

Silent Protest on a Bench: The Impact of War on Ethnic Sentencing Disparities in Russian Courts*

*This project is supported by the Charles University Grant Agency no. 69224

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European Behaviour Colloquium, January 2025

Roadmap

1. Motivation, contribution to literature, and brief overview
2. Background and data
3. Empirical strategy and threats to identification
4. Results and possible mechanisms
5. Conclusion and plans for future

Motivation

- Political events may affect the emotions of people in positions of authority and lead to more subjective outcomes
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- 2022 Russia - Ukraine war
 - Rise of propaganda and censorship (state media budget ↑ 200%)
 - Emphasis on 'traditional Russian values' → distancing of ethnic minorities from ethnic Russians (EEAS Report; [Holod.Media](#); [Ideal.Realii](#))

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 - Emphasis on 'traditional Russian values' → distancing of ethnic minorities from ethnic Russians (EEAS Report; [Holod.Media](#); [Ideal.Realii](#))
- This paper studies effects of the war announcement on ethnic bias of judges in Russian courts

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Results:

- Ethnic judges became more punitive to Russian defendants: 5.3pp more likely to sentence to detention for minor offense
 - Effect can be caused by the backlash of minorities to propaganda as it increases in localities with higher predisposition to be affected by it
 - Namely, with lower social trust, lower ethnic fractionalization, and less democratic

Contribution to Related Literature

- **Decision of judges** are affected by emotional stress, characteristics of defendants, exposure to tragic events, media exposure

(Eren and Mocan, 2018; Mustard, 2001; Choi et al., 2022; Shayo and Zussman, 2011; Philippe and Ouss, 2018)

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- We aim to extend existing research on **Russian judicial system**, which is scarce and mainly focused on criminal cases

(Volkov, 2016; Zhuchkova and Kazun, 2023; Knorre et al., 2024)

Background

Judicial system:

- 2018 reform: courts should have switched to **automatic allocation** of cases by late 2019
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Ethnic minorities:

- Around 80% of Russian population are ethnic Russians, others belong to different ethnic groups: Ukrainians, Tatars, Bashkirs, etc.
- Names are a good predictor (*Azat Zainullin vs Pavel Ivanov*)
- We divide population into Russian – ethnic Russians, and ethnic minority – non-ethnic Russian (Brunarska and Soral, 2022)

Data

- All reported minor offense cases (Justice database) and court hearings data (to check allocation of cases)
- ~ 5,000 minor offense cases per month

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Data analysis:

- ML model to imply ethnicity based on personal names (Bessudnov et al., 2023)
- Regular expressions and NLP libraries to extract sentencing decisions from texts [More details](#)

Empirical Strategy: RD in Time

$$Y_i = \beta_0 + \beta_1 \mathbb{1}(m \geq \bar{c}) + \beta_2 f(m) + \beta_3 \mathbb{1}(m \geq \bar{c}) \times f(m) + \varepsilon_i$$

- i is case, m is year-month of sentencing decision, \bar{c} = February 2022
- focus on minor offenses (Article 21.1 Part 1 of Administrative Code)

More details

- main outcome – probability to receive **detention** as punishment instead of fine

Threats to Identification

Possible concerns:

- Changes in allocation of cases to judges around the cutoff →
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- Changes in demographic characteristics of defendants →
 - Estimate local effect, only for months before mobilization and mass migration (Anastasiadou et al., 2024)
- Changes in supply across different types of crime →

Results: ethnic judges are more punitive to Russian defendants

β_1 (After war)	Ethnic defendant	Russian defendant
Ethnic judge 	0.034 (0.025) $N = 4327$	0.053*** (0.017) $N = 8966$
Russian judge	-0.005 (0.022) $N = 5819$	-0.006 (0.012) $N = 17615$

