Independent candidates in national and European elections

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Abstract
Independent candidates remain marginal vote-getters in the vast majority of elections in which they compete. However, they do regularly win seats in legislative assemblies in a number of European countries, and occasionally achieve surprise victories in others. Half of the EU member states currently grant ballot access to independents in national legislative elections, while only a quarter of member states allow non-party candidates in European Parliament elections. Ballot access requirements for independents vary widely across EU-27 but tend to be more stringent for European elections than for national elections. Independent candidates perform better in systems with plurality rule or preferential voting compared to party-list PR systems. They win seats in single-member districts and low-magnitude multi-member districts. Although independents are expected to benefit from electoral rules that make politics more candidate-centered, the performance of non-party candidates does not depend on the modality of lists (open or closed). The vote for independents has elements of a protest vote. Voters who vote for independent candidates tend to be more critical of the government and less satisfied with the way democracy works in their country than party-voters. They are also less likely to feel close to any political party. When independent candidates are elected to office, they frequently join parties and parliamentary party groups. Thus, independence is often not a principled position but a temporary status resulting from circumstantial choices made by individuals competing for political office.
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LIST OF ABBREVIATIONS

AME  Average marginal effects
CLE  Constituency-level elections
CSES  Comparative Study of Electoral Systems
EC  European Communities
EEC  European Economic Community
EES  European Election Study
EFA  European Free Alliance
EP  European Parliament
EPP  European People’s Party
ESS  European Social Survey
EU  European Union
ICT  Information and communication technologies
MEP  Member of European Parliament
MMD  Multi-member district
MP  Member of (national) Parliament
PR  Proportional representation
SMD  Single-member district
UH  Upper house
STV  Single transferable vote
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EXECUTIVE SUMMARY

Background
This study was commissioned by the European Parliament’s Committee on Constitutional Affairs in order to provide a comparative analysis of national electoral systems with respect to independent candidates. Its principal aim is to elucidate if, how, and to what extent independent candidates compete at various levels of electoral participation, including national and European elections.

Objectives
The study seeks to:

- provide a comparative empirical overview of national electoral regulations with respect to independent candidates (Are independent candidates allowed to compete in elections, and what requirements do they have to meet in order to do so?);
- examine the presence and performance of independent candidates in elections across EU-27 (To what extent are independents actually present in elections and how well do they do?);
- explain variations in the electoral strength of non-party candidates (Why do independents perform well in some countries and elections but not others?);
- identify the individual-level correlates of voting for independent candidates (What kind of voters vote for independent candidates and why?);
- ascertain whether and how independent candidates elected into political office differ from elected party members in terms of the opportunities to actualize their mandate (Are there significant differences in the rights and obligations of independent elected representatives compared to elected party members?).

Main findings

Electoral rules on independent candidates in EU-27

- Independents can stand as candidates in general elections in thirteen EU member states. In another five countries, single-candidate lists remain a (theoretical) possibility.
- Seven member states allow independent candidates to vie for a seat in the European Parliament. In another three countries, it is possible to form single-candidate lists.
- Electoral systems with plurality or majority voting in single-member districts almost always grant ballot access to independent candidates. However, many systems that use party-list proportional representation also do so. Closed-list PR systems are less likely to grant ballot access to independents than open-list systems.
- Ballot access requirements – such as deposit and signature requirements – vary greatly across countries. In general, the size of the deposit is the same for party and non-party candidates. Deposits required from candidates in EP elections tend to be higher than those that must be placed by candidates in national elections.

Electoral presence and performance of independent candidates:

- Independent candidates do contest elections in all countries where they are allowed to do so. Independent candidacy is on the rise: over the past decade, the number of
independents included on the ballot has increased – often by a factor of two or three - in ten out of the thirteen countries that provide for independent candidacy.

- Independent candidates remain marginal vote-getters in the vast majority of European and national elections. However, independents have attracted a quarter or more of the nation-wide vote in exceptional cases.
- In both national and European elections, independent vote share above 2% is associated with candidate-centered electoral systems (plurality vote, single-mandate districts, STV). However, there are anomalous cases such as the 2009 EP elections in Estonia, where independents won over 30% of the vote in the context of closed-list proportional representation.
- Since 1979, independent candidates have obtained an EP seat on twelve occasions.

Electoral system effects on the performance of independent candidates:

- Low district magnitude is conducive to the electoral success of independent candidates. Non-party candidates perform well in single-member districts or very small multi-member districts. Independents receive very few votes and no seats in multi-member districts with a magnitude above five.
- District magnitude does not affect independent candidates and small parties in the same way. Small parties thrive in high-magnitude districts because these foster proportionality and have low effective thresholds. Independent candidates succeed in low-magnitude districts – despite high effective thresholds – because such districts provide for more candidate-centered politics.
- The results of multivariate analysis confirm that the electoral performance of independents is positively associated with plurality rule and preferential voting. Mean district magnitude in country, the presence of legal thresholds, ballot structure, and the age of an electoral system do not have statistically significant effects in a multivariate model.

Individual-level correlates of voting for independent candidates:

- Voting for independent candidates reflects alienation from mainstream political parties. Compared to party-voters, individuals who endorse independents at the ballot box are less likely to feel close to any political party.
- The vote for independents has elements of a protest vote. Voters who vote for independent candidates tend to be more critical of the government and less satisfied with the way democracy works in their country than party-voters.
- Voting for independents is not associated with politically extreme views.

Independent candidates in office:

- Parliamentary rules in EU-27 vary widely in terms of whether and how independent representatives may join or form parliamentary groups. While independent MPs may form non-partisan mixed groups in several parliaments, the numeric thresholds for group formation are often prohibitive.
- Independent MPs can, as a rule, sponsor and amend draft laws; only a handful of parliaments set high numerical limits to sponsoring. Private member bills, however, often receive little discussion time and are rarely enacted.
- Independent MPs serve on standing and special committees in all parliaments but appointments to committees are largely controlled by parties. Minority opinions can be attached to committee reports and decisions in most national parliaments.
· Independent MPs can engage in executive oversight by posing oral and written questions. Interpellations, however, remain a prerogative of parliamentary groups in many countries.
· Since 1979, eight independent candidates have obtained a seat in the EP. All of them have joined EP party groups and served on committees, and some have held very prominent positions, including that of the President of the EP.

INTRODUCTION

Although independent candidates remain marginal vote-getters in a vast majority of the elections in which they compete, interest in non-party candidates is growing. The rise of independent candidates is a recurring theme in many elections across a range of countries. Non-party candidates challenge parties in both local and general elections in a number of established democracies, and frequently perform well in new or emerging democracies with semi-formed party systems. Despite the significant barriers that they face, independent candidates obtain seats in legislative assemblies and have, in some cases, even entered cabinets or held considerable sway over government politics. Even when their electoral impact in terms of seats won is limited, independents are potentially important “game changers,” destabilizing existing patterns of political competition, forcing major parties to change their strategies, and boosting turnout by filling gaps in representation (Weeks 2009, 2011; Ehin and Solvak 2012).

The electoral performance of independent candidates is important also in the context of the changing nature of party politics. The alleged rise of independents is associated with the decline in partisanship (Berglund et al. 2005) and the rise of anti-party sentiment (Poguntke 1996, Belanger 2004) in many countries around the world. If these trends prove to be systemic and progressive, parties may lose their status as “superior vehicles for representation” and may no longer be regarded by candidates as the best instruments for the attainment of their political goals (Bolleyer and Weeks 2009). In this context, evidence that candidates without parties can do well in elections has potentially far-reaching implications.

Renewed interest in independent candidates coincides with a growing emphasis on political candidates in general. Many countries have, in recent decades, adopted electoral rules that provide for more candidate-centered politics and give the voter more say in who gets elected. Open lists have increasingly become the norm in European democracies. Reforms fostering candidate-centered politics, however, have the side-effect of leveling the playing field for independent candidates. Modern information and communication technologies may have the same effect because they allow individual candidates to reach large numbers of voters at low costs, thus reducing candidates’ dependence on party organizations in political campaigns.

Despite the growing interest in non-party candidates, comparative studies on independents are rare. The literature is dominated by case studies that examine the role of independent candidates in one country or a single election. The countries covered include Ireland (Weeks 2009, 2011; Boyeller and Weeks 2009), the UK (Copus et al. 2009, Huang 1999), the United States (Rush 2010, Abramson et al. 1995, Owen and Dennis 1996), Australia (Costar and Curtin 2004), Russia (Moser 1999) and Norway (Aars & Ringkjøb 2005). Very few studies have examined the performance of independent candidates in European Parliament elections; a recent example is Ehin and Solvak (2012) on the 2009 EP vote in Estonia. Among the few existing comparative studies focusing on electoral system effects on independents, Brancati (2008) stands out in terms of methodological rigor and empirical scope.
Against this backdrop, this study constitutes the first systematic comparative analysis of independent candidates in EU member states. In pursuing the five main aims enumerated in the Executive Summary, the study is structured in eight chapters. The first chapter provides a definition of independent candidacy while also clarifying a number of ambiguities related to the notion of independence. The second chapter briefly reviews the existing literature and derives a set of expectations about the presence and performance of independents in different electoral and political settings. The third chapter summarizes national electoral rules on independent candidates, while the fourth provides an overview of the electoral presence and performance of non-party candidates in EU member states. The fifth chapter tests expectations about electoral system effects with data from 146 national elections held in European countries. The sixth chapter discusses the effects of modern information and communication technologies. The seventh chapter uses individual-level data in order to determine the profiles of voters who support non-party candidates at the ballot box. Finally, the eighth chapter, dedicated to independent candidates in office, examines the opportunities of non-party representatives to engage in legislative work and executive oversight. The annexes contain a wealth of additional information, including a comprehensive glossary of electoral terms (Annex 1).

1. DEFINING INDEPENDENCE

KEY FINDINGS:

- The term “independent candidate” has multiple, occasionally conflicting usages; the distinction between a party candidate and an independent is not always clear-cut.
- Throughout this study, the term “independent candidate” is used to denote electoral candidates whose nomination is not subject to appointment or endorsement by a political party (or a functional equivalent).
- Nominal independence does not imply a substantive absence of partisan ties.
- Independence is a circumstantial and often temporary choice made by individuals who wish to compete for political office.
- Independent candidates do not necessarily become independent representatives when elected to office: they frequently join parliamentary party groups.
- Independent candidates constitute a highly diverse category of politicians with few, if any, shared characteristics.

In this study, the term “independent candidate” is used to denote electoral candidates whose nomination is not subject to appointment or endorsement by a political party (or a functional equivalent). Independent candidates are not included in the electoral list of any political party, and the information provided on the ballot does not link them to any party in any manner.

Before discussing the role of independent candidates in national and European elections in EU-27, it is important to clarify a number of potentially confusing issues surrounding the notion of independence. There is a gray area between the categories of a genuine independent and a party candidate. In some countries, independent candidates form their own lists, electoral alliances, and non-partisan associations. These are especially widespread at the local level but, electoral regulations permitting, can also be encountered at the national level.\(^1\) In other cases, independent candidates, non-affiliated politicians or former party members form new political parties for the purpose of running for public

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\(^1\) Examples include the SNK Union of Independents in the Czech Republic – a registered movement founded in 2000 in order to help non-affiliated town mayors to take part in regional assembly elections.
There are also political forces that claim to be non-partisan (e.g. the Nonpartisan Bloc for Support of Reforms in Poland, 1993-1997, or the Civic Platform in Polish 2001 national elections) but which are widely viewed as de facto political parties. Finally, in some countries party lists include individuals who are not party members and claim to be independents.

While candidates falling in the gray areas described above are often included in the category of independents, this study refrains from doing so. We argue that inclusion in any kind of electoral list the composition of which is subject to approval by a political party, constitutes a potentially serious breach of independence. We thus reserve the term “independent” for candidates described in the opening section of this chapter.

It is important to note that nominal independence does not imply a substantive absence of partisan ties. Party members occasionally choose to run as independents and individuals may terminate and restore party membership during relatively short periods of time. Termination of party membership and the decision to run as independent often occur because of a member's conflict with the party – e.g. over the refusal by the party to grant a (highly ranked) place in the party’s electoral list. Furthermore, nominally independent candidates may receive extensive support, both material and moral, from political parties. Thus, independence is a product of individual, circumstantial choice – one that individuals make after weighing the costs and benefits of running as an independent versus running as a party candidate.

Independent candidates do not, in most cases, make for independent representatives once elected to office. To the contrary, representatives who contested the election as independents frequently join parties or political groups in order to benefit from prerogatives reserved for organized parliamentary groups. Independents elected to the European Parliament have without exception joined one of the EP party groups. At the same time, it is not uncommon for party members elected to national parliaments to abandon their parties and become independents during their term.

Finally, independence does not imply a particular ideological position, worldview or political style (Brancati 2008, Weeks 2009). Independent candidates are a highly heterogeneous group – so much so that proposed schemes for classifying independents have limited value beyond national settings in which they were developed. The category of independent candidates includes politicians of all hues of the ideological spectrum, representing diverse

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2 Examples include the Hungarian People's Party in Transylvania, founded in 2011 by László Tőkés, elected to the EP in 2007 as an independent from Romania; Lijst Dedecker, formed around the controversial Belgian senator Jean-Marie Dedecker; Hans-Peter Martin's List that took 18% of the national vote in the 2009 Austrian EP elections; and Liberaal Appel, a Flemish right-liberal party founded by MEP Ward Beysen after his secession from the Open Flemish Liberals and Democrats.

3 For instance, in the 2011 general elections in Estonia, the Green Party included prominent public figures who were not members of the party in its electoral list in an attempt to boost support for the party.

4 For instance, Pat Cox, an Irish member of the EP (1989-2004) and President of the EP (2002-2004), left the Progressive Democrats after the party endorsed a rival candidate for the EP in the 1994 election campaign. Elena Băsescu, daughter of the Romanian President who entered politics in 2007, terminated membership in the Democratic Liberal Party in 2009 in order to contest the election as an independent – reportedly because she was refused a position in the party list. Băsescu immediately rejoined the Democratic Liberal Party after securing an EP seat with 4.22% of the vote in the Romanian EP election.

5 László Tőkés, a Romanian politician of Hungarian ethnicity, received extensive backing from Hungary’s leading opposition party, Fidesz, when he competed as an independent in the Romanian EP elections of 2007. In addition to providing financial support, Fidesz explicitly campaigned on behalf of Tőkés, with party chairman, Viktor Orbán, and other prominent party officials frequently attending campaign events. See Budapest Analyses, http://www.budapestanalyses.hu/docs/En/Analyses_Archive/analysesys_175_en.html

6 Conversely, the group of non-attached members (the Non-Inscrits) currently contains no MEPs who contested the election as independents. The same was true of the Technical Group of Independent Members that existed in the EP from 1999 to 2001.
social groups and interests. While some are vehemently anti-party, others have extensive party histories. Some cling on to the identities and ideologies of defunct parties, while others are hopeful initiators of new political forces. While many independents focus on local and communal concerns, others have global agendas. Thus, instead of being a permanent attribute or an essential characteristic of certain politicians, independence is an often temporary status chosen by individuals in the context of specific electoral settings and in light of available options and personal circumstances.

2. CANDIDATES WITHOUT PARTIES: THEORETICAL EXPECTATIONS

**KEY FINDINGS:**
- Independent candidates are expected to play a more prominent role in candidate-centered electoral systems than in party-centered systems. Electoral arrangements that provide for more candidate-oriented politics, such as plurality voting, low district magnitude, preferential voting and open lists should be conducive to the electoral participation and performance of independents.
- Non-party candidates should perform better in new democracies with unconsolidated party systems and high levels of electoral volatility than in old democracies where voter-party linkages are more robust.
- Theoretically, independent candidates have better chances of success in second-order elections compared to first-order elections. In second-order elections, government formation is not at stake and voters are more likely to engage in sincere and protest voting, as opposed to strategic voting.

2.1. Objectives
This chapter derives a set of expectations about conditions conducive to the electoral participation and performance of independent candidates from the theoretical and empirical literature on non-party candidates and other small vote-getters. These expectations underlie the empirical analysis conducted in subsequent sections of this study.

These expectations focus on the role of independent candidates in:
- party-centered versus candidate-centered political systems;
- consolidated versus unconsolidated party systems;
- first-order versus second-order elections.

2.2. Party-centered versus candidate-centered political systems
Central to examining the role of independent candidates in different electoral systems is the question whether independents perform better under proportional representation or plurality rule. The former system which is based on multi-member districts and party lists produces proportional outcomes (i.e. seat shares that correspond to vote shares). The latter, also known as first-past-the post or winner-takes-it-all system is based on single-member districts. Plurality voting produces highly disproportionate outcomes, as only the candidate that receives the most votes in each district is declared elected.

Overall, PR systems are widely regarded as more conducive to the electoral strength of small vote-getters than plurality systems because they are characterized by more proportional outcomes and lower effective thresholds (Taagepera & Shugart 1989, Lijphart 13
PR systems provide for better representation of small parties and groups such as ethnic and racial minorities. Overall, proportionality increases with district magnitude, and therefore, small vote-getters are expected to do particularly well in districts where a large number of seats are up for election. According to this logic, we would expect independent candidates to perform better in PR systems than in plurality systems and in high-magnitude districts compared to low-magnitude districts.

However, plurality systems also offer specific advantages to independent candidates. Namely, plurality voting in single-member districts provides for more candidate-centered politics. In such systems, people vote for individual candidates, as opposed to party lists – and political campaigns pay more attention to the personalities, achievements and promises of individual politicians than to party programs. Plurality systems also provide for more personal links between the constituency and their delegate. A candidate-centered political setting, it is argued, levels the playing field for independent candidates who face tremendous organizational disadvantages when competing with political parties.

In light of the above, the central question for a comparative study on independent candidates is the following: Do independents perform better in PR systems or under plurality voting? Does proportionality trump the advantages of candidate-centered politics, or vice versa?

The limited literature examining electoral system effects on independent candidates (Brancati 2008) suggests that candidate-centered politics is the main factor contributing to the electoral success of independents. Features of electoral systems that provide for more candidate-centered politics include:

- plurality or majority voting;
- low district magnitude (and specifically, single-mandate districts);
- open lists (a version of party-list PR where voters can or must indicate a preference for a specific candidate on the party list and where these preferences influence seat allocation);
- preferential voting (i.e. ranked voting systems such as the single transferable vote version of PR).

Following Brancati (2008), we expect the above characteristics of electoral systems to be positively associated with the electoral strength of independent candidates.

However, following the argument that the chances of small vote-getters depend greatly on the level of proportionality of the system, we also expect, ceteris paribus, independent candidates to perform better in systems with:

- no legal thresholds;
- higher levels of proportionality (i.e. closer correspondence of seat shares to vote shares).

Turning to more specific electoral arrangements, the electoral participation of independent candidates is directly influenced by ballot access rules. In many political systems, only party candidates can contest elections. In systems that provide for independent candidacy, the stringency of ballot access rules - such as deposit and signature requirements – varies widely. While some systems pose similar requirements to party candidates and independents, others explicitly favor party lists. Thus, we expect the electoral participation of independent candidates to be influenced by the ease of ballot access. This argument can
be extended to other rules that affect the opportunity structures of independents compared to party candidates: independent candidates are more likely to contest elections when rules regarding campaign finance, political advertising and media access are favorable and less discriminatory.

Finally, the extent to which politics in a given country is candidate-centered is likely to be influenced by the extent to which the society has embraced modern information and communication technologies. There is a substantial body of literature linking the development of the electronic media – starting with the rise of television – to growing personalization of politics in liberal democracies (for an overview, see McAllister 2007). The media’s focus on personal images, combined with the incentives of candidates to use the media to promote their message, has led to increasingly candidate-oriented political campaigns and as a result, personalized political mandates. The changes brought by the rise of the internet are expected to be at least as pervasive as those resulting from the growth of television.

Independent candidates are in a position to benefit from technological changes driving the personalization of politics. The reduced importance of party machines in political campaigns of the information era places independent candidates on a more equal footing with party candidates. Notably, the internet allows political candidates to reach large audiences at very low cost and without recourse to an administrative apparatus. Thus, we expect independent candidates to have better prospects of winning political office in settings where voters rely heavily on the internet and the new social media for political information.

2.3. Consolidated versus unconsolidated party systems

Independent candidates face tremendous obstacles in elections because they compete with political parties – large-scale organizations designed for the purpose of winning political office. Parties serve a number of functions in a political system: they lower the cost of voting, allow individual candidates to benefit from association with like-minded others, and provide candidates with organizational and financial support (Brancati 2008: 650). In contrast to independent candidates, parties enjoy public financing in many parts of the world. Successful parties have developed highly effective strategies for attracting donations, organizing campaigns, and working with the media. In stable democracies, parties have cultivated links to the voters over a long period of time, and many have succeeded in forging significant and often durable partisan loyalties among segments of the electorate.

Political systems differ greatly in terms of the strength of political parties and the intensity and stability of partisan allegiances among the electorate (Berglund et al. 2005). Parties and party systems form through a sequence of elections and parliamentary terms in a process termed party system consolidation (Olson 1998). Unconsolidated party systems are characterized by instability and fragmentation. The number of parties is typically large, splits and recombinations are common. Patterns of political contestation are unclear and unstable. Levels of partisan attachment are low and volatility is high. Consolidated systems, in contrast, are characterized by fewer and larger parties, clear and stable patterns of political competition, durable partisan allegiances and relatively low levels of volatility.

The above has obvious implications for independent candidates: independents have better chances of success in settings where parties are weak and voter-party linkages undeveloped. Because party system consolidation is largely a function of “system time,” independent candidates are expected to perform better in new democracies and
specifically, in the first few democratic elections. This expectation has been confirmed by
the results of a large-n analysis, covering democratic elections in 34 countries between
1945 and 2003 (Brancati 2008). A number of case studies have also confirmed the success
of independents during early stages of democratic transitions (e.g. Moser 1999).

However, old democracies also differ from one another in terms of the strength of
partisanship, party system fractionalization and the stability of choices voters make at the
ballot box. Notably, the party systems of several old European democracies (e.g. the
Netherlands) appear to be undergoing change, with new parties or previously marginal
actors winning significant shares of the vote. In light of the above, we expect independent
candidates to perform better in “systems in flux” compared to systems characterized by
stable patterns of political competition and highly predictable voting behavior.

