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University of Salzburg, Austria
Matthew Flinders,
The University of Sheffield, United Kingdom

*CORRESPONDENCE

Reuven Shapira
✉ shapira.reuven@gmail.com

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Preventing leaders' autocratic entrenchment by exponential super-majority threshold escalators

Reuven Shapira*

Sociology, Western Galilee College, Acre, Israel

This article focuses on alternatives to leaders' constitutional term limits which failed to protect democracy in innumerable countries as they did not reduce incumbency advantages in re-election contests. Such a reduction can achieve a super-majority thresholds escalator for incumbents' re-election. Research has found that setting super-majority thresholds for leadership offices improves the quality of leadership. However, leaders' autocratic entrenchment poses the worse problem of democratic leadership quality. Setting escalating super-majority thresholds for an incumbent's re-election would bar autocratic entrenchment by reducing her/his incumbency advantages in re-election contests. Both ordinal and exponential escalator versions prolong the tenure of successful high-moral effective leaders beyond two terms, allowing them to use accumulated trust credit to advance radical changes, while incumbents who fail to achieve a super-majority threshold are replaced. However, the ordinal version lacks a terminal term, thus it may not prevent autocratic entrenchment, while the exponential version with its terminal term that ensures succession while escalating super-majority thresholds mitigates the exponential growth of leaders' power resources with tenure. After an incumbent fails to re-elect, a second voting round without her/him will give the winner a clear mandate to rule. Suggestions for further study of barring leaders' entrenchment by exponential escalating super-majority thresholds are offered.

JEL classification: D02; D70; K16; Z13; Z18.

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autocratic entrenchment, super-majority thresholds, exponential escalator, term limits, leaders' life cycle

1. Introduction

Democracy and the rule of law are deteriorating in many countries around the world, a process often initiated and advanced by democratically-elected tenured leaders who entrench autocratically by evading/dismantling democracy safeguards such as term limits (Ginsburg et al., 2011; Huq and Ginsburg, 2018; Baturo and Elgie, 2019; McKie, 2019; Heyl and Llanos, 2022). For these leaders, "Democracy is like a tram. You ride it until you arrive at your destination, then you step off," as depicted by Turkish autocratic ruler R. T. Erdogan (Varol, 2018, p. 339). A vast literature deals with this major problem of democracies, but only few authors have explained cases of term limits failures to bar entrenchment, studied its major root, incumbency advantages, and offered a remedy for this eternal problem. Without coping with the major root of failures by the most common solution, i.e., the US two-term limit formula, the plausibility that new solutions will overcome these failures remains unknown.

Term limits are the most common solution for the problem of leaders' autocratic entrenchment, used for some 2,500 years, since ancient Athens. Among the various versions of term limits, the most successful formula is the two 4-year-term limitation norm for presidents which has protected US democracy for 226 years, preventing their autocratic entrenchment. Unfortunately, it has failed to do so in too many other countries (Ginsburg et al., 2011; Baturó and Elgie, 2019; McKie, 2019; Heyl and Llanos, 2022). For instance, Russia's Putin was elected for 4-year terms twice, but in 2008 he circumvented the two-term restriction with the help of puppet President Medvedev and nominally became Prime Minister (PM) for 4 years while practically remaining autocratic ruler. In 2012 he changed the constitution to allow himself to be re-elected president twice for 6-year terms and after 23 years in power all signs are that he intended to extend his autocracy even further.

This is common; half or more of the world's constitutional limits were violated/changed to extend presidents' and PMs' tenures, who then autocratically entrenched by various tricks/manipulations/subterfuges (Baturó and Elgie, 2019; McKie, 2019; Heyl and Llanos, 2022). These entrenchments violated the US-type constitutional term limits, thus undermining the status of this solution as a robust democratic shield against leaders' autocratic entrenchment. However, without term limits, any other tenure limitation, or other solution to the problem of leaders' autocratic entrenchment, we are bound to face too many bad entrenched hubristic toxic autocrats or even worse—entrenched narcissistic psychopathic leaders (Montefiore, 2003; Chang and Halliday, 2005; Lipman-Blumen, 2006; Owen and Davidson, 2009; Boddy, 2016, 2021; Garrard and Robinson, 2016).

The failures of the most common solution call for an explanation which would point in the direction of devising new solutions. The main drawback of term limits is its failure to reduce incumbency advantages, which enhance leaders' re-election even when they are in the job dysfunction phase (Hambrick and Fukutomi, 1991) or their entrenchment by other means. These advantages are seemingly the prime reason for the failure of term limits in many cases: With incumbency advantages in the re-election contest, an incumbent enjoys a built-in lead vs. her/his competitors and may even win without campaigning. Term limits don't affect these advantages, which can be minimized by setting a super-majority threshold for the incumbent's win while the challengers' threshold is only a majority (Gersbach and Muller, 2017). However, though the super-majority threshold is widely used by constitutions for decisions of prime importance, this mechanism somehow seemed redundant for preventing autocratic entrenchment in view of the 226 years' success of the US formula. This formula's failure to prevent autocratic entrenchment in so many countries only recently has led to a search for alternatives.