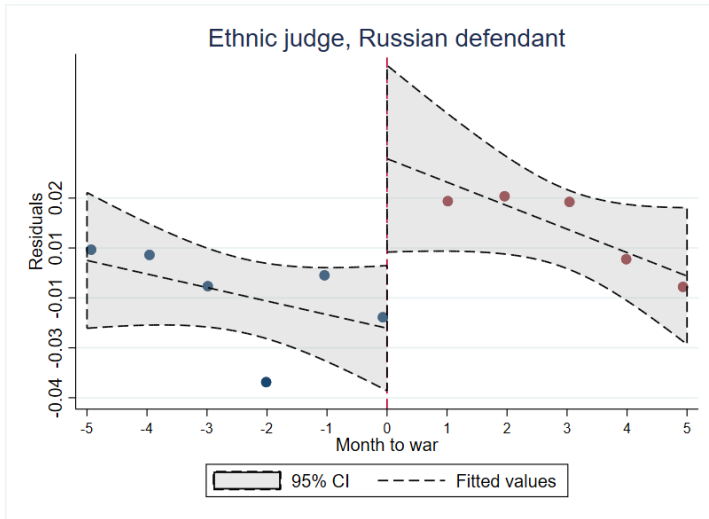
Outcome: 0/1 detention. Notes: Includes court FE, $p(1)$, uniform kernel, data-driven bandwidth, robust standard errors in parentheses. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$

Results Plot

Robustness

Random Alloc.

Ethnic Defendant



Potential Drivers I

- To study potential drivers of the effect, we use additional data on city-level (Census 2010 and Enikolopov et al., 2020)

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 - **Ethnic fractionalization:** probability that two randomly picked individuals in a city belong to the same ethnic group
 - **Democratic values:** incidence of protests after 2011 rigged elections in the city

Potential Drivers II

- Results are more pronounced in the localities with lower social trust, low ethnic diversity and less democratic regions
 - Likely to be affected by propaganda to a greater effect (Adena et al., 2015)
 - Minorities can feel more isolated or marginalized in these contexts

	Ethnic judge, Russian defendant			
	All	Low trust	Low ethnic diversity	No protest 2011
β_1 (After war)	0.053*** (0.017)	0.071* (0.037)	0.074*** (0.026)	0.066** (0.033)
N	8966	1732	4783	2671

Outcome: 0/1 detention. Notes: Includes court FE, $p(1)$, uniform kernel, data-driven bandwidth, robust standard errors in parentheses. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$

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- Results are not driven by specific ethnic group (more detailed analysis) or Moscow/Saint Petersburg

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- We used **data** on sentencing decisions for minor offense cases happened in 2021-2022
- **Results:** ethnic judges become more punitive towards Russian defendants
 - Effect is stronger in localities with lower ethnic diversity, lower social trust, and lower potential to protest
 - Might be explained by the reaction to increased propaganda-induced hostility from the ethnic majority

Further Steps

- Extending dataset to other types of crimes
 - Extracting characteristics of the case and defendant (expand on Zhuchkova and Kazun, 2023)
 - Sentiment analysis of the sentencing decisions (i.e. Choi et al., 2022; Gennaro and Ash, 2022)

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 - Sentiment analysis of the sentencing decisions (i.e. Choi et al., 2022; Gennaro and Ash, 2022)
- Look deeper at the underlying mechanisms
 - Measure exposure to propaganda through VK and/or Telegram channels activity in localities
 - Information about killed-in-action soldiers from the localities prior to the sentencing decisions

Appendix

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Extraction of data from text

Regular expressions: used to extract most names, articles of law, and sentencing decisions

Natasha NLP library: used to extract names of defendants from court hearings data and cross-check regular expressions [More details](#)

Identification of ethnicity

Ethnicity is identified based on first name and surname of a person, using a predictive model by Bessudnov et al. (2023) [More details](#)

Ethnic Model

- We use Bessudnov et al. (2023) machine learning classifier to predict e based on personal names
- It is based on tokenization (division of words into part of different size), accuracy – 0.85
- Training set: data from popular social media website VK (www.vk.com), including names, gender, location, and languages a person speak
- Testing set: historical dataset with the names and ethnicity of the victims of political repressions from the Memorial society:
<https://lists.memo.ru/>

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Natasha Library

- **Natasha** is an open-source python library for Russian natural language processing. It combines several packages, including Named-Entity Recognition models (Slovnet) and rule-based facts extractor (Yargy)
- To identify names, Natasha uses rule-based approach and accuracy is 0.95 when it is used on Russian names, and 0.89 on all names (including non-Russian names written in Russian)
- It used large corpus of Russian news (more than 700,000) from Lenta.ru agency to create rules and dictionaries
- More information is available on [Github](#)