The consequences of popular alienation from party politics must also be considered in this
context. Defined as a rejection of major party alternatives or of political parties per se
(Belanger 2004), anti-party sentiment has been shown to drive the vote for independents
(Owen and Dennis 1996). Disaffection with established party alternatives is increasingly
common in the era of critical citizens and growing political cynicism, constituting one
element in the “political malaise” that appears to plague many advanced industrial

In sum, this discussion leads to the following expectations:

- independent candidates perform better in new democracies than old democracies
  and in first democratic elections compared to subsequent ones;
- regardless of the age of the electoral system, independent candidates perform
  better in contexts marked by party system instability, low levels of partisan
  attachment and high electoral volatility;
- independent candidates benefit from anti-party sentiment among the electorate.

Finally, this line of argument also has implications for transnational democracy in the
European Union. While European-level parties and EP party groups have become more
organized and visible over time, the European-level party system is still in its infancy.
Europarties are loose associations of national parties; they have limited name recognition
among voters and do not constitute independent objects of political allegiance. It is
therefore feasible to assume that electoral reforms that reduce the centrality of national
parties in EP election campaigns (such as the introduction of transnational lists) would
augment the electoral chances of independents. This would only be the case, however, if
electoral rules - including those regulating ballot access - are conducive to the electoral
participation and performance of non-party candidates.

### 2.4. First-order versus second-order elections

The European Union is a multi-level democracy with democratic elections taking place at
the local, regional, national and European levels. Because the logic of political competition
varies across these levels, we expect independent candidates to be more competitive in
some of these contests than others.

For more than three decades, EP elections have been characterized as “second-order
national elections” (Reif & Schmitt 1980; Reif 1984; Marsh 1998, Koepke & Ringe 2006;
Hix & Marsh 2007; Schmitt 2009). According to this approach, EP elections are "national"
because voters choose among national parties who run campaigns focusing predominantly
Independent candidates in national and European elections

on national issues. European elections are considered “second-order” because in contrast to first-order contests, they have almost no implications for the allocation and exercise of executive power.7

The second-order status of EP elections has major implications for the way people vote. Because less is at stake, turnout is lower than in national elections. Instead of expressing preferences regarding European integration, voters use these elections to send signals to national parties, and in particular, the political incumbents. The fact that EP elections often take place in the middle of the national electoral cycle, coupled with the propensity of governments to disappoint voters, results in poor electoral outcomes of government parties and an increased appeal of opposition parties (Flickinger & Studlar 2007; Mattila 2003).

The second-order setting is also characterized by improved prospects of small parties - including protest parties and ideologically extreme parties (Carruba & Timpone 2005). This is the case because the second-order setting frees the voters from the need to consider the strategic implications of their vote (i.e. voters do not worry about wasting their vote; and do not consider the government potential of a party or candidate). In this context, voters are more inclined to “vote with the heart” or “with the boot” (van der Eijk & Franklin 1996, Marsh 1998). The former refers to voting based on ideological proximity, group identities, or issue-positions, while voting with the boot refers to protest voting in which “voters cast their ballot for a party they would not vote for in a real election in order to send a message of distaste for the programs or candidates of the party they would normally vote for” (Franklin 2005: 5). The second-order setting allows the voters to safely engage in such punitive vote-switching because it does not alter the status quo in terms of the exercise of executive power.

While the positive effects of the second-order setting for small parties are well known, the implications of the SOE model for independent candidates have rarely been discussed (for an exception, see Ehin and Solvak 2012). However, there are a number of reasons why the second-order setting should be advantageous for non-party candidates. The propensity of voters to vote strategically by abandoning those with limited potential to participate in government formation constitutes a major obstacle for independent candidates in first-order elections. Limited or non-existent government potential, however, is not an impediment in second-order elections which “involve the selection of a representative rather than a government” (Marsh 1998: 593). Independents are also potential beneficiaries of the anti-incumbent trend, which makes a large share of the voters reconsider the choice they made in general elections, and increases their susceptibility to the electoral appeal of alternative actors. The SOE context also reduces the tremendous financial and organizational disadvantages that independent candidates face when competing with political parties for political office. Because less is at stake at EP elections, parties spend significantly less on EP election campaigns than they do in general elections. To the extent that party campaigns are low-cost and low-intensity, compared to the first-order arena, independents have a better chance of gaining visibility and getting their

7 Recent institutional reforms reduce the validity of this postulate. Under the Lisbon treaty, the EP elects the President of the European Commission on the basis of a proposal made by the European Council. A recent EP resolution on the elections to the European Parliament in 2014 (2012/2829(RSP)) “urges the European political parties to nominate candidates for the Presidency of the Commission and expects those candidates to play a leading role in the parliamentary electoral campaign”. While a stronger link between EP elections and the formation of the executive will increase the salience of European elections, the parliamentarization of the EU political system will be a long-term, gradual process. Hence, the second-order model of EP elections will remain a useful analytical tool in the foreseeable future.
message across to the voters. Finally, independents are expected to do well in EP elections because voting for independents is often associated with political protest (e.g. Owen and Dennis 2006) and EP elections, for reasons described above, constitute a venue of choice for protest voting.

In sum, we expect the second-order setting to be conducive to the electoral participation and appeal of independent candidates. While the comparatively strong presence and performance of independents in local and regional elections is well established (e.g. Reiser & Holtmann 2008), we also expect, *ceteris paribus*, independent candidates to perform better in European than national elections.

3. ELECTORAL RULES ON INDEPENDENT CANDIDATES IN EU-27

**KEY FINDINGS:**
Rules on the electoral participation of independent candidates vary widely across the 27 EU member states:

- Independents can stand as candidates in general elections in 13 EU member states. In another five countries, single-candidate lists remain a (theoretical) possibility.
- Out of six countries with directly elected upper houses, three provide for independent candidacy in elections to the second chamber.
- Seven member states allow independent candidates to vie for a seat in the European Parliament. In another three countries, single-candidate lists remain a (theoretical) possibility.
- Electoral systems with plurality or majority voting in single-member districts almost always grant ballot access to independent candidates. However, many systems that use party-list proportional representation also do so.
- PR systems that use the single transferable vote allow independent candidates to compete in elections. Closed-list PR systems are less likely to grant ballot access to independents than open-list systems.
- Ballot access requirements – such as deposit and signature requirements – vary greatly across countries. In general, the size of the deposit is the same for party and non-party candidates. Deposits required from candidates in EP elections tend to be larger than those that must be placed by candidates in national elections.

3.1. Objectives
The objective of this chapter is to provide an empirical overview of rules regulating the electoral participation of independent candidates in the 27 EU member states. The section covers elections to the national parliament (lower and upper houses, where applicable), as well as European Parliament elections.

The chapter seeks to answer the following questions:
- Which countries allow independent candidacy in general elections, elections to the national upper house and the European Parliament?
- What are the ballot access requirements for independent candidates, and how do these differ from requirements posed to party candidates?
- Are certain types of electoral systems more likely to grant ballot access to independents than others? Specifically, are there differences between plurality/majority systems and list PR systems in this respect? Are independent
Independent candidates in national and European elections

candidates treated differently under different versions of proportional representation (open versus closed lists, preferential voting)?

The empirical information presented in this chapter is based on national electoral regulations. In order to obtain up-to-date information about national electoral regulations, a request for information was sent to electoral authorities in all 27 member states in September 2012 (see Annex 2). In addition to regulations and statistics provided by national electoral authorities, a number of other sources were consulted, including databases linked to cross-national electoral knowledge projects such as the ACE Electoral Knowledge Network, European Election Database, IPU Parline, and the PIREDEU project.8

Based on the information obtained, tables summarizing the relevant electoral rules for national and European elections were constructed (Tables 1-3 below). A more detailed country-by-country overview of the main features of national electoral systems – and specifically, rules regarding independent candidacy – is provided in Annex 3. A comprehensive glossary of electoral terms is included in Annex 1.

3.2. Rules on independent candidates: general elections

This subsection provides an overview of electoral rules regarding the electoral participation of independent candidates in national parliament elections (in case of bicameral parliaments, elections to the lower house). Table 1 provides a summary of the basic features of electoral systems used to elect national parliaments, together with information concerning independent candidacy.

In thirteen countries, independent candidates are allowed to compete in national parliament elections. These include Bulgaria, Cyprus, Denmark, Estonia, France, Germany, Greece, Hungary, Ireland, Lithuania, Malta, Romania, and the United Kingdom.

Five countries do not have an expressis verbis provision about independent candidates in their electoral law. However, there is a theoretical possibility that independent candidates could compete by forming single-candidate lists. In practice such situations rarely occur. Countries with no expressis verbis regulations include Austria, Finland, Luxembourg, the Netherlands, and Poland.

Finally, in nine countries, independents are barred from competing as candidates in general elections. Candidate nomination is strictly list-based and single-candidate lists are not allowed. This is the case in Belgium, the Czech Republic, Italy, Latvia, Portugal, Slovakia, Slovenia, Spain and Sweden.

Rules regarding the electoral participation of independents clearly vary according to the type of electoral system. Independent candidates are allowed in all EU countries that use an electoral system other than party-list PR. Thus, independent candidates can participate in national parliament elections in:

- the two countries that use majority/plurality voting in single-member districts (France and the United Kingdom);
- the two countries that use the single transferable vote system (Ireland and Malta);

8 For more information, see http://aceproject.org/; http://www.nsd.uib.no/european_election_database/, http://www.ipu.org/parline-e/parlinesearch.asp; www.piredeu.eu
in all five countries that use a mixed-member systems, combining single-member districts with multi-member districts (Bulgaria, Germany, Greece, Hungary, Lithuania);

All of the systems enumerated above are associated with more candidate-centered politics than conventional party-list PR. Under these systems, voters vote for candidates, not parties (in mixed systems, they cast a ballot both for party lists and specific candidates competing in single-member districts).

In contrast, only four of the eighteen countries that have a party-list PR system allow independents to run in elections for the national parliament. These four countries are Cyprus, Denmark, Estonia, and Romania. All of the fourteen countries that either explicitly prohibit the electoral participation of independent candidates, or have no expressis verbis regulation on the issue, use party-list PR.

Some versions of party-list PR are also regarded as being more candidate-centered than others. Open lists and preferential voting both entail voting for a candidate, not party, and the reordering of party lists according to the number of votes obtained by candidates. However, according to the information provided in Table 1, there is no clear correspondence between the use of open or closed lists and the right of independents to participate in elections. Of the four list PR systems that allow independents to run, three use open lists (Cyprus, Denmark, Estonia). There is only one country in the EU that allows independent candidates to compete in the context of a closed party list system in national elections – Romania.

Finally, it is important to note some regional peculiarities. Both Italy and Spain have closed-list PR systems and do not allow independent candidates to compete in national elections. However, the autonomous regions of Aosta Valley (Italy) and Ceuta and Melilla (Spain) have single-member districts with simple plurality voting. In these regions, independents have the right to stand as candidates.

National systems in which independent candidates can compete differ in terms of ballot access requirements. In some countries, independent candidates have to pay a deposit or collect a certain number of signatures before they can be registered as candidates.

Table 1 contains information about deposit and signature requirements for candidacy in general elections in the 27 EU member states. As evident from the Table, countries with very liberal ballot access rules generally do not allow independent candidates to take part in elections. This is the case in four out of five countries (Sweden, Spain, Portugal, Finland) where neither deposits nor signatures are required. In countries where deposits must be placed, they are generally required of both party candidates and of independents. This is the case in Bulgaria, Cyprus, Estonia, Greece, Lithuania, Malta, Romania, and the United Kingdom. Four countries in which independents can stand as candidates in elections – Denmark, France, Germany and Hungary – have no deposit requirement (either for party candidates or independents). Ireland is the only country in the EU where independents have to pay a deposit whereas candidates nominated by parties with prior representation in the parliament are exempt from this requirement.

The size of the deposit varies widely. In Malta, candidates have to deposit €90; in Lithuania, about €620; in the UK, £500. In Bulgaria, the deposit required of independents is approximately €7500. In several countries (Estonia, Romania), the size of the deposit is tied to the minimum salary. There seems to be no correlation between the level of national
wealth and the size of the deposit, however. Notably, several post-communist member states require larger deposits than most old member states.
With regard to the signature requirement, countries where independents can stand as candidates fall into three categories. In three countries (Estonia, France, the UK), there is no signature requirement. In five countries (Bulgaria, Denmark, Germany, Ireland, Lithuania, Romania) independent candidates have to provide signatures for nomination, while parties and party candidates do not. In four countries (Cyprus, Greece, Hungary, Malta), both parties and independents have to present signatures.

In some countries, such as Ireland, a monetary deposit constitutes an alternative to the signature requirement: an independent candidate has to provide either the signatures of at least 30 electors or lodge a deposit (€500) with the nomination.

The number of signatures required for nomination varies tremendously across countries. In Bulgaria, at least 10,000 signatures were needed for independent candidate nomination.
Independent candidates in national and European elections

before electoral system reform in 2011. In contrast, in Cyprus and Malta, independent candidates must prove the support of only four electors. In Greece, the number of required signatures is 12. In Lithuania, independent candidates need at least 1000 signatures from the district of standing; in Hungary, this figure is 750; in Germany, 200; in Denmark, between 150 and 200, depending on the district. In Romania, independent candidates must provide support signatures from at least 5% of the total number of district voters.

3.3. Rules on independent candidates: elections to the upper house

Six EU member states have bicameral parliaments with directly elected upper houses (see Table 2). Independent candidates can compete in elections for the upper house in the Czech Republic, Poland and Romania, while in Belgium, Italy and Spain, only party candidates can vie for a seat in the second chamber.

Again, rules on independent candidates reflect the overall logic of the electoral system (candidate-centered versus party-centered systems) – but only to an extent. Countries that use plurality or majority voting in single-member districts (the Czech Republic and Poland) grant ballot access to independent candidates. Countries that use list PR in multi-member districts (Belgium, Italy, Spain) do not. Again, Romania appears as the exceptional case. It uses closed-list PR and multi-member districts to elect its Senate but allows independent candidates to compete. The rules in place in Spain also contradict expectations: in the context of rather small multi-member districts (2-3 mandates) and simple plurality voting, independent candidacy is not allowed.

Regional peculiarities follow the pattern linking plurality rule and independent ballot access: in addition to 20 multi-member districts, Italy has one single-member district (Aosta Valley) where plurality voting is used and – contrary to the other districts – independents have access to the ballot.

Ballot access requirements differ across the three countries where independents can participate. Poland has no deposit requirement. In the Czech Republic and Romania, both parties and independents have to place deposits. In Romania, the deposit is equal to five minimum monthly salaries (i.e. about €770 in 2012). In the Czech Republic, the deposit amounts to about €785.

In all three countries, independents must demonstrate support of electors by providing signatures endorsing their candidacy. Party candidates must provide signatures in Poland but not in the other two countries. In Poland, the number of required signatures is 2000 (both for independent and party candidates). In the Czech Republic, independent candidates need at least 1000 signatures from the district of standing. In Romania, independents need to provide signatures from at least 5% of total number of district voters.
Table 2 - Electoral rules regarding independent candidates: national upper houses

<table>
<thead>
<tr>
<th>Country</th>
<th>Can independent candidates run?</th>
<th>Rule</th>
<th>Open or closed lists*</th>
<th>Number and type of districts</th>
<th>Threshold</th>
<th>Deposit (indep/party candidates)</th>
<th>Signatures (indep/party candidates)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>no</td>
<td>PR</td>
<td>open</td>
<td>3 MMD</td>
<td>5%</td>
<td>NA/no</td>
<td>NA/yes</td>
</tr>
<tr>
<td>Czech</td>
<td>yes</td>
<td>Second Ballot</td>
<td>closed</td>
<td>81 SMD</td>
<td>-</td>
<td>yes/yes</td>
<td>no/no</td>
</tr>
<tr>
<td>Italy</td>
<td>no</td>
<td>PR institution</td>
<td>closed</td>
<td>20 MMD/1 SMD</td>
<td>8%</td>
<td>NA/no</td>
<td>NA/yes</td>
</tr>
<tr>
<td>Poland</td>
<td>yes</td>
<td>Plurality</td>
<td></td>
<td>100 SMD</td>
<td>1 SMD</td>
<td>-</td>
<td>yes/yes</td>
</tr>
<tr>
<td>Romania</td>
<td>yes</td>
<td>PR</td>
<td>closed</td>
<td>43 MMD</td>
<td>5%</td>
<td>yes/yes</td>
<td>no/no</td>
</tr>
<tr>
<td>Spain</td>
<td>no</td>
<td>Plurality</td>
<td>closed</td>
<td>54 MMD</td>
<td>-</td>
<td>NA/no</td>
<td>NA/yes</td>
</tr>
</tbody>
</table>

Source: National electoral regulations (as of September 2012), national electoral authorities. Notes: * All systems where voters can or must indicate preference for a candidate classified as open. 1 With the exception of Aosta Valley where single-member districts and simple plurality rule are used.

3.4. Rules on independent candidates: European Parliament elections

Out of 27 member states, only seven – Bulgaria, Cyprus, Estonia, Ireland, Malta, Romania, and the United Kingdom - explicitly allow independent candidates to compete in European Parliament elections. In 17 member states, candidate nomination is strictly list-based and electoral rules do not provide for the possibility of single-candidate lists. The relevant electoral regulations of three countries – Austria, Finland, and the Netherlands – contain no expressis verbis provisions on independent candidates but single-member lists remain a possibility. This possibility does not always remain theoretical: Liisa Sulkakoski contested the 2009 Finnish EP election as a non-party candidate, obtaining 0.51% of the vote.

Because all member states elect MEPs under proportional representation, variations in rules regarding independent candidates cannot be attributed to differences between majority/plurality and PR systems. However, one can expect independent candidates’ access to the ballot to be more prevalent under those versions of PR systems that make politics more candidate-centered, such as STV and open lists. Empirical information presented in Table 3 confirms this expectation only to an extent.

Indeed, independents can stand as candidates in both countries that use the single transferable vote version of PR: Ireland and Malta (STV is also used in Northern Ireland – where independents also have access to the ballot). Of the remaining five countries where independents are allowed in EP elections, two use closed-list PR (Romania and the UK). Bulgaria, Cyprus and Estonia currently elect their MEPs under an open-list system (however, closed lists were used in Estonia in 2009).
**Table 3 - Rules regarding independent candidates: elections to the European Parliament**

<table>
<thead>
<tr>
<th>Country</th>
<th>Can independent candidates run?</th>
<th>Rule</th>
<th>Open or closed lists**</th>
<th>Number and type of districts</th>
<th>Threshold</th>
<th>Deposit (indep/party candidates)</th>
<th>Signatures (indep/party candidates)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>no*</td>
<td>PR</td>
<td>open</td>
<td>1 MMD</td>
<td>4%</td>
<td>NA/no</td>
<td>NA/yes</td>
</tr>
<tr>
<td>Belgium</td>
<td>no</td>
<td>PR</td>
<td>open</td>
<td>4 MMD</td>
<td>-</td>
<td>NA/no</td>
<td>NA/no</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>yes</td>
<td>PR</td>
<td>open</td>
<td>1 MMD</td>
<td>-</td>
<td>yes/yes</td>
<td>yes/no</td>
</tr>
<tr>
<td>Cyprus</td>
<td>yes</td>
<td>PR</td>
<td>open</td>
<td>1 MMD</td>
<td>1,8%</td>
<td>no/no</td>
<td>no/no</td>
</tr>
<tr>
<td>Czech Rep</td>
<td>no</td>
<td>PR</td>
<td>open</td>
<td>1 MMD</td>
<td>5%</td>
<td>NA/yes</td>
<td>NA/no</td>
</tr>
<tr>
<td>Denmark</td>
<td>no</td>
<td>PR</td>
<td>open</td>
<td>1 MMD</td>
<td>-</td>
<td>NA/no</td>
<td>NA/no</td>
</tr>
<tr>
<td>Estonia</td>
<td>yes</td>
<td>PR</td>
<td>open</td>
<td>1 MMD</td>
<td>-</td>
<td>yes/yes</td>
<td>no/no</td>
</tr>
<tr>
<td>Finland</td>
<td>no*</td>
<td>PR</td>
<td>open</td>
<td>1 MMD</td>
<td>-</td>
<td>NA/yes</td>
<td>NA/no</td>
</tr>
<tr>
<td>France</td>
<td>no</td>
<td>PR</td>
<td>closed</td>
<td>8 MMD</td>
<td>5%</td>
<td>NA/yes</td>
<td>NA/no</td>
</tr>
<tr>
<td>Germany</td>
<td>no</td>
<td>PR</td>
<td>closed</td>
<td>1 MMD</td>
<td>5%</td>
<td>NA/yes</td>
<td>NA/no</td>
</tr>
<tr>
<td>Greece</td>
<td>no</td>
<td>PR</td>
<td>closed</td>
<td>1 MMD</td>
<td>3%</td>
<td>NA/yes</td>
<td>NA/no</td>
</tr>
<tr>
<td>Hungary</td>
<td>no</td>
<td>PR</td>
<td>open</td>
<td>1 MMD</td>
<td>5%</td>
<td>NA/yes</td>
<td>NA/yes</td>
</tr>
<tr>
<td>Ireland</td>
<td>yes</td>
<td>PR-STV</td>
<td>-</td>
<td>4 MMD</td>
<td>-</td>
<td>yes/no</td>
<td>yes/no</td>
</tr>
<tr>
<td>Italy</td>
<td>no</td>
<td>PR</td>
<td>open</td>
<td>5 MMD</td>
<td>4%</td>
<td>NA/yes</td>
<td>NA/yes</td>
</tr>
<tr>
<td>Latvia</td>
<td>no</td>
<td>PR</td>
<td>open</td>
<td>1 MMD</td>
<td>5%</td>
<td>NA/yes</td>
<td>NA/no</td>
</tr>
<tr>
<td>Lithuania</td>
<td>no</td>
<td>PR</td>
<td>open</td>
<td>1 MMD</td>
<td>5%</td>
<td>NA/yes</td>
<td>NA/no</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>no</td>
<td>PR</td>
<td>open</td>
<td>1 MMD</td>
<td>-</td>
<td>NA/yes</td>
<td>NA/yes</td>
</tr>
<tr>
<td>Malta</td>
<td>yes</td>
<td>PR-STV</td>
<td>-</td>
<td>1 MMD</td>
<td>-</td>
<td>yes/yes</td>
<td>yes/yes</td>
</tr>
<tr>
<td>Netherlands</td>
<td>no*</td>
<td>PR</td>
<td>open</td>
<td>1 MMD</td>
<td>-</td>
<td>NA/yes</td>
<td>NA/yes</td>
</tr>
<tr>
<td>Poland</td>
<td>no</td>
<td>PR</td>
<td>open</td>
<td>13 MMD</td>
<td>5%</td>
<td>NA/yes</td>
<td>NA/yes</td>
</tr>
<tr>
<td>Portugal</td>
<td>no</td>
<td>PR</td>
<td>closed</td>
<td>1 MMD</td>
<td>-</td>
<td>NA/no</td>
<td>NA/no</td>
</tr>
<tr>
<td>Romania</td>
<td>yes</td>
<td>PR</td>
<td>closed</td>
<td>1 MMD</td>
<td>5%</td>
<td>yes/yes</td>
<td>yes/yes</td>
</tr>
<tr>
<td>Slovakia</td>
<td>no</td>
<td>PR</td>
<td>open</td>
<td>1 MMD</td>
<td>5%</td>
<td>NA/yes</td>
<td>NA/no</td>
</tr>
<tr>
<td>Slovenia</td>
<td>no</td>
<td>PR</td>
<td>closed</td>
<td>1 MMD</td>
<td>-</td>
<td>NA/yes</td>
<td>NA/yes</td>
</tr>
<tr>
<td>Spain</td>
<td>no</td>
<td>PR</td>
<td>closed</td>
<td>1 MMD</td>
<td>-</td>
<td>NA/yes</td>
<td>NA/no</td>
</tr>
<tr>
<td>Sweden</td>
<td>no</td>
<td>PR</td>
<td>open</td>
<td>1 MMD</td>
<td>4%</td>
<td>no/no</td>
<td>no/no</td>
</tr>
<tr>
<td>UK</td>
<td>yes</td>
<td>PR</td>
<td>closed</td>
<td>12 MMD</td>
<td>-</td>
<td>yes/yes</td>
<td>no/no</td>
</tr>
</tbody>
</table>

**Source:** National electoral regulations (as of September 2012), national electoral authorities. **Notes:** *No expressis verbis* regulation on independent candidates. Single-member lists remain, in principle, possible: an independent candidate did run in the Finnish EP elections in 2009. **All systems where voters can or must indicate preference for a candidate classified as open. ¹ With the exception of Northern Ireland where PR-STV is used.