2. The popular US formula seemingly discourages seeking a better solution

The US two-term limit formula became so common seemingly due to even more failures to obtain good democratic non-entrenching leadership by single-term limit constitutions; unlike the US formula, these did not discern between better leaders

whose 4–6-year effectiveness justified a second term and voters' trust obtained it, while bad dysfunctional ineffective ones were justly replaced after one term. Limiting leaders' tenure to a single 4–6 year term has rarely obtained good effective leadership; its worst drawback was rotating formal leadership between weak short-term figures dominated by entrenched powerholders before and/or behind the scenes (e.g., Mexico: Davis, 1958; La Botz, 1992; Israeli kibbutz: Shapira, 2005, 2017; Japan: Kruze, 2015). A reasonable succession law should allow rewarding trustworthy effective high-moral leadership by a longer tenure.

This is compatible with common sense: relatively short single terms equalizing tenures of good and bad leaders are unreasonable, unjustified, and immoral Procrustean bed for high-moral, effective, efficient, and highly trusted leaders whose effectiveness and creativity often increase with their accumulated experience and mutual trust building with followers; with growing trust the latter contribute essential *phronesis* (Greek for practical knowledge) for wise decision-making and creative innovation (Jacques, 1990; Nonaka and Takeuchi, 2011; Shapira, 2017). The US formula of allowing a consecutive second term is clearly better than a single term limit, but even eight-year US presidents often faced debilitating opposition by decades-tenured veteran congressmen and senators, who became so powerful that presidents often gave in to them. In 2015 these veterans encompassed one-sixth of the Senate, with 17 senators who had been serving for more than 16 years (DeBacker, 2011; Glassman and Wilhelm, 2015).

This situation is unreasonable as history shows that a significant minority of high-moral highly trusted leaders remained efficient, effective, and innovative beyond eight years; for them, an 8-year limit unjustly cut their wings instead of rewarding their successes by prolonging tenures that acknowledge successes and invite more successes. They deserved longer tenures also because most voters trusted them and their trust enhanced leaders' effectiveness and innovativeness (Shapira, 2019). Both history and organizational studies show that some of these rare leaders changed the world, motivated reluctant followers' efforts, who then granted them exclusive intangible decision making resources for wise phronetic leadership that enjoys followers' *phronesis* (Nonaka and Takeuchi, 2011; Shapira, 2021). Term limits, even the US two-term limit, on the other hand, often elevated ineffective self-serving successors (e.g., Trump), depriving us of the huge potential contribution to the common good of high-moral experienced phronetic leaders. The successful leadership of *strategos* (General) Pericles for 15 years in ancient Athens, resulting in its "Golden Age" (444–429 B.C.). President F. D. Roosevelt similarly effectively led the US for almost all of his 12.4 years (Burns, 1978), much as Ben-Gurion did for 13 years as the Jewish Palestine community's leader, while after establishing Israel and becoming its first PM in 1948 he became dysfunctional, and in 1959–1963 was also toxic hubristic (Yatziv, 1999; Shlaim, 2000; Kafkafi, 2001; e.g., Lipman-Blumen, 2006; Caplan and Sharett, 2019). The US formula pruned out some tenured wise leaders too early, depriving followers and their states of their high-moral trustworthiness, integrity, courage, and effectiveness, as well as their learning from experience and from others' *phronesis* (Nonaka and Takeuchi, 2011; Shapira, 2021).

3. Reducing incumbency advantages in re-election contests can fit leadership life cycle

All the above suggests that, in accord with common sense, limiting the better highly trusted leaders to two terms is mistaken, and best leaders may deserve even a fourth term, serving 16 years, provided there are effective safeguards against autocratic entrenchment. Michels' (1959[1915]) "Iron Law of Oligarchy" theory asserts that prolongation of tenures eventually leads to self-serving oligarchic conservative entrenchment by utilizing the advantages of one's office and accumulated power, prestige, wealth, and other resources. However, Diefenbach (2019) found that, contrary to Michels' "Iron Law", prolonged tenure does not necessarily lead to oligarchization, at least not within 15–17 years, as proven by the above cited successful prolonged leadership cases and other similar democratic leaders who did not entrench autocratically. These leaders enjoyed wide citizens' support and much trust due to their continued efficiency, effectiveness, innovation, and creativity, which made the use of autocratic immoral means to retain one's office redundant (Ciulla, 1998; Rhode, 2006; Johnson, 2009; Shapira, 2017; e.g., Rabinovitz, 2017).

However, Michels' (1959[1915]) analysis found that oligarchic entrenchment emerged when leaders concluded for themselves that they were unable to achieve their radical socialist goals. Then they turned their efforts to political survival, by substituting their original goals with survival-enhancing goals, a known phenomenon which Selznick (1949) exposed in a case study of the TVA. Another instance: A recent study found that Hitler's Nazi regime made the "Final Solution", the extermination of Jews, its prime goal only when realizing that the goal of swiftly subduing the USSR had failed (Marx, 2020). Such goal substitution is usually camouflaged by immoral and illegal means; it is common, according to the Leadership Life Cycle Theory, because leaders sooner or later reach a final phase of job dysfunction, as their job functioning has a curvilinear inverted U shape, rising at first and then declining (Hambrick and Fukutomi, 1991; Ocasio, 1994; Miller and Shamsie, 2001; Wulf et al., 2011). This dysfunction phase is also predicted by studies of leaders' toxic hubristic narcissism due to prolonged service after initial repeated successes (Lipman-Blumen, 2006; Owen and Davidson, 2009; Garrard and Robinson, 2016; Garrard, 2018; Robertson and Owen, 2022).

