
In electoral competition without a political party. Motivations, context and legal resources for independent candidates in the Republic of Moldova

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Abstract: *Electoral competition is a fundamental attribute of democratic systems. Modern American-inspired democracy, essentially, has established and supported electoral competition between political blocs, capable of supporting and justifying multi-partyism as an expression of the capacity for political organization of society. In recent decades, many states have adopted regulatory frameworks and electoral rules that facilitate independent candidacies, mainly in local and regional elections. In this article we debate, in what extent does the cooperation of masses of individuals, of a subnational collectivity, influence the political goals of the electoral system, to what extent does the institutional context influence the emergence of independent candidates, to what extent do the beliefs of collectivities allow the emergence of such candidates in the Republic of Moldova.*

Keywords: democracy; multi-party system; political party; independent candidate

LEGITIMIZING INDEPENDENT COMPETITORS IN REPRESENTATIVE DEMOCRACY

In democratic systems, the country's leadership and the administration of subnational collectivities are carried out by elected representatives. Administration through representatives has become necessary with the evolution of the complexity of social life and the changing role of state authorities, becoming the most widespread form of materialization of democracy. It is suspected of introducing a systematic distortion between the expectations of some and the decisions of others and is closer to a political bargain than to an ideal of rational legitimation¹, representation has profound sociological connotations that justify its necessity. At least three arguments explain the goals for representation²: collective action for a common purpose becomes difficult because of the impossibility of physically and timely assembly the entire community; in a large group countertendencies are imminent; the quality of collective action will suffer because of those fatal downward leveling which conditions the cooperation of a mass. If a majority really acts together, then this will only happen in those directions which make possible a descent of the higher-placed individual to the level of the lower-placed individual. Experience shows that in a crowd gathered, the leadership will fall to the most temperamental, most radical, most noisy elements, and not to the most intellectually representative, and often the mass gatherings make the most reckless and harmful decisions. For these reasons, by choosing the most capable persons in the community, a transfer of authority occurs from a collective "we" to a nominal "they" for the achievement of the goals of the whole community. It is about a transfer of functions from the total group, of the collectivity, to a partial, smaller group.

In old democracies, considered to be authentic, the institutional mechanisms, the strong political structures, the clear electoral system, are somehow designed to make the appearance of independent candidates in the electoral competition unlikely. The systemic explanation is relatively

¹ Nelly Haudegand, Pierre Lefebure, *Dictionnaire de probleme politice: 60 de mize ale Franței contemporane*. Chisinau, Museum, 2002, p. 204.

² Valentina Cornea, (2009) *Activitatea administrației publice locale: abordare sociologică*. Cahul: „Prin-Caro” SRL, pp. 43-44.

simple, authentic democracy incubates the idea of procedures, of institutional capacity, of an infrastructure that controls the issue of the political conception within a political formation and that suppresses the traditional idea, this time, of the appearance of an independent, messianic candidate, detached from the idea of the system and that brings to the political game a new discourse considered to be outside the complicated inertia developed by the classic political parties, conformist placed to the right or left of the political spectrum.

The concern of modern sociology for such a theme is major in the context of a European continent that is currently discussing the sum of threats to democracy and the European construction. The problem of administration through legitimate representatives is likely to explain, to some extent, the complexity of social and political life within a society. In this sense, the Republic of Moldova is undoubtedly a society that allows for a deep debate on the emergence of divergent political interests in relation to the European construct that a part of the society in question particularly emotionally contests.

In the debates on the functioning of representative democracies, as well as for development projects initiated outside the target community, two fundamental questions are of interest: 1) to what extent can a person understand and represent the interests of another person or a community? and 2) how is the process of selecting representatives, subsequently invested with the power to lead, carried out.

Regarding the first aspect, there are two beliefs of the quality of representation: the belief of demographic representativeness and the belief of political representativeness. The belief of demographic representativeness assumes that the possibility of an individual to actively representing the interests of another person is all the greater the more similar the individual is to that person in terms of social position. According to this principle, it is essential that the different social categories are represented in decision-making bodies by their own members, and not by people from outside them. This theory implies that the interests of women will generally be better represented by women than by men, the interests of ethnic minorities - by members of those ethnic minorities, etc. In the sense of social psychology, we consider that belonging to a group also means a high degree of fidelity in knowledge of the group's problems, and in the sense of representativeness, we tend to choose someone whom we consider relevant in terms of understanding the problems faced by the group to which we belong.

