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

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

EWMES, December 2025

Vlada Kosenkova, CERGE-EI

Arsenii Shcherbov, CERGE-EI

Motivation

- Political events may affect the emotions of people in positions of authority and lead to more subjective outcomes
  - E.g.: judges become more punitive (Eren and Mocan, 2018; Shayo and Zussman, 2011)
- Propaganda and media persuasion can lead to increase in animosity between ethnic groups (Adena et al., 2015; DellaVigna et al., 2014; Yanagizawa-Drott, 2014)
- 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)

→ This paper studies effects of the war announcement on ethnic bias of judges in Russian courts

This Paper

- We use the month of war announcement as a cutoff to examine sentencing bias in different ethnic pairs of judges and defendants

Data:

- Cases on minor offenses from all courts for 2021-2022
- Implied ethnicity of judges and defendants based on their names

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)

  → *We examine the role of war announcement and intensified propaganda on judges in Russia*

- Propaganda and media persuasion can increase **interethnic hostility** (DellaVigna et al., 2014; Adena et al., 2015; Petrova and Yanagizawa-Drott,2016)

  → *We study sentencing disparities in ethnic pairs of judges and defendants*

- 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
- Overall, about 16,000 judges (around 70% are ethnic Russian) and 1,600 courts

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)
- $\sim$ 5,000 minor offense cases per month

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

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

- 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 →
  - → 2018 reform introduced automated distribution system
  - → Checking results only for judges with randomly allocated cases
- Changes in severity of crimes
  - → Focusing on easily comparable cases (minor offenses) (Shayo and Zussman, 2011; Kricheli-Katz and Weinshall, 2023; Zhan and Qiao, 2024)
  - → Checking the length of decisions texts
- 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 →

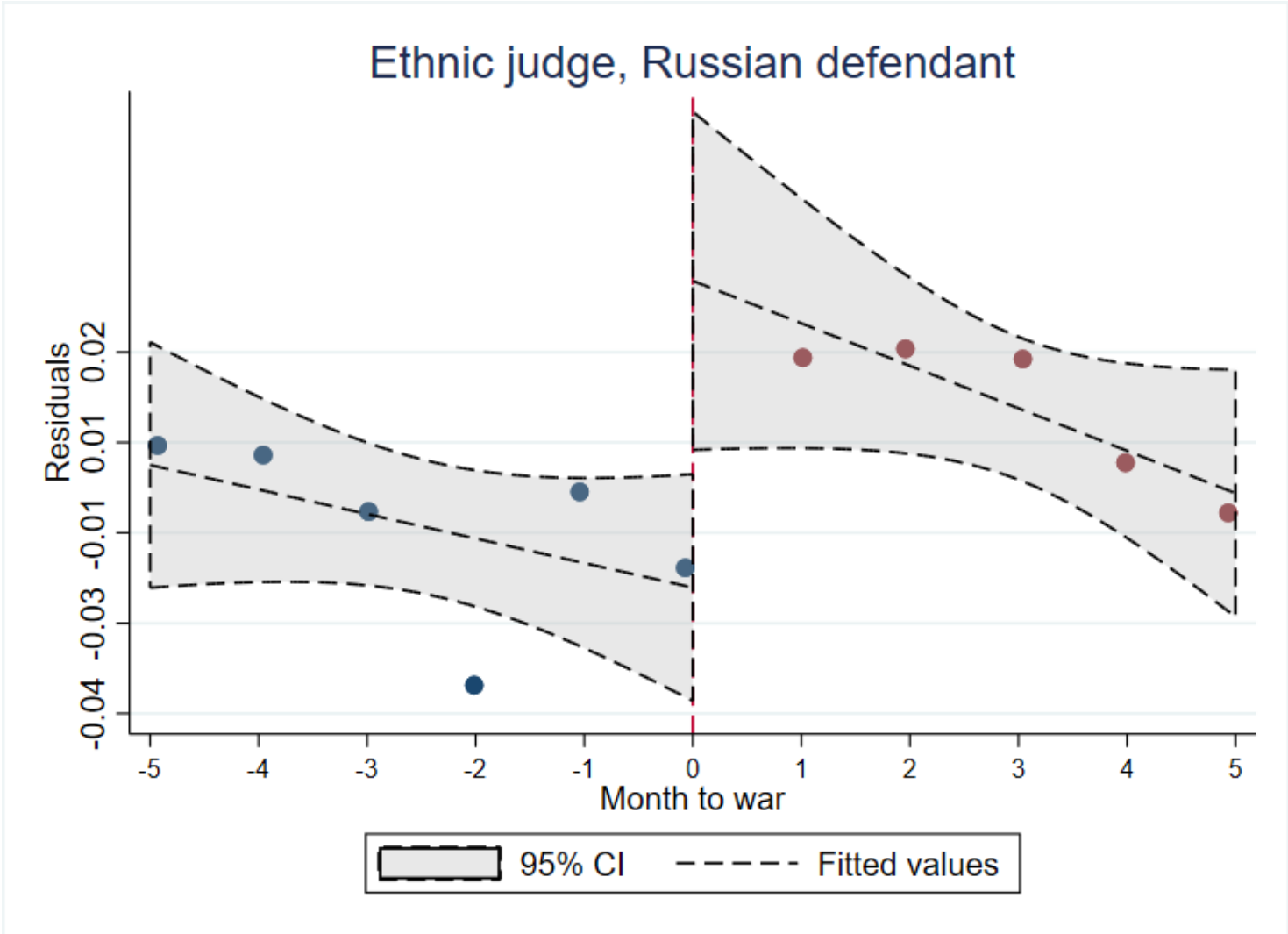
Results: ethnic judges are more punitive to Russian defendants

