

Dictators and Their Repressive Agents: Judicial Institution, Information Screening, and State Repression

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Abstract. Dictators rely on repressive agents to exercise repression, but the role of agents is often overlooked under the unitary state actor assumption. This study challenges this assumption and considers an important but understudied agent, the court, and how the principal-agent relationship between the ruler and judges impacts the supply of repression. We argue that in the coercive hierarchy courts serve as a critical information filter that controls information (e.g., dissident cases) flow upwards to the ruler. When dissent increases and the quantity of information overload the ruler, judges are often empowered to control information quality and only submit more threatening cases for ruler's review to increase decision-making efficiency. However, this empowerment creates a moral hazard problem that encourages judges to cheat by reducing cases qualified for review to avoid decision rejection and sanctions, ultimately hurting rulers' control over the judiciary and undermining repression. Using declassified archives documenting the judicial process of repression in authoritarian Taiwan with a regression discontinuity design, we find that when the president only reviews dissent cases above a severity threshold due to rising review demands, judges become significantly less likely to sentence dissidents above that threshold. We also find evidence that this distorted behavior is driven by judges' fear of sanctions when the president rejects their decisions and punishes them after review. These findings shed new light on the role of judiciaries in dictatorships and its impact on repression.

Keywords: State repression, judiciary, information screening, political trials

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