The Origins of Elite Persistence: Evidence from Political Purges in post-World War II France[*]

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Abstract

How can the elite from a non-democratic regime survive a democratic transition? This paper focuses on the mechanisms explaining this elite persistence and more specifically, on the connections politicians may leverage on at political transitions. We document this phenomenon using the transition from the Vichy regime back to democracy in post-World War II France. To purge supporters of the Vichy regime, France set up a two-level system whereby local courts, *Comités départementaux de libération*, and a central court, the *Jury d'Honneur*, systematically ruled on the case of each parliamentarian. Our empirical approach uses local courts' decisions as a counterfactual to assess the advantage some elites had in front of the *Jury d'Honneur* during these purges. We show that the *Jury d'Honneur* was more likely than local courts to clear Law graduates, a historically powerful group in French politics. The *Jury* overruled the decision of *Comités départementaux de libération* to purge Law graduates in 26.36 percent of the cases whereas it did so in only 15.97 percent of the cases for other defendants. In front of the *Jury d'Honneur*, the clearance rate of Law graduates was 8 percentage points higher than other politicians' whereas it was 2 percentage points lower in front of local courts. This advantage of Law graduates during the purges was not inconsequential as it appeared mainly in electoral litigations cases. An analysis of the still-classified 17,589 documents the Jury d'Honneur filed in defendants' individual dossiers moreover points to the connections of Law graduates as a factor explaining our results.

Keywords: Purges, Political transitions, Elite persistence
JEL Codes: D73, K40, N44, P48

1 Introduction

Elites persist. In politics, elite persistence manifests itself through continuing selection of particular types of elites with direct control over or significant influence on government policy. This creates political inequality (Van Coppenolle, 2020) and serves as a roadblock to policy reform (Acemoglu and Robinson, 2006). While there are many reasons why the "iron law of oligarchy" (Michels, 1968) operates within *given* institutional structures with its strong tendency to subvert democracy and to enable small elites to dominate,[1] it is more of a puzzle to understand how and why political elites can persist after a major institutional upheaval. How can elites that dominate politics under autocracy continue to do so after a transition to democracy?

Acemoglu and Robinson (2006, 2008) argue that elites do so through investments in *de facto* power that enable them to survive the loss of *de jure* power associated with a transition to a new political system. Relative to other more socially diffused groups, elite groups have a comparative advantage due to their small numbers or concentrated benefits (Olson, 1965). Examples of elite groups that survive major institutional change and manage to hold on to *de facto* power are plentiful. The collapse of the communist regimes in Eastern Europe in the 1990s and the transition to democracy did not eliminate the political power of the old communist elite (Pakulski et al., 1996). In Indonesia, many of the mayors serving under the Soeharto regime were elected after the transition to democracy and stayed in office longer than other mayors (Martinez-Bravo et al., 2017). In post-Pinochet Chile, González et al. (2020) also observe that mayors appointed by Pinochet held an electoral advantage in municipal elections after the 1990 democratic transition. Historically, the sequence of franchise extensions in the United Kingdom between 1832 and 1885 did little to break the monopoly on power by the British aristocracy (Berlinski et al., 2014). Likewise, after the US civil war and the enfranchisement of African Americans, the Southern white elite managed to maintain *de facto* power (Acemoglu and Robinson, 2008; Besley et al., 2010).

Clearly, elites have a strong incentive to make investments to maintain their political power and are often successful in doing so. It remains, however, an open question how they do it. What are the mechanisms through which elites persist and survive *de jure* political transitions? How can elite groups maintain *de facto* political power? This paper provides a new answer to this question that complements existing ones. Acemoglu and Robinson (2008) conjecture that elites use wealth or weapons, Besley et al. (2010) focus on the elimination of political competition, and Michels (1968) emphasizes control of communication technologies and political skills. We document an alternative mechanism: connections.

We argue that members of a former elite can build connections to members of the new elite, which allow the former to be helped by the latter to survive the transition from autocracy to democracy. We refer to connections as both shared social ties and the use of these social ties. Those connections, built before the transition among alumni, colleagues, friends, or relatives, can provide support when the new regime "selects" which members of the former elite are allowed to participate in the new regime. In short, these connections determine who is purged and who is not. We document the role of such connections in post-World War II France. At the end of the war, the liberation of France meant an abrupt transition from the Vichy regime or dictatorship, which had cooperated with Nazi Germany since the military defeat in 1940 (Paxton, 1972),

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[1]The classical argument of Michels (1968) is that any complex social organization will eventually be dominated by a small elite because leaders control resources that rank-and-file members do not: superior information, communication technologies, and political skills. In most Western democracies, incumbency advantage (Eggers et al., 2015) and internal legislative procedures (Berlinski et al., 2007) enables the same (type of) politicians to stay in power and these advantages can be passed on to family members (Querubin, 2015; Van Coppenolle, 2017; Fiva and Smith, 2017; Dal Bó et al., 2009). In autocracies, dynastic transitions develop as a norm to avoid the successor problem (Tullock, 1987; Kurrild-Klitgaard, 2000).

back to a republic (the Fourth Republic). To reinstate a republic, transitional authorities had to purge collaborators of the Vichy regime from its political class and determine which politicians would be allowed to continue to pursue a political career. The process of these purges was highly criticized in society[2] and by politicians facing the purges. Our primary archival work, for example, revealed a letter a defendant wrote to General De Gaulle claiming that purges were "not about justice, but about connections".[3]