β_1 (After war)	Ethnic defendant	**Russian defendant**
Ethnic judge	0.034	**0.053*** **
	(0.025)	**(0.017)**
	N = 4327	*N* = 8966
Russian judge	−0.005	−0.006
	(0.022)	(0.012)
	N = 5819	*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)
  - → **Social trust:** answer positively to the question 'Do you think most people can be trusted or you can't be too cautious with them?'
  - → **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***	0.071*	0.074***	0.066**
	(0.017)	(0.037)	(0.026)	(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

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

Conclusion

- We examined the sentencing disparities for different ethnic pairs of judges and defendants before and after war
- 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 (currently DUI, theft)
  - → 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)
- 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

References I

Ozkan Eren and Naci Mocan. Emotional judges and unlucky juveniles. *American Economic Journal: Applied Economics*, 10(3): 171–205, 2018.

Moses Shayo and Asaf Zussman. Judicial ingroup bias in the shadow of terrorism. *The Quarterly journal of economics*, 126(3): 1447–1484, 2011.

Maja Adena, Ruben Enikolopov, Maria Petrova, Veronica Santarosa, and Ekaterina Zhuravskaya. Radio and the rise of the nazis in prewar germany. *The Quarterly Journal of Economics*, 130(4):1885–1939, 2015.

Stefano DellaVigna, Ruben Enikolopov, Vera Mironova, Maria Petrova, and Ekaterina Zhuravskaya. Cross-border media and nationalism: Evidence from serbian radio in croatia. *American Economic Journal: Applied Economics*, 6(3):103–132, 2014.

David Yanagizawa-Drott. Propaganda and conflict: Evidence from the rwandan genocide. *The Quarterly Journal of Economics*, 129 (4):1947–1994, 2014.

EAAS Report. 2022 Report on EEAS activities to counter FIMI, 2022. URL `https://www.eeas.europa.eu/eeas/2022-report-eeas-activities-counter-fimi_en`.

David B Mustard. Racial, ethnic, and gender disparities in sentencing: Evidence from the us federal courts. *The Journal of Law and Economics*, 44(1):285–314, 2001.

Donghyun Danny Choi, J Andrew Harris, and Fiona Shen-Bayh. Ethnic bias in judicial decision making: Evidence from criminal appeals in kenya. *American Political Science Review*, 116(3):1067–1080, 2022.

Arnaud Philippe and Aurélie Ouss. "no hatred or malice, fear or affection": Media and sentencing. *Journal of Political Economy*, 126 (5):2134–2178, 2018.

Maria Petrova and David Yanagizawa-Drott. Media persuasion, ethnic hatred, and mass violence. *Economic aspects of genocides, other mass atrocities, and their prevention*, 274, 2016.

References II

Vadim Volkov. Legal and extralegal origins of sentencing disparities: Evidence from russia's criminal courts. *Journal of Empirical Legal Studies*, 13(4):637–665, 2016.

Svetlana Zhuchkova and Anton Kazun. Exploring gender bias in homicide sentencing: An empirical study of russian court decisions using text mining. *Homicide Studies*, page 10887679231217159, 2023.

Alex Knorre, Vladimir Kudryavtsev, Ekaterina Khodzhaeva, Kseniia Runova, and Kirill Titaev. The lull before the storm? criminal justice, crime and incarceration in russia (2000–2020). *Europe-Asia Studies*, 76(8):1229–1252, 2024.

Zuzanna Brunarska and Wiktor Soral. Does origin matter? ethnic group position and attitudes toward immigrants: The case of russia. *Nationalities Papers*, 50(2):219–236, 2022.

Alexey Bessudnov, Denis Tarasov, Viacheslav Panasovets, Veronica Kostenko, Ivan Smirnov, and Vladimir Uspenskiy. Predicting perceived ethnicity with data on personal names in russia. *Journal of Computational Social Science*, 6(2):589–608, 2023.

Tamar Kricheli-Katz and Keren Weinshall. Judging fast or slow: The effects of reduced caseloads on gender-and ethnic-based disparities in case outcomes. *Journal of Empirical Legal Studies*, 20(4):961–1004, 2023.

Chaoqun Zhan and Shitong Qiao. Workload, legal doctrine, and judicial review in an authoritarian regime: A study of expropriation judgments in china. *International Review of Law and Economics*, page 106232, 2024.

Athina Anastasiadou, Artem Volgin, and Douglas R Leasure. War and mobility. *Demographic Research*, 50:205–220, 2024.

Ruben Enikolopov, Alexey Makarin, and Maria Petrova. Social media and protest participation: Evidence from russia. *Econometrica*, 88(4):1479–1514, 2020.

Gloria Gennaro and Elliott Ash. Emotion and reason in political language. *The Economic Journal*, 132(643):1037–1059, 2022.