The concept of political representativeness emphasizes not the similarity of social characteristics, but the sharing of common worldviews, communication and mutual knowledge. Thus, the key to effective representation of interests lies in identifying people with similar values (who may or may not be members of the same socio-demographic categories) and who have the necessary competence to know and communicate the life situation of those they represent, as well as the political skill necessary to negotiate their interests in the political environment.³

Regarding the selection method, in democratic societies representativeness is ensured through elections. Elections, in a narrow sense, constitute the designation by voters of their representatives in a frame of power.⁴ The democratic way of electing authorities is a public operation and represents the result of a value selection in which the social status, political and civic culture of the average citizen, traditions, etc. are considered. In an idealized account of the role of elections, Maravall J. M. explains how the selection process of those to whom the right to represent is delegated works: 1). Candidates compete, transmitting prospective messages about their future policies and signals about their competence; 2) Voters select those candidates closest to their ideal political positions and more capable of implementing their program; 3) Once elected to office, the people who hold elective

³ Norma M. Riccucci, & Marcia K. Meyers, Linking passive and active representation: The case of frontline workers in welfare agencies, *Journal of Public Administration Research and Theory*, vol. 14, nr. 4, 2004, pp. 585-597.

⁴ Sergiu Cornea, *Introducere în politologie*, Cahul, USC, 2008, p.180

positions adopt policies and dedicate efforts to fulfill them; 4) Policies and efforts, under particular exogenous conditions, produce results that modify the well-being of citizens; 5) At the time of the next election, voters retroactively evaluate these results and attribute them to the policies and efforts of the incumbent and the influence of exogenous conditions; 6) Voters update their preferences regarding policies and candidates; 7) Voters re-elect or reject the holder. Elections, therefore, select and assess"⁵.

The necessary and (not always) sufficient condition for different candidates or parties to participate in the political selection process is political competition. Largely, competition for the designation of representatives acting on behalf of the state or local community has involved the entry into electoral competitions of political parties. In recent decades, many states have adopted regulatory frameworks and electoral rules that facilitate independent candidacies, especially in local and regional elections.

Open lists have increasingly become the norm in European democracies⁶. Even though the votes accumulated by independent candidates are sometimes significantly lower than those accumulated by parties, there is a growing interest in non-party politicians. Their role is important because:

- "*change the game*" and destabilizes existing political models by: 1) creating electoral competition and 2) putting specific issues on the political agenda. These two aspects are seen to ensure better representation of voter preferences.

- Encourages those who do not usually vote to vote, offering an alternative to traditional parties⁷.

REQUIREMENTS AND CONDITIONS FOR INDEPENDENT CANDIDATES

Most countries that allow independents to run in elections require certain requirements for independent candidates. Beyond requirements such as age, residency, citizenship or lack of convictions, there are also requirements for supporting signatures, and proof of financial resources (financial deposit requirement) to register. The supporting signature requirement requires lists signed by a certain number of eligible voters. Signature requirements are usually not very high, but without a massive party infrastructure to collect signatures door-to-door, independent candidates may have difficulty collecting even a small number of signatures. Some countries, such as Belgium and Luxembourg, make exceptions to these requirements. In these countries, candidates without the required number of signatures can run if they have the support of a certain number of parliamentarians, a practice that inevitably favors political insiders. In Slovenia, exceptions are not made based on political connections, but on ethnicity, with independents of Italian or Hungarian origin needing fewer signatures than others.⁸ Deposit requirements vary from country to country. In most countries, deposits are defined in absolute terms, but in some they vary from year to year, depending on a country's average monthly wage (Lithuania) or minimum wage (Estonia). For example, in the Netherlands the deposit exceeds \$15,000, and in Turkey it exceeds \$30,000. The

⁵ José María Maravall, „Accountability and the Survival of Governments”, in Carles Boix, and Susan C. Stokes (eds), *The Oxford Handbook of Comparative Politics* (2009; online edn, Oxford Academic, 2 Sept. 2009), <https://doi.org/10.1093/oxfordhb/9780199566020.003.0037>, accessed 18 Sept. 2023.)

⁶ Ehin Piret et al, *Independent candidates in national and European elections*, European Parliament, Directorate general for internal policies, p. 10,

⁷ Vlada Ciobanu, De ce restricțiile în participarea independenților la alegeri ne afectează democrația, 2019. Available at: <https://watch.cpr.md/de-ce-restrictiile-in-participarea-independentilor-la-alegeri-ne-afecteazademocratia/>, (accesat 20.06.2023).