Notably, all countries that include independents under party-list PR in national elections, also allow them to compete in EP elections. The only exception to this rule is Denmark (open-list PR is used to elect both MPs and MEPs; independents can stand as candidates in national but not in European elections). In contrast, countries that use “independent-friendly” mixed-member systems to elect national parliaments, almost invariably exclude independents from the ballot in EP elections where party-list PR is used. The only exception to this rule is Bulgaria.

Ballot access requirements differ greatly across countries. Again, it should be noted that almost all countries with very liberal ballot access rules (no deposits, no signatures) ban independents from elections. In most cases, ballot access rules for EP elections mirror those used in national elections. With the exception of Cyprus, all countries that have a deposit requirement in national elections also request that candidates for the EP place a deposit. Again with the exception of Cyprus, all countries that have a signature requirement in national elections also require EP candidates to present signatures endorsing their candidacies. (Romania constitutes a partial exception: in national elections, only
independents must present signatures; in EP elections, the requirement is extended to party candidates as well).

Deposits required from EP candidates tend to be significantly larger than those that must be placed by individuals vying for a seat in the national parliament. In the UK, the deposit that must be placed by both independent candidates and parties in EP elections is ten times the sum required in national elections (£5000 and £500, respectively). In Estonia, the deposit required of prospective MPs is equal to two minimum monthly salaries, while candidates for the EP must pay five times the monthly minimum. In Ireland, an independent candidate has to provide either the signatures of at least 60 electors or lodge a deposit of €1800 (compared to 30 and €500 in national elections). However, in Bulgaria, independents contesting EP elections placed a deposit of about €5000 in 2009 (compared to €7500 in national elections).

There is a formidable signature requirement in Romania: for nomination, independent candidates must present 100,000 signatures endorsing their candidacies (party lists are required to present twice as many signatures). In Bulgaria, 10,000 signatures are required for nomination. Numbers required in other countries (4 in Malta, 60 in Ireland) pale in comparison.

In sum, it is more difficult for independent candidates to gain access to the ballot in European Parliament elections than in national elections. Of the thirteen countries that allow independent candidacy in national elections, only seven provide for nomination of non-party candidates in EP elections. Ballot access requirements tend to be more stringent for EP elections than national elections: prospective MEPs have to place larger deposits and collect more signatures than candidates vying for a seat in the national parliament.

4. ELECTORAL PARTICIPATION AND PERFORMANCE OF INDEPENDENT CANDIDATES IN EU-27

**KEY FINDINGS:**

- Independent candidates do contest elections in all countries where they are allowed to do so. Independent candidacy is on the rise: over the past decade, the number of independents included on the ballot has increased – often by a factor of two or three – in ten out of the thirteen countries that provide for independent candidacy.

- Independent candidates remain marginal vote-getters in the vast majority of European and national elections. However, independents have attracted a quarter or more of the nation-wide vote in exceptional cases.

- In both national and European elections, independent vote share above 2% is associated with candidate-centered electoral systems (plurality vote, single-mandate districts, STV).

- However, there are anomalous cases such as the 2009 EP elections in Estonia, where independents won over 30% of the vote in the context of closed-list proportional representation.

- Independent candidates are on average represented in one third of all districts in national elections.

- Since 1979, there have been twelve EP elections in which independent candidates have obtained over 2% of the vote. Independent candidates have obtained an EP seat on 12 occasions.
4.1. Objectives

The objective of this chapter is to provide an overview of the electoral presence and performance of independent candidates in national and European elections in EU-27. The chapter seeks to answer the following questions:

- To what extent do independent candidates actually participate in elections in countries where they have the legal right to do so?
- When independent candidates are allowed to compete in national and European elections, how well do they do? What is the share of the vote typically obtained by independent candidates?
- Which countries and electoral systems stand out in terms of a high share of the vote won by independents?
- When independents compete in elections, are they typically present in all districts or only a few? Is the vote for independents concentrated in a few constituencies, or is it spread evenly across districts?
- How common is it for independent candidates to obtain seats in national legislative assemblies and the European Parliament?

4.2. Electoral participation of independent candidates

In all countries where electoral rules provide for independent candidacy, non-party candidates do participate in elections. Table 4 provides an overview of the participation of independent candidates in recent national and European elections in EU-27. In absolute terms, the largest number of independents contest elections in the United Kingdom (307 in 2010, 162 in 2005), Ireland (176 in 2011, 77 in 2007) and Germany (165 in 2009, 60 in 2005). Far fewer independents participate in European Parliament elections: the numbers are in single digits for all countries aside from Ireland and occasionally, the UK. The figures presented in Table 4 suggest that independent candidacy is indeed on the rise. Compared to the preceding election, the number of independents contesting the most recent national election increased almost five times in Estonia, between two and three times in Germany, Ireland, Lithuania, and the Czech Republic, and almost two times in Hungary. Cyprus and Malta registered no increase, while Bulgaria is the only country where the number of independent candidates decreased from one election to the other. Finally, Table 4 shows that despite growing electoral participation, independents very rarely win seats in legislative assemblies.

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9 The large increase in the number of independent candidates in Estonia is explained by the spectacular performance of Indrek Tarand, a non-party candidate, in the 2009 European Parliament elections. In the general elections of 2011, a large number of hopefuls seeking to emulate the success of Tarand enlisted as independents.
Table 4 - Number of independent candidates in recent national and European elections

<table>
<thead>
<tr>
<th></th>
<th>Independent candidates nominated/elected in two most recent national elections</th>
<th>Independent candidates nominated/elected in two most recent European Parliament elections</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Election 1</td>
<td>Election 2</td>
</tr>
<tr>
<td>Cyprus</td>
<td>6/0 (2006)</td>
<td>6/0 (2011)</td>
</tr>
<tr>
<td>Czech Rep.</td>
<td>4/0 (2010)*</td>
<td>11/2 (2012)*</td>
</tr>
<tr>
<td>Denmark</td>
<td>13/0 (2007)</td>
<td>20/0 (2011)</td>
</tr>
<tr>
<td>Estonia</td>
<td>7/0 (2007)</td>
<td>32/0 (2011)</td>
</tr>
<tr>
<td>France</td>
<td>NA/0 (2007)</td>
<td>NA/0 (2012)</td>
</tr>
<tr>
<td>Germany</td>
<td>60/0 (2005)</td>
<td>165/0 (2009)</td>
</tr>
<tr>
<td>Greece</td>
<td>51/0 (2012 May)</td>
<td>58/0 (2012 June)</td>
</tr>
<tr>
<td>Hungary</td>
<td>12/0 (2006)</td>
<td>21/1 (2010)</td>
</tr>
<tr>
<td>Ireland</td>
<td>77/5 (2007)</td>
<td>176/14 (2011)</td>
</tr>
<tr>
<td>Lithuania</td>
<td>16/5 (2008)</td>
<td>36/3 (2012)</td>
</tr>
<tr>
<td>Malta</td>
<td>1/0 (2003)</td>
<td>1/0 (2008)</td>
</tr>
<tr>
<td>Poland</td>
<td>N/A</td>
<td>70/4 (2011)*</td>
</tr>
<tr>
<td>Romania</td>
<td>11/0 (2004)**</td>
<td>31/0 (2008)**</td>
</tr>
</tbody>
</table>

Source: National electoral authorities. Notes: NA: data not available; N/A: not allowed to compete; * Elections to the upper house. ** Combined figures for elections to both houses.

4.3. Performance of independent candidates in national elections

4.3.1. Data

For information about the share of the vote won by independent candidates, we use data from the Constituency-Level Elections (CLE) dataset (Brancati 2011) which provides national and subnational election data at the district level for democratic countries around the world (including all EU countries with the sole exception of Denmark). The CLE dataset covers national parliament elections, presidential elections and subnational elections for the period 1945-2009. The data are based on countries’ official election results that have been collected from various government institutions (e.g. electoral commissions, ministries of interior, statistical offices and legislative bodies).

The CLE dataset is uniquely suited for analyzing small vote-getters, including independent candidates, because it does not include an “other” category unless the official electoral data contains one, nor does it impose a threshold on parties in terms of the number of votes and seats that they have to win in order to be included in the dataset.

For the purposes of this analysis, we use a subset of the CLE data. This subset consists of national legislative elections in which independent candidates took part (received at least one vote) in countries that are now EU members. We include democratic elections held in these countries prior to accession to the EEC/EC/EU because we do not expect EU membership to have significant implications for the role of independent candidates in national elections. The ensuing dataset contains 146 elections.
For the purposes of constructing Figures 1-4, the CLE dataset was updated: recent election results as well as data for Denmark were added. Annex 4 provides an overview of the geographical and temporal scope of our subsample of the CLE dataset. Due to changes in electoral rules, the list of countries covered does not correspond entirely to the set of countries that currently allow independent candidates to contest elections.

4.3.2. Results

Independent candidates remain marginal vote-getters in the vast majority of elections in which they compete. The average share of the vote won by independents is just under 2 per cent in the 146 elections included in the analysis, with a minimum of 0.002 and a maximum of 23.8 % of the national vote. Figure 1 plots the cumulative share of elections against the vote share for independents in these elections. It shows that independents received 3% or more of the vote in 20% of the elections covered by the database and 5% or more of the vote in only 10% of elections included in the dataset. A general picture emerging from the figure is that of very low vote shares in an overwhelming number of elections (shown by the very late rise of the line). In roughly 65% of the cases independents polled less than 1% of the total vote.

**Figure 1- Cumulative percent distribution of independent candidate vote shares in national elections**

In only 38 elections included in our dataset have independent candidates obtained more than 2% of the vote (see Figure 2). Independent candidates won nearly a quarter of the national vote in Maltese elections in 1945 and have performed very well in elections of the Irish House of Representatives, the Czech and the Polish Senates and in elections to the unicameral Lithuanian Seimas. They also won a non-negligible share of the vote in elections for the Spanish Senate in 1997.
It is clearly evident from Figure 2 that independent candidates perform well in the context of electoral rules other than party-list proportional representation (PR). Specifically, strong performance of independents is associated with plurality rule or candidate-centered versions of PR such as the single transferable vote (STV). Czech senators and half of the members of Lithuania’s Seimas are elected from single-member districts using plurality rule. Internationally rare versions of plurality voting have been used in elections to the Polish and Spanish upper houses: until 2010, Polish senators were elected by plurality bloc voting, while the system used to elect the Spanish upper house is partial block voting. The strong electoral performance of independents in Ireland is widely attributed to the country’s unusual electoral system (STV). Interestingly, independents do not perform nearly as well in Malta, the only other EU member state to use STV. In Malta, independent candidates took a quarter of the vote in 1945 but have never polled above 2% of the vote since.

In countries that use party-list proportional representation, it is very rare for independent candidates to attract over 2% of the vote. Our dataset includes only two such cases: elections to the Estonian unicameral Riigikogu in 2011 (independent candidate vote share 2.7) and to the Romanian Chamber of Deputies in 1996 (independent vote share 2.5).

Another measure of the electoral strength of independents is the percentage of seats won. Analysis of the CLE data reveals 21 elections in countries that currently belong to the EU in which independent candidates obtained over 2% of the seats in the national legislature (see Figure 3). Ireland stands out as having the largest number of seat-winning independents, with a record of 14 seats won in 2011 and 13 seats in both 1951 and 2002. In terms of the percentage of seats won, independent candidates performed particularly well in the 1945 elections in Malta, where they obtained 10% of seats in the national assembly.
Independent candidates in national and European elections

Figure 3 - National elections with independent candidate seat share above 2%

Sources: data from the Constituency-Level Elections dataset (Brancati 2011) and national electoral authorities. 
Note: UH – upper house.

Finally, our data enables us to examine the electoral presence and performance of independent candidates by electoral district. In elections where independents have access to the ballot, they are typically present in less than half of the electoral districts. Figure 4 categorizes the 146 elections included in our dataset according to the share of electoral districts in which independent candidates received any votes. On average, independent candidates were present in 32% of districts, with a maximum national coverage of 100% (Malta in 1945) and a minimum of 0.5% of districts (France 1988). In 75% of the elections covered in this analysis, independent candidates were present in less than half of all the districts.
Figure 4 - National elections by share of districts in which independent candidates received votes

Figure 5 plots the cumulative distribution of 2022 district-level election results by vote share obtained by independent candidates. The graph confirms the expectation that independent candidates do occasionally perform very well at the district level, although large independent vote shares remain a rare phenomenon. For example, the figure shows that independent candidates received more than 10% of the district votes in only 20% of the cases. Independents obtained over a third of the vote in about 5% of districts in which they received any votes. On average, independents received 6.6% of votes in districts, with a maximum of 100% in three out of the 2022 districts.

Often, independents perform well in districts that correspond to autonomous or semi-autonomous regions or overseas territories where mainstream national parties are less established (or altogether absent). For instance, independents have historically been very strong in Danish overseas territories – Greenland and the Faroe islands. Between 1953 and 1977, Greenland Independents received 100% of the vote in the autonomous region, securing both of Greenland’s seats in the Folketing.

In the 146 elections included in our dataset, independent candidates obtained a total of 149 seats. The majority of these seats (94) were won in multi-member districts, while the remaining 55 were secured in single-member districts. Independent candidates managed to win more than one seat in six multi-member districts (out of 829 such districts included in our dataset).
4.4. Independent candidates in European Parliament elections

During the period 1979-2009, 118 nationally organized elections to the European Parliament have been held in EC/EU member states. In only twelve of these have independent candidates obtained more than 2% of the nation-wide vote (see Figure 6). Independents have won between 7 and 16 per cent of the vote in all seven Irish EP elections which are conducted under the single transferable vote system. The other cases with independent candidate vote share above 2% include Malta in 2004, Estonia in 2004 and 2009, and Romanian EP elections of 2007 and 2009.

As evident from Figure 6, the outcome of the 2009 EP election in Estonia constitutes a major anomaly, especially considering the fact that the electoral system used was closed-list PR. In this election, nearly a third (30.4%) of the voters cast a vote for one of the six independent candidates included on the ballot. A vast majority of these votes went to Indrek Tarand, a former high-ranking civil servant who had run a campaign marked by strong anti-party rhetoric. Collecting 25.8 percent of the nation-wide vote, a mere 1046 votes less than the best-performing party, Tarand secured one of Estonia’s six seats in the European Parliament. While Tarand’s triumph was widely attributed to wide-spread anti-party sentiment in the Estonian society, an empirical analysis of voter profiles by Ehin and Solvak (2012) offers a different interpretation. According to this study, the mass vote for an independent candidate constituted a low-cost strategy for punishing the incumbents in a context where strong socio-political cleavages inhibited vote-switching to the opposition.

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Individuals who campaigned as independent candidates have obtained an EP seat on 12 occasions. Independents secured at least one seat in the EP in all elections where they won more than 2 per cent of the vote, with the exception of the 2004 elections in Estonia and Malta. In the Irish elections of 1999 and 2004, two independent candidates won a seat in the EP. Table 5 provides an overview of independent candidates who have become MEPs since the first direct elections to the European Parliament.

Table 5 - Independent candidates elected to the EP, 1979-2009

<table>
<thead>
<tr>
<th>Name</th>
<th>Country and year of election</th>
<th>Vote %</th>
<th>Platform/profile</th>
<th>EP party group affiliation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thomas Maher</td>
<td>Ireland 1979</td>
<td>20.02*</td>
<td>pro-farmers; pro-rural</td>
<td>Liberal and Democratic Group</td>
</tr>
<tr>
<td>Pat Cox</td>
<td>Ireland 1994</td>
<td>7.7*</td>
<td>pro-market; liberal</td>
<td>Group of the European Liberal, Democrat and Reform Party</td>
</tr>
<tr>
<td>Dana Rosemary Scallon</td>
<td>Ireland 1999</td>
<td>16*</td>
<td>catholic; eurosceptic; celebrity</td>
<td>Group of the European People's Party and European Democrats</td>
</tr>
<tr>
<td>Pat Cox</td>
<td>Ireland 1999</td>
<td>27.9*</td>
<td>pro-market; liberal</td>
<td></td>
</tr>
</tbody>
</table>
5. ELECTORAL SYSTEM EFFECTS ON THE PERFORMANCE OF INDEPENDENTS IN EU-27

**KEY FINDINGS:**

- Independent candidates typically receive votes in single-member districts or very small multi-member districts with a magnitude of 2 to 5.
- Independent candidates gain more seats in very small multi-member districts than in single-member districts.
- Independents receive very few votes in multi-member districts with a magnitude above five. They almost never win seats in such districts.
- District magnitude does not affect independent candidates and small parties in the same way. Small parties thrive in high-magnitude districts because these foster proportionality and have low effective thresholds. Independent candidates succeed in low-magnitude districts – despite high effective thresholds – because such districts provide for more candidate-centered politics.
- The results of multivariate analysis confirm that the electoral performance of independents is positively associated with plurality rule and preferential voting. Mean district magnitude in country, the presence of legal thresholds, the modality of lists, and the age of an electoral system do not have statistically significant effects in a multivariate model.

### 5.1. Objectives

This chapter revisits the question of how specific features of electoral systems influence the electoral presence and performance of independent candidates. In order to ascertain whether expectations derived from the broader theoretical and empirical literature hold in EU-27, the chapter postulates a number of hypotheses and tests these with election data...
Policy Department C: Citizens’ Rights and Constitutional Affairs

from a range of European countries. Specifically, the empirical analysis focuses on the effects of the following characteristics of electoral systems: district magnitude, the level of proportionality, preferential voting, closed or open lists, electoral threshold, age of electoral system and party system fractionalization.

As in the previous chapter, we use data derived from the CLE dataset (Brancati 2011) that contains information about 146 national legislative elections in which independent candidates received at least one vote (for details, see section 4.3.1 and Annex 4).

The chapter begins by examining the link between district magnitude and electoral performance of independents at the district level. Subsequently, it presents the results of a multivariate analysis that uses country-level data to identify electoral system effects on the performance of independents.

5.2. District magnitude and performance of independents

This section examines the relationship between district magnitude and independent candidate performance using district level data on a total of 2022 districts across all the countries and years listed in Annex 4. The empirical relationship between district magnitude and vote share for independents is graphically presented in Figure 8. The Figure plots district magnitude against the share of the vote won by independents in the district, with average vote share in districts of the same magnitude superimposed.

Table 6 reports the number of seats won by independent candidates in districts of different magnitude. In the 1198 single-members districts included in our sample, independent candidates have won 55 seats. In the 94 districts with a magnitude of 2, non-party candidates have won ten seats. In districts with a magnitude of 3, 4, or 5, independents candidates have won a total of 84 seats. In districts with a magnitude of 6 or above, the number of seats won by independents drops to zero.

Three things stand out when looking at the figure and the table in combination. First, the larger the district, the smaller the share of the vote obtained by independents. Second, in terms of vote share, independents perform slightly better in single-member districts (SMD) with plurality or majority based seat allocation rules than in multi-member districts (MMD).
Out of the 2022 districts on the graph, 1198 are SMDs. In such districts, independent candidates received, on average, 7.9% of the votes. However, independent candidates do occasionally receive a majority of the votes cast in SMDs. In fact, out of the total of 55 seats that were won by independents in the 1198 single-member districts, 52 were won by candidates who received more than 50% of the vote.

Table 6 - District magnitude and seats won by independent candidates

<table>
<thead>
<tr>
<th>District Magnitude</th>
<th>Seats Won</th>
<th>Number of Districts</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>55</td>
<td>1198</td>
</tr>
<tr>
<td>2</td>
<td>10</td>
<td>94</td>
</tr>
<tr>
<td>3</td>
<td>29</td>
<td>157</td>
</tr>
<tr>
<td>4</td>
<td>32</td>
<td>175</td>
</tr>
<tr>
<td>5</td>
<td>23</td>
<td>146</td>
</tr>
<tr>
<td>6-39</td>
<td>no seats won</td>
<td>252</td>
</tr>
<tr>
<td>Total</td>
<td>149</td>
<td>2022</td>
</tr>
</tbody>
</table>

Source: data from the Constituency-Level Elections database (Brancati 2011)

Third, there is a nonlinear relationship between district magnitude and the electoral performance of independent candidates in multimember districts (MMD). There is almost no difference in the share of the vote won by independents in districts with a magnitude of 2 and districts with a magnitude of 3. Up to a magnitude of five, each additional seat that is up for election in a district is associated with a drop of 1 percentage point in the vote share of independents. In districts with a magnitude between 6 and 11, the vote share of independents is, on average, only 1%. For districts with a magnitude equal to or greater than 12, independents poll very few votes (observed range 0.04% to 0.5% of the vote).