Data Analysis Back to Data

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 ethnicity 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/

Back to data analysis

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

Back to data analysis

Random allocation

Go back To alloc. of cases

	Ethnic judge, Russian defendant	
	Whole sample	Randomized judges only
β_1 (After war)	0.053***	0.054***
	(0.018)	(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**	0.046***
	(0.014)	(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)

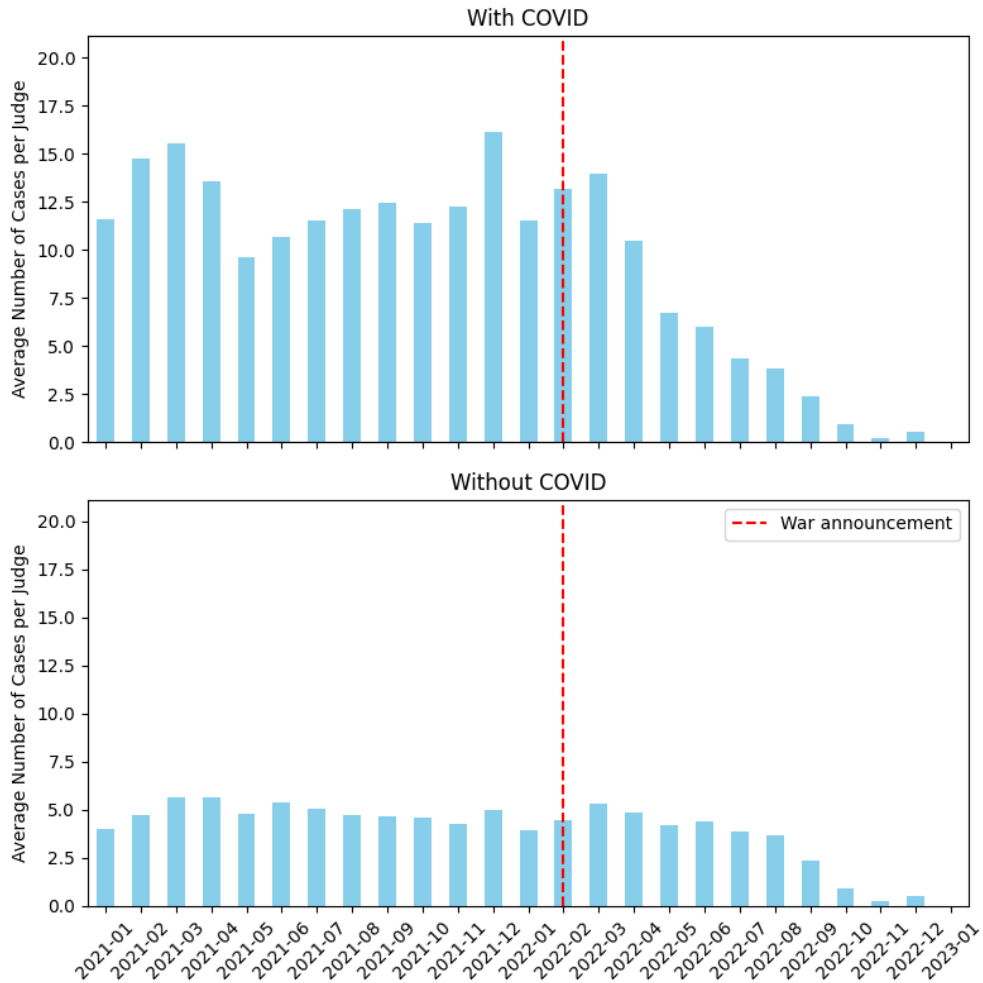
Back to concerns

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

Distribution of all administrative cases

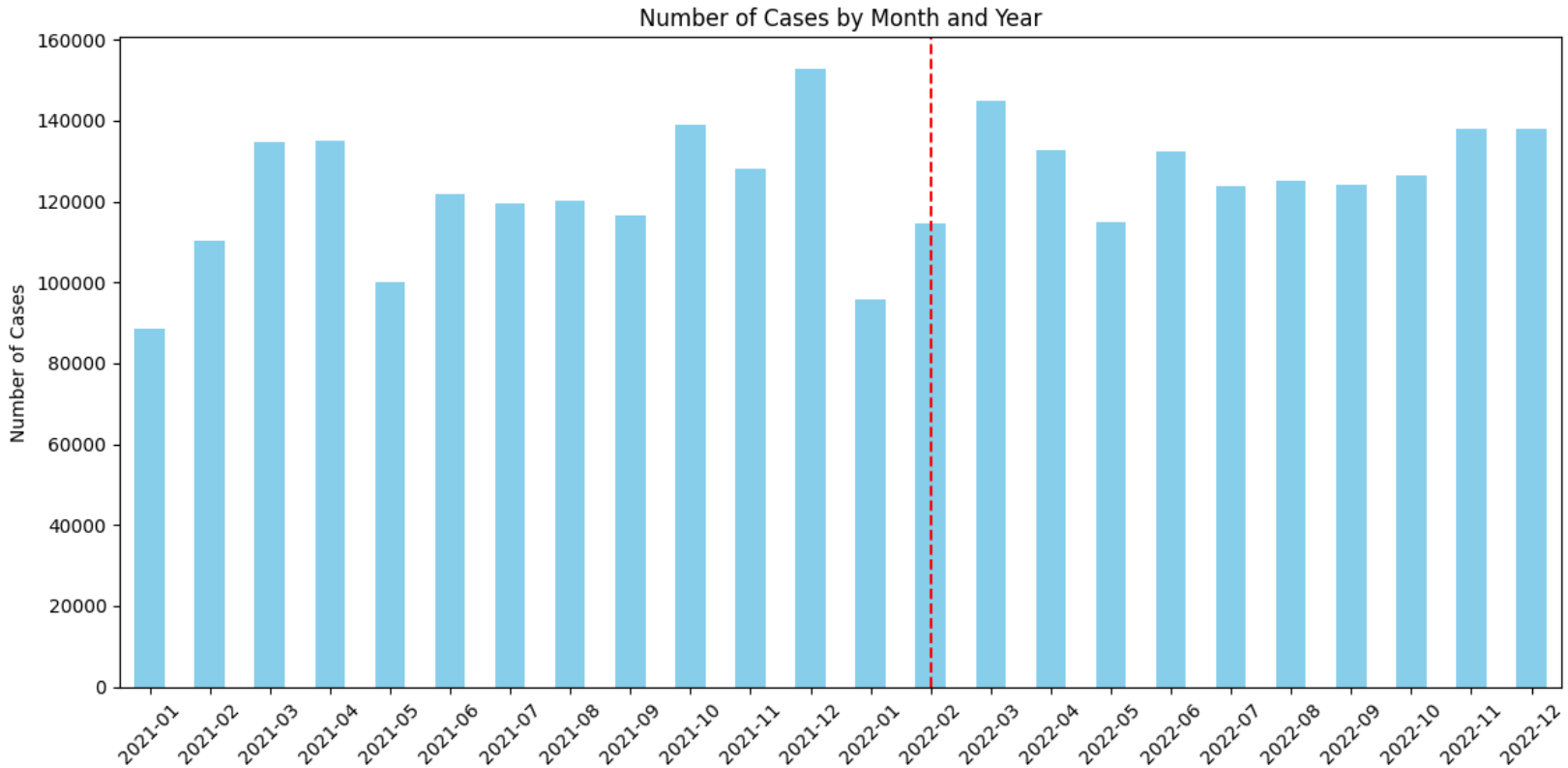
Back to concerns

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



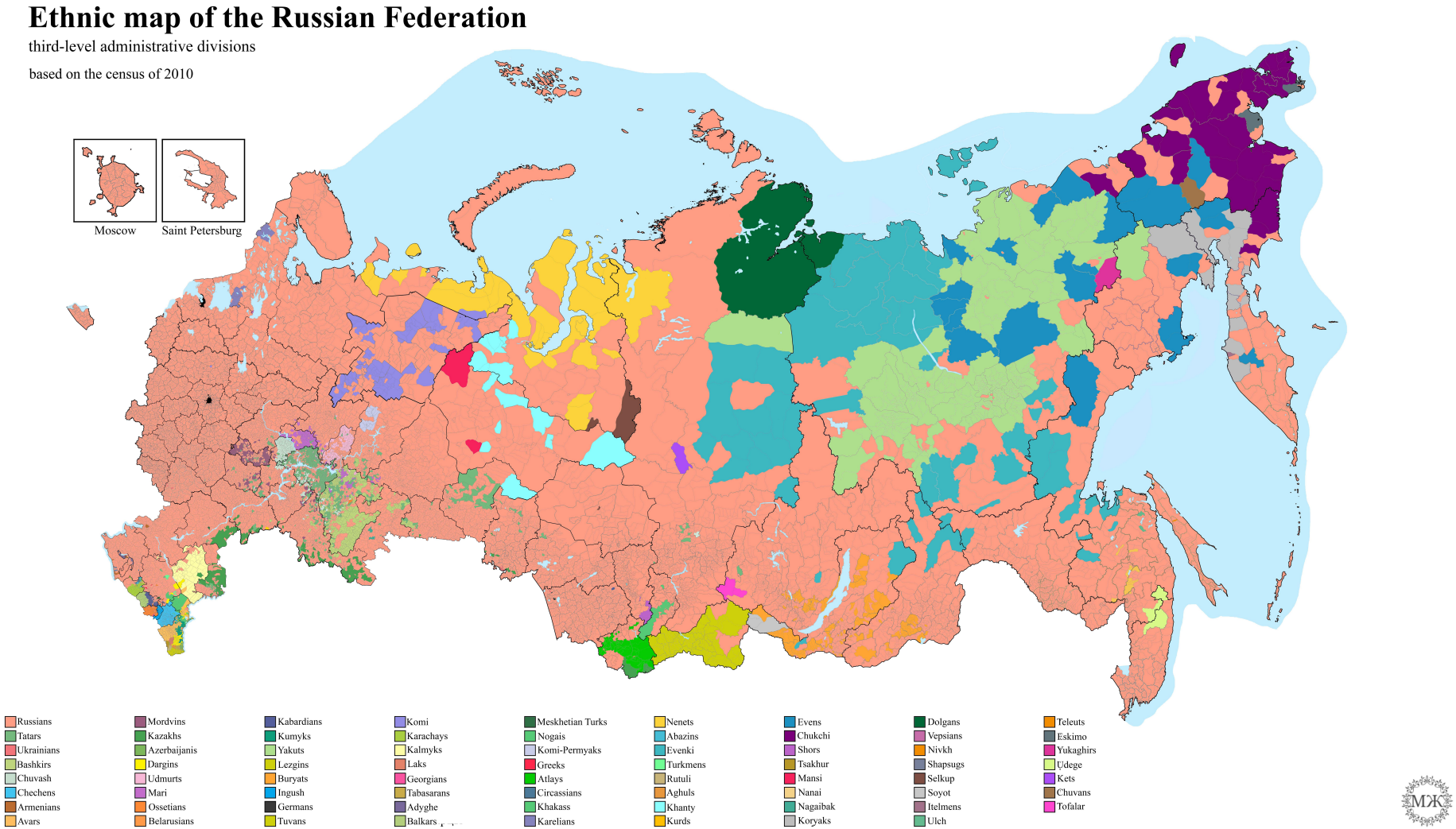
Criminal cases are in line with seasonal trends