Employees only rarely replace a dysfunctional CEO, but voters and political actors, especially power holders, often do replace dysfunctional entrenching presidents and PMs. Resisting their replacement, leaders often defend and augment their power by immoral autocratic means, but discerning when a leader's effectiveness curve has passed its peak and started to slope downwards and thus should be replaced, is not easy as it is not clear-cut for many reasons, including the variegated pace of leadership life cycles in different contexts. For instance, Henderson (2006) found that in the more traditional food industry the decline in CEOs' performance commenced after 10–15 years or even more, vs. CEOs in the dynamic computer industry who performed best in their first years. Wulf et al. (2011) study of short- vs. long-term CEOs of the largest German firms found two quite concurrent but

different leadership decline curves: the decline of short-termers commenced on average after 2–3 years, with a sharp downfall in the next year, while the decline of long-termers' effectiveness commenced after 7–8 years or even more and its slope was quite moderate, where some remained effective for 10–15 years.

These findings completely contradict the logic of equal term limits of one or two 4-year terms; a contrary logic led to the US's formula of allowing re-election of presidents that voters considered better than challengers. This differential tenure better shielded democracy against autocratic entrenchment than the single term limit but, as cited, even the US formula was violated by PMs and presidents in innumerable entrenchment cases, using immoral tricks and subterfuges such as "democratically" rigged approval of constitutional changes that prolonged tenures (e.g., Putin; Dixon and Landau, 2020).

Constitutional term limits were often violated, as they neither limit nor minimize incumbency advantages in re-election contests. Already Michels (1959[1915]) has pointed out that periodic elections do not prevent leaders' entrenchment by self-serving use of the advantages of their office. Advantages include promoting functionaries to offices according to loyalty to the leader rather than job fitness, suppressing and demoting critics, attributing to themselves all successes while failures are attributed to rivals, while voters concerned about incumbents' entrenchment intentions are pacified by conforming to electoral rules. Incumbents often build themselves a self-image of being a safer bet than challengers (Bernhardt and Ingberman, 1985) and they mostly enjoy positive free media exposure of their actions, speaking and writing vs. challengers who must buy and organize exposure of their own actions (Caselli et al., 2014). Incumbents raise funds more easily and have better access to other campaign resources (Cox and Katz, 1996; Jacobson, 2006; Cole et al., 2016; Bohn, 2019); they can use "Pork Barrel" politics, favoring specific categories of supporters (Ansolabehere et al., 2006; DeBacker, 2011); they can better conceal irresponsible deeds/decisions as state secrets and convince voters of their morality and credibility by referring to their seniority and past successes while using advantageous knowledge due to their access to classified information (Fiorina, 1989; McKelvey and Riezman, 1992; Cox and Katz, 1996; Druckman et al., 2020); they advance their own policies while deterring/barring challengers' alternatives (Aragones and Santiago, 2016); their successes or assumed ones enhance their image of having superior personal qualities, which deters strong talented challengers from competing with them (Levitt and Wolfram, 1997; Stone et al., 2004), and thus face weaker challengers than those faced in the competition for open offices (Gowrisankaran et al., 2008; Jalali, 2012).

The impact of incumbency advantages is especially clear in Latin America and Africa: 90 and 93% of presidents (respectively) who ran for re-election were victorious (Maltz, 2007; Corrales and Penfold, 2014). Incumbency advantages also reflect the US presidential contests: 2/3 of incumbents who ran in the 1788–2008 contests were re-elected, vs. only 50% of non-incumbent contestants (Mayhew, 2008). Moreover, these advantages often spilled over to relatives, creating dynasties and families of elected politicians and powerful support groups for runners: In the Philippines 43% of MPs in 1995–2015 were related to national level politicians, in Iceland 34%, and in Japan 28% (Fiva

and Smith, 2016). Incumbency advantages also spilled over to deputies/loyalists, enhancing the practical evasion/circumvention of term limits. For instance, in 2008–2012 ex-PM Medvedev helped Putin's entrenchment by assuming a puppet presidency, nominated Putin to PM, which enhanced his autocracy, paving his return to presidency in 2012. Incumbency advantages generate much of the power to violate/circumvent/eradicate term limits. Reducing these advantages to shield democracy against autocratic entrenchment usually achieves a constitutional demand of running incumbents to pass a super-majority threshold or series of escalating super-majority thresholds in case of an incumbent who runs in consecutive re-elections.

4. Escalating super-majority thresholds would reduce incumbency advantages

The true solution for the problem of leaders' autocratic entrenchment is the reduction of incumbency advantages by setting super-majority threshold escalators for incumbents' re-election, i.e., super-majority thresholds that rise for each additional term in office. The use of a super-majority vote is common in democracies for most important decisions with long-range impact, such as ratification and revisions of constitutions. Leaders' entrenchment often has such an impact; it is often legalized by constitutional amendments, while requiring incumbents to pass a super-majority threshold has proved effective for curbing their entrenchment. For instance in 1977 Israel's Labor Party barred further continuity of veteran Knesset (parliament) members who had already served two terms (8 years) or more by the demand for passing a 60% super-majority threshold in its Council (Brichta, 1986).