The total of 94 seats won by independents in the 824 MMDs covered by the dataset were won with a district vote share ranging from 7.6% to 64.4%, with an average of 20.6%. In other words, 7.6% of the district vote has proved sufficient for winning a seat, although in typical elections, independents who win a seat poll about a fifth of the district votes.

In sum, the share of the vote obtained by independent candidates is highest in single-member districts, followed by small multi-member districts with a magnitude of two to three. In districts larger than five, the electoral performance of independents becomes truly marginal. In terms of seats won, the order is partly reversed, as independents tend to win more seats in very small multi-member districts than in single-member districts.

These findings are highly noteworthy because they confirm the conjecture that district magnitude does not affect independent candidates and small parties in the same way. Small parties perform better in high-magnitude districts that provide for lower effective thresholds and higher levels of proportionality (Taagepera & Shugart 1989, Lijphart 1999). Independent candidates, in contrast, thrive in low-magnitude districts - despite the high effective thresholds that these present – because low district magnitude fosters candidate-centered politics. These findings strongly suggest that in analyses concerned with electoral system effects, small parties and independent candidates should not be grouped together as “small vote-getters.”
5.3. Electoral system effects: multivariate analysis

Chapter 2 of this study laid out a number of expectations about how characteristics of electoral systems affect the electoral strength of non-party candidates. In this section, the key expectations are empirically tested by performing a multivariate analysis of country-level data from the CLE database.

Based on the review of the literature summarized in Chapter 2 and descriptive findings presented in Chapters 3 and 4, we expect independent candidates to perform better in

- plurality/majority systems (compared to PR systems);
- open-list PR systems (compared to closed-list PR systems);
- systems with preferential voting, defined as PR-STV (compared to other systems);
- systems that do not have a legal threshold (compared to those that do);
- new democracies (compared to old democracies).

In addition, we expect that the electoral strength of independent candidates is:

- negatively associated with district magnitude and, as a side-effect, with the level of proportionality;
- positively associated with party system fragmentation (measured in terms of the effective number of parties).

The unit of analysis in this analysis is an election. We code dichotomous variables for proportional representation, open lists, preferential voting (defined as PR-STV), and the presence of legal thresholds based on information contained in the CLE dataset. To measure proportionality, we use the Gallagher disproportionality index (see Annex 6). We use the effective number of parties, calculated based on vote shares, as a proxy for party system consolidation (see Annex 6). We also include the mean district magnitude for each election. Finally, we distinguish between old and new democracies by including a dichotomous variable for post-communist countries.

Table 7 provides an overview of the central tendencies of the variables based on the 146 elections used in this analysis. As the disproportionality measure and the effective number of parties could not be obtained for certain elections, their effect will be examined separately using scatterplots. The subsequent analysis uses Ordinary Least Squares regression to predict independent candidate vote and seat shares based on electoral system characteristics.
Table 7 - Descriptive statistics for binary and continuous variables

<table>
<thead>
<tr>
<th></th>
<th>Percentage of cases</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proportional system</td>
<td>62.1%</td>
<td>Independent vote share</td>
</tr>
<tr>
<td>Threshold</td>
<td>29.7%</td>
<td>Independent seat share</td>
</tr>
<tr>
<td>Closed list</td>
<td>9.7%</td>
<td>Mean district magnitude</td>
</tr>
<tr>
<td>Preferential voting</td>
<td>23.3%</td>
<td>Gallagher disproportionality</td>
</tr>
<tr>
<td>New democracy</td>
<td>35.6%</td>
<td>Effective number of parties</td>
</tr>
</tbody>
</table>

(based on vote shares)

Source: Constituency-Level Elections database and sources described in Annex 7. Note: control variables not listed.

Table 8 reports the electoral system effects on the vote and seat share of independents in two separate regression models. The number of cases drops to 143 elections due to the unavailability of data on some variables in three elections. Our explanatory variables, together with control variables included in the model, explain 25.3% of the variation in the share of votes and 21.0% of variation in the share of seats won by independents. This means that electoral system characteristics do influence the performance of independent candidates in important ways.

Table 8 - Electoral system effects on the vote share and seat share of independents (OLS regression with robust standard errors)

<table>
<thead>
<tr>
<th></th>
<th>Vote share</th>
<th>Seat share</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proportional system</td>
<td>-2.374**</td>
<td>-1.260*</td>
</tr>
<tr>
<td></td>
<td>(0.973)</td>
<td>(0.692)</td>
</tr>
<tr>
<td>Mean district magnitude</td>
<td>-0.018</td>
<td>0.008</td>
</tr>
<tr>
<td></td>
<td>(0.033)</td>
<td>(0.024)</td>
</tr>
<tr>
<td>Threshold</td>
<td>0.649</td>
<td>0.255</td>
</tr>
<tr>
<td></td>
<td>(0.405)</td>
<td>(0.197)</td>
</tr>
<tr>
<td>Closed list</td>
<td>0.0263</td>
<td>0.0764</td>
</tr>
<tr>
<td></td>
<td>(0.452)</td>
<td>(0.287)</td>
</tr>
<tr>
<td>Preferential voting</td>
<td>2.857**</td>
<td>2.070**</td>
</tr>
<tr>
<td></td>
<td>(1.138)</td>
<td>(0.966)</td>
</tr>
<tr>
<td>New democracy</td>
<td>0.649</td>
<td>-0.251</td>
</tr>
<tr>
<td></td>
<td>(0.403)</td>
<td>(0.392)</td>
</tr>
<tr>
<td>Constant</td>
<td>3.417***</td>
<td>1.504**</td>
</tr>
<tr>
<td></td>
<td>(0.717)</td>
<td>(0.656)</td>
</tr>
</tbody>
</table>

Observations 143 143
R-squared 0.253 0.210

Notes: *** p<0.01, ** p<0.05, * p<0.1. Standard errors clustered by country. Control variables include the size of parliament and lower house election. The effects of controls are not reported.
Only two of the explanatory variables included in the analysis – proportional representation and preferential voting - have statistically significant effects in our model. The OLS regression coefficients allow for a straightforward interpretation of the effects. On average, independent candidates receive:

- 2.4% less votes and 1.3% less seats in proportional systems than other systems;
- 2.9% more votes and 2.1% more seats in preferential voting systems than in other systems.

The effect of preferential voting is to a large degree driven by the exceptional case of Ireland. If a variable controlling for the Irish context is included, preferential voting loses its significance.

When controlling for other electoral system effects, the vote and seat shares of independent candidates are not statistically significantly influenced by the existence of a legal threshold, the modality of lists, the mean district magnitude of the election and the age of the electoral system.

Next, we examine the effects of the disproportionality of the electoral system and the fractionalization of the party system. Figures 8 and 9 plot the vote and seat share against the Gallagher disproportionality measure and the effective number of parties and add linear trend lines.

**Figure 8 - Electoral system disproportionality and independent candidate vote and seat shares**

![Figure 8](image)

**Source:** Constituency-Level Elections database and sources described in Annex 7.

Figure 8 confirms the expectation that independent candidates perform better in systems characterized by high levels of disproportionality. Disproportionality in itself does not, of course, benefit independents. It is simply a byproduct of small district magnitude and plurality voting - systemic features that make electoral settings more candidate-centered and less party-oriented.
Figure 9 - Party system fractionalization and independent candidate vote and seat shares

Source: Constituency-Level Elections database and sources described in Annex 7.

While we hypothesized that independent candidates perform better in unconsolidated party systems which are often distinguished by high levels of fractionalization, Figure 9 suggests that there is no connection between the effective number of parties and independent candidate performance. Because the effective number of parties is admittedly an imperfect measure of party system consolidation, we refrain from drawing further conclusions about the extent to which consolidation matters.

Overall, the results of the multivariate analysis corroborate the descriptive findings presented in previous chapters. Independent candidates perform better in majoritarian or plurality systems than in proportional systems. The mean district magnitude in the country does not play a significant role when other elements of the electoral system are accounted for, but the negative sign of the coefficient is in line with the findings of previous sections which clearly associate the electoral strength of independents with very low district magnitude. Independents clearly benefit from preferential voting systems, but this effect cannot be clearly separated from the idiosyncratic context of Ireland. Contrary to expectations, legal thresholds and closed lists do not inhibit the performance of independents. Lastly, the age of the electoral system does not have an independent effect when other electoral system characteristics are accounted for. Also, a more fragmented political space does not seem to offer advantages to independent candidates.

In sum, the evidence suggests that independent candidates profit from electoral rules that place candidates rather than parties in the limelight. Majoritarian/plurality systems with single member districts and PR systems with preferential voting and/or very small district magnitudes provide the settings in which non-party candidates are most likely to succeed.

6. INDEPENDENT CANDIDATES AND THE NEW MEDIA

KEY FINDINGS:

- The new electronic media are used for political purposes and have become intrinsic elements of political campaigns in many countries.
- As a political tool, the internet has a number of advantages over traditional media, including low cost, accessibility, ease of use, speed, wide reach and interconnectedness.
- The rise of information and communication technology contributes to the personalization of politics and increasingly candidate-centered campaigns.
- While skillful use of the internet and the new social media have contributed
to the success of specific independents in particular elections, there appears to be no correlation between overall levels of internet penetration and the share of the vote obtained by independent candidates.

6.1. Objectives

This chapter elaborates on the thesis that the new electronic media harbors unique opportunities for independent candidates, allowing them to overcome obstacles that have traditionally hampered the ability of independents to successfully compete with political parties. The chapter provides examples of how political candidates, including independents, have harnessed the potential of the online media. It also reports the results of a simple bivariate analysis, correlating levels of internet penetration with independent candidate vote share in national elections.

6.2. The internet as a political tool

The use of information and communication technologies (ICTs) has rapidly increased since the dawn of internet. An estimated 518 million people were regularly using the internet in Europe in the end of 2011, representing about 63.5 percent of its total population (Internet World Stats, 2012). In Western Europe, about 50 percent of those using the internet subscribed to online social networks; this figure is predicted to rise to about 60 percent by the end of 2014 (eMarketer, 2012).

Increasingly, ICTs are used in politics for partisan purposes and in many European polities they have become intrinsic elements of political campaigns. Political parties and individual candidates post their manifestos and campaign material online, run blogs, and use the web for raising funds, organizing support groups and allowing supporters to connect with each other. A landmark example of harnessing the capacity of online social media is my.barackobama.com – an online game launched in 2008 that awarded Obama supporters with points for taking real-world actions such as making phone calls to voters, hosting gatherings, and donating money. Users of the website organized 200,000 offline events, formed 35,000 groups, posted 400,000 blogs, and raised USD 30 million on 70,000 personal fund-raising pages (McGirt, 2009).

As a political tool, the internet has a number of advantages over traditional media, including low cost, accessibility, ease of use, speed, wide reach and interconnectedness. These features make the internet a particularly valuable resource for independent candidates who often have limited campaigns funds, minimal organizational and administrative support, and limited access to traditional media such as the printed press and television.

The internet has brought about a genuine democratization of information. Anyone can post, distribute and retrieve information on the web at a very low cost. The internet is uniquely valuable for independent candidates because it reduces the differences between political heavy-weights and light-weights. Indeed, the internet is „unique among communications media in the extent to which it allows citizens to participate as the equals of major corporations and interest groups. Little guys can look and fight like big guys in the online world — and vice versa“ (Delany 2011:4).

The list of tools that can be used for political campaigns includes personal websites, Facebook, Twitter, Youtube, blogs, e-mail lists, and the use of video and animation. There are now websites and (e-)books dedicated to using internet in electoral campaigns and for purposes of political advocacy.\textsuperscript{14}

An added value of digital campaigns is enhanced access to the young cohort of voters. Young voters are an important target group for independent candidates because they have weaker partisan attachments than older voters, are not habituated to voting for a specific party, and have higher rates of political apathy and disenchantment. These features make them potentially responsive to mobilization by independent politicians.

\textbf{6.3. The case of Estonia}

The 2009 EP elections in Estonia provide an example of how skillful use of the internet may contribute to the electoral strength of independents. This election also deserves special attention because it was marked by the largest vote share ever obtained by an independent candidate in the history of EP elections.

Indrek Tarand, a former high-ranking civil servant and a talk show host, contested the election as a genuine independent not backed by any party or organized interest group. Running an anti-party campaign, Tarand won an EP seat with an unprecedented vote share of 25.8 percent. He lost to a large center-left party by 0.3 percentage points and managed to gain more votes than any other major political party in the country. His campaign costs were slightly below € 2,000.

Tarand’s campaign made extensive use of the ICTs: he maintained an active webpage (www.tarand.ee) and used Facebook and Twitter to promote himself and his message. Tarand opposed the wastefulness of political campaigns run by political parties and posted cheap and effective videos on YouTube ridiculing the prevailing political culture.\textsuperscript{15} These clips were distributed and shared in the social media. Tarand clearly mastered the art of personal campaigning in the information era: he cultivated a personal brand, combined politics with entertainment, and made controversial and scandalous public appearances that guaranteed extensive media coverage. A testimony to the reach of Tarand’s campaign is the fact that despite very low campaign expenditure, he outperformed all political parties in 15 out of the 17 major regions of the country.

\textbf{6.4. Internet use and the electoral strength of independents}

In an attempt to gauge the effect of the new digital media on the electoral prospects of independents, we plot information about independent candidate vote share in national elections against the levels of internet use in European countries. Data about the electoral performance of independents is derived from the CLE dataset, described in previous sections of this study, while information on internet use per 100,000 inhabitants since 1990 is obtained from the World Bank.\textsuperscript{16} If there is a correlation between the use of ICTs and the electoral success of independent candidates, higher levels of internet penetration should be associated with a larger vote share obtained by independent candidates.

\textsuperscript{14} \url{http://www.epolitics.com/onlinepolitics101.pdf}
\textsuperscript{15} \url{http://www.youtube.com/watch?v=MwHlaIN-SCY}
\textsuperscript{16} \url{http://data.worldbank.org/indicator/IT.NET.USER.P2}
Figure 10 represents this effect graphically. On the Y-axis we have plotted the percentage of votes cast for independent candidates, while the X-axis represents the number of internet users per 100 people. Each dot on the graph is an election relative to the vote share of independents (on the Y-axis) and the level of internet penetration (on the X-axis).

Figure 10 - Internet penetration and the vote share of independent candidates

The graph suggests that there is no relationship between the two variables of interest. We added a line representing the linear best fit to demonstrate that contrary to our expectations, the growth of internet usage over time has no marked effect on the vote share gained by independent candidates. The slight upward slope of the linear fit is caused by one outlying case (the 2011 election in Ireland) in the top right corner of the graph. Removing this case flattens the fit line by a small fraction making it almost completely flat over the values of X. In sum, the findings from this brief empirical exercise show that there is no correlation between internet usage and the success of independent candidates. However, in the absence of comparative data on the extent to which political candidates have actually integrated ICTs in their campaigns, we refrain from drawing conclusions about the extent to which the new electronic media have contributed to the electoral appeal of independents.

7. VOTER PROFILES: INDIVIDUAL-LEVEL CORRELATES OF VOTING FOR INDEPENDENT CANDIDATES

**KEY FINDINGS:**

- Voting for independent candidates reflects alienation from mainstream political parties. Compared to party-voters, individuals who endorse independents at the ballot box are less likely to feel close to any political party.

- The vote for independents has elements of a protest vote. Voters who vote for independent candidates tend to be more critical of the government and less satisfied with the way democracy works in their country than party-voters.

- Voting for independents is not associated with politically extreme views.
7.1. Objectives

The objective of this section of the study is to answer the question of who votes for independent candidates and whether and how voters who have cast a ballot for independents differ from party-voters. Relying on individual-level survey data, we seek to identify the socio-demographic and attitudinal profile of voters who vote for non-party candidates.

Specifically, this analysis tests the expectation that voting for independents is associated with low levels of party attachment and dissatisfaction with the political regime. Relying on the theoretical propositions outlined in chapter 2, we advance the following hypotheses:

- **H1**: Voters who do not feel close to any political party are more likely to vote for an independent candidate than those who identify with a party.
- **H2**: Voters dissatisfied with the way democracy is working in their country are more likely to vote for independent candidates than those satisfied with the state of democracy.
- **H3**: Voters who do not approve of the government record are more likely to vote for independents than those satisfied with the government.
- **H4**: Voters who have more extremist political views are more likely to vote for independent candidates than those with more moderate views.

Because a number of studies have shown that young people have weaker partisan loyalties and are less likely to be mobilized by mainstream political parties (e.g. Blais 2004), and because protest-voting is often associated with younger voters, we also expect that the likelihood of voting for independent candidates varies as the function of age. Thus, we postulate the following hypothesis:

- **H5**: Younger voters are more likely to vote for independent candidates than older voters.

7.2. Data, method and measurement

Hypotheses about why people vote for independent candidates have rarely been tested at the individual-level because of the scarcity of relevant survey data. Because few voters normally vote for independents, representative samples of the voting-age population normally include too few relevant cases to gain sufficient statistical power and allow for meaningful generalizations. To our knowledge, no cross-national studies exist on the topic. In order to remedy this problem we have created a unique dataset by merging nine large-n datasets covering the period 1996-2011. We use data from the Comparative Study of Electoral Systems (CSES)\(^\text{17}\), the European Election Study (EES)\(^\text{18}\) and the European Social Survey (ESS)\(^\text{19}\).

This new, merged dataset includes data from six EU countries (Ireland, Estonia, Hungary, Poland, United Kingdom and the Czech Republic) for which we have individual-level data about 10 or more voters who voted for independent candidates in a recent election (see Table 10). Of the 17, 755 voters included in the dataset, 820 (or 4.6%) voted for an independent candidate, while 16,935 (95.4%) voted for parties. Individuals who did not

\(^{18}\) EES 2004; EES 2009.
\(^{19}\) ESS Round 1 (2002); ESS Round 2 (2004); ESS Round 3 (2006); ESS Round 4 (2008)
participate in the election concerned, or did not report their vote choice, were excluded from the analysis. The vast majority of independent voters in the dataset are from Ireland (718), while the numbers from other countries are quite modest (48 from Estonia, 24 from Hungary, 10 from each of the remaining countries). The overrepresentation of Irish voters in our dataset gives rise to the question of whether the results of our analysis hold outside of Ireland. To explore this possibility, a separate analysis without Irish voters was performed. It produced results very similar to those based on the full dataset. The only marked difference pertained to the effect of education. This difference will be addressed in section 6.3.

The main variables used in this analysis were coded as follows. To measure our dependent variable – vote choice – we used a survey question asking respondents which party they voted for in the most recent election. For the purposes of this analysis, individuals who voted for independents were assigned the value of 1 and those who voted for parties were assigned the value of 0. Individuals who did not vote in the election or did not report their vote choice were excluded from the analysis. To measure affinity to a political party, we use a survey question asking the respondent whether he or she feels close to a political party. The variable is coded 1 for those who feel close to a political party and 0 for those who do not. Satisfaction with government performance was coded 1 for those who approved of the government record and 0 for those who did not. In coding satisfaction with democracy, a value of 1 was assigned to those respondents who were „very satisfied“ or „rather satisfied“ with the way democracy works in their country and a value of 0 was assigned to all others. Our measure of political extremism is based on a survey question that asks the respondents to position themselves on an ideological scale where 0 stands for „left“ and 10 stands for „right.“ In coding a new dichotomous variable, individuals choosing the extreme values of 0, 1, 9, and 10 were assigned the value of 1, while individuals placing themselves between 2 and 8 on the scale were given the value of 0. The two demographic variables included in this analysis are age in years (with values ranging from 14 to 98) and education recoded to range between 0 and 1, where higher values correspond to higher levels of education or more time spent in school.

Table 9 - Descriptive statistics by vote choice and country

<table>
<thead>
<tr>
<th>Country</th>
<th>Voted for an independent candidate</th>
<th>Voted for a party</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Czech Republic</td>
<td>10 0.7%</td>
<td>1372 99.3%</td>
<td>1382</td>
</tr>
</tbody>
</table>

20 „Is there a particular political party you feel closer to than all the other parties?” Response categories included the names of political parties as well as the option “do not feel close to any party.”
21 „Now thinking about the [country] government, how satisfied are you with the way it is doing its job?” Response categories: 1) very satisfied, 2) rather satisfied, 3) rather not satisfied, 4) not satisfied at all. We coded the first categories as 1 („satisfied“) and the latter two as 0 („dissatisfied“).
22 „And on the whole, how satisfied are you with the way democracy works in [country]?” Response categories included the following: 1) very satisfied, 2) rather satisfied, 3) rather not satisfied, 4) not satisfied at all. We coded the first two categories as 1 („satisfied“) and the latter two as 0 („dissatisfied“).
23 „In politics people sometimes talk of “left” and “right”. Using this card, where would you place yourself on this scale, where 0 means the left and 10 means the right?”
24 Because education is measured differently in different surveys, scale compatibility issues arise in merging different datasets. For example, in the ESS, education is measured as years spent in full-time education, while in the EES, it is measured as age when respondent stopped full-time education. In CSES, the value of education corresponds to the highest educational level completed. These scales are not compatible with each other. To remedy this issue, we have recoded all education variables to range between 0 and 1 and merged them in our final dataset. Although not perfect, the subsequent measure allows us to assess the directional effect of education on our dependent variable. We remain cautious in interpreting the magnitude of this effect.
7.3. Findings

We begin our analysis by presenting simple descriptive statistics. Table 11 displays frequency distributions of our key variables by the two samples of interest – those who voted for independent candidates and those who voted for parties. Differences between groups are statistically significant (at the 0.05 level) in case of four variables – party affinity, approval of government record, age and ideological extremism.

First, we find that people who vote for independents are on average almost three years younger than those who voted for parties. The two groups of voters have roughly the same level of educational attainment. About nine percent of independent candidate voters have self-positioned themselves at the extremes of the ideological spectrum, whereas the share of individuals with extreme views is about 14 percent among party voters. The respective figure for party-voters is two percentage points less. Individuals who cast a ballot for an independent candidate are slightly less satisfied with the functioning of democracy in their country than party-voters (a difference of three percentage points). They are, however, markedly more critical of the government record (a difference of about nine percentage points between the two groups). Among those who voted for an independent candidate, about 31 percent feel close to a political party whereas this figure is 50 percent among those who voted for a party. Thus, there is a difference of almost 20 percentage points between the two groups in the prevalence of partisan affinities. This difference is statistically significant and has the largest effect size of all the variables included in our analysis.