Three features of the purges allow us to test this claim and to investigate the link between connections and elite persistence. The first is that there was a well-identified group of politicians to purge. These were the parliamentarians who had endorsed, in the vote on July 10, 1940, the Enabling Act that cleared the way for the Vichy regime and those who had directly taken part in the institutions of Vichy France. The new post-war transitional authorities, therefore, had to sift away real supporters of the Vichy regime from those who had given in to pressure but later had redeemed themselves by participating in the resistance. The second feature is the structured legal process. To determine the parliamentarians who were to be purged and those who would be allowed to continue their political careers, the post-war authorities set up a two-stage process. Specifically, two bodies were tasked with reviewing the cases sequentially. A case was first reviewed by a local *Comité départemental de libération* (hereafter CDL), established in each French departments. In a second step, it was reviewed by the *Jury d'Honneur* (hereafter *Jury*) in Paris, which could either follow the judgment of the CDL or overrule it. This two-stage process meant that each case was heard twice: first locally by the CDL and second centrally by the *Jury*. The whole process is moreover well documented as the *Jury* maintained dossiers on each individual parliamentarian facing the purges. Using this documentation, we look inside the black box political purges usually are. The third feature of the post-war purges is that there was a well-identified elite group whose connections we can study. Specifically, many French politicians were Law graduates. Lawyers, for instance, represented about 20 percent of parliamentarians in the National Assembly between 1936 and 1940 and many held important government positions. During the interwar period, 13 of the 19 presidents of the council of ministers[4] were Law graduates, motivating why Le Béguec (2003) refers to the Third French Republic (1870-1940) as the "Lawyers' Republic". After the War, the political influence of Law graduates remained substantial. For instance, two out of four presidents of the National Assembly were lawyers under the Fourth Republic (1946-58). Law graduates thus constitutes a well-defined elite group. The members of this elite formed a cohesive social milieu, first established during their studies at elite institutions and subsequent training, and later in their careers, maintained through the Bar Association, clubs, and speech contests. Moreover the three members of the *Jury* had connections with Parisian faculties of Law.

Based on these three features – a target group to purge, a well-defined elite, and a well-documented two-stage legal process – we can borrow the method developed by Anwar and Fang (2006) and Alesina and La Ferrara (2014) to study the racial bias of US courts as a way to identify the advantage part of the elite had in front of *Jury* using decisions of CDLs as counterfactual. In our context, the hypothesis is that the connections of Law graduates favors defendants with a Law degree relative to others and more so in the judgments of the *Jury* than of the CDL. To test this hypothesis, we collected data on the judgments reached by the two systems of courts and detailed biographical information on the parliamentarians before them. Thanks to this data, we can compare the clearance rates across courts for different groups of parliamentarians. The difference-in-differences in clearance rates across the two types of courts provides a measure of the relative

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[2]For example, in *De la paille et du bon grain* (On the chaff and the Wheat), Jean Paulhan criticized the mere principle purges as they have to strike a balance between between respecting the rule of law and sifting out potential autocratic entrepreneurs. (Paulhan, 1948).

[3]"Il s'agit apparemment, non de justice, mais de politique". Archives Nationales de France, Reference: AL//5324

[4]See Le Béguec (2003). This is equivalent to Primer Minister positions.

advantage of Law graduates in front of one court compared to the other. The main result of this analysis is that the difference in clearance rates between Law graduates and other defendants was 10 percentage points higher in front of the *Jury* than in front of the CDLs. The *Jury* overruled the decision of CDLs to purge Law graduates in 26.36% of the cases whereas it did so in 15.97% of the cases for other defendants. Accordingly, we find that Law graduates had an advantage in front of the *Jury* compared to other defendants and that this advantage did not materialize in front of CDLs. This allowed an elite of Law graduates (not having clearly opposed the Vichy regime) to persist into the Fourth Republic. We argue that this was because of the connections these defendants had within the milieu of Law graduates.

To substantiate this, we analyze the dossiers of the defendants facing the *Jury*. From primary archival research, we created an inventory of the 17,589 documents in those dossiers. This way we document, through letters of support, each defendant's supporters and the type of evidence that each defendant presented to the *Jury*. While the content of the dossiers of Law graduates and other defendants shared many similarities, they did differ in one important regard: the dossiers of Law graduates contained more letters of support from establishment figures being more connected to the *Jury*. This is suggestive evidence that the relative advantage of Law graduates in front of the *Jury* emerged because they benefited from better connections that could be drawn upon to lobby on their behalf. We conclude from this that connections is one mechanism through which elites persist and protect their *de facto* political power in the face of large-scale institutional change.

Our analysis speaks to four strands of literature. First and foremost, we contribute to the literature on elite persistence. We document a new mechanism – connections – explaining why elites persist and survive political transitions that complements existing explanations (e.g., Higley and Burton, 1989; Acemoglu and Robinson, 2006; Martinez-Bravo, 2014; Martinez-Bravo et al., 2017; González et al., 2020). Second, we shed a new light on a type of political purges that has been neglected so far: political purges during democratic transitions; thereby contributing to the literature on political purges (Svolik, 2009; Bueno de Mesquita and Smith, 2017; Montagnes and Wolton, 2019). Third, we contribute to the literature on the effect of connections in economics and politics (e.g., Fisman, 2001; Dal Bó and Di Tella, 2003; Cohen and Malloy, 2014). We show that connections can insulate elite groups from being purged in the transitions from autocracy to democracy. Fourth, we contribute to the literature on bias in sentencing (Voeten, 2008; Shayo and Zussman, 2011; Alesina and La Ferrara, 2014; Lim et al., 2015; Park, 2017). Our findings show that connections of defendants to a court result in more leniency and that this effect depends of the institutional setting of the court. We also document this mechanism in a new setting: transitional justice.

The rest of the paper is structured as follows. We present related literature in Section 2. Section 3 presents the historical brackground of our research. Baseline results, along with the data and method used, are presented in Section 4. Additional investigations of the content of defendants' dossiers appear in Section 5. Section 6 concludes.

