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Title: Transitional Justice of Prosecutorial Strategies and the Cruelty of Autocrats.

Abstract: Following a repressive regime and transition to a polyarchy, it is common to address calls for punishing the perpetrators of human rights violations committed in the name of the ancient regime. Such retroactive justice can extend to leaders who issued repressive orders as well as to agents of repression who were tasked with executing those orders. In a world where transitional justice can take either of those forms, the calculus of an agent of repression is not trivial: should he obey an order to repress and risk punishment if the regime should fall? Or should he ignore the order and thus expedite the fall the regime? We model the Repressive Agent's Dilemma initially as a game of imperfect information and then as an infinitely repeated game which we solve for Perfect Markov Equilibria. We test our model's predictions with an originally collected for this purpose dataset of criminal trials of authoritarian perpetrators in the aftermath of democratic transitions where in addition to the volume of trials, we distinguish between the prosecutions of order givers and order takers.