Table 10 - Descriptive statistics of sample means

<table>
<thead>
<tr>
<th>Characteristic</th>
<th>Voted for an independent candidate</th>
<th>Voted for a party</th>
<th>Difference</th>
<th>Effect size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age (cont. 14-98)</td>
<td>48.33</td>
<td>50.28</td>
<td>-2.96*</td>
<td>medium</td>
</tr>
<tr>
<td>Education (cont. 0-1)</td>
<td>0.33</td>
<td>0.34</td>
<td>-0.01</td>
<td>small</td>
</tr>
<tr>
<td>Extreme position on left-right (0/1)</td>
<td>9%</td>
<td>14%</td>
<td>-5%*</td>
<td>medium</td>
</tr>
<tr>
<td>Satisfied with democracy (0/1)</td>
<td>61%</td>
<td>64%</td>
<td>-3%</td>
<td>medium</td>
</tr>
<tr>
<td>Approves government record (0/1)</td>
<td>40%</td>
<td>49%</td>
<td>-9%*</td>
<td>medium</td>
</tr>
<tr>
<td>Close to a political party (0/1)</td>
<td>31%</td>
<td>50%</td>
<td>-19%*</td>
<td>large</td>
</tr>
</tbody>
</table>

Notes: Age and education are continuous variables showing mean values relative to the actual scale. For all dummy variables (0/1) the mean is expressed as a percentage. Difference shows the difference in means between those who did and those who did not vote for independents. Asterisk marks a statistical significance in differences at the 0.05 level. Effect size varies from small to large (refer to Annex 7 for calculation of the effect size).
In sum, descriptive statistics lend considerable support to several of the hypotheses outlined at the beginning of this section. Voters who support independent candidates at the ballot box are much less likely to feel close to any political party than other voters. They are also more critical of the government and tend to be younger than individuals who vote for parties. Contrary to our expectations, however, people who vote for independent candidates are not distinguished by more extremist political views. In fact, our data suggests that extreme views are more prevalent among party-voters. Finally, descriptive results do not support the expectation that independent voters are less satisfied with the overall state of democracy in their country than party voters.

Because relationships identified on the basis of a bivariate descriptive analysis may be spurious in nature, we proceed with multivariate analysis to ascertain whether these relationships endure a more powerful statistical test.

Because we have a dichotomous dependent variable, the multivariate model must be fitted by maximum likelihood estimation. We use a normal logit model and convert the coefficients (which are generally difficult to interpret) into average marginal effects (AME). An AME shows the average of the variation induced in the probability of interest by a marginal change in an independent variable for each individual in the sample (Baum, 2006). Because all variables in our analysis are coded to range between 0 and 1, the average marginal effect shows the change in the probability of interest when switching the value of the independent variable from 0 to 1.

Figure 11 graphically displays the results of the multivariate analysis. The graph is easy to interpret. A dot represents the average marginal effect of a variable. An average marginal effect of -4.8 (for approval of government record) means that when the value of this variable is switched from 0 to 1 (from disapproval to approval), the probability of voting for an independent candidate decreases by 4.8 percentage points. The whiskers around the dot show the confidence interval at the 0.05 level. If the whisker crosses the 0 reference line on the X-axis, the effect of the given variable is not statistically significant. In our model, the only variable that does not have a statistically significant effect is age. The full results of the multivariate model, including precise effect values and corresponding diagnostics are reported in Annex 8.

25 In order to establish whether the results hold in countries other than Ireland, we reran the analysis without Irish voters. No changes in the direction of the effects were found and only a few minor changes occurred regarding the magnitude of the effect. This suggests that the descriptive results are, overall, a good approximation of the entire sample.
According to our results, people who approve of the government’s record to date, as well as those who are satisfied with the way democracy works in their country are less likely to vote for independents (AME of about -4.8 and -1.2 respectively). Respondents who hold extreme views on the left-right scale, as well as those who feel close to a political party are less likely to vote for non-party candidates (AME of about -1.4 and -4.1 respectively). People who have higher levels of education are more likely to vote for independent candidates (AME of about 2). However, a closer analysis suggests that education had a strong effect in the Irish subsample, while the effect of education was not significant among the other respondents. Finally, age does not have a significant effect.

In sum, the multivariate results lend strong support to three of the five hypotheses outlined in the beginning of this chapter. The expectation that endorsing independents at the ballot box reflects weak linkages between voters and parties is confirmed: voters who do not feel close to any political party are more likely to vote for an independent candidate than those who identify with a party. This finding confirms our first hypothesis. Our results also corroborate hypotheses 2 and 3, showing that dissatisfaction with the state of democracy and disapproval of the government’s record are both positively associated with voting for independent candidates.

Hypotheses 4 which associated voting for independents with extremist political views found no empirical support. According to our results, individuals with extremist views are less likely to vote for non-party candidates than voters with moderate ideological orientations. Finally, multivariate results also lead us to reject hypothesis 5 as age did not have a statistically significant effect on voting for independents in our model.

Overall, these results suggest that the vote for independents has clearly recognizable characteristics of a protest vote. Individuals who are alienated from the parties, unhappy with the state of democracy and disappointed with government performance are more likely to seek – and find – alternatives to mainstream partisan options on the electoral menu.
8. INDEPENDENT CANDIDATES IN OFFICE

KEY FINDINGS:

- Parliamentary groups enjoy important rights and prerogatives, including financial and administrative support and control of certain nominations, in all national parliaments.
- Parliamentary rules in EU-27 vary widely in terms of whether and how independent representatives may join or form parliamentary groups.
- While independent MPs may form non-partisan mixed groups in several parliaments, the numeric thresholds for group formation are often prohibitive.
- Independent MPs can, as a rule, sponsor and amend draft laws; only a handful of parliaments set high numerical limits to sponsoring. Private member bills, however, receive little discussion time and are rarely enacted.
- Independent MPs serve on standing and special committees in all parliaments but appointments to committees are largely controlled by parties.
- Minority opinions can be attached to committee reports and decisions in most national parliaments.
- Independent MPs can engage in executive oversight by posing oral and written questions. Interpellations, however, remain a prerogative of parliamentary groups in many countries.
- Since 1979, eight independent candidates have obtained a seat in the EP. All of them have joined EP party groups and served on committees, and some have held very prominent positions, including that of the President of the EP.

8.1. Objectives

The objective of this chapter is to find out whether and how independent candidates who have been elected into political office differ from party candidates in terms of the opportunities to actualize their mandate. To do so, we examine the standing orders of the parliaments of EU member states (for sources, see Annex 9). Specifically, this chapter is concerned with:

- the rights and obligations of individual members of parliament (MPs) compared to the prerogatives of party groups;
- the opportunities of individual MPs to engage in legislative work, in particular with regard to initiating draft laws, proposing amendments to draft laws, serving on parliamentary committees, and attaching minority opinions to committee decisions;
- the opportunities of individual MPs to engage in oversight of the executive through submitting interpellations and posing written and oral questions.

The chapter concludes with a section explaining party group formation and rules regarding non-attached members in the European Parliament. It also presents information about the party group affiliation, committee membership and other parliamentary functions of all eight individuals who have accomplished the rare feat of winning an EP seat while contesting the election as an independent.
8.2. Independents and parliamentary groups

A common feature of legislative assemblies is the existence of parliamentary groups, or factions, which generally consist of members of the same political party. Parliamentary groups usually have to have a minimum number of members to be recognized as such (for example: 5 MPs in Austria, Belgium, Latvia, Estonia; 10 in Bulgaria, Romania, and Greece; 15 in France and Spain; 20 in Italy; 5% of MPs in Germany). Recognized parliamentary groups typically have extensive rights and benefits: they have bureaus and support staff, significant financial support and considerable political weight in initiating legislation. They also control certain appointments and have specific prerogatives in terms of participation in the legislative process (see Heidar & Koole 2000).

The possibility of independent representatives to exert political influence in the parliament depends on the degree to which a) organized groups dominate the main functions of parliaments, i.e. the legislative process and executive oversight, and (b) non-partisan representatives are allowed to form parliamentary groups that enjoy rights similar to party-based groups.

Parliamentary rules regulating the status and role of unaffiliated members vary widely across EU-27. The standing orders of some national parliaments do not acknowledge the possible existence of independent, unaffiliated MPs at all. This is the case in Belgium and Portugal, for example. Independent members have the same rights and obligations as all individual MPs but they do not enjoy any of the privileges reserved for party groups.

In other countries, independent or unaffiliated MPs are explicitly barred from organizing. This is the case in Bulgaria, where the standing orders explicitly state that independent MPs may not form parliamentary groups. MPs who split from their party groups are also barred from joining other groups. Both of these rules apply also in Estonia.

In many national parliaments, non-party representatives have the right to form organized groups. In the Lithuanian Seimas, unaffiliated MPs are considered to be members of a single mixed group which is granted the same rights in parliamentary business as ordinary party groups. In a similar manner, MPs who do not belong to the same party can form a group in the Austrian National Council, but only if the house approves this and if the five-member threshold required for group formation is met. In the German Bundestag, MPs whose number falls short of reaching the limit at which a group can be formed (5% of MPs) can be organized in a so-called “grouping” (Gruppe as opposed to Fraktion). MPs in Italy can also form mixed groups, but again, there is a numerical limit (10 MPs for a group and 3 MPs for a “grouping”). The standing orders of the Dutch parliament do not explicitly mention non-party representatives. However, there is no numerical limit for group formation: in case only one candidate from a party is elected, this one MP will be considered as a group in its own right.

Some countries – such as France – have liberal rules that allow independent MPs to become associated with party groups. Consent of the party group bureau constitutes a necessary precondition. As associated members are taken into account when committee seats are allocated, parties should theoretically be interested in harboring independents in their midst. The option to be associated is also available in Romania.

This overview of parliamentary standing orders shows that in many countries, independent MPs can theoretically enjoy rights similar to those granted to members of party groups. This applies with certain caveats, however. Because very few independent candidates normally get elected (and because secession from party groups is not widespread), it is difficult or impossible for non-affiliated candidates to meet the numerical thresholds for
group formation. Thus, “mixed groups” are rarely formed in most countries that allow their existence. In the majority of EU parliaments, thus, independent representatives do not de facto enjoy the rights reserved for organized groups. Thus, the next two sections will examine the possibilities of individual MPs - acting alone, not as part of a group - to engage in legislative work and executive oversight.

8.3. Legislative work
Individual MPs’ participation in the legislative process can take many different forms, including initiating legislation, amending proposed bills, and deliberating and voting on draft laws in committees and the plenary. The analysis in this section focuses on three observable aspects of individual representatives’ involvement in the legislative process – sponsoring bills and amendments, participating in the work of parliamentary committees, and attaching minority opinions to committee decisions.

8.3.1. Proposing draft laws and amendments
Before examining the opportunities of individual MPs to sponsor laws, it is important to note that in most jurisdictions, primary legislation is initiated predominantly by governments. Bills submitted by parliamentary actors have universally low chances of success in Western Europe (Marsh & Read 1988; Mattson 1995; Kerrouche 2006; Marsh & Marsh 2002; Däubler 2011; Bräuninger, Brunner & Däubler 2012) as well as in Central and Eastern Europe (Pettai & Madise 2006; Goetz & Zubek 2007; Zubek 2011; Olson & Ilonszki 2011). Although private members’ bills are rarely enacted, they are important indicators of the autonomous law-making power of parliaments as well as the parliaments’ standing vis-à-vis the executive.

Parliamentary rules regulating sponsorship of legislation vary widely. The analysis below focuses on criteria that constrain the opportunities of unaffiliated MPs to initiate legislation such as the minimum number of sponsors, time limits in sponsoring and debating, as well as technical requirements to bills.26

Table 12 lists the minimal number of MPs needed to sponsor bills and amendments. In an overwhelming majority of cases, single MPs can sponsor bills and table amendments to draft laws. The severest restriction is in place in Germany where only party groups or at least 5% of the deputies have the right to initiate draft bills. In Spain and Poland, the minimum number of sponsoring MPs is 15; in Austria and Latvia, the number is five. In all other cases, independent MPs could theoretically submit draft bills.27 Tabling of amendments to bills is less restricted and in all parliaments, except the Austrian National Council, single individuals can submit these.

26 For a very detailed although somewhat dated overview of these procedures in Western Europe see Mattson (1995).
27 The formal right to submit laws might however be severely curtailed by additional rules governing submissions. In the UK, for example, one way to introduce bills is through entering a ballot. In essence members participate in a formalized lottery at the beginning of the annual session and the winners get the right to submit bills (so called Ballot bills). There are less randomized ways of submitting bills (the so called Ten Minute Rule and Presentation), but the ballot remains the central mean. See: http://www.parliament.uk/about/how/laws/bills/private-members/
Table 11 - Minimum number of sponsors for submitting and amending draft laws

<table>
<thead>
<tr>
<th></th>
<th>Proposing drafts</th>
<th>Proposing amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Belgium*</td>
<td>1(^1)</td>
<td>1</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Cyprus</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Czech Republic*</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Denmark</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Estonia</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Finland</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>France*</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Germany*</td>
<td>5(^2)</td>
<td>1</td>
</tr>
<tr>
<td>Greece</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Hungary</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Ireland*</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Italy</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Latvia</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>Lithuania</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Malta</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Netherlands*</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Poland*</td>
<td>15(^3)</td>
<td>1</td>
</tr>
<tr>
<td>Portugal</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Romania*</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Slovakia</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Slovenia</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Spain*</td>
<td>15(^3)</td>
<td>1</td>
</tr>
<tr>
<td>Sweden</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>United Kingdom*</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

**Source:** standing orders of national parliaments (see Annex 9). **Notes:**  
* lower house. \(^1\) If the bill is sponsored by at least five MPs it will be automatically deliberated. \(^2\) Drafts can be submitted by a party group or at least 5% of members. \(^3\) Technically individuals have the right to initiate, but need the backing of 14 other members.

Besides numerical limits, time limits can also inhibit initiation of legislation by individual MPs. In most European parliaments, there are no designated periods for submission of bills. Exceptions include the Swedish Riksdag where MPs can submit bills once a year in a period between the start of the autumn session and when the government submits the budget to the parliament. MPs can also submit bills in reaction to government bills within 15 days after the submission of the government bill.

A few parliaments provide very limited agenda time for discussing bills introduced by individual MPs. According to the standing orders of the British parliament, private members’ bills may be discussed on thirteen Fridays during a session. Most bills never receive proper consideration. In Ireland, private members’ bills can be debated from 7 to 8:30 pm on Tuesdays and Wednesdays. In France, such bills can only be discussed if the government agrees to it (Kerrouche 2006). The right to sponsor bills can therefore be nullified by agenda control rules which leave very little or no time for the bills to be discussed.
Parliamentary rules in the EU vary widely in terms of technical requirements for bills. In some countries, the only requirement is that the bill must be submitted in writing and be accompanied by a brief explanation of purpose. In extreme cases, such as the UK, only an elaborated title of the bill explaining its planned substance is presented.

Other parliaments, however, pose extensive requirements for draft legislation. In the Danish Folketing, for example, bills need to be presented in statutory form, must be accompanied by detailed explanations, and, in certain cases, a short impact analysis. Extensive technical requirements inhibit legislative initiatives of individual MPs who often do not have support staff to help with the drafting of laws and evaluating the impact of planned regulations.

8.3.2. Serving on parliamentary committees
Committees are the central actors in the process of reshaping proposed legislation. Participating in this work is pivotal for independents who want to influence policy-making.

All MPs, including independents, have the right and/or duty to belong to committees in all national parliaments in the EU. The most common way to decide committee appointments is through party groups. In Bulgaria, the Czech Republic, Denmark, Estonia, France, Germany, Italy, Lithuania, Poland, Romania and Spain the standing orders specifically stipulate that party groups or their leaders decide or recommend committee membership. The proposed committee compositions are then confirmed by a vote of the plenary, a decision by the parliamentary leadership or in some other manner. In Cyprus, UK and Ireland a special selection committee decides committee membership. In other cases, the standing orders do not stipulate specific appointment rules, apart from very general principles.

Parliamentary rules of procedure do not generally specify how independent MPs are assigned to committees. In Belgium, non-party MPs can select a committee they wish to serve in. In Germany, Italy and Estonia, parliamentary leadership appoints independents to committees (in Estonia, the independent MP's preferences must be taken into account). In France, independent MPs are assigned committee seats that remain to be filled after parties have made their choices. In Portugal, the president of the house has the duty to consult with party group representatives as well as independent MPs before proposing committee appointments to the house. In Lithuania, the standing orders state that the expressed wishes of the MPs need to be taken into account in deciding committee membership.

In sum, independent MPs do belong to committees but committee appointments tend to be controlled by party groups and the preferences of independents seem to have a secondary role in determining committee compositions. Because parties have strong incentives to control committee appointments, independents rarely chair committees or hold other central positions in parliamentary committees.

8.3.3. Attaching minority opinions to committee decisions
While committees are the central actors in reshaping proposed legislation, their work is also one of the most hidden parts of parliamentary business as committee meetings are usually closed to the public (see Mattson & Strom 1995; Strom 1998). It is also clear that committees are closely controlled by parties (Damgaard 1995). The contributions of independent MPs to the work of committees thus remain largely “invisible.” However, one way in which individual MPs can gain visibility is attaching minority opinions to committee reports or decisions. By doing so, MPs can communicate an alternative policy stance to the parliamentary floor, which might otherwise be unaware of all the options considered in the
committee. Alternatively, the absence of attached minority opinions signals that a “cross-partisan consensus” was reached in the committee (Strom 1998: 45).

National parliaments in EU-27 fall into three categories in terms of parliamentary rules on attaching minority opinions to committee decisions and reports. First, there are countries where no such right exists. These include Denmark, Ireland, France, Luxembourg and the UK. Independent MPs effectively do not have a way of making their dissenting opinion, if they have one, formally known. The second category consists of countries where the right to attach minority opinions is clearly stipulated. This group includes Austria, Finland, Germany, Hungary, Lithuania, Malta, Netherlands, Poland, Romania, Slovenia, Spain and Sweden. However, the right is sometimes qualified by numerical thresholds. There is also a third possibility. In Estonia and Latvia, MPs can demand that their dissenting opinion is attached to the minutes of the committee meeting. Such expressions of dissent, however, are much less visible than formalized minority opinions attached to documents debated in the plenary.

8.4. Executive oversight

Specific rules regulating the oversight function of parliaments vary across countries but certain elements are recognizable in all parliaments. One of these is the MPs’ right to question ministers and other government officials. Three types of questioning instruments can be distinguished:

- simple oral questions usually put to ministers or to representatives of government agencies during question time;
- written questions that will be answered orally on the parliament floor or in written communiqués to the questioner;
- interpellations, which should be distinguished from written questions as they deal with more important subject matters, tend to be more thorough and in a number of parliaments can be followed by a formal vote in the plenary.

This section of the report argues that the possibilities of individual MPs to engage in executive oversight are influenced by restrictions on the use of these instruments. Specifically, the ability of individual MPs to make use of the questioning instruments can be hampered by numerical thresholds. The existence of such thresholds makes questioning a prerogative of groups as opposed to individual MPs.

Table 13 provides an overview of the numerical limits in place in EU national parliaments for the three types of questioning instruments.

28 In Slovenia, dissent by one third of committee members constitutes a precondition for attaching a minority opinion. In Lithuania, the minimum number of dissenting members required is three. In Austria, dissenters can submit a wholly different report, provided they number at least three.
29 Useful ways to classify questioning procedures have been proposed by Wiberg 1995; Russo & Wiberg 2010; and de Dios & Wiberg 2011.
Table 12 - Minimum number of MPs needed for questioning

<table>
<thead>
<tr>
<th></th>
<th>Oral questions</th>
<th>Written questions</th>
<th>Interpellations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>1</td>
<td>5</td>
<td>-</td>
</tr>
<tr>
<td>Belgium*</td>
<td>1</td>
<td>1</td>
<td>1^1</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Cyprus</td>
<td>-</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Czech Republic*</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Denmark</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Estonia</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Finland</td>
<td>1</td>
<td>1</td>
<td>20</td>
</tr>
<tr>
<td>France*</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Germany*</td>
<td>1</td>
<td>1</td>
<td>5%</td>
</tr>
<tr>
<td>Greece</td>
<td>1</td>
<td>1</td>
<td>1^2</td>
</tr>
<tr>
<td>Hungary</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Ireland*</td>
<td>1</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Italy</td>
<td>1</td>
<td>1</td>
<td>1^3</td>
</tr>
<tr>
<td>Latvia</td>
<td>-</td>
<td>5</td>
<td>10</td>
</tr>
<tr>
<td>Lithuania</td>
<td>1</td>
<td>1^4</td>
<td>20%</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>1</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Malta</td>
<td>1</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Netherlands*</td>
<td>1</td>
<td>1</td>
<td>1^5</td>
</tr>
<tr>
<td>Poland*</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Portugal</td>
<td>1</td>
<td>1</td>
<td>1^6</td>
</tr>
<tr>
<td>Romania*</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Slovakia</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Slovenia</td>
<td>1</td>
<td>1</td>
<td>10</td>
</tr>
<tr>
<td>Spain*</td>
<td>1</td>
<td>1</td>
<td>1^7</td>
</tr>
<tr>
<td>Sweden</td>
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<td>1</td>
<td>1</td>
</tr>
<tr>
<td>United Kingdom*</td>
<td>1</td>
<td>1</td>
<td>-</td>
</tr>
</tbody>
</table>

Source: www.ipu.org; standing orders of the given parliaments (see Annex 9). Notes: - the instrument does not exist explicitly. ^1 lower house. ^2 Interpellations can be initiated only by single MPs and not by party groups. ^3 MPs can change questions into interpellations if they deem the answer to be insufficient. ^4 Urgent interpellations can be presented by a party group or at least 30 MPs. ^5 Urgent written questions can be tabled by at least 10 MPs before the question time begins. ^6 The MP can initiate an interpellation but the house has to give permission with at least 30 MPs supporting it. ^7 Interpellations can be initiated only by party groups. As evident from the Table, oral questions by individual MPs can be put to the government in nearly all national parliaments. Individual MPs can also pose written questions to government officials in all EU countries with the exception of Austria and Latvia, where written questions can be posed by a group consisting of at least 5 MPs. Use of the third oversight instrument which carries more political weight – interpellation - is more strictly regulated than simple questioning. A number of parliaments set relatively high numeric thresholds for interpellation (5% of MPs in Germany, 20% in Lithuania) or limit this form of questioning to party groups only (Portugal). In the Netherlands a single MP can initiate an interpellation, but for the procedure to continue, at least 30 MPs need to support the motion.

Party groups enjoy additional prerogatives related to questioning in some parliaments. The so-called “leaders’ questions” in the Irish parliament, for example, are a prerogative of the
opposition party leaders and not opposition members as such. In other countries, such as Denmark, questioning or interpellations are followed by debates in which only representatives of party groups can participate.