2 Elite persistence to political transitions: Related literature

2.1 Elite persistence

Part of autocratic elites survive regime changes (O'Donnell and Schmitter, 2013; Linz et al., 1996). This phenomenon has been known as elite persistence. The persistence of these elites over political transitions may facilitate the consolidation of new regimes as it widens representation in the coalition supporting the new regime (Higley and Burton, 1989). It may however worsen institutions and economic outcomes in the long run. For example, Acemoglu et al. (2011) present a model stressing how former elites may use patronage to lock institutions in an inefficient state. In their paper, the rich and the bureaucrats form a coalition able to ensure low taxes for the rich and rents for the bureaucrats. Even after a democratic transition, this inefficient state prevails as the rich might also expand the size of the bureaucracy to guarantee the pervasiveness of the rich-bureaucrats coalition. As a result, elites persist and so do their preferred policies. The consequences of elite persistence have also been investigated empirically. Using the exogenous variation in the persistence of Soeharto mayors in Indonesia, Martinez-Bravo (2014) shows that elite persistence increased electoral frauds and clientelistic practices in the new Indonesian democracy. This resulted in worsen governance indicators and provision of public goods in the areas affected by this persistence (Martinez-Bravo et al., 2017).

The political selection process leading to this elite persistence remains to be understood. Acemoglu and Robinson (2001; 2006; 2008) demonstrate that former elites stay active in politics in the wake of a democratic transition in order to temper their loss from the transition. Therefore, they may invest in *de facto* power. The form this investment takes is however unclear as empirical studies of the mechanisms explaining this persistence are scarce. To our knowledge, only one study investigates the determinants of elite persistence in a new democracy: González et al. (2020) introduce empirical evidence of an incumbency advantage for mayors appointed by Pinochet in the first post-Pinochet elections in Chile. This advantage emerged as high public spending by Pinochet mayors during the democratic transition won "hearts and minds". Our study complements these findings by investigating a mechanism explaining elite persistence even before a vote takes place as the persistence already appeared in the legal process determining the pool of eligible politicians in the new regime.

2.2 Political purges

Because of this focus on the legal process of purges, this paper explores a specific type of political purges: political purges in new democracies. These purges exclude part of the elites from politics but they have to do so while respecting the rule of law. In that sense, they must be distinguished from purges in autocracies. Previous literature focused on the latter (Tullock, 1987; Wintrobe, 2000). In autocracies, purges or the threat thereof protect an autocrat from coups originating from the ruling coalition (Svolik, 2009; Bueno de Mesquita and Smith, 2017). The autocrat then faces a trade-off between the size of the ruling coalition and the probability of inner threats from that coalition. Massive purges would result in a ruling coalition lacking power to face external threats but would decrease the probability of coup from within. On the contrary, not purging enough would result in a ruling coalition strong enough to face external threats but possibly facing inner struggles (Acemoglu et al., 2008). On top of coalition-building, the threat of purges may also serve to discipline politicians and officials (Montagnes and Wolton, 2019).

The balance of political purges in new democracies relates to the one of autocratic purges because their first objective is to ensure the stability of the new democratic regime by sifting authoritarian threats out. In comparison to autocratic purges, democratic purges are constrained by the rule of law. This excludes summary bans and arbitrary punishment focusing on coalition formation. This also requires a legal framework. In our case, we study how this legal framework and the institutional setting ensuring the rule of law benefitted to a part of the elite. Our estimation strategy also questions the equal treatment of defendants the rule of law should enforce by assessing the advantage of a part of the elite in front of a court compared to another.

2.3   Connections in politics

We also investigate the origins of this advantage by focusing on connections. Connections indeed pay off within and outside of politics. Outside of politics, these connections affect the valuation of firms (Fisman, 2001). In politics, connections among legislators shape their voting behavior (Harmon et al., 2019). On top of personal connections, interest groups have proven able to organize in order to influence policy-makers by threatening them, direct lobbying or advertising their political views (Dal Bó and Di Tella, 2003; Wolton, 2017). Closer to our research, Fisman et al. (2020) show that college and hometown connections to Chinese Politburo's members actually reduces the probability of being selected to become a member of the Politburo. This counterintuitive result might be explained by the high scrutiny of this selection process in which politicians try to avoid looking partial.

To this literature, we add evidence of the impact of connections in the purging process of politicians in new democracies. In comparison to Fisman et al. (2020), our paper investigates political selection in new democracies and in a court system where the rule of law is the purging criterion. Furthermore, we present the value of connections in the case of a political transition in which an interest group, law graduates, may use its connections as a resource to remain a dominant group in politics. Thanks to the specificity of the purging system, we also test the value of these connections in front of two different systems of courts to which Law graduates had different accesses to.

2.4   Bias in Courts

By focusing on the decisions of two levels of courts, this research also contributes to the extensive work on judicial bias. In particular, it uses an estimation strategy close to the one used in the literature investigating a racial bias in policing and in courts. Previous research has presented empirical evidence of a non-statistical racial bias in vehicle searches (Anwar and Fang, 2006), in criminal sentencing (Shayo and Zussman, 2011; Park, 2017) and in death penalty sentencing in the US (Alesina and La Ferrara, 2014). Other biases in courts have been documented at large. For example, courts bias their decisions because of public opinion (Brace and Boyea, 2008), media pressure (Lim et al., 2015), career concerns (Voeten, 2008) or private information (Iaryczower and Shum, 2012).

Our research relates mainly to this last article as it provides a test of the importance of connections in political purges. Our results also inform on the nature of a bias in sentencing due to some court characteristics. We observe a group of defendants having an advantage before a transitional court put in place to purge politics. Beyond the biased sentencing/policing observed in other studies, our results impact political selection.

3 Historical background: Political purges in post-World War II France

This section describes the nature of the transition between the Vichy regime and the Fourth Republic and of the political purges during this transition. It moreover argues that Law graduates were a powerful group of parliamentarians that proved to be resilient in the Parliament. This section also presents evidence of "connections" in the archives of the Jury. All these elements put together indicate that Law graduates might have been able to leverage on their connections during the purges, hereby having an advantage in persisting.