Then Shapira (1987) proposed the use of escalating super-majority thresholds in re-election contests for barring leaders' entrenchment, setting an escalator of rising super-majority thresholds for winning re-elections. Studying the effects of single-term limits on managerial leadership of kibbutzim (pl. of kibbutz) and inter-kibbutz co-operatives and federations, he found that single-term norms of 3–4 years for executives and managers weakened them, preventing them from overcoming the dysfunctional conservatism of entrenched autocratic heads of inter-kibbutz federations and their deputies, who had dominated for decades from inception (Shapira, 2005). For both inter-kibbutz organizations and kibbutzim, he proposed adopting exponentially escalating super-majority thresholds for additional terms instead of single terms. This would have allowed longer tenures, while the requirement of passing a higher super-majority threshold for each additional term would prolong the tenure of only high-quality effective, innovative, and highly trusted leaders. Exponentially increasing thresholds would mitigate the tendency of leaders' power and prestige to rise exponentially with tenure (Goode, 1978). Later on, this proposal was repeated in additional publications (Shapira, 2005, 2017) and lectures in scholarly conferences on both co-operatives and non-cooperative organizations, but it was rarely mentioned by scholars and never adopted by practitioners.

One plausible explanation for this silence was that Shapira's solution was not published in law science publications, where

constitutions were mostly discussed. Thus, in 2011 law scholars Ginsburg, Melton, and Elkins reviewed the evasion of leaders' term limits and its solutions without referring to the proposed exponential rising super-majority threshold escalator. Contrary to the above cited social science findings whereby too many leaders entrenched for good despite the constitutional two-term limit, the three asserted that "executives observe term limits with remarkable frequency in consolidated democracies" (Ginsburg et al., 2011). However, the most consolidated British democracy without PM term limits suffered entrenchment by two hubristic PMs in recent decades thus authors called to install term limits (Owen and Davidson, 2009), while many less-or non-consolidated democracies, including Europeans, suffered toxic rule by entrenched autocrats disguised as democrats (e.g., Putin, Turkey's Erdogan, Belarus' Lukashenko). Ginsburg et al. (2011) suggested that these countries should consider "alternative institutional designs that may accomplish some of the goals of term limits" but did not refer to barring entrenchment by using a super-majority threshold (Brichta, 1986) or a series of exponentially increasing super-majority thresholds (Shapira, 2005). They asserted that none of the proposed alternatives for term limits "are likely to provide a perfect substitute" (Ginsburg et al., 2011), though they knew that political and social problems rarely have perfect solutions. They proposed a linear super-majority escalator: a threshold of a 55% super-majority for first re-election, 60% for a 2nd re-election and so on. Though they wrote "there ought to be an upper threshold for the super-majoritarian escalator" (Ginsburg et al., 2011), they neither offered any such upper threshold nor referred to any such proposals (e.g., Shapira, 1987, 2005).

The alternative proposal, which offers an upper limit threshold, is the exponential super-majority threshold escalator that requires incumbents running for re-election to pass exponentially rising higher majority thresholds for each additional term (Shapira, 1987, 2005). This escalator will raise the bar preventing an incumbent's entrenchment by diminishing his/her incumbency advantages in accord with her/his tenure as a proxy for the accumulation of power, prestige, and other entrenchment-helpful advantages. Other scholars proposed setting a super-majority threshold in every leadership contest that includes running incumbents, to both neutralize incumbency advantages and elevate leaders' quality (De Barreda, 2011; Gersbach and Muller, 2017). Gersbach et al. (2021) also found that this requirement can curb political polarization, which is plaguing many democracies, including the US and Israel.

The Israeli case is of special interest: As of now (September 2023) Israelis are deeply polarized concerning veteran Prime Minister (PM) Benjamin Netanyahu's (15 non-consecutive years in power) effort to emasculate the judicial system, leading to a constitutional crisis if plausible Supreme Court verdicts will reject bills passed in the parliament by his coalition. These bills would subjugate to politicians the judicial supervision of governmental legislation aimed at halting his corruption trial. Last year, the parliament almost passed a bill limiting the PM's tenure by US-type term limits, but this bill was buried when the corruption-charged PM returned to power. Some Israeli political scientists have objected to this bill, asserting that it is unnecessary because PMs are replaced in any event before they entrench, but toxic hubristic veteran PM Netanyahu disproved this (Lipman-Blumen,

2006; Owen and Davidson, 2009; e.g., Garrard and Robinson, 2016; Garrard, 2018). Worse still, much earlier another even more prolonged tenured leader Ben-Gurion who dominated from 1935 to 1963 similarly led to such a polarization while his job dysfunction (Hambrick and Fukutomi, 1991) failed Israel on many grounds, including the lack of a well-entrenched constitution which is now supporting Netanyahu's regime coup (Tevet, 1996; Yatziv, 1999; Shlaim, 2000; Kafkafi, 2001; Shitrit, 2004; Caplan and Sharett, 2019; e.g., Elkins, 2021).