In sum, this analysis demonstrates that the basic forms of questioning – an activity central to the oversight function of the parliament – are open to individual MPs. However, oversight instruments that carry more political weight are explicitly tailored towards party groups in a number of EU parliaments.

8.5. Independent candidates in office: European Parliament

Independent candidates who become MEPs can join EP party groups. According to the EP Rules of Procedure, members organize themselves into political groups according to their “political affinities.” The MEPs concerned are free to decide what they mean by this term. The procedures for forming and joining party groups are the same for all candidates, regardless of partisan affiliation or the lack thereof. At least 25 MEPs representing at least a quarter of member states are needed to set up a party group. MEPs who do not join any party groups constitute the group of non-attached members (Non-Inscrits). While both party groups and Non-Inscrits are entitled to a secretariat, the rules regarding administrative facilities and financial support are more institutionalized for party groups.

Since the introduction of direct elections to the EP in 1979, only eight individuals have managed to win an EP seat while competing as independents (see Table 14). Two of them – Pat Cox and Marian Harkin – have accomplished this rare achievement twice, while Thomas Maher, an Irish independent standing for rural interests, secured a seat as an independent in three consecutive EP elections.

All independent candidates ever elected to the EP have joined party groups. Only László Tőkés became a member of the non-attached group for a brief period (4 months) before joining Greens-EFA, and, about a year later, the EPP. The Group of Non-Inscrits currently includes 30 members: none of them was elected to the EP as an independent. This confirms the point made in Chapter 1: independent candidates and independent representatives are analytically separate categories; it should not be assumed that individuals who contest an election as independents retain this status once in office.

All MEPs who have been elected to the EP as independents have served on parliamentary committees (see Table 14), and several of them (Maher, Sinnott, Băsescu) have acted as committee Chairs or Vice Chairs. MEPs elected as independents have held other high-level positions in the EP: notably, Pat Cox was the President of the EP from 2002 to 2004, while László Tőkés, who first entered the EP as an independent in 2007, served as the Vice President of the EP following his reelection in 2009 as a party candidate.
Table 13 -MEPs elected as independents: roles and functions in the EP

<table>
<thead>
<tr>
<th>Name</th>
<th>Country and year(s) of election</th>
<th>Party group affiliation and committee appointments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thomas Maher</td>
<td>Ireland 1979, 1984, 1989</td>
<td>Liberal and Democratic Group (Vice-Chair) Committee on Agriculture (Member)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Committee on Regional Policy and Regional Planning (Vice Chair)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Committee on Agriculture, Fisheries and Rural Development (Member)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Committee on Petitions (Member) Quaestor</td>
</tr>
<tr>
<td>Pat Cox</td>
<td>Ireland 1994, 1999 (in 1989,</td>
<td>Group of the European Liberal, Democrat and Reform Party (Chair, Vice Chair)</td>
</tr>
<tr>
<td></td>
<td>elected as a party candidate)</td>
<td>President of the EP, 2002-2004</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Parliament's Bureau (Chair) Subcommittee on Monetary Affairs (Member)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Committee on Institutional Affairs (Member)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Committee on Economic and Monetary Affairs (Member)</td>
</tr>
<tr>
<td>Dana Rosemary</td>
<td>Ireland 1999</td>
<td>Group of the European People's Party (Christian Democrats) and European Democrats (Member)</td>
</tr>
<tr>
<td>Scallon</td>
<td></td>
<td>Committee on Regional Policy, Transport and Tourism (Member)</td>
</tr>
<tr>
<td>Kathy Sinnott</td>
<td>Ireland 2004</td>
<td>Independence/Democracy Group (Chair) Committee on Petitions (Vice Chair, Member)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Committee on the Environment, Public Health and Food Safety (Member)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Committee on Employment and Social Affairs (Member)</td>
</tr>
<tr>
<td>Marian Harkin</td>
<td>Ireland 2004, 2009</td>
<td>Group of the Alliance of Liberals and Democrats for Europe (Member)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Committee on Regional Development (Member)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Committee on Petitions (Member)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Committee on Employment and Social Affairs (Member)</td>
</tr>
<tr>
<td>László Tőkés</td>
<td>Romania 2007 (elected as a party</td>
<td>Non-attached group (Member 2007-8); Group of the Greens/European Free Alliance (Member 2008-9), Group of the European People's Party (Member since 2009) Vice President of the EP, 2010-2012</td>
</tr>
<tr>
<td></td>
<td>candidate in 2009)</td>
<td>Committee on Agriculture and Rural Development (Member)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Committee on Culture and Education (Member)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Subcommittee on Human Rights (Member)</td>
</tr>
<tr>
<td>Indrek Tarand</td>
<td>Estonia 2009</td>
<td>Group of the Greens/European Free Alliance (Member)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Committee on Constitutional Affairs (Member)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Subcommittee on Security and Defense (Member)</td>
</tr>
<tr>
<td>Elena Băsescu</td>
<td>Romania 2009</td>
<td>Group of the European People's Party (Member)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Committee on Petitions (Vice Chair)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Committee on Economic and Monetary Affairs (Member)</td>
</tr>
</tbody>
</table>

CONCLUSIONS

Independent candidacy appears to be on the rise in established European democracies. Over the last two election cycles, the number of independents competing in national elections has increased - often dramatically - in almost all countries that allow non-party candidates to run for political office. Although the lack of comprehensive data makes it difficult to identify general trends in the electoral performance of independents in EU-27, available information suggests that independent candidates now win a larger share of the vote in national elections than a few decades ago.

A central finding of this study is that independent candidates thrive in candidate-centered, as opposed to party-centered, electoral settings. The features of electoral systems that provide for more candidate-centered politics include plurality voting, low district magnitude, open lists and preferential voting. Our empirical results suggest that all these are correlated with the electoral participation and/or performance of non-party candidates. In particular, independent candidates benefit from plurality voting in single-member districts, as well as the single transferable vote version of proportional representation. Thus, in terms of electoral system effects, candidate-centered politics trumps the logic of proportionality according to which small vote-getters benefit from proportional representation and large district magnitude. This finding strongly suggests that small parties and independent candidates are different types of small vote-getters: electoral rules that benefit the former are not conducive to the success of the latter.

Electoral system effects, however, account for only about a quarter of the observed variation in the electoral performance of independents. Independent candidates occasionally perform very well in theoretically “hostile” electoral environments, and fail to have significant electoral presence in systems in which they are expected to thrive. Thus, while independents have a strong presence in Ireland, they remain marginal actors in the other EU country that uses the single transferable vote system – Malta. The greatest electoral triumph of an independent in the history of EP elections (Estonia in 2009) occurred in the context of closed-list PR. Indeed, all three non-Irish independents that have ever succeeded in obtaining an EP seat have been elected under closed-list proportional representation.

The additional explanations outlined at the beginning of this study explain these deviant outcomes – at least to an extent. The electoral performance of independents appears to be related to the robustness of voter-party linkages. An individual-level analysis of the correlates of voting for independents revealed that individuals who endorse independents at the ballot box are less likely to feel close to any political party. They also tend to be more critical of the government and less satisfied with the way democracy works in their country than party-voters. The expectation that independents have greater electoral appeal in new democracies with less consolidated party systems did not find support in the multivariate analysis. However, electoral volatility and unstable patterns of political competition may help explain the unexpected success of independents in the Estonian and Romanian EP elections.

The finding that voting for independents is associated with political protest has potentially far-reaching implications in the context of European Parliament elections. As second-order elections in which government formation is not at stake, European elections constitute a venue for the expression of discontent – with the incumbents, party politics, or the entire political system. Given the prevalence of protest voting in EP elections, independent candidates have the potential to attract significant shares of the vote. However, this
potential is largely muted by electoral arrangements currently in place. Independent candidates are currently banned in EP elections in most EU member states; in countries where independents are allowed to compete, they are typically subject to relatively stringent ballot access requirements. More importantly, the prevalence of party-list PR and high-magnitude electoral districts in EP elections is not conducive to the electoral performance of independents. However, potential electoral reforms that encourage the electoral participation of independents may well unlock the dormant potential of independents to act as magnets for protest votes in EP elections.

In this context, it is important to consider the proposal for reform of the procedures for electing the European Parliament that has been prepared by MEP Andrew Duff (ALDE). The proposal entails the election of 25 MEPs on pan-European lists drawn up by European political parties. Because none of the European parties currently has member parties in all EU member states, the question has arisen whether it would be feasible for the European parties to include in their electoral lists candidates who are not affiliated with any national party. For the purposes of this analysis, we refer to such candidates as Europartisans (as distinct from candidates who are affiliated both with a national party as well as a European party). The results of this study lead us to conclude the following about the electoral participation and prospects of Europartisans:

- Even with the introduction of transnational lists, European Parliament elections will remain largely a national affair in the foreseeable future. When voting for transnational lists or specific candidates on these lists, many voters will prefer compatriots over other candidates. In this context, European parties could indeed increase their electoral appeal in countries where they have no member parties by including prominent non-partisans in their electoral lists.

- The opportunity to contest EP elections as a Europartisan could, under certain conditions, be very attractive to well-known national figures, such as former high-ranking officials or prominent intellectuals – especially in countries where the reputation of political parties is low. Prominent party politicians who have split with their parties could also regard transnational lists as an appealing, alternative path to political office.

- The electoral appeal of Europartisans is likely to depend on the following factors:
  a) the extent to which EP elections in the given country are candidate-centered as opposed to party-centered. This extent would be determined by rules governing the national component of EP elections. In other words, Europartisans would be more likely to perform well in their respective countries in case the country elects a relatively small number of MEPs, has electoral districts with relatively low magnitude, and/or uses open or semi-open lists or STV as opposed to closed-list proportional representation.
  b) the prevalence of anti-party sentiment among the electorate. In case popular disenchantment with parties is widespread, voters could be drawn to non-party candidates. It is important to note that in Europe’s multi-level democracy, anti-party sentiment remains largely a national-level phenomenon. The possibility to vote for candidates who represent only European parties but not national parties would offer more choice to both voters as well as individuals seeking political office.

Independent candidates in national and European elections

c) the nature of the government-opposition dynamic on the domestic level. Europartisans would enjoy a unique position compared to candidates affiliated with national parties because they have the potential to transcend the domestic government-opposition divide that structures vote in EP elections. More specifically, Europartisans could be an attractive choice in contexts where habitual governing party voters want to punish political incumbents (e.g. for poor economic performance) but find it difficult to switch votes to the opposition (e.g. due to ideological differences).

- In terms of the potential to actualize their mandate, if elected to the EP, Europartisans would not differ from MEPs affiliated with national parties. They would enjoy the same rights and privileges as MEPs who belong to a national party. Notably, the lack of national party affiliation does not constitute an obstacle to holding very prominent positions in the EP.

In sum, the proposed reform would create a novel situation where individuals can become candidates – and potentially, elected representatives - of European parties while lacking any affiliation with national parties.

What does the future hold for independent candidates? There are good reasons to believe that it will be relatively bright. One of the most significant long-term trends in advanced industrial democracies is the growing personalization of politics. As levels of partisanship continue to decline, political candidates have taken center-stage in many political systems. This process has been aided by electoral reforms which, more often than not, have made voting more candidate-centered and granted the voters more say over who gets elected. It has also been facilitated by the rise of the new digital media which allows individual candidates to reach vast audiences at low cost. Taken together, these developments undermine the conventional understanding that party machines constitute a *sine qua non* of effective competition for political office.
REFERENCES


Independent candidates in national and European elections


Independent candidates in national and European elections


ANNEX 1 GLOSSARY OF ELECTORAL TERMS

The following glossary relies heavily on the online resources of the International Institute for Democracy and Electoral Assistance (www.idea.int) as well as The Electoral Knowledge Network (www.aceproject.org).

**Block vote** – an electoral system where plurality or majority rule (see plurality rule; majority rule) is used in multi-member districts (see multi-member district). Voters usually have as many votes as there are seats to be filled. It is a rare electoral system which tends to produce extremely disproportional election outcomes. It has been used in countries/territories with weak party systems such as Kuwait, Laos, Lebanon, Palestine, Syria and the Maldives.

**Closed-list system** – a version of party-list proportional representation where voters are presented with a party list where the order of candidates to be elected is determined by the party and cannot be changed by the voters. In a closed-list system, voters cannot express preference for a particular candidate, or if they can, these preferences will not alter the order of the candidates on the list.

**District magnitude** – the number of seats up for election in an electoral district.

**Effective threshold** – a mathematical property or byproduct of the electoral system, such as the combined effect of district magnitude (see district magnitude) and seat allocation rules, that forms an artificial and informal vote threshold below which no candidate/party usually gets elected. For example, small districts together with seat allocation rules that favor larger parties might combine in a manner that no party with a vote share below 5% usually gets seats. Depending on the system, the mathematical byproduct may have effects similar to a legal threshold (which sets a formal limit below which no parties/candidates are considered in the allocation of seats).

**Effective number of parties** – an adjusted number of political parties in a country’s party system; an index that counts the number of parties contesting elections and, at the same time, weighs the count by the relative strength of the parties (measured in terms of the parties’ vote or seat share). The effective number of parties is widely used as a measure of party system fractionalization (see also Annex 6).

**Electoral volatility** – net difference in support for the same parties between two elections. Large volatility is usually indicative of an unstable and unconsolidated party system.

**Gallagher disproportionality index** – an index measuring the extent to which the actual vote shares of parties/candidates are taken into account in allocating seats. The index ranges from 0 to 100, where 0 means that parties receive the exact same share of seats, as they received votes and 100 means a theoretical situation where parties that did not receive any votes get all the seats (see also Annex 6)

**Legal threshold** – a legal provision stipulating the minimal share of votes that a party/candidate needs to attain in order to be allocated any seats.

**Majority vote/rule** – a seat distribution rule used in electoral systems with single-member districts (see single-member district), where a seat is allocated to the candidate who gets a majority, that is 50%+1, of the votes in the district (see also plurality rule).
Mixed-member system – an electoral system that uses both majority/plurality and proportional electoral rules together. In a typical case, the voter casts two votes: one for a constituency representative (elected from a single-member district) and one for a party list. A mixed-member system can be a parallel system, with majority and proportional elements running independently from each other, where voters cast separate votes in both parts of the systems and seats are allocated separately. It can be a mixed-member proportional system where voters cast separate votes in both parts of the systems but seats are allocated in a manner that the proportional element compensates for any disproportionality caused by the majority/plurality part.

Multi-member district (MMD) – an electoral district where more than one seat is up for election.

Open-list system – a version of party-list proportional representation where voters have at least some influence on the order in which a party’s candidates are elected. Voters are presented with a party list but can express a preference for a particular candidate(s) on that list; the final order of candidates to be elected is influenced by preferences expressed by the voters.

Plurality vote/rule – a seat distribution rule used in single-member districts (see single-member district), where a seat is allocated to the candidate who gets the most - but not necessarily a majority - of the votes in the district (see also majority rule). Systems using this rule are sometimes also referred to as a first-past-the-post electoral systems.

Plurality block vote – (see block vote)

Preferential voting – any mode of voting where the voter has the option to cast preference votes, that is, choose one candidate over another within the same party.

Proportionality – the degree of correspondence between the share of votes and the share of seats obtained by a party.

Proportional representation – a family of electoral systems where attributes of the system combine in a manner that the vote share of parties corresponds roughly to their subsequent seat share in the parliament. There is no clearly defined cut-off point on the continuum of proportionality (see proportionality) above which a system is classified as proportional as opposed to majoritarian or mixed but open and closed party list systems as well as the single transferable vote system (see single transferable vote) are as a rule classified as proportional representation systems.

Single-member district/single-mandate district (SMD) – an electoral district where only one seat is up for election.

Single transferable vote – a version of proportional representation with multi-member districts (see multi-member district) where voters can, but do not necessarily have to rank all candidates according to their preferences. The candidates to be elected are determined according to the number of first, second, third etc. preferences that they receive. A candidate is elected if she receives at least a quota of votes based on the number of first preferences for this given candidate. The quota is usually determined by dividing the number of votes cast in the district with the number of seats up for election in the district. After that another count is performed where the surplus votes of the elected candidates are redistributed according to the second preference of her voters. These counts are repeated
until all the seats in the districts have been assigned. It is a very rare electoral system used currently only in Ireland (since 1921) and Malta (since 1947).
ANNEX 2 QUESTIONNAIRE SENT TO NATIONAL ELECTORAL AUTHORITIES

Questionnaire addressed to national electoral authorities in EU-27

Project title: "Independent candidates in national and European Parliament elections"

Summary of the project: A team of electoral researchers associated with the University of Tartu (Estonia) is conducting a study on "Independent candidates in national and European Parliament elections" that has been commissioned by the Constitutional Affairs Committee of the European Parliament. The study aims to provide a complete empirical picture of the presence and performance of independent candidates in national and European elections in the 27 member states of the European Union. The study will be completed in February 2013 and it is expected that it will be made publicly available by the European Parliament (we will provide a web link once the study has been published).

Definition of an independent candidate used in this study: This study defines independence based on the information provided on the electoral ballot. In other words, independent candidates are those candidates whose name appears alone on a ballot instead of alongside a particular party or as part of a party list.

Additional information Please address questions related to this questionnaire to Mr. Priit Vinkel (priit.vinkel@ut.ee). For more information about the entire project, please contact Dr. Piret Ehin (piret.ehin@ut.ee)

Please send your responses to Mr Vinkel at priit.vinkel@ut.ee by September 15, 2012 the latest.

Information requested from national electoral authorities in EU-27:

In case some of the questions below appear not applicable (e.g. because independent candidates cannot be nominated as candidates for the national/European/regional parliament in your country), please say so and briefly indicate the reason.

Please provide: 1. The full text of all regulatory acts (including national laws, sub-level national regulations, applicable regional legislation) concerning the electoral system and candidate nomination for: a) National parliamentary elections (elections to both houses, if applicable) b) European Parliament elections in your country c) (if applicable) regional elections of second-level regional assemblies (e.g. the Landtage of the Bundesländer in Germany, NOT municipal level assemblies)

Please provide the full text of such regulatory acts in your national language, if available, together with an English (or French or German) translation.
2. **A short comment:** has there been any discussion about changing the rules of candidate nomination in your country or have there been any relevant changes to the rules of candidate nomination in the past (in two most recent national elections)? We are interested in any changes that may affect the presence and performance of independent candidates in national and European elections. If so, please provide a brief explanation or add the relevant (draft) regulations, if possible.

3. **A short comment:** do campaign regulations differ across independent candidates and party candidates? Please consider campaign financing rules and access to the public media. If so, please provide a brief explanation.

4. **A short comment:** is a deposit paid prior to the nomination of candidates? If so, does the refund policy differ across independent candidates, single party candidates and party lists?

5. **A short statistical overview:** please indicate how many independent candidates have been nominated as candidates and how many have been elected to the representative assembly in question (if possible, please add the electoral district(s) in which independent candidates were nominated as candidates or have been elected):
   a) In two most recent national parliament elections (elections to both houses, if applicable)
   b) In 2004 and 2009 European Parliament elections in your country
   c) (if applicable) In two most recent regional elections of second-level regional assemblies (e.g. the Landtage of the Bundesländer in Germany, NOT municipal level assemblies)

6. **A short comment:** have there been any notable independent candidate „success stories” in recent national or European elections in your country? Has an independent candidate won a large share of the vote, been appointed a member of cabinet, etc? If so, please provide the name of the candidate along with a brief explanation.

**Thank you very much for your valuable input!**
ANNEX 3 ELECTORAL RULES ON INDEPENDENT CANDIDATES IN EU MEMBER STATES

This Annex presents a brief overview of the electoral systems of each of the 27 EU member states (national legislative and European Parliament elections), with an emphasis on rules regarding independent candidates. Where available, the number of independent candidates nominated and elected in most recent national and European elections is included.

AUSTRIA

Types of applicable elections
- Parliamentary elections (lower house, Nationalrat) (183 members)
- European Parliament elections (17 members in 2009)

General characterization of electoral system
- Parliamentary elections: A closed-list proportional system with preferential elements, 9 multi-member districts and 43 sub-districts, a combination of Hagenbach-Bischoff method and d'Hondt method used, 4% national threshold.
- EP elections: A closed-list proportional system with preferential elements, 1 national district, d'Hondt dividers used, 4% threshold.

Independent candidates in elections
- Parliamentary elections: No (nomination is party-based but independent candidates are not forbidden; however, no expressis verbis regulation exists – includes possibility for single member lists)
- EP elections: No (nomination is party-based but independent candidates are not forbidden; however, no expressis verbis regulation exists – includes possibility for single member lists)

Sources: Austrian Ministry of Interior, Federal Act on the Election of the Nationalrat, European Election Act

BELGIUM

Types of applicable elections
- Parliamentary elections (lower house, Chambre des Representants) (150 members)
- Parliamentary elections (upper house, Senat) (71 members (40 directly elected, 21 appointed by communities and 10 co-opted senators))
- European Parliament elections (22 members in 2009)

General characterization of electoral system
- Parliamentary elections (lower house): An open-list proportional system, 20 multi-member districts, d'Hondt method used, 5% national threshold.
- Parliamentary elections (upper house): A proportional system, 3 multi-member districts and 2 electoral colleges, d'Hondt method used (for 40 mandates), a 5% threshold in direct election.
- EP elections: An open-list proportional system, 4 multi-member districts, d'Hondt method used, no national threshold.

Independent candidates in elections
Policy Department C: Citizens’ Rights and Constitutional Affairs

- Parliamentary elections (lower house): **No**
- Parliamentary elections (upper house): **No**
- EP elections: **No**

**Sources:** Belgian Federal Public Service – Home Affairs, Election Code

**BULGARIA**

**Types of applicable elections**
- Parliamentary elections (*Narodno Sabranie*) (240 members)
- European Parliament elections (17 members in 2009)

**General characterization of electoral system (in 2009)**
- *Parliamentary elections:* A mixed system, 31 single-member districts and 31 multi-member districts, First-past-the-post used in single-member districts (31 mandates), proportional lists and Hare-Niemeyer quotas used in multi-member districts (209 mandates), 4% national threshold.
- *EP elections:* A closed-list proportional system with preferential elements, 1 national district, Hare-Niemeyer quotas used, no threshold.