3.1 The transition between the Vichy Regime and the Republic

On 10 July 1940, in the wake of the French military defeat in the Battle of France, the French Parliament passed an enabling act granting full power to Marshall Philippe Pétain. Until the liberation of France by the Allies, the Vichy regime was nominally in charge of the civil administration of the country, even though the country was first partly then fully occupied. It was located in the provincial city of Vichy in the so-called "free zone", which Germany eventually occupied on November 11, 1942.

The regime was a dictatorship. It implemented a radical antimodern reform programme known as the "national revolution" ("révolution nationale"), based on Catholicism, political centralization, large capitalist corporations, coercion, and the persecution of freemasons and Jews. It sided with Germany and Italy and collaborated with them in their fight against the resistance and in persecuting Jews, even though it started persecuting them on its own account as early as soon 16 July, 1940 (Paxton, 1972). The regime collapsed as the allied troops liberated France. The government was eventually forcibly moved to Germany to serve as a puppet government.

While the Vichy regime was nominaly ruling over mainland France, a provisional government had emerged from the various branches of Free France led by General Charles De Gaulle and the French colonies (Paxton, 1972; Albertelli et al., 2019). Specifically, the French Committee of National Liberation ("Comité français de Libération nationale" or "CFLN") was formed on 3 June 1943 in Algiers, the capital city of Algeria, then a French colony, liberated in November 1942 by the allies. The CFLN was the outcome of an agreement between General De Gaulle and French General Henri Giraud, who had been appointed Commander-in-Chief in North Africa by the US forces. General De Gaulle finally took the CFLN over. The CFLN was a de facto government that controlled large swathes of French colonies and their administration and coordinated the French resistance. The CFLN could thus create the Provisional Government of the French Republic ("Gouvernement provisoire de la République française" or "GPRF"), three days before the allied landed in Normandy. The GPRF arrived in France a few days after the landing. One of its priorities at the time was to avoid an allied military government of France. It succeeded in doing so thanks to the participation in the liberation of the country of Free French troops that landed both in Normandy and Provence and to the action of the resistance. The GPRF definitively secured its legitimacy after the liberation of Paris on 25 August 1944 by an uprising and the intervention of the French 2nd armoured division. It then moved to Paris, whence it ran the country and was officially recognized by allied countries on 23 October.

Beside the administration of the country and the participation in the war, a key issue facing the GPRF was to replace the Vichy regime and restore a republic. In the order of 9 August 1944, the GPRF therefore declared void all the acts taken by the Vichy regime. Most of all, the act officially stated that France was and had never ceased to be a republic. The first elections to be held in this transitional regime were municipal elections on 23 April 1945. Elections of a Constituent Assembly were held on 21 October 1945 and, after a

first failed attempt, a new constitution was adopted by referendum on 13 October 1946. The Fourth French Republic was officially born, marking the end of the transition away from the Vichy regime.

3.2 The purges

As large parts of French society had been compromised in the Vichy regime, all its levels needed to be purged, from civil servants to writers, journalists, or intellectuals. On 21 April 1944, the GPRF published an order rendering ineligible various groups of individuals who had compromised themselves with the regime. The order explicitly mentioned parliamentarians who had endorsed the enabling act giving full power to Marshall Pétain and those having taken part in the Vichy regime (Paxton, 1972).[5]

669 parliamentarians, both deputies and senators, had taken part in the vote on the enabling act. Out of them 80 voted against the act, 20 abstained, and 569 voted for the act (Lacroix et al., 2019). By default, the order of 21 April 1944 banned the latter and politicians belonging to Vichy institutions from politics. However, the ban could be waived if a parlementarian could prove that he had taken an active part in the resistance (Wieviorka, 2001). Until 6 April 1945, departmental prefects could waive inelegibility and did so for about 51 parliamentarians with clear evidence of participation in the resistance (Wieviorka, 2001).

An order of 6 April 1945 precisely describes the procedure to be followed to waive inelegibility for all ineligible parliamentarians remaining. Each dossier underwent a two-stage process and was assessed in turn by a local and a national body. At the local level, Departmental liberation committees ("Comités départementaux de libération" or "CDLs") operated in each department, France's main administrative unit. CDLs had been created by the resistance and legalized by the French Committee of National Liberation on 21 April 1944. Because they had been created clandestinely, their composition reflected the balance of power of local resistance movements. CDLs were therefore heterogenous.[6] They were initially created to politically organize resistance movements and run departments after their liberation until a formal administration could operate again (Albertelli et al., 2019). As the State apparatus did not collapse, the role of CDLs was eventually limited. They were however tasked with the assessment of the dossiers filed by parliamentarians who wanted their inelegibility to be waived.

Each dossier was also assessed by the *Jury d'Honneur*, a national independent court put in place on 6 April 1945 specifically to purge former supporters of the Vichy regime from politics. The *Jury* was automatically in charge of judging all parliamentarians who had voted in favor of the enabling act granting full powers to Marshall Pétain or had participated in the Vichy regime. It could overrule the rulings of CDLs.

The *Jury* consisted of three members. René Cassin, vice-President of the *Conseil d'Etat*, presided over the Court. He was assisted by Maxime Blocq-Mascart, representing the *Conseil National de la Résistance,* and by André Postel-Vinay, representing the *Ordre de la Libération*. To guide their actions, the three members of the *Jury* defined one criterion to clear politicians: "an active (and direct) participation in resistant activities before November 1942".[7] Although none of the orders establishing the rules of the *Jury* defined how decisions were to be taken, they were collegial and announced as a consensus.

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[5]MPs belong to this second category if they took part either in the *Conseil national* or in on of the *Conseil Départementaux*.