<https://watch.cpr.md/de-ce-restrictiile-in-participarea-independentilor-la-alegeri-ne-afecteaza-democratia/>

⁸ Dawn Brancati, Winning Alone: The Electoral Fate of Independent Candidates Worldwide!, *The Journal of Politics*, 2008, vol. 70, No. 3, p. 650.

difficulty that candidates face in meeting the deposit requirements depends not only on the size of the deposit, but also on the level of economic development of a country. Obviously, a deposit of \$1,000 in the United States is much easier to meet than a deposit of \$1,000 in Turkey or Niger. As with signature requirements, some countries provide exceptions to the deposit requirements under specific conditions. In India, for example, independent candidates representing scheduled castes and scheduled tribes pay a deposit that is half that of other independent candidates. As with signature requirements, some countries offer exceptions to the deposit requirement under specific conditions. In India, for example, independent candidates representing scheduled castes and tribes pay a deposit that is half that of other independent candidates.⁹

The Venice Commission recommends that the number of monetary deposits, where they are prerequisites for registration, should be of a sufficient amount to deter frivolous parties and candidates, while at the same time not being so high as to prevent legitimate parties or candidates from gaining access to the vote. Furthermore, excessive amounts of monetary deposits may be considered discriminatory, as they limit the right of citizens without adequate resources to stand for election, as protected by human rights instruments. Furthermore, the deposit should be refundable if the candidate or party exceeds a certain number or percentage of votes. The amount requested should reflect the economic realities of the country. While this practice may be considered more efficient than collecting signatures, the threshold required for a refund should be reasonable.¹⁰

Although the possibility of running as an independent candidate seems to be implicit in the right to be elected, not all countries ensure this. In 13 EU countries it is allowed to run as an independent candidate, in five others there is no explicit provision about independent candidates, but in theory you can run alone on a list, in nine other countries you cannot run as an independent candidate.¹¹

LEGAL PROVISION REGARDING THE RIGHT TO BE ELECTED

Since the declaration of independence and so far, 6 general elections have taken place in the Republic of Moldova. The Constitution of the Republic of Moldova, the Electoral Code, the Labor Code, the Audiovisual Media Services Code, the Contravention, Criminal and Administrative Code of the Republic of Moldova, as well as over 20 laws and regulations provide the framework for the realization of the right to vote and to be elected. All these acts provide for the conditions that must be observed in the process of designating representatives for the legitimate exercise of power at the level of local territorial collectivities. These provisions impose age, structural, financial conditions, etc.

In art. 1 of the Electoral Code of the Republic of Moldova, by independent candidate refers to a person who is running for elected public office independently of political parties and electoral blocs and is duly registered. Political non-affiliation is the defining characteristic of all independent candidates. This is a major obstacle to their electoral success, as parties perform several functions: they reduce the cost of voting, they allow individual candidates to benefit electorally from their association with party colleagues, and they provide candidates with significant organizational and financial support. However, parties may endorse independent candidates and encourage people to vote for them, which is often the case if parties do not have their own candidates. In the most basic sense, the lack of partisan affiliation means that an independent's name appears alone on a ballot and

⁹ Brancati, op. cit. p. 650

¹⁰ Congress of Local and Regional Authorities of the Council of Europe, Vladimir Prebilic (Rapporteur). *The situation of independent candidates and the opposition in local and regional elections*, Council of Europe, p. 40 Available at: <https://rm.coe.int/0900001680a5ae6f> (Accessed: 25.06.2024).

¹¹ Vlada Ciobanu, op. cit.

not alongside a particular party. As such, independents are not affiliated with any political party. In developing their own agendas, independents often do not develop complete political programs, but compete based on single issues¹², such as environmental protection, equal opportunities, operation of social institutions, etc.

In the Republic of Moldova, citizens have the right to run independently for the position of president of the country, mayor or councilor in the local council. According to the provisions of the Electoral Code (art. 164), filing a candidacy for the position of councilor is conditional on the support of 2% of the number of voters in the electoral district, divided by the number of mandates for the respective council, but not less than 50 people, and to be elected mayor – if supported by 1% of the number of voters in the constituency, but not less than 100 people. Prior to the amendments to the Electoral Code, this number was 5%. This high ceiling did not consider the recommendation of the Venice Commission according to which “the law should not provide for the collection of signatures from more than 1% of the voters in the respective constituency”. A person can run for the position of councilor both in the council of the first-level administrative-territorial unit and in the council of the second-level administrative-territorial unit. A person can run for both the position of mayor and the position of local councilor but cannot run for these positions in more than one electoral district of the same level, (art. 163, p. 5).¹³