**Independent candidates in elections**
- *Parliamentary elections:* **Yes**
- *EP elections:* **Yes**

**- Rules on standing as candidate (2009)**
  - *Parliamentary elections:* In multi-member districts independent candidates are standing separate of party lists, form a separate electoral unit, positioned at last position (after party list candidates) in overall district candidates’ list. Standing in one district only. In single-member districts equal standing to party-nominated candidates. Security deposit amounts vary between parties, coalitions and independent candidates (approx €7 500 in 2009 for independents). At least 10 000 signatures needed for independent candidate (reduced in new provisions).
  - *EP elections:* Independent candidates are standing separate of party list, form a separate electoral unit, positioned at last position (after party list candidates) in overall candidates’ list. Bulgaria forms one electoral district. Security deposit amounts vary between parties, coalitions and independent candidates (approx €5 000 in 2009 for independents). At least 10 000 signatures needed for independent candidate (reduced in new provisions).

**- Rules on getting elected**
  - *Parliamentary elections:* In multi-member districts a candidate who has received more votes than the simple quota of the district (or Hare-Niemeyer method) or equally to it shall be elected. In single-member districts simple majority determines the winner.
  - *EP elections:* Independent candidates are seen as single candidate lists in the calculation of results. The simple quota (or Hare-Niemeyer) method is used to compare lists and determine the mandates.

- **Number of independent candidates in recent elections (nominated/elected (year))**
  - *Parliamentary elections:* 13/0 (2005); 2/0 (2009)

**31** Substantial electoral system reform in 2011 but nomination (in multi-mandate districts) remains broadly the same, no elections under new system conducted by 2012
Independent candidates in national and European elections

- **EP elections:** 2/0 (2007); 1/0 (2009)

Sources: Bulgarian Central Electoral Committee, Electoral Code (since 2011), Law for elections of national Representatives (repealed), Law on elections of members of the European Parliament from the Republic of Bulgaria (repealed), Methodology paper for 2009 General Elections (CEC), Methodology paper for 2009 European Parliament Elections (CEC)

**CYPRUS**

**Types of applicable elections**
- Parliamentary elections (**Vouli Antiprosopon**) (80 members, 56 Greek Cypriots and 24 Turkish Cypriots, only the first are filled in elections)
- European Parliament elections (6 members in 2009)

**General characterization of electoral system**
- **Parliamentary elections:** An open-list proportional system with preferential elements, 6 multi-member districts, Hare quota used, no general national threshold.
- **EP elections:** A closed-list proportional system with preferential elements, 1 national district, Hare quota used, 1.8% threshold.

**Independent candidates in elections**
- **Parliamentary elections:** Yes
- **EP elections:** Yes

**Rules on standing as candidate**
- **Parliamentary elections:** Independent candidates are standing separate of party lists, form a separate electoral unit. Standing in one district only. Similar rules as candidate in party list apply. Security deposit is CYP250 and support of at least four electors needed.
- **EP elections:** Independent candidates are standing separate of party list, form a separate electoral unit. Cyprus forms one district only. Similar rules as candidate in party list apply.

**Rules on getting elected**
- **Parliamentary elections:** Simple quota (Hare quota) method applied. A candidate who has received more votes than the simple quota of the district or equally to it shall be elected.
- **EP elections:** Independent candidates are seen as single candidate lists in the calculation of results. Simple quota (Hare quota) method is used to determine the mandates.

**Number of independent candidates in recent elections (nominated/elected (year))**
- **Parliamentary elections:** 6/0 (2006); 6/0 (2011)
- **EP elections:** 7/0 (2004); 5/0 (2009)

Sources: Cypriot Parliament, Ministry of Interior of Cyprus, Inter-Parliamentary Union database

**CZECH REPUBLIC**

**Types of applicable elections**
- Parliamentary elections (lower house, **Poslanecka Snemovna**) (200 members)
- Parliamentary elections (upper house, **Senat**) (81 members)
- European Parliament elections (22 members in 2009)
General characterization of electoral system

- **Parliamentary elections (lower house):** An open-list proportional system with preferential elements, 8 multi-member districts, Hagenbach-Bischoff (Droop) quota is used, 5% national threshold for parties (7% for a coalition of 2-3 parties, 11% for a coalition of 4+ parties).

- **Parliamentary elections (upper house):** A second-ballot absolute majority system in 81 single-member districts.

- **EP elections:** An open-list proportional system with preferential elements, 1 national district, d'Hondt method used, 5% national threshold.

**Independent candidates in elections**

- Parliamentary elections (lower house): **No**
- Parliamentary elections (upper house): **Yes**
- EP elections: **No**

**Rules on standing as candidate**

- Parliamentary elections (upper house): A second-ballot system is used where independent candidates are standing on equal grounds to party-nominated candidates. Standing in one of 81 districts only. Similar rules as a party-nominated candidate apply - same age requirements (40), same security deposit (CZK20 000). Independent candidates need at least 1 000 signatures from the district of standing.

**Rules on getting elected**

- Parliamentary elections (upper house): No differences with party-nominated candidates in calculation, absolute majority needed (if necessary in two rounds).

**Number of independent candidates in recent elections (nominated/elected (year))**


Sources: Czech Ministry of Interior, Act on Elections to the Parliament, Act on Elections to the European Parliament

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**DENMARK**

**Types of applicable elections**

- Parliamentary elections (Folketinget) (179 members)
- European Parliament elections (13 members in 2009)

**General characterization of electoral system**

- Parliamentary elections: An open-list proportional system, 10 multi-member districts and 92 sub-districts, 135 mandates are distributed at district level, 40 mandates are nation-wide compensatory and 2 mandates each are allotted to Greenland and Faroe Islands, a combination of modified Sainte-Laguë method and d'Hondt method used, 2% national threshold.

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32 Greenland forms one election district, independent candidates are allowed, at least 100 signatures needed, proportional open-list system with d'Hondt method used. Independent candidates have not been successful in recent elections.

33 Faroe Islands forms one election district, independent candidates are allowed, at least 150 and max 200 signatures needed, proportional open-list system with d'Hondt method used. Independent candidates have not been successful in recent elections.
Independent candidates in national and European elections

- **EP elections:** An open-list proportional system, 1 national district, d’Hondt dividers used, no threshold.

**Independent candidates in elections**
- **Parliamentary elections:** Yes
- **EP elections:** No

- **Rules on standing as candidate**
  - **Parliamentary elections:** Independent candidates are standing separate of party lists, form a separate electoral unit. Standing in one district only. Similar rules as candidate in party list apply. Independent candidates need at least 150 and max 200 signatures from the (sub)district of standing.
  - **EP elections:** Independent candidates are standing separate of party list, form a separate electoral unit, positioned at last position (after party list candidates) in overall candidates’ list. Estonia forms one district only. Similar rules as candidate in party list apply - same age requirements (21), same security deposit (five times the state minimum monthly salary). No additional signatures needed.

- **Rules on getting elected**
  - **Parliamentary elections:** Independents take part in allocation of constituency seats in comparison with party lists. The d’Hondt dividers method is used for distributing the mandates.
  - **EP elections:** Independents take part in allocation of constituency seats in comparison with party lists. The d’Hondt dividers method is used for distributing the mandates.

- **Number of independent candidates in recent elections (nominated/elected (year))**
  - **Parliamentary elections:** 13/0 (2007); 20/0 (2011)

**Sources:** Danish Ministry of Social Welfare, Folketinget Election Act, European Parliament Election Act, Act on Elections in Greenland, Act on Elections in the Faroe Islands

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**ESTONIA**

**Types of applicable elections**
- Parliamentary elections (*Riigikogu*) (101 members)

**General characterization of electoral system**
- **Parliamentary elections:** An open-list proportional system, 12 multi-member districts, Hare quota used in districts, modified d’Hondt dividers used for national compensation, 5% national threshold.
- **EP elections:** An open-list proportional system, 1 national district, d’Hondt dividers used, no threshold.

**Independent candidates in elections**
- **Parliamentary elections:** Yes
- **EP elections:** Yes

- **Rules on standing as candidate**
  - **Parliamentary elections:** Independent candidates are standing separate of party lists, form a separate electoral unit, positioned at last position (after party list candidates) in overall district candidates’ list. Standing in one district only. Similar rules as candidate in party list apply - same age requirements (21), same security deposit (two times the state minimum monthly salary). No additional signatures needed.
  - **EP elections:** Independent candidates are standing separate of party list, form a separate electoral unit, positioned at last position (after party list candidates) in overall candidates’ list. Estonia forms one district only. Similar rules as candidate in party list apply - same age requirements (21), same security deposit (five times the state minimum monthly salary). No additional signatures needed.

- **Rules on getting elected**

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**FINLAND**

*Types of applicable elections*
- Parliamentary elections (*Eduskunta*) (200 members)
- European Parliament elections (14 members in 2009)

*General characterization of electoral system*
- **Parliamentary elections:** An open-list proportional system, 15 multi-member districts, 199 mandates are distributed in mainland Finland, 1 mandate in Åland Islands34, d’Hondt method used, no national threshold.
- **EP elections:** An open-list proportional system, 1 national district, d’Hondt dividers used, no threshold.

*Independent candidates in elections*
- **Parliamentary elections:** No (nomination is party- or ad-hoc voter-group list-based; however, no *expressis verbis* regulation concerning independent candidates exists – includes possibility for single member lists)
- **EP elections:** No (nomination is party- or ad-hoc voter-group list-based; however, no *expressis verbis* regulation concerning independent candidates exists – includes possibility for single member lists)

*Sources:* Finnish Ministry of Justice, Election Act

**FRANCE**

*Types of applicable elections*
- Parliamentary elections (lower house, *Assemblee Nationale*) (577 members)
- European Parliament elections (72 members in 2009)

*General characterization of electoral system*
- **Parliamentary elections (lower house):** Second-ballot majority system, 577 single-member districts, absolute majority needed in first round, simple majority in second round, no threshold.
- **EP elections:** A closed-list proportional, 8 districts, d’Hondt method used, 5% national threshold.

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34 Åland Islands form one single-member district, election and nomination rules are same as in mainland Finland
Independent candidates in national and European elections

- **Independent candidates in national and European elections**
  - Parliamentary elections (lower house): **Yes**
  - EP elections: **No**

  **Rules on standing as candidate**
  - Parliamentary elections (lower house): A second-ballot system is used where independent candidates are standing on equal grounds to party-nominated candidates. Standing in one of 577 districts only. Similar rules as a party-nominated candidate.

  **Rules on getting elected**
  - Parliamentary elections (lower house): No differences with party-nominated candidates in calculation, absolute (or simple in 2nd round) majority needed. If no candidate is elected in the 1st round, all candidates who have got more than 12.5% of the votes are entered into the 2nd round.

  **Number of independent candidates in recent elections (nominated/elected (year))**
  - Parliamentary elections (lower house): 35/0 (2007); 4/0 (2012)

**Sources:** French Ministry of Interior, Electoral Code, Official Mementos for candidates in General Elections 2007 and European Elections 2009

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**GERMANY**

**Types of applicable elections**
- Parliamentary elections (lower house, *Bundestag*) (598 members (622 in 2009))
- European Parliament elections (99 members *in 2009*)

**General characterization of electoral system**
- *Parliamentary elections:* A mixed member system, single-member (299) and multi-member (16) districts, 299 mandates are distributed at single-member district level and the rest at multi-member district level, closed-lists Hare-Niemeyer (from 2011 Sainte-Laguë/Schepers) used in PR districts and simple majority (FPTP) in single-member districts, 5% national threshold.
- *EP elections:* A closed-list proportional system, 1 national district, Sainte-Laguë method used (in 2009), Hare-Niemeyer before, 5% national threshold.

**Independent candidates in elections**
- Parliamentary elections: **Yes**
- EP elections: **No**

  **Rules on standing as candidate**
  - Parliamentary elections: A first-past-the-post system is used where independent candidates are standing on equal grounds to party-nominated candidates. Standing in one of 299 districts only. Similar rules as a party-nominated candidate but independents need to provide at least 200 support-signatures.

  **Rules on getting elected**
  - Parliamentary elections: Independents are comparable to party-nominated candidates in single-member constituencies, simple majority in single-member districts needed.

  **Number of independent candidates in recent elections (nominated/elected (year))**
  - Parliamentary elections: 60/0 (2005); 165/0 (2009)

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35 The French Ministry of Interior aggregates the data about independents into blocks or group “other”.
GREECE

Types of applicable elections
- Parliamentary elections (*Vouli Ton Ellion*) (300 members)
- European Parliament elections (22 members in 2009)

General characterization of electoral system
- *Parliamentary elections*: A mixed system, single- (8) and multi-member (48) districts and a nationwide district, 288 mandates are distributed at district level, 12 mandates are nationwide State Deputies, closed-lists (last elections in 2012), Hagenbach-Bischoff is used in PR districts and simple majority in single-member districts, 3% national threshold.
- *EP elections*: A closed-list proportional system, 1 national district, Droop quota used, 3% national threshold.

Independent candidates in elections
- *Parliamentary elections*: **Yes**
- *EP elections*: **No**

Rules on standing as candidate
- *Parliamentary elections*: Independent candidates are standing separate of party lists, form a separate electoral unit (can also join into separate lists). Standing in one district only. Similar rules as candidate in party list apply. Candidates need at least 12 signatures from the district of standing.

Rules on getting elected
- *Parliamentary elections*: Independents are seen as single-member lists in PR districts and comparable to party-nominated candidates in single-member constituencies. Hagenbach-Bischoff is used in PR districts and simple majority in single-member districts.

Number of independent candidates in recent elections (nominated/elected (year))
- *Parliamentary elections*: 51/0 (2012 May); 58/0 (2012 June)

Sources: Greek Ministry of Interior, The Hellenic Parliament, European Election Database

HUNGARY

Types of applicable elections
- Parliamentary elections (*Az Orszag Haza*) (386 members)
- European Parliament elections (22 members in 2009)

General characterization of electoral system
- *Parliamentary elections*: A mixed-ballot system, 176 single-member districts, 20 multi-member territorial districts and national compensation, second ballot majority system used in single-member districts (176 mandates), proportional closed-lists system with Hagenbach-Bischoff system used in multi-member districts (152 mandates, 50% turnout quorum) and the rest-mandates (58) are distributed as compensation with d’Hondt method used, 5% national threshold.
- **EP elections**: An open-list proportional system, 1 national district, d'Hondt dividers used, 5% threshold.

**Independent candidates in elections**
- **Parliamentary elections**: Yes
- **EP elections**: No

- **Rules on standing as candidate**
  - **Parliamentary elections**: Standing in single-member districts only where independents are standing equally to party-nominated candidates. At least 750 signatures needed for a candidate.
  - **EP elections**: PR-STV system is used where independent candidates are standing on equal grounds to party-affiliated candidates. Standing in one of 4 districts only. Similar rules as a party-nominated candidate apply, although an independent candidate has to provide either the signatures of at least 60 electors or lodge a deposit (€1 800) with the nomination.

- **Rules on getting elected**
  - **Parliamentary elections**: In single-member districts no differences with party-nominated candidates in calculation, absolute majority needed (if necessary in two rounds)
  - **EP elections**: PR-STV system is used where independent candidates are standing on equal grounds to party-affiliated candidates. Standing in one of 4 districts only. Similar rules as a party-nominated candidate apply, although an independent candidate has to provide either the signatures of at least 60 electors or lodge a deposit (€1 800) with the nomination.

**Number of independent candidates in recent elections (nominated/elected (year))**
- **Parliamentary elections**: 12/0 (2006); 21/1 (2010)

**Sources**: Hungarian Central Election Committee, Law on Elections of Members of Parliament, Law on election of members of the European Parliament

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**IRELAND**

**Types of applicable elections**
- Parliamentary elections (lower house, Dáil Éireann) (166 members)
- European Parliament elections (12 members in 2009)

**General characterization of electoral system**
- **Parliamentary elections**: A single transferable vote proportional system (PR-STV), 42 districts.
- **EP elections**: A single transferable vote proportional system (PR-STV), 4 districts.

**Independent candidates in elections**
- **Parliamentary elections**: Yes
- **EP elections**: Yes

- **Rules on standing as candidate**
  - **Parliamentary elections**: PR-STV system is used where independent candidates are standing on equal grounds to party-affiliated candidates. Standing in one of 42 districts only. Similar rules as a party-nominated candidate apply, although an independent candidate has to provide either the signatures of at least 30 electors or lodge a deposit (€500) with the nomination.
  - **EP elections**: PR-STV system is used where independent candidates are standing on equal grounds to party-affiliated candidates. Standing in one of 4 districts only. Similar rules as a party-nominated candidate apply, although an independent candidate has to provide either the signatures of at least 60 electors or lodge a deposit (€1 800) with the nomination.

- **Rules on getting elected**
  - **Parliamentary elections**: No differences with party-nominated candidates in calculation, preferential voting used whereas the mandate is awarded in case of filling the district quota.
**Policy Department C: Citizens' Rights and Constitutional Affairs**

- **EP elections**: No differences with party-nominated candidates in calculation, preferential voting used whereas the mandate is awarded in case of filling the district quota.
  - **Number of independent candidates in recent elections (nominated/elected (year))**
    - **Parliamentary elections**: 77/5 (2007); 176/14 (2011)
    - **EP elections**: 17/2 (2004); 14/1 (2009)

**Sources**: Irish Ministry of Environment, ElectionsIreland.org, The Electoral Act, European Parliament Elections Act

**ITALY**

**Types of applicable elections**
- Parliamentary elections (lower house, Camera dei Deputati) (630 members)
- Parliamentary elections (upper house, Senato) (315 members)
- European Parliament elections (72 members in 2009)

**General characterization of electoral system**
- **Parliamentary elections (lower house)**: A closed-list proportional system with added bonus for the winning party, 26+1 multi-member districts (617 mandates in territorial districts and 12 mandates in a district for Italians in foreign countries), Hare quota used, 4% national threshold for parties (with exception in Aosta Valley with a single-member district and simple plurality).
- **Parliamentary elections (upper house)**: A closed-list proportional system with added bonus for the winning party, 19+1 multi-member districts (308 mandates in territorial districts and 6 mandates in a district for Italians in foreign countries), Hare quota used, 8% national threshold for parties (with exception in Aosta Valley with a single-member district and simple plurality).
- **EP elections**: An open-list proportional system with preferential elements, 5 national districts, national d'Hondt method used, 4% threshold.

**Independent candidates in elections**
  - **Parliamentary elections (lower house)**: **No**
  - **Parliamentary elections (upper house)**: **No**
  - **EP elections**: **No**

**Sources**: Italian Ministry of Interior, A comprehensive guide prepared by the Ministry of Interior on the electoral system in Italian general and European Parliament elections

**LATVIA**

**Types of applicable elections**
- Parliamentary elections (Saeima) (100 members)
- European Parliament elections (8 members in 2009)

**General characterization of electoral system**
- **Parliamentary elections**: A closed-list proportional system with preferential elements, 5 multi-member districts, Sainte-Laguë method used, 5% national threshold.
- **EP elections**: A closed-list proportional system with preferential elements, 1 national district, Sainte-Laguë method used, 5% national threshold.

**Independent candidates in elections**
Independent candidates in national and European elections

- **Parliamentary elections:** No
- **EP elections:** No

**Sources:** Latvian Central Electoral Committee, The Saeima Election Law, Law on Elections to the European Parliament

**LITHUANIA**

**Types of applicable elections**
- Parliamentary elections (Seimas) (141 members)
- European Parliament elections (12 members in 2009)

**General characterization of electoral system**
- **Parliamentary elections:** A mixed system, 71 single-member districts and 1 multi-member national district, second ballot majority system used in single-member districts (71 mandates), proportional closed-lists system with preferential elements and Hare quota used in national district (70 mandates), 5% national threshold in national district.
- **EP elections:** A closed-list proportional system with preferential elements, 1 national district, Hagenbach-Bischoff quota used, 5% threshold.

**Independent candidates in elections**
- **Parliamentary elections:** Yes
- **EP elections:** No

- **Rules on standing as candidate**
  - **Parliamentary elections:** In single-member districts independents are standing equally to party-nominated candidates. Security deposit equal with party candidates (approx €620 in 2012). At least 1,000 signatures needed for independent candidate.

- **Rules on getting elected**
  - **Parliamentary elections:** In single-member districts no differences with party-nominated candidates in calculation, absolute majority needed (if necessary in two rounds)
  - **Number of independent candidates in recent elections (nominated/elected (year))**
    - **Parliamentary elections:** 16/5 (2008); 36/3 (2012)

**Sources:** Lithuanian Central Electoral Committee, Law on Elections to the Seimas, Law on elections to the European Parliament

**LUXEMBOURG**

**Types of applicable elections**
- Parliamentary elections (Chambre des Deputes) (60 members)
- European Parliament elections (6 members in 2009)

**General characterization of electoral system**
- **Parliamentary elections:** An open-list proportional system with ticket-splitting possibility, 4 multi-member districts, Hagenbach-Bischoff method used, no national threshold.
- **EP elections:** An open-list proportional system with ticket-splitting possibility, 1 national district, Hagenbach-Bischoff method used, no threshold.
Independent candidates in elections
  o **Parliamentary elections:** No (nomination is list-based; no *expressis verbis* regulation concerning independent candidates exists – although legislation speaks of "group of candidates" does it include the theoretical possibility for single-member lists)
  o **EP elections:** No (nomination is list-based; no *expressis verbis* regulation concerning independent candidates exists – although legislation speaks of "group of candidates" does it include the theoretical possibility for single-member lists)

**Sources:** Government of Luxembourg Election Service, Electoral Law

**MALTA**

Types of applicable elections
- Parliamentary elections *(Kamra tad Deputati)* (65 members)
- European Parliament elections (6 members *in 2009*)

General characterization of electoral system
- **Parliamentary elections:** A single transferable vote proportional system (PR-STV) with Droop quota is used, 13 districts.
- **EP elections:** A single transferable proportional vote system (PR-STV), 1 national district.

Independent candidates in elections
  o **Parliamentary elections:** Yes
  o **EP elections:** Yes

- **Rules on standing as candidate**
  o **Parliamentary elections:** PR-STV system is used where independent candidates are standing on equal grounds to party-affiliated candidates. Standing in one of 13 districts only. Similar rules as a party-nominated candidate apply, every candidate has to provide the signatures of at least 4 electors and lodge a deposit (€90) with the nomination.
  o **EP elections:** PR-STV system is used where independent candidates are standing on equal grounds to party-affiliated candidates. Similar rules as a party-nominated candidate apply, every candidate has to provide the signatures of at least 4 electors lodge a deposit with the nomination.

- **Rules on getting elected**
  o **Parliamentary elections:** No differences with party-nominated candidates in calculation, preferential voting used whereas the mandate is awarded in case of filling the (Droop) quota.
  o **EP elections:** No differences with party-nominated candidates in calculation, preferential voting used whereas the mandate is awarded in case of filling the (Droop) quota.