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	Ethnic judge, Russian defendant	
	Whole sample	Randomized judges only
β_1 (After war)	0.053*** (0.018)	0.054*** (0.018)
N	8966	8561
Judges	322	308

Outcome: 0/1 detention. Notes: Includes court FE, p(1), uniform kernel, data-driven bandwidth, robust standard errors in parentheses. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$

Ethnic Judge, All Cases [Back to results](#)

	(1)	(2)
β_1 (After war)	0.033** (0.014)	0.046*** (0.015)
β_1 x Ethnic defendant		-0.035** (0.014)
Ethnic defendant		0.022** (0.009)
N	14974	14974

Outcome: 0/1 detention. Notes: Includes court FE, p(1), uniform kernel, data-driven bandwidth, robust standard errors in parentheses. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$

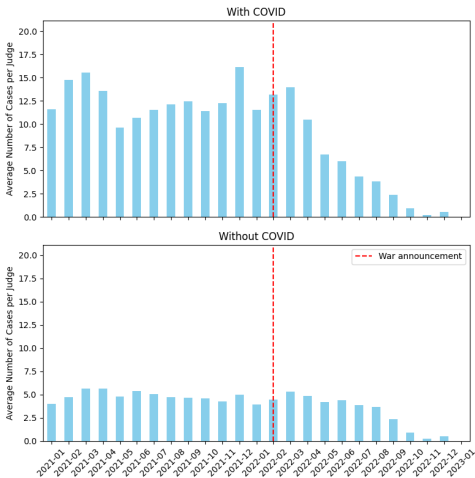
Balance table (minor offense) [Back to concerns](#)

Variable	(1) Before war	(2) After war	(3) Difference
Ethnic judge	0.379 (0.485)	0.373 (0.484)	-0.004 [0.004]
Ethnic defendant	0.316 (0.469)	0.321 (0.465)	-0.015 [0.010]
Text length	8,269.188 (3,007.621)	8,574.368 (3,061.639)	98.262*** [44.212]
Text length: ethnic defendant	2,734.281 (4,286.916)	2,730.283 (4,372.853)	13.990 [38.378]
Text length: Russian defendant	5,579.169 (4,602.214)	5,749.955 (4,653.245)	52.136 [40.671]
Text length: ethnic judges	3,194.249 (4,537.438)	3,177.256 (4,517.316)	-38.242 [37.768]
Text length: Russian judges	5,6578.456 (4,600.405)	5,789.206 (4,761.128)	-85.073 [95.102]
Text length: ethnic judge, Russian defendant	2,612.071 (3,916.479)	2,785.620 (3,882.002)	183.296** [90.956]
<i>N</i>	4,196	4,708	8,904

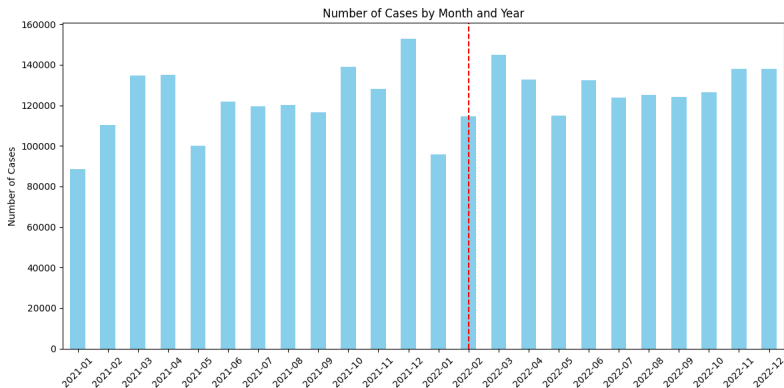
Distribution of all administrative cases

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In general, there are fewer administrative cases after war: This may be explained by alleviating COVID-related restrictions



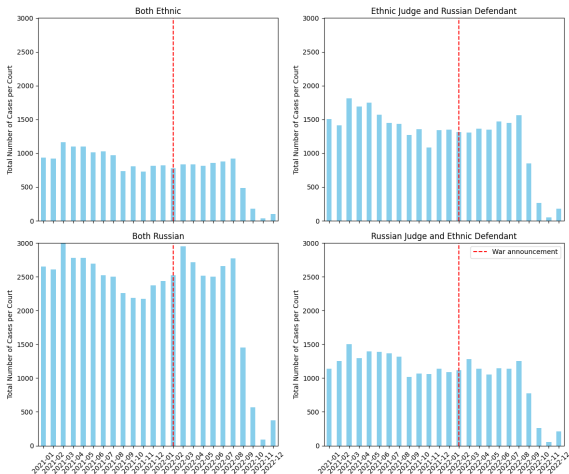
Criminal cases are in line with seasonal trends