5. Reduced incumbency advantages by super-majority threshold escalators can bar entrenchment

The above findings prove that incumbency advantages enabled autocratic entrenchment by leaders, notwithstanding term limits. The proposals of democratization scholars to prevent term limit evasion mostly don't touch upon this prime cause, and only a few proposals have addressed the problem of using incumbency advantages for entrenchment (Ginsburg et al., 2011; Shapira, 2017; Dixon and Landau, 2020; Heyl and Llanos, 2022; Landau and Dixon, 2022). Two major proposals for reducing incumbency advantages are: 1. Banning consecutive re-election after two terms, allowing return only after at least one non-office term; 2. Curbing incumbency advantages in re-election contests by requiring incumbents to pass a super-majority threshold or a series of escalating super-majority thresholds in cases of running for more re-elections.

Dixon and Landau (2020) prefer the former alternative; they criticize the US formula of completely banning re-election after 8 years, proposing instead a ban only on consecutive second re-election, as the best response to leaders' entrenchment tendency. They state: "Would-be authoritarian presidents are more likely to comply with term limits that force a temporary exit from the presidency because they hold open the prospect of an eventual return to power" (Dixon and Landau, 2020, 359). Putin complied with this requirement, but incumbency advantages in addition to favorable circumstances enabled his authoritarian entrenchment for 23 years (until the present) as president and PM, changing the constitution by a seemingly rigged referendum that allowed him two additional 6-year terms after 12 years in power. Early unexpected successes plus ruthless use of KGB-acquired skills empowered him and probably made him the richest man in the world but also a dysfunctional hubristic narcissistic toxic leader (Lipman-Blumen, 2006; Owen and Davidson, 2009; Garrard and Robinson, 2016). This could explain his Syrian adventure and the vision of reviving the Soviet empire that encouraged the current Ukraine invasion, among many other misdeeds. This case clearly disproves the effectiveness of a temporary exit from the leader's offices as a preventive measure against autocratic entrenchment.

The US case also supports this conclusion: its democracy was threatened when Trump incited the attack on Capitol Hill on January 6, 2021, but Trump's incitement brought him to court only after 2.5 years, while his hubristic narcissistic lie-based psychopathy (Boddy, 2021) dominates the Republican Party, aiming for the 2024 presidency. He is defying investigations against him, portrayed as

the "Deep State" plot planned by his rivals, and is keeping his mouth shut concerning major misdeeds, immorally using the right to avoid self-incrimination, intended to defend the powerless rather than democratically elected leaders who are morally obliged to explain their decisions and actions. Despite the failures of his Republican protégés in the mid-term elections, he is popular and aims for the 2024 contest, denouncing his indictments, helped by the silence or support of almost all Republican leaders and of the Supreme Court, dominated as it is by his loyal nominees. The one-term out-of-office proposal seems futile in his case too; it will not bar him re-running for presidency as a major party leader who enjoys many past incumbency advantages; nor would bar it Landau and Dixon's (2022) two other proposals (below).

Ginsburg et al. (2011) proposed a linear super-majority escalator with no terminal limit, which they stated was essential for effectively barring autocratic entrenchment. Worse still, their linear super-majority escalator does not address the tendency for exponential growth with each additional term of incumbents' power, prestige and other entrenchment-enhancing resources such as wealth, ties with internal and external powerholders and ridding of promising opponents and competitors. In Putin's case, this included assorted legal, illegal, and criminal means, as revealed by his failed poisoning of rival leaders and the dozens of unexplained deaths of critical journalists. Using an estimated fortune of 50–200 billion \$US, he apparently financed a private army, the secret deadly Wagner Group, and was able to bribe powerful figures and finance other power-enhancing projects such as cultivating protégé Belarus' dictator Lukashenko, a supporter of the Ukraine invasion. Ginsburg et al. (2011) proposed a 65% super-majority threshold for a 3rd re-election contest, but this would probably not manage to prevent entrenchment by a 12-year Putin-like autocratic toxic leader (Lipman-Blumen, 2006). Their proposed threshold of 70% a super-majority for a 4th re-election seems even more futile; such a threshold doesn't appear to be a real obstacle to entrenchment for a 16-year autocratic leader such as Putin was in 2016.

Such a leader may seemingly maintain the image of a legitimate democratic ruler while secretly rigging a 70% super-majority, but it would be nearly impossible to preserve such an image if a 16-year autocrat would have to rig a 95% super-majority required for a fifth term by an exponential super-majority escalator (Shapira, 2017). Rigging such an extra-large super-majority would probably be exposed, as Putin's bluff referendum in the annexed Ukrainian regions was exposed recently. Such a revelation can incite public uproar and mass demonstrations, as well as other kinds of resistance capable of overthrowing a ruler, such as the Ukraine's 2014 "Orange Revolution." Moreover, rigging a 95% super-majority to pass the threshold for a fifth term may reveal that the ruler previously rigged a 75% super-majority for the fourth term by mass fraud, which will then may cause public uproar and his/her deposing.