Back to concerns



Ethnic map of Russia

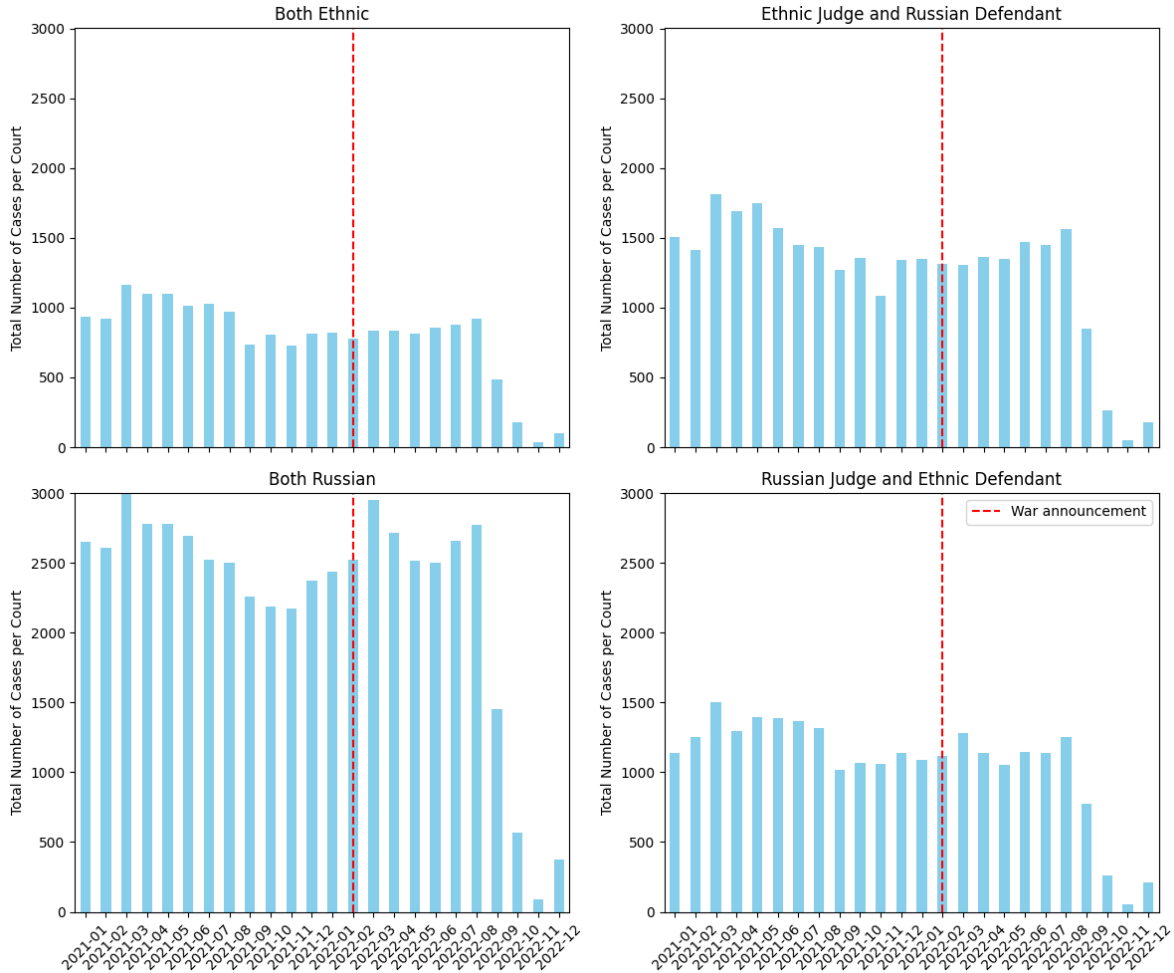
Back



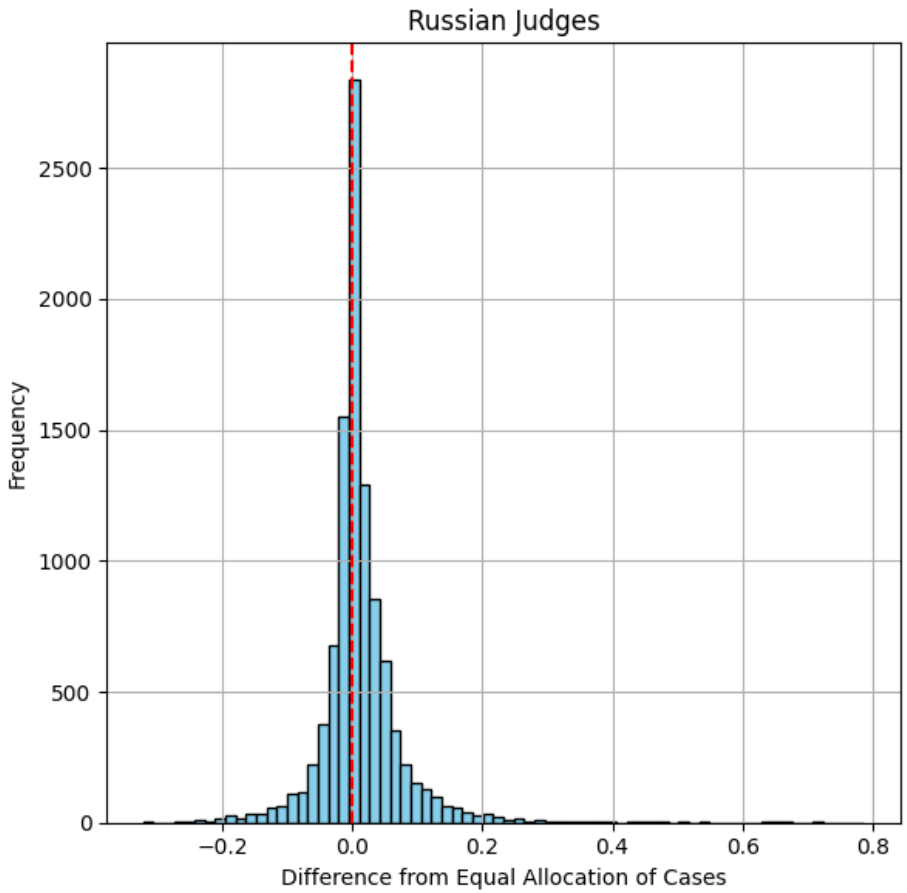
Distribution of minor offense cases

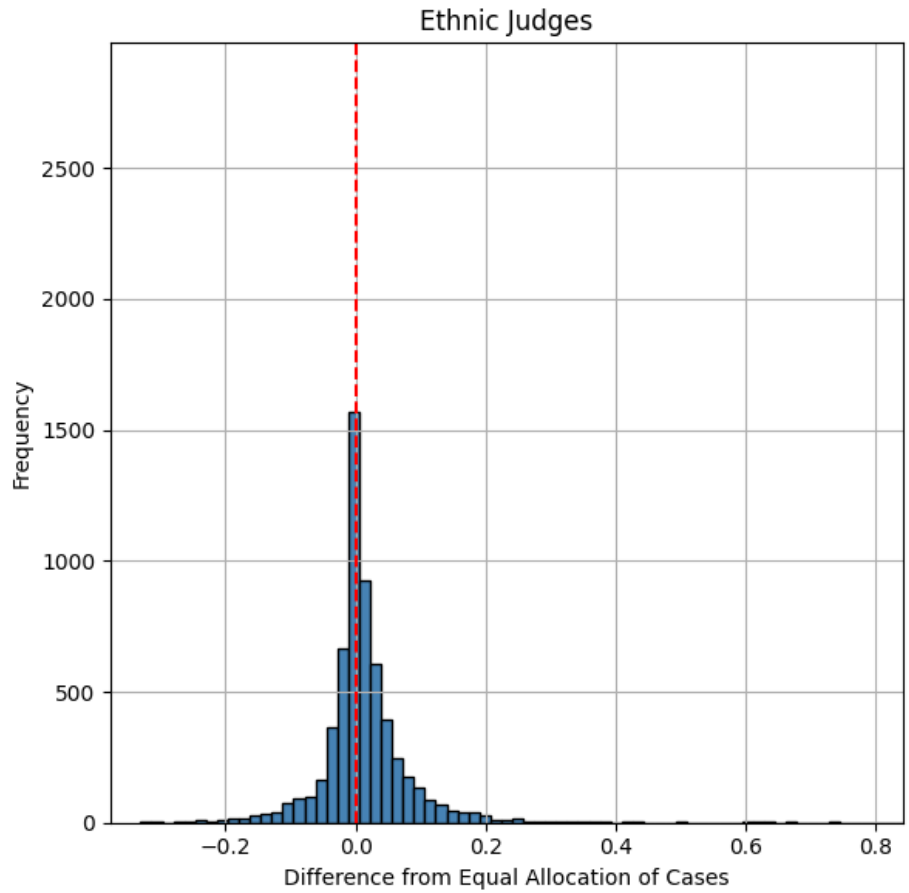
Back to concerns

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

