



RESEARCH NOTE

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Electing a Head of State

Except for those countries where the head of state is a hereditary monarch (eg. Japan, Netherlands, Spain and the United Kingdom), most heads of state are elected. Methods of election include election by parliament, election by an electoral college and popular election.

This 'Research Note' provides a brief comparative analysis of the major methods used to elect a head of state. It does not address arguments for and against each method. It draws on a more detailed discussion in Twomey, A. *Methods of Choosing a Head of State*. (Parliamentary Research Service Background Paper No. 12). Canberra: Department of the Parliamentary Library, 1993.

made up of members of the federal Parliament and of the state or regional governments.

For example, in Germany the federal President is elected, without debate, by the Federal Convention. The Federal Convention consists of members of the Bundestag (the Lower House of the federal Parliament) and an equal number of members elected by the diets of the Laender (the state Parliaments). To be elected, a candidate must receive a majority of votes. Where no candidate receives a majority after two ballots, the candidate receiving the most votes in the third ballot is elected.

In India, the electoral college comprises members of both

ballot and a majority of two-thirds of votes is required to elect the President. A number of ballots may be held to achieve the requisite majority, however, after the third ballot, an absolute majority is sufficient for election.

In Indonesia, the President is elected by a majority vote of the Peoples' Consultative Assembly, which comprises members of the House of Representatives and delegates from the regional territories and groups prescribed by statute.

In the United States votes are counted at the state level on a first-past-the post basis, with each state being assigned a slate of seats in an electoral college equivalent to the sum of its congressional representatives. This college then formally elects the President.

Main Methods of Electing a Head of State

- Election by Electoral College.
- Election by Parliament.
- Popular Election.

Election of Head of State by Electoral College

Examples: Germany, India, Indonesia, Italy and the United States

The method used to elect the head of state in Germany, India, Indonesia, Italy and the United States is by electoral college

Houses of the Parliament and the legislative assemblies of the states. In India, voting is weighted by a formula to allow for the population differences between the states.

In Italy, the electoral college comprises members of both Houses of the Parliament and fifty-eight regional representatives. The election is by secret

Election of Head of State By Parliament

Examples: Greece, Israel and Malta

A third method used to elect a head of state is election by Parliament. For example, in Greece, the President is elected by secret ballot by the Parliament. A majority of two-thirds of votes is required. Where this majority is not achieved at the first ballot, a second ballot is held. If the two-thirds majority cannot be achieved after two ballots, a third ballot is held after five days. At

the third ballot, a majority of three-fifths of votes cast is required. Where this cannot be obtained, Parliament is dissolved and an election held.

After the election, a further ballot is held. If a majority of three-fifths is not subsequently obtained by one candidate, another ballot must be held after five days. A candidate who receives an absolute majority for that ballot is elected. Where a majority is not achieved, another ballot is held after five days, which is restricted to the two candidates who achieved the highest votes in the last ballot. The candidate who achieves the highest number of votes is elected.

In Israel, the President is elected by the Parliament by secret ballot. An absolute majority of votes is required. Where an absolute majority is not obtained by a candidate in the first ballot, further ballots are held eliminating the candidate with the smallest number of votes each time, until an absolute majority is obtained by one candidate.

Popular Election of a Head of State

Examples: Austria, Ireland, Finland, France and Portugal.

Popular election of the head of state is a feature most commonly associated with a presidential system where the head of state is also the head of the executive, and there is a clear separation of powers between the executive and the legislature.

In some countries where executive power is shared between the head of state and the head of the executive, or where the role of the head of state is largely ceremonial, the head of state is still elected by popular vote.

A central issue in the popular election of a head of state is what happens when there are several candidates for the position. This problem has been resolved in various ways.

In Austria, France and Portugal, if no candidate obtains an absolute majority of votes, a second ballot is held between the two candidates that received the most votes in the first poll. In Finland, if no absolute majority for one candidate is obtained, an electoral college (chosen by popular vote in the same way as the Parliament) is convened. The electoral college then elects the President.

In Ireland, the method for achieving majority approval is through the allocation of voting preferences, that is, proportional representation by means of a single transferable vote.

Collective Heads of State

Examples: Malaysia and Switzerland

In Malaysia, the King is elected every five years by the Conference of Rulers, from amongst its members. The Conference of Rulers comprises the hereditary rulers of the nine of the thirteen states of Malaysia.

In Switzerland, executive power is vested in the seven members of the Federal Council. The Federal Council is elected by a joint sitting of the two House of the Parliament. Annually, the Federal Council elects from amongst its members a President. The title of 'President' is largely ceremonial, as executive power vests with the Federal Council collectively.

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