In order to be elected, they become part of the local electoral process, that is, they are involved in all the activities and procedures carried out consecutively related to the organization, conduct and totalization of the results of the local elections. Local elections, by their very essence, aim to promote worthy individuals, knowledgeable about the specific problems of the localities, in accordance with the legitimate demands of the inhabitants, to the eligible positions of the local public administration¹⁴. The submission of one's own candidacy for the position of mayor and/or local councilor is carried out by applying to the district electoral councils. After submitting the application, the stage of collecting signatures by the people submitting their own candidacy follows. The signatures of support are collected in a model subscription list, issued by the electoral body, individually or by support groups established under the law. Voters can support several independent candidates for several elective positions, but they cannot support the same candidate, by signature, two or more times. Prior to the amendments to the Electoral Code, voters could support, by signature, only one candidate. The new provision, promoted and supported by Promo-LEX, facilitates the right to be elected by potential independent candidates¹⁵. Signatures are collected in the place/places within the electoral district in which the candidate is running.

A special condition for being elected is age. For the position of mayor, the legal age requirement is 23 years. Reducing it by 2 years, compared to the previous provisions, is considered reasonable and in line with international standards¹⁶. People who have reached the age of 18 can apply for the position of councilor. Also, candidates for elective positions at the local level must hold the citizenship of the Republic of Moldova, have a residence permit on the territory of the Republic of Moldova, including in the administrative-territorial unit, for no less than 3 years; have no criminal record for crimes committed intentionally; are not deprived of the right to hold public positions of responsibility by a final court decision.

¹² Dawn Brancati, op. cit. p. 654.

¹³ Codul Electoral, Published: 23-12-2022 in the Official Gazette at no. 426-427 art. 770.

¹⁴ Sergiu Cornea, Valentina Cornea, *Autoadministrarea colectivităților locale: aspecte teoretico-practice*, Cahul: US „B. P. Hasdeu”, 2010 pp. 84-85.

¹⁵ Promo-Lex, *Noutățile Codului electoral pentru alegerile locale generale din 5 noiembrie 2023*. Available at: <https://promolex.md/23977-noutatile-codului-electoral-pentru-alegerile-locale-generale-din-5-noiembrie-2023/?lang=ro> (Accessed: 20.09.2024)

¹⁶ Ibidem.

For the organization of the electoral campaign, independent candidates benefit from material support from the state. In this regard, candidates can take out an interest-free loan, in the amount determined by the Electoral Commission. The application for obtaining the loan is submitted to the Ministry of Finance. The interest-free loan granted to independent candidates in 2019 represented 10,000 lei for each independent candidate¹⁷. It is reimbursed by the state within three months of the election date, depending on the election results.

Briefly presented, the requirements for the registration of independent candidates for mayor, which will be presented to the district electoral council, are¹⁸:

- Written application requesting registration as an electoral competitor;
- Subscription lists with a sufficient number of signatures of the independent candidate's supporters;
- Biographical data of the candidate;
- Candidate's declaration regarding its consent to run for elective office;
- Declaration of assets and personal interests for the last year before the local elections;
- Affidavit confirming that it has not been sentenced to prison or has a criminal record and that no final findings have been issued against it;
- Declaration regarding the suspension, during the term of office, of positions incompatible with the position of mayor, if the person is elected and the mandate is validated;
- Declaration regarding the suspension from the position held since the start of the electoral campaign;
- Copy of the diploma of studies – in the case of candidates for the position of mayor, certifying that they have at least mandatory general education;
- Copy of the candidate's identity card;

Even a brief analysis of the legislation shows that the registration of independent candidates in electoral elections is sufficiently burdened with rules and requirements as complex as for parties. In addition, independent candidates also submit subscription lists with enough signatures of supporters. To register, they must appear in person at the district electoral council, where they submit the subscription lists together with the documents required for registration.

CAPITALIZING ON THE RIGHT TO RUN INDEPENDENTLY IN THE REPUBLIC OF MOLDOVA

All elections in the Republic of Moldova have been held against the backdrop of developments in the national political and judicial sphere. The desire of Moldovan citizens to run as independents crystallized in a winding way - with enthusiasm in the first years after the declaration of independence, followed by a period of decline, then a substantial revival. The Republic of Moldova is among the countries where no more than 15% of candidates running for elective office are independents and they win on average between approximately 2 and 5% of the votes¹⁹. The only legislature that included independent candidates was the one elected in the February 24, 2019, elections organized under the mixed parallel system. Even so, only 3 of the 59 people who ran in 51

¹⁷ Prom-Lex, Raport final „Misiunea de observare a alegerilor locale generale și parlamentare noi din 20 octombrie”, 3 noiembrie, 2019, p. 61. Available on: <https://promolex.md/16461-raportul-final-misiuneade-observare-a-alegerilor-locale-generale-si-a-alegerilor-parlamentare-noi-din-20-octombrie-3-noiembrie-2019/?lang=ro>. (Accessed: 26.09.2024)