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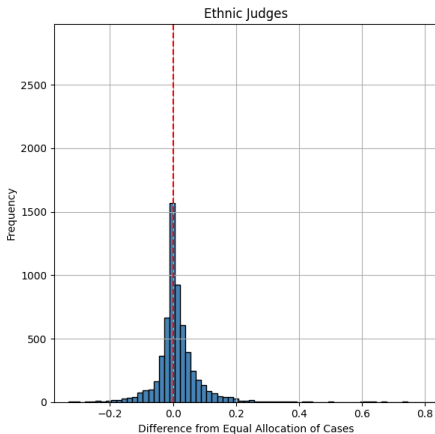
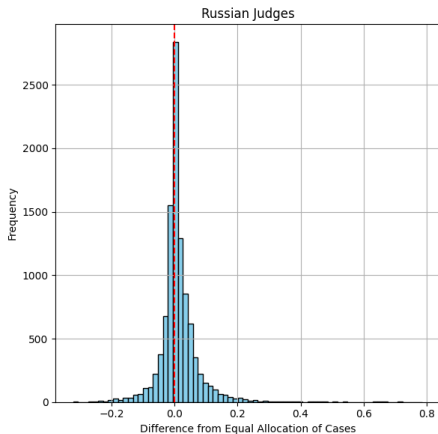
Distribution of minor offense cases

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Distribution of the cases among ethnic pairs for a specific article hasn't changed much before and after war



Caseload of judged is similar in both ethnic groups



Pre-war differences

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	(1)	(2)	(3)
Variable	Russian Judge	Ethnic Judge	Difference
Share of ethnic def.	0.324 (0.468)	0.386 (0.487)	0.001 (0.004)
Prob. of detention	0.546 (0.498)	0.543 (0.498)	-0.006* (0.004)
Amount of fine	685.755 (225.244)	702.478 (235.211)	9.141*** (2.654)
Length of arrest	3.680 (3.088)	3.641 (3.171)	0.048 (0.035)
Prob. to issue high fine	0.463 (0.499)	0.467 (0.499)	0.003 (0.006)
<i>N</i>	44,575	28,678	73,253

Allocation of cases I

- Allocation of cases should be random and based on the automatization procedure
- We use Cramér's V to measure how strongly ethnicity of judge is associated with the ethnicity of defendant on the level of the court; and how different the judge is from other judges in the same court
 - Based on Pearson's chi-squared statistic
 - Varies from 0 (no association) to 1 (strong association)

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Allocation of cases II

	Ethnic Defendant	Russian Defendant	Undefined
Ethnic Judge	15	20	5
Russian Judge	10	25	3

Table 1: Level of court, 1 table per court

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Table 1: Level of court, 1 table per court

	Ethnic Defendant	Russian Defendant	Undefined
This judge	15	20	5
All other judges	10	25	3