[6]For most of the dossiers, the composition of CDLs is unknown. Appendix A6 nevertheless presents the influence of the composition of resistance groups at the *départment*-level in decisions to clear politicians as a first attempt to understand the impact of the composition of CDLs on sentencing. We do find that the composition of the resistance partly explains the difference in sentencing patterns between CDLs and the *Jury*. This effect however does not correlate with the bias towards Law graduates on which we focus.

[7]Minutes of the first meeting of the *Jury* (quoted in Wieviorka 2001, chap. 5)

A striking feature of the *Jury* is that it consisted of Law graduates. Its chairman, René Cassin, was a lawyer at the Paris bar and a Law professor in Paris. He was a prominent figure in the legal milieu during the war and after the war. The *Dictionnaire historique de la Résistance (Marcot, 2006)* even defines him as "the jurist of Free France" (p.383). André Postel-Vinay held a bachelor in Law and had studied at "Ecole libre des sciences politiques" in Paris, also known as Sciences-Po, where students study a blend of social sciences including a large amount of Law. This school, created in 1871 by a Professor of Law: Emile Boutmy; was heavily oriented towards the study of Law as well and close to Law Faculties as evidenced historically by the composition of its Faculty.[8] Maxime Blocq-Mascart was a graduate of the same school. In addition, the *Jury d'Honneur* was assisted by rapporteurs assigned to each case and also administrative staff. That staff mainly came from the *Conseil d'Etat*, the highest administrative court in France. This court is in charge of ruling administrative disputes. Hence most of its members have a Law-background. The *Jury* was moreover located in a building of the *Conseil d'Etat*. The *Jury* therefore had a connection with one of the most influential groups in French politics at the time, Law graduates.

3.3   "The Lawyers' Republic"

Law graduates were a potential influential interest group for two reasons. First, its structure: with the Bar association, clubs and speech contests, ensures the cohesiveness of the group. This specific functioning ensures that Law graduates actually bond during their training and later on within the Bar (Le Béguec, 2003). Second, Law graduates were historically tightly-linked to French politics. For example, many lawyers coupled their Law education with a political one (Le Béguec, 2003).

Specifically, a substantial share of parliamentarians in the National Assembly were lawyers. They represented 19.6 percent of parliamentarians in the 1936-1940 National Assembly. Furthermore, they held power positions in politics. From January 1920 to March 1940, France had 19 Council Presidents.[9] Among them, 13 were lawyers (Le Béguec, 2003). Law graduates hence formed what Le Béguec (2003) calls the "Lawyers' Republic" during the French Third Republic.

After the War, the proportion of lawyers in the Assembly decreased slightly but still amounted to 15.6 percent in 1958 (Le Béguec, 2003). In addition, their influence remained substantial. From 1946 to 1958, two of the four Presidents of the National Assembly had a law degree. In parallel, the first President of the Council of the Republic, the Upper Chamber under the Fourth French Republic, Auguste Champetier de Ribes, was also a Law graduate.

Most important to our analysis, Law graduates showed a particularly high level of political survival after the war. Specifically, Wieviorka (2001, p.412) estimates that only 20.65 percent of the 1945 National Constituent Assembly had held a political mandate before. Likewise, Novick (1985, p.182) estimates that 85 percent of politicians in the first post war Assembly (1943-1944) had never held a political mandate before war. By contrast, Dogan (1967) finds that 35.2 percent of lawyers in the Assembly between 1945 and 1958 had held a position in the Parliament before the war.

In a nutshell, in 1945, Law graduates were a cohesive interest group that had historically assumed a prominent role in politics. Although the proportion of lawyers in the Assembly decreased after the war, they were more

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[8]Emile Boutmy, for example, published this study on constitutional laws (https://gallica.bnf.fr/ark:/12148/bpt6k235741/f1.item.texteImage). A book celebrating the 25 years of the creation of the school (in 1896) show that the President of the Board also is a Law graduate (M. Léon Aucoc) and that the General Secretary of Faculty members is also a Law graduate (M. C. Dupuis). (Source: https://gallica.bnf.fr/ark:/12148/bpt6k96193204/f9.item)

[9]This is equivalent to Primer Minister positions.

likely than other parliamentarians to politically survive the war and still secured influential positions. One may conjecture that the capacity of Law graduates to survive the regime change was related to its proximity with the *Jury*, whose members had a Law background.

3.4 Connections in the process of political purges in post-war France: Archival evidence

Back in 1945, some defendants were already mentioning connections as an important factor in front of the Jury. Archives reveal that the decisions of the *Jury* were highly criticized for their partiality and for the influence of some interest groups on the *Jury*. The existence of pressures and biases in the decisions of the *Jury* has been one of the main lines of argumentation defendants used to refute the decision of the *Jury* to purge them from politics. In their statement of defense, defendant A and B directly accused the *Jury* of being partial and the whole process of the purges to be biased.[10] Some other defendants also tried to bypass the decision of the *Jury* and complained about the partial nature of the *Jury*. On October 18th 1945, defendant C wrote in a letter to General De Gaulle: "It is not about justice, but about connections".[11] Conversely, supporters of defendants also sometimes used the rhetoric of biased decisions to get a politician cleared. For example, defendant's D file contains an anonymous letter denouncing "a political plot against" the MP. [12]

Most interestingly, individual dossiers also have direct evidence of the intervention of connections. A perfect illustration is the letter defendant E sent to René Cassin on June 6th 1945 to ask for a reappraisal of his case. He writes "I took the liberty to ask you this favor, because many had advised me to use my contacts".[13] In the dossier of defendant F, there is a letter of one of his supporters asking Fedia Cassin, brother of the president of the *Jury,* if he could help him reach out René Cassin.[14] All these proofs point to the highly personal dimension of the content of dossiers and the proofs brought to the *Jury*.