¹⁸ Comisia Electorală Centrală a Republicii Moldova. Official page. Available on: https://a.cec.md/ro/maine-19-septembrie-incepe-perioada-de-depunere-a-documentelor-2781_107415.html

¹⁹ Dawn Brancati, D (2008), op. cit. p. 655

single-member constituencies obtained a mandate as a deputy²⁰. In the case of elective positions at the local level, the desire to run as an independent candidate is expressed by a larger number of citizens. In the 2019 general local elections, at least 3,778 candidates were registered for the position of mayor. The most candidates were registered in Orhei – 198, Florești – 172 and Ungheni – 161²¹. Women represented 8% of all independent candidates. For the position of councilor, compared to the general local elections of June 14, 2015, 5,353 files (over 51.4 thousand people) were registered in the 2019 elections. The most files were registered in UTAG (424), Orhei district (240) and Ungheni district (214).²²

Table 1 Independent candidates elected to local public positions

Independent candidates	Councilor level II	Councilor level I	Mayors	Votes
1999	6	292	191	6.83%
2003	23	479	157	5.43%
2007	19	333	95	4.4%
2011	9	336	69	4.06%
2015	6	372	67	3.18%
2019	24	510	112	5.74%

Source: synthesis made by the authors based on official data, Central Electoral Commission of the Republic of Moldova

Analyzing the rate of independent candidates elected to local public offices since the 1999 elections until now, in the period 2007-2015, citizens' intentions to run as independent candidates were lower compared to the previous period. The revival is attested in the 2019 general local elections. Out of 898 mayoral positions, 112 (12%) were occupied by independent candidates. Of the total number of elected mayors, 22% (195) are women, 13% (26) of whom ran as independent candidates. The 510 local councilor mandates are found in 26 local councils. The intentions to run as independent candidates for the position of councilor at level II local public authorities are limited.

The largest number of independent mayors are elected in the Găgăuzia and in the districts Ștefan Vodă, Hâncești, Edineț, Căușeni and Cahul. The intention to run independently is largely attested in villages and townships. Of the 112 elected mayors, only 7 are elected in cities and municipalities. Considering that we are talking about the 2019 general local elections, that is, until the amendments to the Electoral Code come into force, we can state that "the restrictions and discrimination of independent candidates regarding their right to run for elections are contradictory to international standards and best practices", a finding made in an interim report on the observation of local elections in the Republic of Moldova²³. Perhaps, indeed, collecting several signatures that would reach the level of 5% of the total number of voters with the right to vote is an impediment, given the limited logistical resources available to independent candidates. These provisions led to the fact that in the local elections of 2015 and 2019, no independent candidate was registered for the position of mayor of Chisinau. There was an intention, but the candidate was not registered in the electoral elections, following the decision of the Chisinau District Electoral Council. The Chisinau

²⁰ Arina Kraijdan, Doina Bordeianu, *Șansele candidaților și candidatelor independente de a accede în Parlamentul Republicii Moldova în cadrul sistemului electoral proporțional*, CICDE Policy Brief, no. 4, p. 3. Available on: https://cicde.md/wp-content/uploads/2023/03/policy-brief_4_6867931.pdf (Accessed: 30.08.2024)

²¹ Promo-Lex, 2019, op. cit., p. 37

²² Ibidem.

²³ Misiunea Internațională de Monitorizare a Alegerilor ENEMO, *Alegeri Locale Generale, 20 octombrie – Moldova. Raport interimar 20 septembrie - 11 octombrie 2019*. Available on: http://enemo.eu/uploads/file-manager/1stInterimReport-LocalElectionsOct_2019Moldova-13Oct_2019.pdf (Accessed: 18.09.2024)

District Electoral Council did not validate about a thousand signatures collected by Codreanu's team from Chisinau residents²⁴. The November 2023 election will show whether the new amendments to the Electoral Code, which reduce the number of signatures, will encourage citizens to run independently.

One of the possible explanations for the decrease in the desire to run as an independent candidate could be migration and political drift, a phenomenon fueled by the parties in power and the poor management of human resources within the party to which the mayors who obtained a mandate were members were affiliated politically. The merits and talents of people within the party were not appreciated by the party leadership. A study addressing the issue of the political affiliation of mayors shows that out of the 504 mayors re-elected in the 2015 local elections, 101 changed the political party that promoted them to the mayor's seat in 2011, 22 mayors from the ranks of independent candidates joined a political party, and 16 mayors, who belonged to a political party in 2011, preferred to run independently and won the mayor's position in 2015. During the period 2015-2017, out of the 69 independent candidates who won the mayor's position in the 2015 local elections, 16 or 23% preferred to affiliate with a political party, this being the Democratic Party of Moldova²⁵.