Back to concerns

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

Back to concerns

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

	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

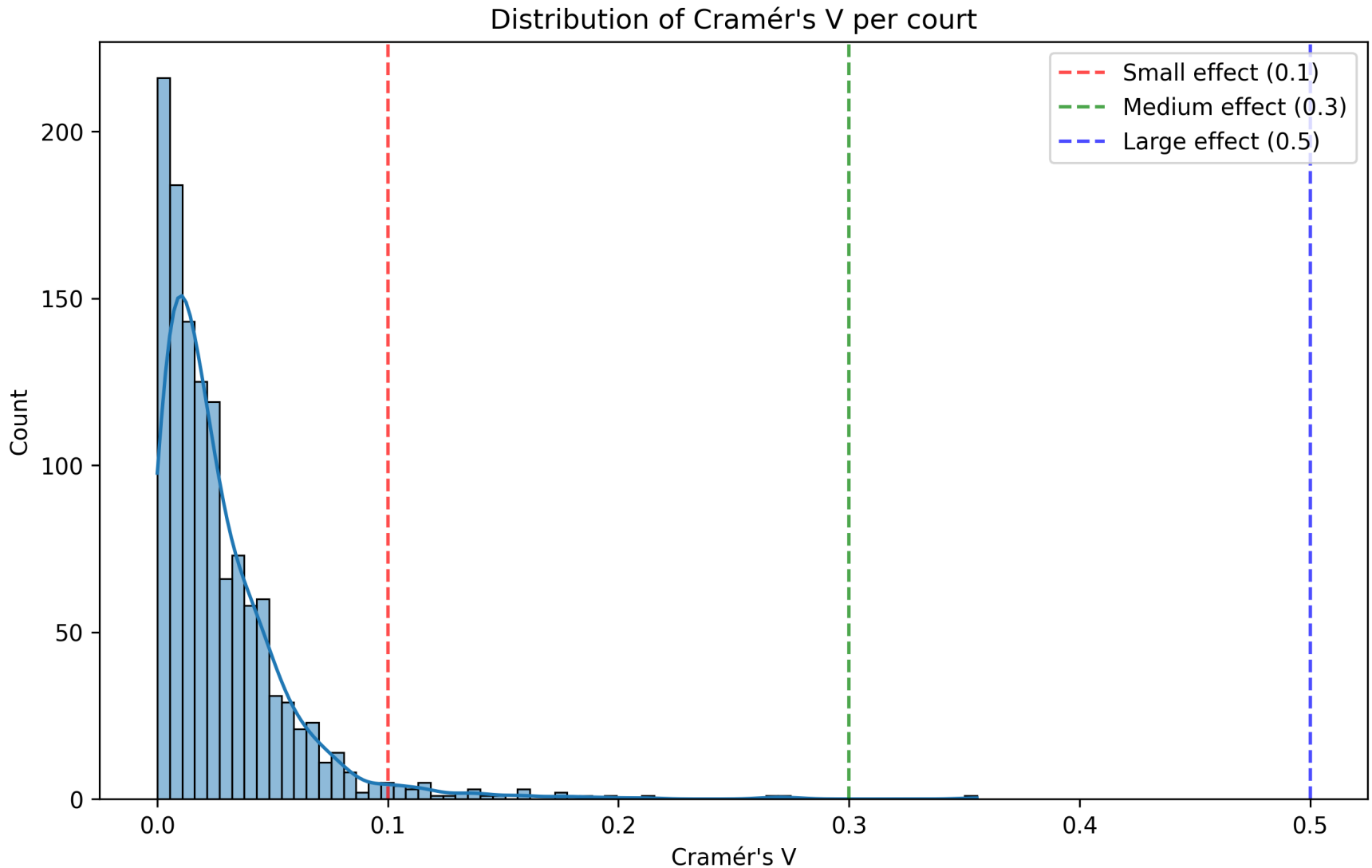