Dossiers also evidence how defendants mobilize their own connections to contact the *Jury*. For example, the leader of a resistance network wrote defendant G "I would like to let you know that after learning about the injustice concerning your case, I personaly went to see M. Bernard (Rapporteur on the case)".[15] Similarly, the dossier of defendant H contains a communication from the cabinet of General De Gaulle forwarding a communication of the defendant to the Ministry of the Interior. This note states "It looks like the case of "defendant H deserves some more attention" as the defendant has previously been purged from politics.[16] Finally, in some cases the dossiers also show defendants contacting their connections. In this vein, defendant I in a letter to the president of his political group wondered if he should go to the *Jury* with an introductory note from him.[17]

We also observe various degrees of informality in the dossiers. For instance, several dossiers include letters from influential figures adressed to René Cassin and with salutations such as "My dear friend" (Mon cher ami). For example, the dossier of defendant J includes a letter a supporter wrote on July 31st 1945 to René Cassin with such salutations and stating that not clearing defendant J would be a mistake.[18] Similarly, the dossier of defendant K displays a letter of the defendant to the President of the Constituent Assembly on April 1946 asking for support. This is followed by a letter by he President of the Constituent Assembly to

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[10]Names are anonimized as archives are still-classified. Archives Nationales de France, Reference: AL//5308 and AL//5309

[11]Archives Nationales de France, Reference: AL//5324

[12]Archives Nationales de France, Reference: AL//5321

[13]Archives Nationales de France, Reference: AL//5298

[14]Archives Nationales de France, Reference: AL//5298

[15]Archives Nationales de France, Reference: AL//5298

[16]Archives Nationales de France, Reference: AL//5331

[17]Archives Nationales de France, Reference: AL//5334

[18]Archives Nationales de France, Reference: AL//5303

René Cassin with "Mon cher ami" salutations and asking for a new assessment of the case of defendant K on October 1946.[19]

Political purges in post-war France were a contentious process and some defendants accused the *Jury* of being partial. As we do observe "Connections" in the dossiers of defendants, we do not know if and how these connections influenced the decisions of the Jury and how differently they have operated for different groups of defendant. That is the point the rest of the paper intends to tackle. The following section starts by showing that Law graduates fared particularly well in front of the *Jury*.

4 Empirics: Elites' advantage in political purges

In this section, we investigate the advantage an elite of previous regimes (Law graduates) had during the political purges at the democratic transition in France after World War II. This section first presents an original dataset on decisions to purge politicians (= declare them ineligible) in the aftermath of World War II. Second, it introduces the estimator we use to assess the advantage of Law graduates in front of the *Jury d'Honneur*. Third, it presents our baseline results and their importance to understand the first post-war elections in France.

4.1 Political purges in 1945 France: a dataset

Political purges in post-war France provides an useful setting to investigate the advantage of some elites in political purges and more generally elite persistence. The rule was simple: each MPs having voted in favor of the 1940 enabling act or having participated in institutions of Vichy France were declared ineligible except if the *Jury d'Honneur* cleared them. Our dataset merges two different types of data:

- First, we use the information on MPs in the Parliament in 1940 collected in Lacroix et al. (2019). This dataset is based on the official biographies of all MPs at that time and records numerous individual characteristics of the defendants. We consolidate this first dataset with the dataset constructed by Olivier Wieviorka in preparation for his book on French MPs destiny during World War II (Wieviorka, 2001).[20] This dataset provides additional individual information and allows us to double-check the information contained in Lacroix et al. (2019).

- Second we built a dataset of decisions to purge politicians at two levels: local courts (*Comités Départementaux de Libération*) and the decision of the *Jury d'Honneur*. This information is retrieved from Wieviorka (2001) and also consolidated using archival records of the still-classified individual dossiers of defendants facing the *Jury d'Honneur*.[21] This constitutes the universe of former Members of Parliament having a file recording both the decisions of CDLs and of the *Jury d'Honneur*. On top of the actual decision to purge, we also have information on the procedure in front of the *Jury* (e.g. the presence of electoral results in the dossier).

As a result, our dataset comprises 796 decisions on the cases of 398 individual defendants facing the *Jury d'Honneur* along with the personal characteristics of the defendants we observe. This dataset is one of our

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[19]Archives Nationales de France, Reference: AL//5311

[20]We sincerely thank Olivier Wieviorka for sharing his dataset with us as well as for the richness of his comments at early stages of this research project.

[21]References AL//5295 to AL//5334

contributions as it is, to our knowledge, the first one spelling out decisions to purge politicians during a political transition, the procedure used in each individual dossier and a wide array of individual informations on the defendants.

4.2 Measuring the advantage of Law graduate in post-World War II France political purges

Our objective is to establish if being a Law graduate increased the chance of being purged in front of the *Jury*. We do this by testing if Law graduates experienced a higher clearance rate in front of the *Jury*. We explore that each defendant was tried twice – first by a CDL and then by the *Jury* – and that each defendant either belongs to the connected group of Law graduates or not. Let $Clear_{i,c}$ be a dummy variable equal to one if defendant i is cleared by court $c \in \{1,2\}$ and define LG_i as one if defendant i is a Law graduate and zero otherwise, and $Jury_c$ as one if the judgment was reached by the *Jury* and zero otherwise. In this framework, the decision to purge a defendant will be determined by three different types of factors.

First, MPs' individual characteristics correlating with guiltiness will correlate with clearance rates. The same way, the individual characteristics of a group of MPs (e.g. Law graduates) correlating with the probability of being guilty will also correlate with clearance rates in front of different courts. The clearance rates of one group of defendants (e.g. Law graduates) in front of two courts incorporate the effect of these individual characteristics in all courts' decisions regarding this group of defendants. In our framework, this type of information is captured by the LG_i dummy variable. The LG_i dummy variable captures all the statistical discrimination of Law graduates – the fact that the probability of taking part in the resistance might have been lower or higher for Law graduates than for others during WWII.