One reason that can be considered a discouraging to run as an independent is unequal treatment. Sometimes, subtle repressions faced by candidates can be considered forms of discrimination, detrimental to political pluralism. Even when independent candidates are allowed to run and have a de facto chance of being elected, they may face many administrative obstacles and structural disadvantages that diminish their competitiveness against party candidates. As a result, many become discouraged. For example, before/during the 2019 local elections in the Republic of Moldova, administratively burdensome procedures for collecting an unjustified number of supporting signatures from voters (one voter could support only one candidate) reduced the chances of independents running and being elected. No such requirement was imposed on political party candidates.²⁶ ENEMO observers found that the signature collection process was problematic in several cases. Insufficiently clear legal provisions left room for different interpretations of the terms "locality", "municipality", "suburb" and "territorial-administrative unit". Due to discrepancies in the legal interpretation of the provisions of the electoral legislation, the CECEs rejected several candidates' applications, which led to several court disputes and appeals of first instance court decisions. In several cases, the reasons for the rejection of independent candidates by the CECEs were based on minor errors, small technical mistakes and different interpretations of the law.²⁷

The general local elections of November 5, 2023, were organized according to the new provisions of the legislation in force and in a complex political and social context, marked by intense competition between traditional political parties and independent candidates. These elections were essential for the configuration of local administrations and for determining the direction of community development in the next four years. According to the provisions of the new Electoral Code, approved on December 8, 2022, and entered into force on January 1, 2023, the most important areas were modified regarding the mandate, the age of candidates, the process of designation and registration, the method of administering electoral lists and the strengthening of the control attribution of the Central Electoral Commission.

In the report provided by the CEC, a total of 116 independent candidates were elected to the

²⁴ Codreanu a atacat în instanță decizia Consiliului Electoral prin care a fost exclus din cursă. Available on: <https://tv8.md/2019/10/01/codreanu-a-atacat-in-instanta-decizia-consiliului-electoral-prin-care-a-fost-exclus-din-cursa> (Accessed: 20.08.2023)

²⁵ Ion Meleștean, „Traseismul politic al primarilor în Republica Moldova (2011-2017)”, *Administrarea Publică*, 2017, nr. 3(95), pp. 153-158.

²⁶ Prebilic, op. cit.

²⁷ ENEMO, op. cit., p. 10.

position of mayor in the localities of the Republic of Moldova, 26 women and 90 men, with only 4 more candidates compared to the 2019 election, where the total number of independent candidates elected to the position of mayor was 112. A possible cause of the large difference between men and women may be the increased degree of distrust in women's ability to administer public affairs.

SOCIO-DEMOGRAPHIC PROFILE OF INDEPENDENT CANDIDATES

The exercise of the positions to which independent candidates were elected requires a certain level of experience and knowledge to resolve and oversee, within the framework of the law, an important part of the public affairs of the territorial community they represent. The exercise of these powers also implies an increasingly high level of experience and knowledge, which, however, proves to be unevenly distributed among the elected officials, for reasons that are not so much related to the person as to the means available to each within its community.²⁸

Because public data on the electoral campaigns of independent candidates are very brief, the analysis is limited to 12 independent mayors. We refer to the longest-serving mayors, who have run as an independent candidate at least once, and 6 independent mayors from Cahul district. Their profile and activity are analyzed based on the following criteria: age, education, professional experience, motivation to run as an independent candidate, assuming the role, challenges in exercising the position, and perceptions of citizens.

The data highlight that the most represented category for the position of independent mayor are people who held administrative positions before the proclamation of the independence of the Republic of Moldova. In most of the analyzed situations, positions in district executives, district party committees, and councils of deputies are attested. The young mayors, who ran for the 2015 and 2019 elections, have extensive volunteer experience, work as advisors, or have worked in local public services. The average age of an independent mayor is under 50 years old.

On the administrative agenda of mayors are primarily issues related to social services, utilities and infrastructure for a decent life. They are aware that they have assumed a role of great responsibility and at the same time demanding. From the reports available in the media, the activity of independent mayors is quite intense. Even if they allocate days for the audience, where they meet with over 30 citizens, they discuss their problems outside of office hours. "I am not tied to working hours, I am tied to problems", admits a mayor (city of Cricova), "The mayor is not only a representative person, but also an executive, and the problems of the village end up on the mayor's head", "the mayor should be a village manager, and the city hall an administrative structure, not a political one" says another mayor (village of Banesti, district of Telenesti). In addition to administrative issues, they also deal with "more mundane" problems. Whether someone is beaten or kicked out of their home, someone's dog has been poisoned or neighbors are burning their garbage (mayor of Budești township, Chișinău city), or a mediator in love relationships (mayor of Caracusenii Vechi, Briceni)²⁹.