The proposed exponential escalating super-majority practically makes a fourth term the terminal limit for leaders who have remained high-moral law-abiders after 16 years on the job and who prefer to retain citizens' trust in the democratic process. An important additional measure helpful for retaining citizens' trust in the leader is the common solution of a second round of voting after an incumbent fails to pass a super-majority threshold while

the winner is supported by only 26% or even less. The failing incumbent is ineligible for this second round, only others are eligible; the victory in this round will determine the new leader by either an absolute or a relative majority. This majority will give the winner a clear ruling mandate, which s/he seems to lack after a first round in which the two-term incumbent running for a third term achieves, let's say, only 74%, while the exponential escalator threshold valid in this case is 75%; thus s/he loses. Although his/her competitor may have received only 26% in this vote, s/he will probably win by a clear majority in the second-round vote and obtain a clear ruling mandate.

The proposed practical terminal limit of 16 years in the exponential escalator proposal is justified historically, as high-moral effective transformative leaders such as Gandhi or Mandela who remain trustworthy democratic for over 20 years in power were extremely rare. Ruling for more than 16 years is both dangerously intoxicating and superfluous; 16 years is enough to complete complex long-due major breakthrough changes and innovations, to overcome major obstacles to change and innovation, and to cultivate suitable successors who will continue these changes and innovations. Such successors are expected, as the super-majority escalator establishes a clearer succession horizon that invites best high-moral talents to run for office. Moreover, the proposed 16-year practical terminal limit is more robust than term limits, due the series of super-majority thresholds that screen out lower quality immoral leaders (Gersbach and Muller, 2017) even before they reach a terminal term, and due to repeated use of super-majority thresholds this mechanism will become firmly established, as did the US formula for 226 years. In addition, leaders who won the trust of over 75% of the voters for their fourth term will probably step down if they see little prospect of passing the 95% threshold, in order to keep this trust; they will probably avoid endangering the trust they enjoy by rigging fraudulent elections.

6. Escalating super-majority thresholds vs. recent proposals

Lacking experience with these two versions of super-majority escalators it is unknown which will successfully prevent entrenchment and become the new "Gold Standard" for succession norms. Unfortunately, democratization scholars have mostly ignored these proposals, despite their potential to bar autocratic entrenchment. The critique of term limits, that they constitute undemocratic intervention in the electoral process by limiting the assortment of candidates is not valid for the linear super-majority escalator proposal which don't limit anyone's candidacy (Ginsburg et al., 2011). The exponential escalator bans only a sixth term or more by ultra-nadir leaders who honestly win a fifth term by a 95% super-majority and are not corrupted by 20 years in power. Rather than seeking a sixth term they would do better to retire and write their memoirs in order to teach junior leaders high-moral phronetic democratic leadership so that their *phronesis* will keep their humility and prolong their efficiency, effectiveness, and creativity (Shapira, 2017, 2021; Cojuharenco and Karelaia, 2020).

Landau and Dixon (2022) proposed strengthening term limits against evasion by three measures: (1). Focusing on popular rather than judicial enforcement of term limits; (2). Creating a mechanism

ensuring that term limits can only be changed/abolished for a next election rather than the current contest; (3). Banning a third consecutive term rather than an absolute ban on a third term.

The popular enforcement proposal means mobilizing mass protest, which is not easy to organize for defending the term limit principle. For example, the 1940 Republican presidency candidate Willkie crusaded against Roosevelt's breaking the two-term-only tradition but failed; whatever was the reason of his failure this loss symbolized the hardships of defending a principle by popular enforcement. In 1944 another Republican candidate lost the elections fighting for legislating term limits. Only the Republican winning the Congress majority in 1946 achieved this legislation, and it took 5 years to ratify by all states. These failures indicate that popular enforcement is a hazardous solution, often quite prolonged, open to political manipulations and requiring a revolutionary situation that comes at the price of major disorder, mass suffering, and often bloodshed. This cannot be a routine solution for the common misdeed of leaders' violating constitutional term limits.

The second proposal is to defer the validity of ratified changes that prolong leaders' legal term beyond the next election, preventing extension of one's own tenure without re-election contest. This measure, however, enables use of incumbency advantages to obtain a victory for puppet presidents who nominate the incumbent to a secondary top-level position for a term, and then he reassumes the presidency, as Putin did with puppet president Medvedev. As mentioned, Putin's rule as PM in this term didn't curb his power and he continued to entrench, furthering his rule by seemingly unconstitutional constitutional changes (Rosnai, 2017); only the Ukraine fiasco may frustrate his entrenchment intentions. This case shows the dangers of deferred validity of tenure-prolonging constitutional changes: such deferring can help leaders gain approval and later on augment their entrenchment with the assistance of these changes, as they become valid.