The second factor influencing courts' decisions is courts' characteristics. Different courts will differ in their leniency towards defendants. These courts' characteristics influencing courts' decisions will apply to all defendants in front of a same Court. In our framework, the $Jury_c$ dummy variable captures all the characteristics of the *Jury* explaining why on a same set of cases the *Jury* and local Courts might have different clearance rates.

The third factor influencing courts' decisions is the particular sentencing pattern of a court towards a specific group. In the literature, this specific behaviour towards a group has been refered to as "taste-based" discrimination (Anwar and Fang, 2006; Alesina and La Ferrara, 2014). We prefer to refer to the "advantage" of a specific group in front of a court. In our framework, the advantage of Law graduates in front of the *Jury* will be captured by the interaction term $LG_i \times Jury_c$.

To estimate this advantage, we adopt an estimator similar to the one used in the literature on racial bias in judicial decisions (Anwar and Fang, 2006; Alesina and La Ferrara, 2014). After controlling for individual characteristics (LG_i) and courts' characteristics ($Jury_c$), we can asses the advantage of Law graduates in front of the *Jury* ($LG_i \times Jury_c$). Our baseline results estimate Equation 1 using ordinary least squares.[22] Standard errors are clustered at the defendant level. Equation 1 reads:

$$Clear_{i,c} = \alpha + \beta_1 Jury_c \times LG_i + \Gamma_1 Jury_c \times X_i + \Gamma_2 X_i + \beta_3 Jury_c + \beta_4 LG_i + \varepsilon_{i,c} \tag{1}$$

[22]Our results are similar when using a Probit or a Logit estimation. We chose a Linear Probability Model as baseline model since the coefficient of the interaction of the LG_i dummy variable and of the $Jury_c$ dummy variable is easier to interpret in that setting.

- $Clear_{i,c}$ is a dummy variable equal to 1 if an individual i is cleared in front of Court c;

- α is a constant;

- β_1 is the coefficient measuring the advantage of law graduates in front of the *Jury d'Honneur;*

- $Jury_c$ is a dummy variable equal to one if the observation is a ruling by the *Jury* and zero if the decision was a ruling by the CDL;

- LG_i is a dummy variable equal to one if the defendant is a Law graduate and equal to zero otherwise;

- Γ_1 and Γ_2 are vectors of coefficients;

- β_2 , β_3 and β_4 are coefficients;

- X_i is a vector of individual characteristics/control variables;

- $\varepsilon_{i,c}$ is the error term.

β_1 measures how much more encline than local courts the *Jury* was to clear Law graduates. The vector of coefficients Γ_1 provides a direct measure of the relative bias the *Jury d'Honneur* had towards some other individual characteristics possibly correlating with the Law graduate dummy variable. The vector of coefficients Γ_2 measures the statistical discrimination generated by these characteristics in front of both courts. The coefficient β_3 measures how more lenient the *Jury* was towards all defendants. The coefficient β_4 assesses how the individual characteristics of Law graduates explain their clearance in front of both systems of courts.

β_1 is a measure of the relative bias of the *Jury d'Honneur* since it assesses the deviation of the *Jury* from the decisions of local courts for Law graduates. As Equation 1 set up a difference-in-differences strategy, it is also possible to say that our estimator uses the decisions of CDLs as counterfactual to better assess the advantage of Law graduates in front of the *Jury d'Honneur*. Our estimator of the advantage of Law graduates in front of the *Jury* (β_1) relies on within-defendant and within-court variations in sentencing. By using both variations, we ensure that our control group has similar statistical discrimination (within-defendant variation) and face a similar institutional framework (within-court variation). The estimator then does not capture any characteristic at the defendant-level or at the court-level but captures specificities of the defendant-Court pair. Our dataset is well-suited for such an estimation strategy. The exact same population faces two different court systems in a short period of time. Defendants' characteristics when facing the two courts are then similar. Moreover, in this setting, our estimation does not suffer from selection into encounters (Knox et al., 2018). Defendants automatically faced two courts. Suspicion and selection into second court therefore did not correlate with individual characteristics, neither did the selection into the purging process which was clear: all MPs having voted in favor of the 1940 enabling act and/or having taken part in Vichy institutions faced the purging process. This selection is to be distinguished from attrition affecting missing observations in our sample. In our case, we can reasonably argue that attrition does not affect our results.[23]

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[23]There is attrition in our dataset, but its random nature does not affect our results. Out of the 569 MPs having voting in favor of the 1940 enabling act: 93 died during the war, 51 have been cleared by prefect because were well-known figures of the resistance, 9 were facing legal courts for evidenced collaborations in Vichy France, 8 are from overseas and so we do not have CDLs opinion in their dossiers and in the archives of 16 defendants either the decision of the CDL or of the *Jury* is missing. These subcases are the onces on which both the *Jury* and CDLs would have agreed given the level of evidence of participation in the resistance OR the attrition is of a random nature. Among these "missing observations", the proportion of law graduates is moreover equal to 32% (not statistically different from the 28% of defendant we actually observe in the non-missing observation).