Table 2: Level of judge, 1 table per court

Allocation of cases III ○

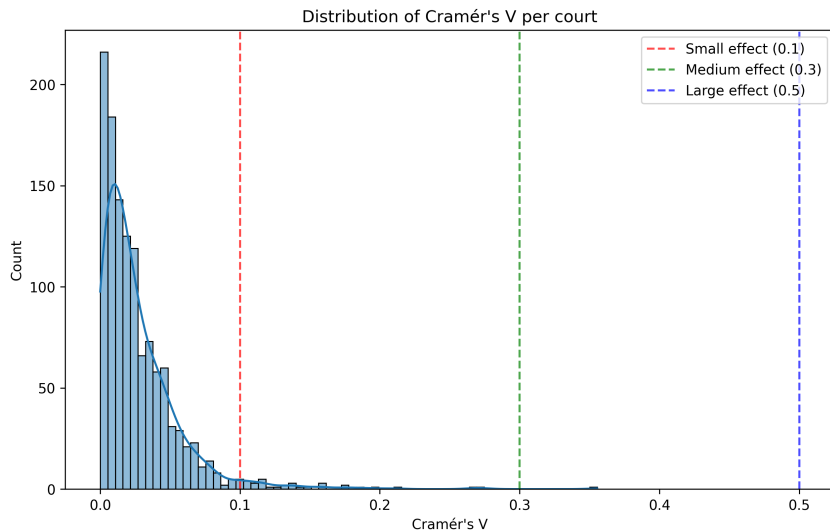


Figure 1: Distribution of Cramér's V across courts

Allocation of cases IV ○

To random alloc. check

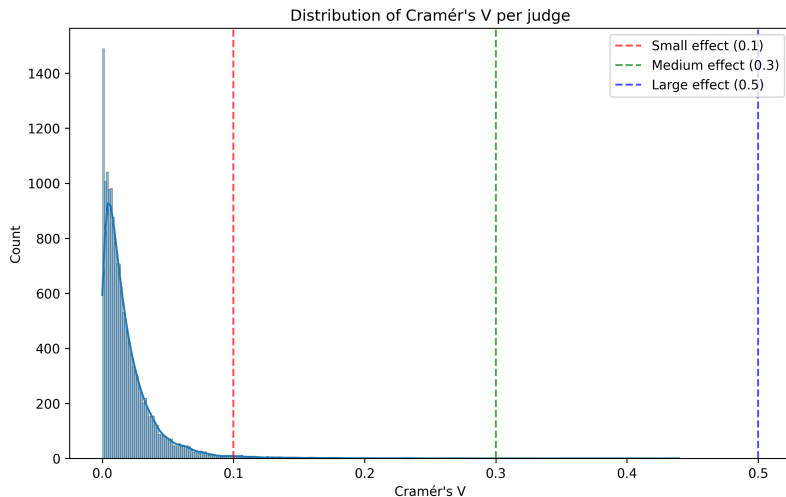


Figure 2: Distribution of Cramér's V across judges

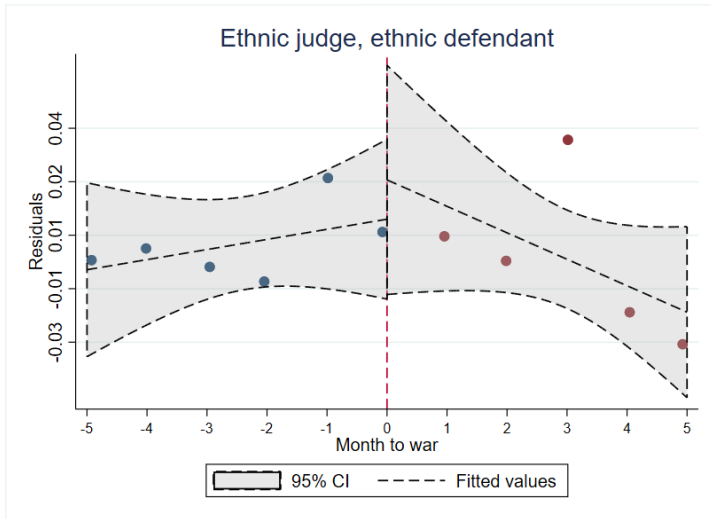
Robustness checks

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	(1)	(2)	(3)	(4)
	Quadratic polynomial	Quadratic polynomial	Triangular kernel	Pseudo cutoff (6-months prior)
β_1 (After war)	0.048*	0.053**	0.041**	0.010
	(0.027)	(0.026)	(0.016)	(0.020)
N	8309	10541	7539	8568
Bandwidth (h , months)	[-3,6]	6	[-3,5]	4
Court FE	yes	yes	yes	yes
Polynomial order (p)	2	2	1	1
Kernel	uniform	uniform	triangular	uniform

Notes: Robust standard errors in parentheses. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$.

Results Plot II

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Minor offenses: Article 21.1 Part 1 [Back to Strategy](#)

Minor offense, that is, a violation of public order expressing clear disrespect to society, accompanied by obscene language in public places, offensive harassment of citizens, as well as destruction or damage to others' property

- Administrative fine from 500 to 1,000 RUB (5-10 USD)
- Administrative arrest (detention) from 1 to 15 days
- Examples: use of obscene language in public places, minor destruction or damage to others' property