Figure 1: Distribution of Cramér's V across courts

Allocation of cases IV

Back to concerns

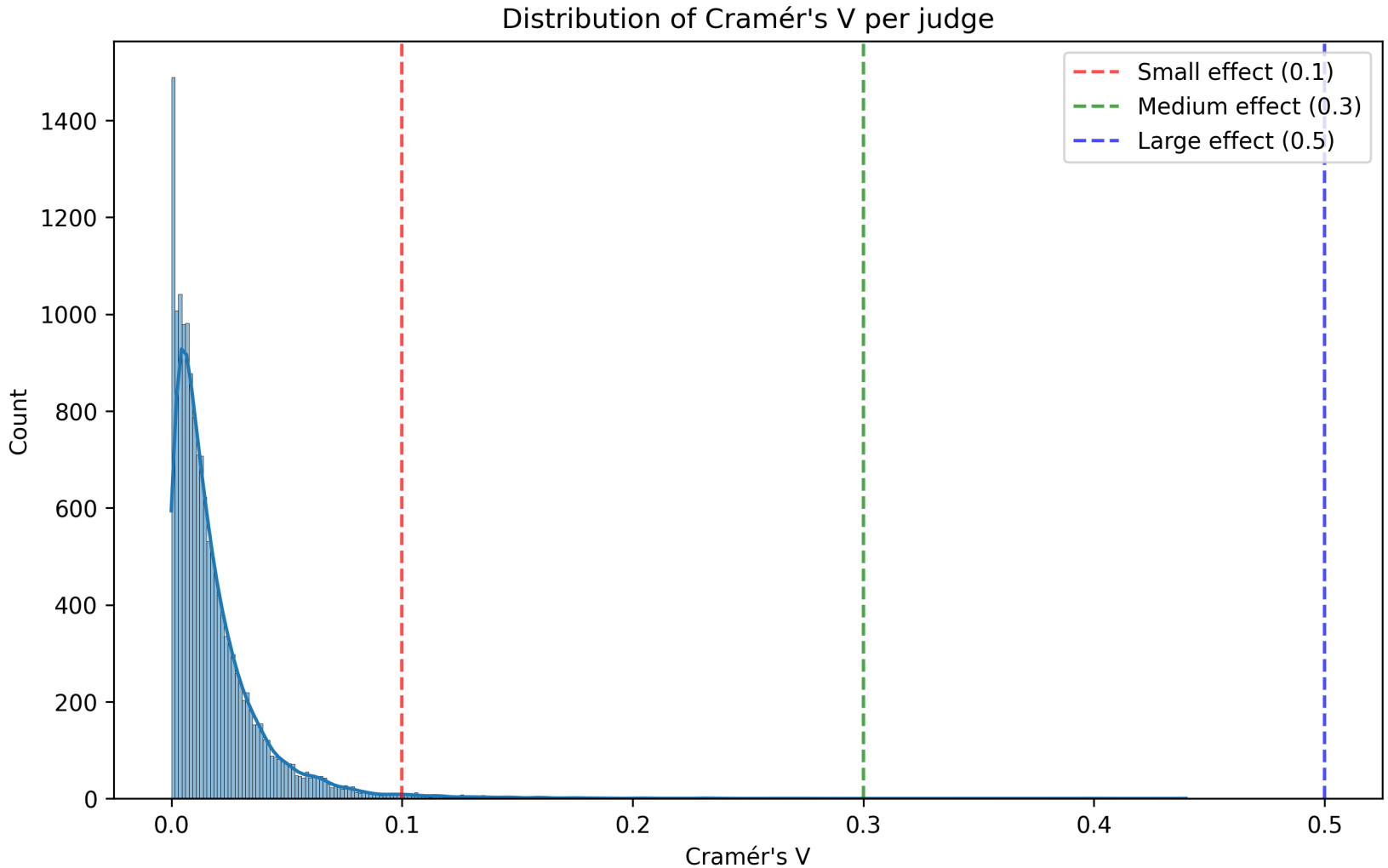


Figure 2: Distribution of Cramér's V across judges

Robustness checks

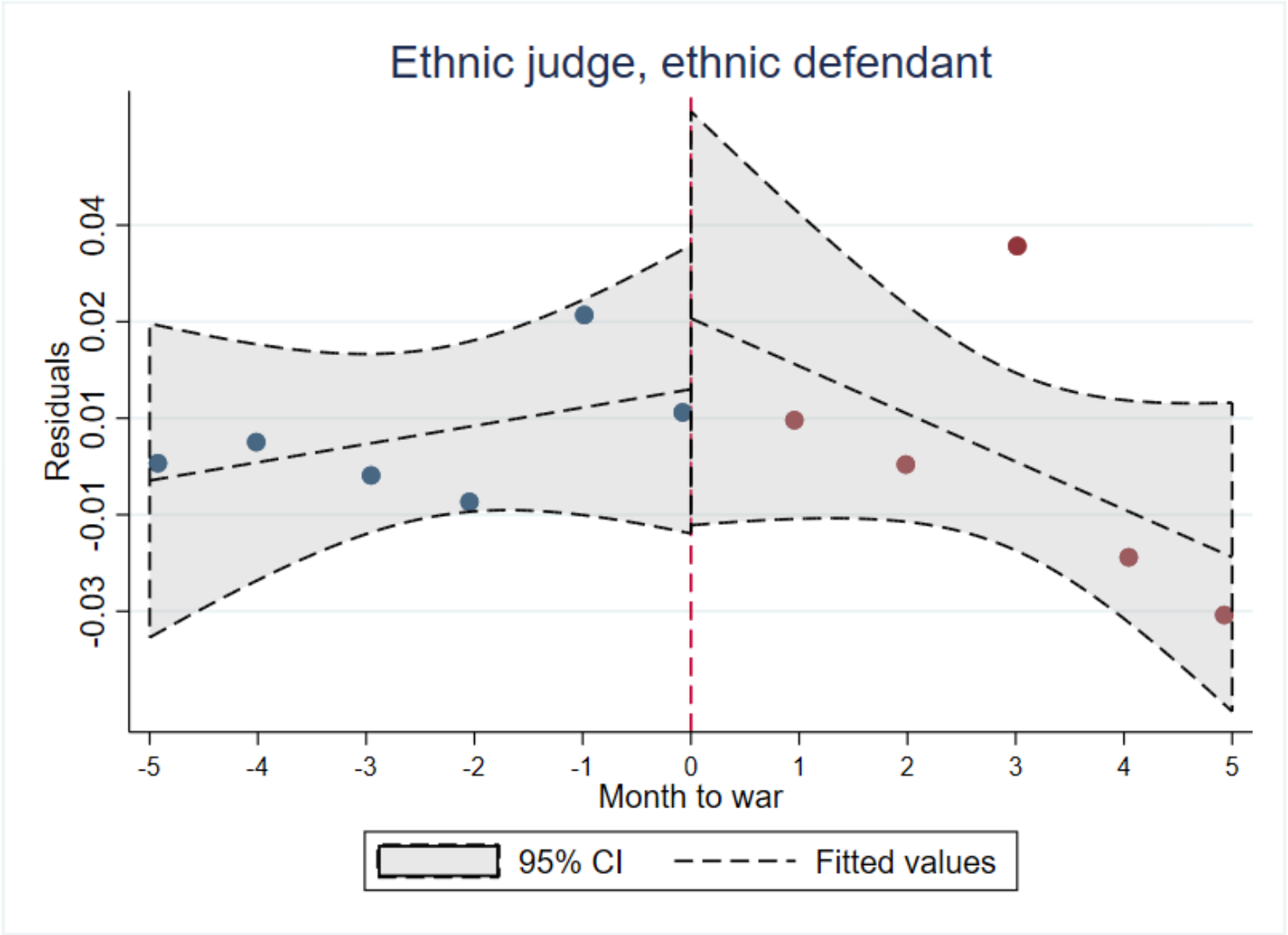
Back to results

	(1) Quadratic polynomial	(2) Quadratic polynomial	(3) Triangular kernel	(4) 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

Back to Results



Minor offenses: Article 20.1 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