Reduced budgets, the unwillingness of citizens to be more cooperative in solving local problems, political pressures are the problems they face most often. In these conditions, they must be quite "creative", good communicators and negotiators, with a keen sense of prioritization. If a city hall building or a cultural center "remains repetitive" in terms of repairs, it is because "the money went [first] to the needs of the village".³⁰

Financial challenges are most often the result of poor relationships with institutions

²⁸ Sergiu Cornea, op. cit., p. 16.

²⁹ Raisa Răzmeriță, „Forever primar”, 2017. Disponibil: <https://oamenisikilometri.md/forever-primar/>. (Accessed: 10.08.2024)

³⁰ Ibidem.

responsible for distributing financial resources. Political non-affiliation is openly mentioned as a reason for financial non-support. It is a widespread phenomenon in the Republic of Moldova. Data shows that mayors politically affiliated with the ruling parties received more money than those of the opposition or independents. For example, in 2018, in the "Good Roads for Moldova Program", allocations favored jurisdictions where, based on the new mixed voting system, representatives of the Democratic Party ran. A maximum index of political clientelism was recorded in 2012, when the probability of receiving funds for capital investments from the State Budget was on average 4 times higher in local territorial collectivities where a mayor affiliated with the governing alliance was elected than in those that elected mayors affiliated with other parties³¹.

Financial challenges are also among the factors that affect the quality of being "independent", with mayors having to join a political party. Mayors appreciate that one of the advantages of being independent is the freedom to make decisions. However, 4 mayors from those targeted in the study migrated to several parties, arguing their gesture by the need for "political capital" to carry out projects at the local level. "Whoever will give me money for the village - I'll go with that one!" becomes a generalized expression through which city councilors explain their gestures of political transition. One mayor exercised all its mandates independently but had the support of several parties. At the same time, there are also mayors who resist the phenomenon, maintaining their independent status. 3 of the six independent mayors in Cahul district ran independently for a second term, obtaining an overwhelming number of votes. All three mayors obtained the mandate by running independently, after a term in which they were politically affiliated

Citizens' perceptions unanimously indicate that the preference for an independent candidate is due to their "good householder" qualities and the way they are treated. The most appreciated are their "kind words", their willingness to listen, their moderation and their dignity.

Other aspects associated with the ability to manage that we can discern are the motivation and will to achieve their goals, as well as the emphasis on values, competence, devotion and sacrifice. The fact that they are more community-oriented than party-oriented helps them somewhat to defy the "Iron Law of Oligarchy", formulated by Robert Michels³² and it is precisely the skillfulness to be "political people" that ensures their re-election for a new term.

In an electoral campaign, electoral competitors try to make their programs known by distributing leaflets, but also by direct speeches to the public. Independent candidates are more reserved when it comes to promises and there is an increase in the professionalism with which they come to the political market. For them, the marketing of promises, in a way, manifests itself through awareness of the current reality. They analyze all sources so that they can then offer people what they want to hear. For example, if the community budget does not allow the construction of an access road or the start of a new aqueduct project, they avoid making promises that cannot be fulfilled within a mandate.

The success of the independent candidate's electoral campaign is largely due to the image and content strategies it follows and applies during the electoral period. "The world sees well what you are on the outside and few see what you are on the inside; and those few do not dare to contradict the opinion of the crowd (...) the people only judge what they see"³³, said Machiavelli in the „Prince”. They can opt for active, passive or positive electoral strategies. Each strategy has specific characteristics, which highlight the qualities and active attitude of the independent candidate, do not emphasize attacking opponents, choose appropriate moments for action, positive speech, use

³¹ Expert Forum, *Profilul clientelismului politic în regiune: România, Moldova și Georgia, 2018*. Disponibil: <https://expertforum.ro/profilul-clientelismului-politic-in-regiune/>. (Accessed: 10.08.2024).

³² Robert Michels, *Political parties. A Sociological Study of the Oligarchical Tendencies of Modern Democracy*. Kitchener, Batoche Books, 2001, p. 224.

³³ Niccolò Machiavelli, *Principele, Bucuresti*, Humanitas, 2019, p. 26.

messages that urge calm, balance, stability, dignified reactions to opponents' attacks. The case of Mayor Vasile Popovici, re-elected even when the opponents' election campaign flyers contained a list of reasons why he should not be re-elected, is instructive in this regard.

