reformers were indeed engaging both in instrumental mismatch and instrumental incoherence when pushing for the 1996 reform.

The incoherence arises because of the difference between short- and long-term predictable effects of the reform, coupled with the unpredictable impact the reform had on the identity of the parties in power at the time of the economic crisis that was to affect the country between 1999 and 2002. The unpredictable factor relating to the crisis suggests that instrumental intentions may fail to incorporate the role of risk and thus fail to predict the impact of their actions in different states of nature. The reformers ultimately (and accidentally) paved the way for a successful transition of power to the long-standing entrant that had emerged in 1971.

Regarding instrumental mismatch, the Uruguayan reform—unlike most of the cases studied in this special issue—did not produce the typical socially negative effects observed under conditions of incongruous institutions. This case suggests that when the mismatch between reformers' publicly stated objectives and their private goals involves distinct dimensions, and are not strongly incompatible, it becomes possible to avoid designing incongruous institutions and experiencing detrimental outcomes for the country implementing the reform. This carries significant theoretical implications: the social impacts of instrumental mismatch hinge critically on how sharply reformers' private objectives diverge from publicly stated goals.

V. Conclusions

Proponents of the 1996 Uruguayan Constitutional Reform argued the constitutional changes were necessary to enhance political governance and transparency. Yet these arguments were orthogonal to their short-term strategic motive—to prevent the opposition's victory in the next elections. In this light, the outcomes resulting from the reform were surprising. Although reformers succeeded in retaining power for one presidential term, the opposition party eventually gained office under far more favorable institutional and economic conditions than it would have enjoyed if the reformers' fears of a 1999 *Frente Amplio* victory had come to pass. That is, medium-term results proved detrimental to the reformers. Yet when evaluated against its publicly stated goals, the reform did achieve some intended effects—notably, fostering a two-bloc electoral logic that precluded minority presidencies.

The fact that the 1996 constitutional reform can be identified as an example of instrumental mismatch has two implications. In the first place, it tells us something that is important about the notion of instrumental mismatch itself. Namely, that the fact that stated goals of reformers are different from their private goals can result in negative consequences for the reformers, who may compromise their own future success in search for short-term instrumental gains. In the second place, the example shows reforms pursued for reasons of political expediency can result in positive consequences for the political groups that are meant to be the reforms' victims. These facts are, at least in part, a result of unintended consequences in the context of a complex world in which it is difficult to accurately predict the medium and long-run consequences of a reform.

A second, perhaps more hopeful, implication of the reform for the notion of instrumental mismatch relates to the way in which reforms translate into desirable or undesirable outcomes for the countries that implement them. In the language of Faguet (2025), this case shows that instrumental mismatch need not result in incongruous institutions. Standing from the vantage point of 2025, the reform has been a success. It effectively accommodated the emerging new electoral balance existing across Uruguayan parties and consolidated the two-block system that had emerged in the early 1990s. The Uruguayan centre-right governments emerging after the reform – first in 1999, and then in 2020 – managed to successfully promote their political agendas despite being led by Presidents whose parties lacked a majority in Parliament. At the same time, the left-wing governments that took office over the same period were able to secure majorities within the current constitutional order. Uruguay has experienced a long period of political stability, currently enjoying the longest period uninterrupted democratic rule in its history. While the success of the Uruguayan polity over the last two decades cannot be attributed to the reform alone, it is unlikely that this would have followed if the most significant change in the country's institutional landscape in a generation had been a failure.

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Appendix A: Quotes of arguments about the instrumental nature of the reform

Magazine	Issue (page)	Date	Quote
Búsqueda	778 (4)	02/02/1995	"Having secured nearly a third of the electorate, trailing the National Party by just 12,000 votes and the *Colorado* Party by 35,000, many believe—and many others fear—that the *Frente Amplio* will win the 1999 elections. (…) For now, there has been renewed talk of a 'political reform,' with various ideas being proposed that would entail significant changes to the electoral system. New rules of the game could significantly alter the electoral prospects of the contenders
Búsqueda	800 (7)	17/7/1995	"For the socialist senator [Korzeniak], the runoff system advocated by the *Blancos* and *Colorados* is nothing more than an attempt to prevent Tabaré Vázquez's victory in 1989."
Brecha	511 (10)	15/9/1995	"One of the strongest opponents is Dr. Juan José Crottogini, who stated that the runoff system, proposed by the traditional parties, is intended to 'block the victory of the left' in the national elections."
Brecha	518 (5)	3/11/1995	"(…) the last item on the coalition's agenda, the one for which Sanguinetti always showed little enthusiasm and even disdain: constitutional reform. And within it, the runoff system. An extreme measure, with largely unpredictable outcomes, but also the only possible guarantee for the *Blancos* and *Colorados* that, whether it becomes the first or second electoral force in 1999, the *Frente Amplio* would have to defeat both traditional parties combined to gain access to the Presidency."
Búsqueda	817 (3)	9/11/1995	"… even though they sense that this mechanism is designed to complicate their path to power, several leftist leaders say they are determined to take up the challenge."
Búsqueda	819 (9)	23/11/1995	[In a *Frente Amplio* internal assembly]: "(…) there was consensus that the runoff system is an idea by the traditional parties to try to prevent the electoral victory of the left, which is closer than ever."
Brecha	534 (8)	23/2/1996	"(…) the strongest resistance to the reformist push (in the minority) is linked to the rejection of the runoff system (by those who believe that

			approving it would be handing the opponents a very powerful weapon)."
Búsqueda	844 (6)	23/5/1996	[In a *Colorado* meeting]: “Even more blunt was the intervention of former Vice Chancellor and former Deputy Ope Pasquet, who defined the runoff system as an 'electoral tool that allows the *Blancos* and *Colorados* to vote together.'"
Búsqueda	863 (4)	3/10/1996	"The most compelling argument that opponents of the reform will likely put forward is that, in their view, the runoff system or *ballotage* is a maneuver by the *Blancos* and *Colorados*, who are fearful of the 'unstoppable' growth of the left; it is an attempt to prevent—or delay as long as possible—the *Frente Amplio*'s rise to power."
Búsqueda	870 (7)	21/11/1996	"Nin [an important leader of the *Frente Amplio*] stated that 'this reform proposal contains the blatant and clear intention of preventing a force of change from reaching government' and 'is undoubtedly a guarantee for the maintenance of power by the traditional parties.'"

Source: Own elaboration. Based on press review of all 1995-1996 *Búsqueda* and *Brecha* issues.