- **Number of independent candidates in recent elections (nominated/elected (year))**
  o **Parliamentary elections:** 1/0 (2003); 1/0 (2008)
  o **EP elections:** 5/0 (2004); 0/0 (2009)

**Sources:** Maltese Government Department of Information, General Elections Act, European Parliament Elections Act
NETHERLANDS

Types of applicable elections
- Parliamentary elections (lower house Tweede Kamer) (150 members)
- European Parliament elections (25 members in 2009)

General characterization of electoral system
- Parliamentary elections (lower house): An open-list proportional system, 1 national district, a combination of simple quota and d'Hondt method used, no national threshold.
- EP elections: An open-list proportional system, 1 national district, d'Hondt method used, no threshold.

Independent candidates in elections
- Parliamentary elections (lower house): No (nomination is party- or ad-hoc voter-group list-based; however, no expressis verbis regulation concerning independent candidates exists but a theoretical possibility for single member lists remains)
- EP elections: No (nomination is party- or ad-hoc voter-group list-based; however, no expressis verbis regulation concerning independent candidates exists but a theoretical possibility for single member lists remains)

Sources: Dutch Electoral Council, The Elections Act

POLAND

Types of applicable elections
- Parliamentary elections (lower house, Sejm) (460 members)
- Parliamentary elections (upper house, Senat) (100 members)
- European Parliament elections (50 members in 2009)

General characterization of electoral system
- Parliamentary elections (lower house): An open-list proportional system, 41 multi-member districts, a d'Hondt method is used, 5% national threshold for parties (8% for a coalition).
- Parliamentary elections (upper house): (since 2011) A simple majority FPTP system in 100 single-member districts.
- EP elections: An open-list proportional system, 13 multi-member districts, d'Hondt method used, 5% national threshold.

Independent candidates in elections
- Parliamentary elections (lower house): No (nomination is party- or ad-hoc voter-group list-based; however, no expressis verbis regulation concerning independent candidates exists but a theoretical possibility for single member lists remains)
- EP elections: Yes
- Parlimentary elections (upper house): No
- Rules on standing as candidate
- Parliamentary elections (upper house): A FPTP system is used where independent candidates are standing on equal grounds to party-nominated
candidates. Standing in one of 100 districts only. Similar rules as a party-nominated candidate apply. Candidates need at least 2 000 signatures.

- **Rules on getting elected**
  - **Parliamentary elections (upper house):** No differences with party-nominated candidates in calculation, simple majority needed.

- **Number of independent candidates in recent elections (nominated/elected (year))**
  - **Parliamentary elections (upper house):** 7/4 (2011)

**Sources:** Polish National Electoral Commission, Act on Elections to the Parliament, Act on Elections to the European Parliament

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**PORTUGAL**

**Types of applicable elections**
- Parliamentary elections (Assembleia da Republica) (230 members)
- European Parliament elections (22 members in 2009)

**General characterization of electoral system**
- **Parliamentary elections:** A closed-list proportional system, 22 multi-member districts, d’Hondt method used, no national threshold.
- **EP elections:** A closed-list proportional system, 1 national district, d’Hondt method used, no national threshold.

**Independent candidates in elections**
- **Parliamentary elections:** No
- **EP elections:** No

**Sources:** Portuguese National Electoral Committee of Portugal, Electoral Law of the National Assembly, Electoral Law of the European Parliament

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**ROMANIA**

**Types of applicable elections**
- Parliamentary elections (lower house, Camera Deputatilor) (332 members)
- Parliamentary elections (upper house, Senatul) (137 members)
- European Parliament elections (33 members in 2009)

**General characterization of electoral system**
- **Parliamentary elections (both houses):** A closed-list proportional system, 43 multi-member districts, a combination of Hare quota and d’Hondt method used, 5% national threshold (rising for coalitions). *Exclusively in 2008 elections a mixed-member proportional system was used where 315 mandates (137 in upper house) were up for election in single-member districts by using absolute majority, all unelected candidates were distributed nationally by d’Hondt proportional representation.* National minorities are entitled for additional seats in the lower house.
- **EP elections:** A closed-list proportional system, 1 national district, d’Hondt method used, 5% national threshold.

**Independent candidates in elections**
- **Parliamentary elections (lower house):** Yes
- **Parliamentary elections (upper house):** Yes
- **EP elections:** Yes
Independent candidates in national and European elections

- Rules on standing as candidate
  o Parliamentary elections (both houses): Independent candidates are standing separate of party lists, form a separate electoral unit. Standing in one district only. Similar rules as candidate in party list apply. Independent candidates need to provide support-signatures from at least 5% of total number of district voters. Exclusively in 2008 elections mixed-member system was used where independent candidates were standing on equal grounds to party-nominated candidates in single-member districts. Standing in one of 315 districts only. Similar rules as a party-nominated candidate apply (equal deposit of 5 minimum gross salaries) but independents need to provide support-signatures from at least 5% of total number of district voters.
  o EP elections: Independent candidates are standing separate of party list, form a separate electoral unit. Romania forms one national district. Similar rules as candidate in party list apply, although party lists have to provide support signatures from 200 000 voters but independents 100 000 signatures.

- Rules on getting elected
  o Parliamentary elections (both houses): Independents take part in allocation of mandates in comparison with party lists in districts, using the Hare quota. Exclusively in 2008 elections no differences with party-nominated candidates in single-member district, absolute majority needed.
  o EP elections: The d’Hondt method is used to compare lists and independents.

- Number of independent candidates in recent elections (nominated/elected (year))
  o Parliamentary elections (both houses): 11/0 (2004); 31/0 (2008)

Sources: Romanian Permanent Electoral Authority, Law no. 35 (on general elections), Parliament of Romania Info-site, Law no. 33 (on EP elections)

SLOVAKIA

Types of applicable elections
- Parliamentary elections (Narodna Rada) (150 members)
- European Parliament elections (13 members in 2009)

General characterization of electoral system
- Parliamentary elections: An open-list proportional system with preferential elements, 1 national district, Hagenbach-Bischoff (Droop) quota is used, 5% national threshold for parties (7% for a coalition of 2-3 parties, 10% for a coalition of 4+ parties).
- EP elections: An open-list proportional system with preferential elements, 1 national district, Hagenbach-Bischoff (Droop) quota method used, 5% national threshold.

Independent candidates in elections
  o Parliamentary elections: No
  o EP elections: No

Sources: Slovakian Ministry of Interior, Act on Elections to the National Council, Act on Elections to the European Parliament
SLOVENIA

Types of applicable elections
- Parliamentary elections (lower house, Državni Zbor) (90 members)
- European Parliament elections (7 members in 2009)

General characterization of electoral system
- Parliamentary elections: An open-list proportional system, 8 multi-member districts, Droop quota is used in districts and d’Hondt dividers method nationally, 4% national threshold, separate rules regarding 2 mandates representing Hungarian and Italian national communities.
- EP elections: An open-list proportional system, 1 national district, d’Hondt method used, no national threshold.

Independent candidates in elections
- Parliamentary elections: No
- EP elections: No

Sources: Slovenian National Electoral Commission, National Assembly Elections Act, Act concerning the election representatives of the Republic of Slovenia to the European Parliament

SPAIN

Types of applicable elections
- Parliamentary elections (lower house, Congreso de los Diputados) (350 members)
- Parliamentary elections (upper house, Senado) (264 members, 208 members directly elected)
- European Parliament elections (50 members in 2009)

General characterization of electoral system
- Parliamentary elections (lower house): A closed-list proportional system, 50 multi-member districts, d’Hondt method used, no national threshold (with exception in provinces of Ceuta and Melilla with single-member districts and simple plurality).
- Parliamentary elections (upper house): Simple plurality voting in 54 multi-member districts (every voter has 2-3 votes).
- EP elections: A closed-list proportional system, 1 national district, d’Hondt method used, no threshold.

Independent candidates in elections
- Parliamentary elections (lower house): No (nomination is party- or ad-hoc voter-group list-based; no expressis verbis regulation concerning independent candidates exists – legislation speaks of “group of candidates“ and gender equality)
- Parliamentary elections (upper house): No (nomination is party- or ad-hoc voter-group list-based; no expressis verbis regulation concerning independent candidates exists – legislation speaks of “group of candidates“ and gender equality)
- EP elections: No (nomination is list-based; no expressis verbis regulation concerning independent candidates exists – legislation speaks of “group of candidates“ and gender equality)
Independent candidates in national and European elections


SWEDEN

Types of applicable elections
- Parliamentary elections (Riksdag) (349 members)
- European Parliament elections (18 members in 2009)

General characterization of electoral system
- Parliamentary elections: A closed-list (open on notification of the party) proportional system, 29 multi-member districts (310 mandates distributed in districts, 39 as national compensatory mandates), modified Sainte-Laguë method used, 4% national (12% as compensation in a district) threshold.
- EP elections: A closed-list (open on notification of the party) proportional system, 1 national district, modified Sainte-Laguë method used, 4% national threshold.

Independent candidates in elections
- Parliamentary elections: No
- EP elections: No

Sources: Swedish Central Electoral Authority, Elections Act, CEA Compendium- Elections in Sweden

UNITED KINGDOM

Types of applicable elections
- Parliamentary elections (lower house, House of Commons) (650 members)
- European Parliament elections (72 members in 2009)

General characterization of electoral system
- Parliamentary elections: First-past-the-post plurality system in 650 single-member districts.
- EP elections: A closed-list proportional system, 11+1 districts, d'Hondt dividers used, no threshold (in district of Northern Ireland PR-STV used, 3 mandates in 2009)

Independent candidates in elections
- Parliamentary elections: Yes
- EP elections: Yes

- Rules on standing as candidate
  - Parliamentary elections: First-past-the-post system is used where independent candidates are standing on equal grounds to party-nominated candidates. Standing in one of 650 districts only. Similar rules as a party-nominated candidate apply - same age requirements (18), same security deposit (£500). No additional signatures needed.
  - EP elections: There are 9 electoral districts for England, 1 for Scotland, 1 for Wales and 1 for Northern Ireland. In 11 PR districts independent candidates are standing separate of party list, form a separate electoral unit. Independent candidate is seen as a single-candidate list, same provisions with party lists apply (£5000 security deposit), same age requirements (18).
In 1 PR-STV district of Northern Ireland independent candidates are standing on equal grounds to party-nominated candidates.

- **Rules on getting elected**
  - *Parliamentary elections*: No differences with party-nominated candidates in calculation, simple majority needed.
  - *EP elections*: Independent candidates are seen as single candidate lists in the calculation of results. The simple d'Hondt method is used to compare lists and determine the mandates. In Northern Ireland PR-STV preference voting and quotas are used.

- **Number of independent candidates in recent elections (nominated/elected (year))**

**Sources**: UK Electoral Commission, Representation of People Act, European Parliamentary Elections Act
### ANNEX 4 ELECTIONS INCLUDED IN THE CLE DATASET

The CLE dataset (Brancati 2011) includes electoral data for 146 elections in countries that now constitute the EU in which independent candidates received at least one vote. The table below shows the geographical and temporal span of the elections included in the empirical analysis performed in this study.

<table>
<thead>
<tr>
<th>Country</th>
<th>Period covered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>1975-1994</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>1994-2005</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>1996-2008</td>
</tr>
<tr>
<td>Cyprus</td>
<td>1981-1996</td>
</tr>
<tr>
<td>Denmark</td>
<td>1957-2011</td>
</tr>
<tr>
<td>Estonia</td>
<td>1995-2011</td>
</tr>
<tr>
<td>Finland</td>
<td>1999-2007</td>
</tr>
<tr>
<td>France</td>
<td>1988-1997</td>
</tr>
<tr>
<td>Greece</td>
<td>1977-1993</td>
</tr>
<tr>
<td>Hungary</td>
<td>1990-2006</td>
</tr>
<tr>
<td>Ireland</td>
<td>1948-2011</td>
</tr>
<tr>
<td>Italy</td>
<td>1953</td>
</tr>
<tr>
<td>Lithuania</td>
<td>1992-2008</td>
</tr>
<tr>
<td>Malta</td>
<td>1945-2003</td>
</tr>
<tr>
<td>Poland</td>
<td>1991-2007</td>
</tr>
<tr>
<td>Romania</td>
<td>1992-2004</td>
</tr>
<tr>
<td>Slovenia</td>
<td>1996-2004</td>
</tr>
<tr>
<td>Spain</td>
<td>1977-1982</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>1945-2005</td>
</tr>
</tbody>
</table>
ANNEX 5 SOURCES OF DATA FOR ANALYSIS PRESENTED IN CHAPTER 5

Data was obtained from the following sources:


Electoral systems data on periods not covered by DPI is taken from the International Parliamentary Union (www.ipu.org) Parline database.

Data on turnout in elections, effective number of parties and Gallagher disproportionality measure is taken from Klaus Armingeon, David Weisstanner, Sarah Engler, Panajotis Potolidis, Marlène Gerber, Philipp Leimgruber. Comparative Political Data Set I 1960-2009 (CPDS), Institute of Political Science, University of Berne 2011.

http://www.ipw.unibe.ch/content/team/klaus_armingeon/comparative_political_data_sets/index_ger.html

For elections not covered by CPDS (before 1960 or after 2009), the effective number of parties and disproportionality measure are taken from Michael Gallagher’s personal database (http://www.tcd.ie/Political_Science/staff/michael_gallagher/ElSystems/Docts/ElectionIndicators.pdf)

If the given indices or turnout figures could not be found in these datasets actual election results from Nohlen & Stöver (2010) and Mackie & Rose (1991), if available, were used to compute the turnout and index values.
ANNEX 6 EXPLANATION OF INDECES USED IN CHAPTER 5

The Gallagher disproportionality index (Gallagher 1991) measures disproportionality on a scale from 0-100 and can be used to compare how much are the actual vote shares are taken into account in allocating seats. Systems with perfect proportionality, i.e. when parties receive the exact same share of seats, as they received votes, would score 0 on the index and theoretical systems, where parties that did not receive any votes take all the seats, would receive 100. The lower the index value, the more proportional to the vote share is the actual seat distribution.

The Gallagher disproportionality index is computed using the following equation:

$$Gh = \sqrt{\frac{1}{2} \sum_{i=1}^{n} (V_i - S_i)^2}$$

where $V_i$ is the vote share and $S_i$ is the seat share of party $i$ in the given election.

For example, using the actual results of the Estonian election in 2011 and treating independent candidates together as a single unit, we can calculate the level of disproportionality.

### Result of the 2011 national election in Estonia

<table>
<thead>
<tr>
<th>Party</th>
<th>Vote %</th>
<th>Seat %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reform Party</td>
<td>28.6</td>
<td>32.7</td>
</tr>
<tr>
<td>Centre Party</td>
<td>23.3</td>
<td>25.7</td>
</tr>
<tr>
<td>Pro Patria &amp; Res Publica Union</td>
<td>20.5</td>
<td>22.8</td>
</tr>
<tr>
<td>Social Democratic Party</td>
<td>17.1</td>
<td>18.8</td>
</tr>
<tr>
<td>Greens</td>
<td>3.8</td>
<td>0.0</td>
</tr>
<tr>
<td>People’s Union</td>
<td>2.1</td>
<td>0.0</td>
</tr>
<tr>
<td>Russian Party in Estonia</td>
<td>0.9</td>
<td>0.0</td>
</tr>
<tr>
<td>Christian Democrats</td>
<td>0.5</td>
<td>0.0</td>
</tr>
<tr>
<td>Independence Party</td>
<td>0.4</td>
<td>0.0</td>
</tr>
<tr>
<td>Independent candidates</td>
<td>2.8</td>
<td>0.0</td>
</tr>
</tbody>
</table>

Source: National Electoral Committee [www.vvk.ee](http://www.vvk.ee)

$$Gh = \sqrt{\frac{1}{2} \sum_{i=1}^{n} (V_i - S_i)^2}$$

$$= \sqrt{\frac{1}{2} \left( (28.6 - 32.7)^2 + (23.3 - 25.7)^2 + \cdots + (2.8 - 0.0)^2 \right)} = \sqrt{\frac{1}{2} 58.66} = 5.42$$

The 5.42 index value for the 2011 Estonian election result, which is lower than the average of 6.1 for the elections used in the analysis above, tells us that the electoral systems is fairly proportional in seat allocation, even though a number of small parties failed to gain representation.

The effective number of parties was proposed by Laakso & Taagepera (1979) as a concentration index which counts the parties but weighs them according to the vote (or
seat) share. Some very small parties, for example, increase the nominal number of electoral actors, but do not really contribute toward party system fractionalization due to their smallness. The index takes this into account through weighting each actor by its vote or seat share, depending on which data is used for computation.

A lower value on the index shows that there are fewer relevant parties, i.e. parties that can be considered to have equal strength. It equals the actual number of parties contesting elections only when the parties have exactly the same electoral strength.

The effective number of parties based on vote shares is computed using the following equation:

$$N_v = \frac{1}{\sum_{i=1}^{n} p_i^2}$$

where \( p \) is the vote share of party \( i \) in the given election.

For example, taking the Estonian 2011 election data from above and treating independent candidates as a single category gives a nominal number of 10 parties, which would indicate a very fragmented party system. We can compute the effective number of parties to get a more precise estimation of the number of actors who are similar in their electoral strength.

$$N_v = \frac{1}{\sum_{i=1}^{n} p_i^2} = \frac{1}{0.285^2 + 0.233^2 + \ldots + 0.026^2} = \frac{1}{0.210} = 4.76$$

The effective number of parties is 4.76, which tells us that the votes are distributed in a manner as if there would be roughly five parties with equal electoral strength. The party system is therefore clearly less fractionalized than the nominal number of parties contesting the election would suggest. The main parties are quite comparable in strength and the small parties are very weak.
ANNEX 7 CALCULATION OF EFFECT SIZE

Effect size is calculated by converting the t-value reported by the t-test into an r-value (effect size) using the equation (A.1) proposed by Rosenthal et al. (2000).

\[ r = \frac{t^2}{t^2 + df} \]

The size of the effect (r) can be interpreted in a similar fashion to the correlation coefficient where 0 means that there is no effect, and 1 means that there is a perfect effect. However, r is not measured on a linear scale. In interpreting effect sizes, we follow Cohen (1969): a small effect accounts for 1-8% of the total variance; a medium effect accounts for 9-24% of the variance, and a large effect accounts for 25% or more of the variance. We prefer to report the effect size, as opposed to the t-statistic, because statistically significant values of the t-statistic may mask small, substantively irrelevant effects.
ANNEX 8 INDIVIDUAL-LEVEL PREDICTORS OF THE VOTE FOR INDEPENDENTS: REGRESSION RESULTS

Table 15 reports the results of two logit models. Model 1 includes the two demographic variables; model 2 includes attitudinal and behavioral characteristics. The general performance of the model is satisfactory with the Pseudo-R² reaching a value of 0.14 in Model 2. The effects of the independent variables were discussed in the main text of the study.

Table 15. Explaining the vote for independent candidates

<table>
<thead>
<tr>
<th></th>
<th>Model 1</th>
<th>Model 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
<td>-2.30***</td>
<td>-1.15***</td>
</tr>
<tr>
<td>(0.12)</td>
<td>(0.14)</td>
<td></td>
</tr>
<tr>
<td>Education</td>
<td>2.15***</td>
<td>2.36***</td>
</tr>
<tr>
<td>(0.35)</td>
<td>(0.12)</td>
<td></td>
</tr>
<tr>
<td>Close to a political party</td>
<td></td>
<td>-4.39***</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(0.30)</td>
</tr>
<tr>
<td>Extreme position of left-right</td>
<td></td>
<td>-0.96**</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(0.43)</td>
</tr>
<tr>
<td>Satisfied with democracy</td>
<td></td>
<td>-1.18***</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(0.31)</td>
</tr>
<tr>
<td>Approves government record</td>
<td></td>
<td>-3.82***</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(0.04)</td>
</tr>
<tr>
<td>Constant</td>
<td>-4.95***</td>
<td>-4.87***</td>
</tr>
<tr>
<td>(0.04)</td>
<td>(0.02)</td>
<td></td>
</tr>
<tr>
<td>Observations</td>
<td>17 083</td>
<td>11 930</td>
</tr>
<tr>
<td>Pseudo R²</td>
<td>0.08</td>
<td>0.14</td>
</tr>
</tbody>
</table>

Average marginal effects; Standard errors in parentheses
Country dummies included, not reported.
* p<0.1,**p<0.05,*** p<0.01
ANNEX 9 STANDING ORDERS OF NATIONAL PARLIAMENTS IN EU-27

The standing orders of national parliaments in EU-27 are available at the following webpages (as of November 12, 2012):

Austria:
http://www.parlament.gv.at/ENGL/PERK/RGES/GOGNR/index.shtml

Belgium:

Bulgaria:
http://www.parliament.bg/en/rulesoftheorganisations

Cyprus:
http://www.parliament.cy/parliamenteng/index.htm

Czech Republic:

Denmark:
http://www.thedanishparliament.dk/Publications/~/media/Pdf_materiale/Pdf_publikationer/English/Forretningsorden%20engelsk_samlet_060212.pdf.ashx

Estonia:
http://www.riigikogu.ee/?rep_id=799356

Finland:

France:
http://www.assemblee-nationale.fr/english/8ac.asp

Germany:
https://www.btg-bestellservice.de/pdf/80060000.pdf

Greece (factsheet):

Hungary (factsheet):
http://www.parlament.hu/angol/angol.htm

Ireland:
http://www.oireacthas.ie/parliament/about/publications/standingorders/

Italy:
http://en.camera.it/4?scheda_informazioni=31

Latvia:
Lithuania:
http://www3.lrs.lt/pls/inter2/dokpaieska.showdoc_e?p_id=389585

Luxembourg:

Malta:
http://www.parlament.mt/standing-orders?l=1

Netherlands:

Poland:

Portugal:

Romania:
http://www.cdep.ro/pls/dic/site.page?id=240

Slovenia:
http://www.dz­rs.si/wps/portal/en/Home/ODrzavnemZboru/PristojnostiInFunkcije/RulesoftheProcedureText

Slovakia:

Spain:

Sweden:

United Kingdom:
http://www.parliament.uk/about/how/role/customs/
DIRECTORATE-GENERAL FOR INTERNAL POLICIES

POLICY DEPARTMENT C
CITIZENS’ RIGHTS AND CONSTITUTIONAL AFFAIRS

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- Justice, Freedom and Security
- Gender Equality
- Legal and Parliamentary Affairs
- Petitions

Documents