An eloquent example that demonstrates how a well-designed strategy works is Nicolae Dandiș, the mayor of Cahul. Before being elected mayor in 2015, beyond the big objectives that he brought to the attention of the people of Cahul, and what is within the powers of a mayor in this regard, he insisted on the fact that the biggest priority as mayor is to make people believe that the one they elect is doing everything in his power to work for the community, and for people to regain trust in what local public administration means.³⁴ Showing that you are not above those you represent has become a benchmark for citizens. People no longer believe in promises. In many cases, promises to create the feeling of candidates bidding for votes.

A special significance in the attitude of the independent candidate in the electoral campaign is also because they do not emphasize attacking their opponents. Campaign programs are built around questions aimed at achieving concrete results, in how long, with what means, with what efforts, what are the resources, what are the obstacles, who are they addressing, what they should say to the voters and how to send the message.

While all independent candidates are similar in their lack of political affiliation, they are different from each other in many ways. This is not the case for the individuals included in the study, but many independents are strangers to politics and have no experience in government. They are often drawn into the political arena by a single issue about which they feel passionate. Many even use their independent positions to present themselves as the only ones who can come up with solutions to collective problems, can successfully negotiate deals with different parties for the benefit of the community. Others, on the contrary, are political insiders who have previously participated in governance processes as members of certain political formations or have been part of the administrative bureaucracy. Many of these have left parties due to disputes over the direction of their parties, personal conflicts with other party members, or failure to win a seat on party lists.³⁵ Although dominant, this view of independent candidates is not universal. A considerable number of scholars, policymakers, and activists suggest that independents enhance democracy by proposing new and innovative solutions. Others suggest that independents strengthen democracy by reducing corruption, restoring the integrity of government, and reviving citizen interest in politics.³⁶ These things depend on their electoral strength, which varies greatly within the country.

CONCLUSIONS

The electoral power of independent candidates is influenced by the electoral system and the administrative culture of the country. Reforms that promote candidate-centered politics have as a secondary effect a leveling of the playing field for independent candidates. The relevance of representation in a democratic state lies in the action of all members of a local territorial collectivity to elect the most suitable persons to represent them. The presence of independent candidates is an indicator of representative democracy and the affirmation in practice of the right to vote and to be elected.

In the conditions of the Republic of Moldova, one can speak of political rather than

³⁴ Radio Europa Libera Moldova, Nicolae Dandiș: „Daca vrei ca oamenii sa aiba incredere in tine, trebuie si tu sa ai incredere in ei” October 23, 2019, [https://moldova.europalibera.org/a/nicolae-dandis-dac%C4%83-vrei-ca-oamenii-s%C4%83-aib%C4%83-%C3%AEncredere-%C3%AEn-tine-trebuie-%C8%99i-tu-s%C4%83-ai-%C3%AEncredere-%C3%AEn-ei-\(video\)/30232050.html](https://moldova.europalibera.org/a/nicolae-dandis-dac%C4%83-vrei-ca-oamenii-s%C4%83-aib%C4%83-%C3%AEncredere-%C3%AEn-tine-trebuie-%C8%99i-tu-s%C4%83-ai-%C3%AEncredere-%C3%AEn-ei-(video)/30232050.html) (Accessed: 01.08.2023)

³⁵Ibidem.

³⁶Dawn Brancati, op.cit., pag. 648.

demographic representativeness. Citizens are more likely to elect people who can solve community problems, appreciating negotiation and leadership skills. The desire to run independently has existed since the declaration of independence of the Republic of Moldova, going through a period of decline in the period 2007-2015. Currently, there is a growing trend in the involvement of candidates in electoral processes. The participation of independent candidates in local elections is a means of ensuring a functional democratic system, without diminishing the importance of parties. Electoral campaigns have become more dynamic, due to the growing number of electoral competitors. Independent candidates, who responsibly assume the role of local elected officials, are gaining ground against party representatives. The success of independent candidates, despite the unequal conditions compared to candidates with political support, is largely due to the positive electoral campaign strategies adopted. However, their independent status makes them more exposed to political pressures, the consequence in some cases being migration and political party switching.

The relevance of representation in a democratic state lies in the action of all members of a local territorial collectivity to elect the most suitable persons to represent them. The presence of independent candidates is an indicator of representative democracy and the practical affirmation of the right to vote and to be elected. At the same time, modern information and communication technologies can have the same effect, as they allow individual candidates to reach many voters at low cost, thus reducing the dependence of candidates on political campaigns of party organizations. An open question is whether the increase in the number of independent candidates is an expression of pluralism or a partisan strategy of political parties.

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