Landau and Dixon's (2022) third proposal involves mandating a cooling-out term after two terms, and banning a consecutive third term. This deprives an incumbent of some incumbency advantages but not others that can be decisive for returning to power, such as accumulated wealth, prestige, and ties with powerholders and tycoons within and outside one's country. Putin's PM term in 2008-2012 did not cool him down, neither did it do so for US's Trump nor Israel's Netanyahu. Netanyahu returned to power after one and a half year in opposition, largely due to enjoying the above advantages, and currently (September 2023) he is clearly trying to stop his trial and continue to entrench by emasculating Israel's judicial system. He is leading the legislation of Hungarian/Polish/Turkish-type dictatorial powers, ruining Israel's security, economy, societal cohesion, and all its other strengths, although it is surrounded by heavily armed enemies that continue to amass arms, terrorize its citizens, and declare belligerent intentions. Trump declared that he will win in 2024 and stop all investigations of his past misdeeds, and except for one—his Republican nomination competitors promised to accept his leadership even if convicted in one of his four trials. One term out of power reduces some incumbency advantages but not all of them, nor curbing all negative ruling habits formed during years in power; thus, even after one term out of power a super-majority threshold for re-election is justified. The length of rule prior to

returning to power or to trying to do so in the above three cases differs widely, but all three became immoral toxic hubristic power-mongers (Lipman-Blumen, 2006; Owen and Davidson, 2009; Garrard, 2018), much like psychopathic leaders (Boddy, 2016). Their negative habits endured and the latter two performed dangerous immoral, illegal, and criminal deeds in order to return to power, much like Putin, contrary to Landau and Dixon's (2022) cooling-out supposition.

The escalating super-majority threshold will better defend democracy against such negative leadership, even if term limits are enhanced by Landau and Dixon's (2022) additions. The danger of autocratic entrenchment by such negative leaders after a "cooling-out" term remains, if such leaders are constitutionally allowed to return, unless they face a super-majority threshold. Prolonged tenure generates immoral toxic hubristic narcissism, especially in the event of major unexpected successes, as in Putin's case. Beside a number of early political and economic successes, he disguised his autocracy as democracy by Machiavellian and KGB-learned subterfuges, but his early successes generated hubris and narcissism (Asad and Sadler-Smith, 2020; Robertson and Owen, 2022), which encouraged problematic imperialistic interventions in both Syria and Ukraine. However, in both cases this occurred outside Russia and has little direct impact on its citizens, therefore he remained popular and he remained in power, probably combined with rigging elections. Landau and Dixon's (2022) remedy is popular enforcement of term limits, which means a massive irrepressible protest against infringement of term limits, but the survival of Putin's rule exemplify how despite his failures and other reasons for opposing his rule such a mass protest didn't emerge.

Many democratically elected popular leaders autocratically entrenched when barred constitutionally from a third term. If a super-majority escalator had been adopted and they would have had to pass the 60% super-majority threshold required by both escalator versions for a third term, then at least some of them would not have turned to autocratic entrenchment. The adoption of super-majority escalators will offer plausible lengthening of the tenures of highly trusted effective leaders who have a prospect of serving 3–4 terms, while some lesser ones, realizing a prospect of only 1–2 terms or even experiencing its realization, may turn to entrenchment by autocratic changes that will offset democracy. A plausible solution can be setting a super-majority threshold in all re-elections, which will entrench the principle of curbing incumbency advantages in all re-elections (De Barreda, 2011; Ginsburg et al., 2011; Gersbach and Muller, 2017). If super-majority thresholds will become integral to all re-elections, then allowing better leaders more re-elections subject to passing a higher super-majority threshold will probably discourage an early turn to autocracy by many of those who see little prospect for passing the higher super-majority thresholds.

7. Discussion and conclusions

By avoiding a third term, US Presidents Washington and Jefferson created a term limit norm that barred entrenchment for over two centuries, except for one case, by allowing second terms for incumbent presidents. However, in many other countries

this norm did not manage to bar entrenchment; this justifies an alternative autocratic entrenchment barring mechanism, the super-majority threshold escalator that curbs incumbency advantages in re-election contests by raising super-majority thresholds required for each additional term in office. Incumbency advantages explain much of incumbents' entrenchment successes; rising super-majority thresholds for additional terms curb these advantages and prolong only the tenure of leaders more trusted by voters than their alternatives. Scholars who recommended using a super-majority threshold to raise the quality of all leaders missed the proposed use of super-majority escalating thresholds for barring autocratic entrenchment. The use of a super-majority vote is common in democracies for most important decisions with long-range impact, such as ratification and revisions of constitutions. Leaders' entrenchment often has such an impact, and preventing it by requiring passing a super-majority threshold has proved effective for curbing entrenchment (Brichta, 1986). De Barreda (2011) and Gersbach and Muller (2017) recommended requiring a super-majority threshold of all incumbents who seek re-election, while Gersbach et al. (2021) found that it reduces policy polarization and increases voters' welfare; these findings support previous authors' proposals to use super-majority threshold escalators to curb incumbency advantages and bar autocratic entrenchment.

Moreover, such escalators' additional advantage is prolonging the tenures of high quality highly trusted effective efficient innovative leaders; common sense decrees that such leaders deserve a reward, by allowing them to run for a third or even fourth term and by their repeated re-election acknowledging their leadership achievements, often denied by the one- or two-term limits. This tenure prolongation will prevent the superfluous elevation of lesser quality/greenhorn candidates to leadership position, thus differentiating leaders' tenures according to percentage of trusting voters.

Two versions were offered: exponential escalators of re-election super-majority thresholds (Shapira, 2005) or linear escalators of such thresholds (Ginsburg et al., 2011). The former seem more promising for preventing autocratic entrenchment than the ordinal escalators, as the latter thresholds don't rise high enough to mitigate incumbents' exponential accumulation of power, wealth, prestige, and other resources (Goode, 1978). Unfortunately, hitherto mostly democratization scholars have not alluded to these proposals, preferring to try strengthening the US formula. The latter prolongs tenures according to voters' preferences, but the two-term limit is a Procrustean bed for high-moral phronetic leaders who remain efficient, effective, and innovative much longer, such as Athens' Pericles, US's Roosevelt, and South-Africa's Mandela. The two term limits replace too early such leaders and by this succession often empowers irreplaceable and immoral unelected powerholders who rule behind and before the scenes. This is illogical, unjustified, and damaging to public interests; highly trusted phronetic leaders often generate major innovations and breakthroughs requiring a long time horizon (Jacques, 1990), experience, as well as ample voters' trust credit, rarely achieved in 8 years. Their longer tenure also bars the superfluous elevation of low-moral inexperienced lower quality leaders prone to conspire subterfuges. A super-majority escalator will enhance the vitality and resilience of democracy as it will encourage wise effective

phronetic leadership while decreasing leaders' lame duck periods by keeping open the potential for continuity (Smart and Sturm, 2013).

The two super-majority escalator proposals differ by

1. The starting point,
 2. The principle of increasing thresholds,
 3. Having or not having a terminal term.
1. Ginsburg et al. (2011), De Barreda (2011), and Gersbach and Muller (2017) proposed using a super-majority threshold from the first re-election contest, while Shapira (2017) required it only from the second contest, as some half of US presidents failed to be re-elected by a simple majority. As the latter view considers the experience of only one country, further research may show whether the US case is representative and justifies the latter alternative, or whether the former proposed requirement of a super-majority from the first re-election is preferable.
 2. Ginsburg et al. (2011) proposed a linear super-majority threshold elevation, 5% for each additional re-election, while Shapira (2017) proposed exponential elevation. Both proposals demand a 60% super-majority for a 3rd term, while for the 4th term the linear escalator requires a 65% super-majority vs. the exponential one of 75%. For the 5th term the proposals differ further: The linear escalator demands 70% while the exponential one demands a 95% super-majority.
 3. As the 95% super-majority is improbable in free and fair elections, the 4th term in the exponential proposal is practically terminal, vs. no terminal term in the linear proposal. Another advantage of the exponential escalator proposal is having much higher thresholds for the 4th and 5th terms, when leaders' hubristic narcissist toxic immorality often emerges. Through these higher thresholds the exponential escalator will bar entrenchment of many such negative leaders.

History attests to the advantages of the exponential version. For example, in 1944 hitherto high-moral leader Roosevelt ran for a 4th term while immorally concealing his deteriorating health by wartime censorship of the press (Fettman and Lomazow, 2009). The exponential escalator's 75% super-majority threshold for a 4th term might have deterred him from running and from using this immoral measure, which the 65% threshold of the ordinal escalator proposal might not have deterred. The case of Israel's PM Ben-Gurion further emphasizes the difference: In 1959, after three terms as PM (11 years), his party was victorious; then 81 of the 120 Knesset Members supported his coalition government (67.5%) but his immoral narcissistic hubristic dysfunction caused its fall within 2 years amid growing social unrest and a major political scandal (Tevet, 1996; Shitrit, 2004; Segev, 2018). If an exponential super-majority escalator had been adopted he would have been replaced in 1959, lacking the required 75% super-majority for a 4th term. This would have spared Israel much trouble, which a linear escalator demanding only a 65% super-majority would not have.

Preventing the danger of autocratic entrenchment requires a more reasonable, just, and resilient solution than a two-term limit, a solution that allows 3–4 terms for the few leaders who deserve it; the proposed exponential super-majority escalator allows this, while minimizing the risk of engendering autocratic entrenchment by escalating diminution of leaders' incumbency advantages according to tenure. This is a more democratic solution than term limits, as almost no one is banned from running in a re-election contest except for the very nadir exceptional leaders who run for fifth term. With the exponential escalator, best leaders will continue more, contributing as much as they can and will to their people, country and society at large, which short term leaders rarely do.

There remains the tough question of which politician will fight to add the proposal for exponentially escalating a super-majority succession to his country's constitution? I can see two complementary answers:

1. The above case of Israel's Labor Party barring entrenchment by demanding a 60% super-majority vote in its Council (Brichta, 1986) suggests that new-generation politicians seeking power and witnessing how term limits or other measures fail to remove from power an entrenched old guard may lead this reform of succession rules in order to succeed this old guard.
2. Both the corporate world and state agencies may adopt Gersbach and Muller's (2017) proposal to raise the standards of executives by demanding that incumbents who seek additional terms pass a super-majority threshold. The success of applying this demand in some organizations will probably be followed by others and then by public organizations, which will lead to acceptance of escalating super-majority thresholds as the constitutional solution for the danger of autocratic entrenchment.

Author contributions

The author confirms being the sole contributor of this work and has approved it for publication.

Conflict of interest

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