Table 1: Matrix - Distribution of the two-courts' decisions

	CDL for clearance	CDL not for clearance
Jury for clearance	31	**68**
Jury not for clearance	**7**	292

To better understand where the variation in sentencing we study comes from, Table 1 presents the distribution of the decisions of the *Jury* given the recommendations of local courts. On the 398 cases of the dataset, no consensus between the courts emerged. The *Jury* and the CDL had the same opinion in 81.2 percent of the cases. The courts both agreed on the fact the defendant should not be cleared in 73.4 percent of the cases and on clearance in 7.8 percent of the cases. Our estimator is driven by the rest of cases: those for which CDLs and the *Jury* did not agree (bold numbers in the Table). These are mostly cases for which the *Jury* cleared defendants against the opinion of local courts (17.1 percent of cases). In the remaining 1.8 percent of the cases, the *Jury* did not clear politicians the local Courts wanted to clear. As our estimator mainly relies on cases for which the *Jury* cleared MPs despite the negative judgment of local Courts, we interpret our estimate as the advantage of Law graduates in front of the *Jury*. [24]

4.3 Baseline results: Elites' advantage in purges

Figure 1 illustrates our main findings. In front of CDLs, the clearance rate was equal to 8% for Law graduates and 10% for other defendants. This difference is not statistically different. In front of the *Jury*, the clearance rate of Law graduates was equal to 31% whereas it was 23% for other defendants. All this information put together, we can claim that the difference in clearance rates between Law graduates and other defendants was 10% higher in front of the *Jury* than in front of CDLs. The bottom panel of Figure 1 also shows that the *Jury* overruled the decision of CDLs in 26.36% of cases of Law graduates and only in 15.97% of cases of other defendants. Law graduates more probably belonged to the subset of cases for which CDLs did not clear the defendant but the *Jury* did.

This first look at the data is confirmed by the econometric estimates controlling for individual characteristics, courts' fixed effects and other potential biases of the *Jury*. Table 2 presents baseline estimates of Equation 1 adding different control variables to the estimation. Column 2.1 shows the results when only controlling for a Law graduates dummy variable and a *Jury* dummy variable. These results are in line with the intuition provided by Figure 1. The coefficient β_1 is significant at the five-percent level. Its magnitude implies that the difference in clearance rates between Law graduates and others is 10 percentage points higher in front of the *Jury* than in front of CDLs. In later columns, we control for characteristics potentially explaining clearance in front of CDLs and in front of the *Jury* and their interaction with the *Jury* dummy variable in case the *Jury* treated these characteristics specifically.

To select control variables we also check if a variable correlates with differences in sentencing between the *Jury* and CDLs. For example, Appendix A3 shows that the difference in clearance rates between mayors and other defendants was 9 percentage points lower in front of the *Jury* than in front of CDLs. To be sure that the advantage we observe for Law graduates before the *Jury* does not emerge as we omit to account for

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[24]This interpretation is confirmed by Results in Appendix 14 showing that the clearance rate of Law graduates in front of the *Jury* was specifically higher than for other defendants if CDLs were not in favor of clearing them whereas the clearance rate of Law graduates did not differ from others' if CDLs were in favor of clearing them.

Figure 1: Courts' decisions - Law graduates vs Others

(a) Clearance rates in front of CDLs and in front of the *Jury*
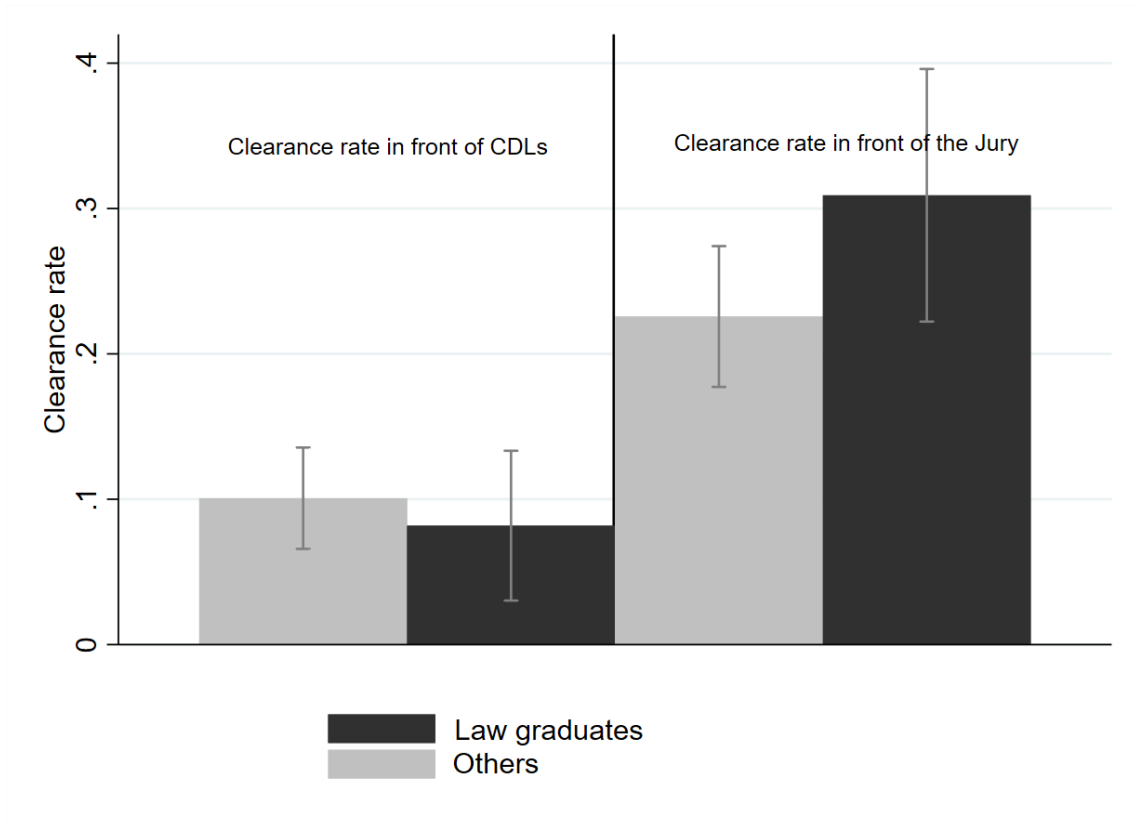
(b) Percentage of CDLs decisions overruled by the *Jury*
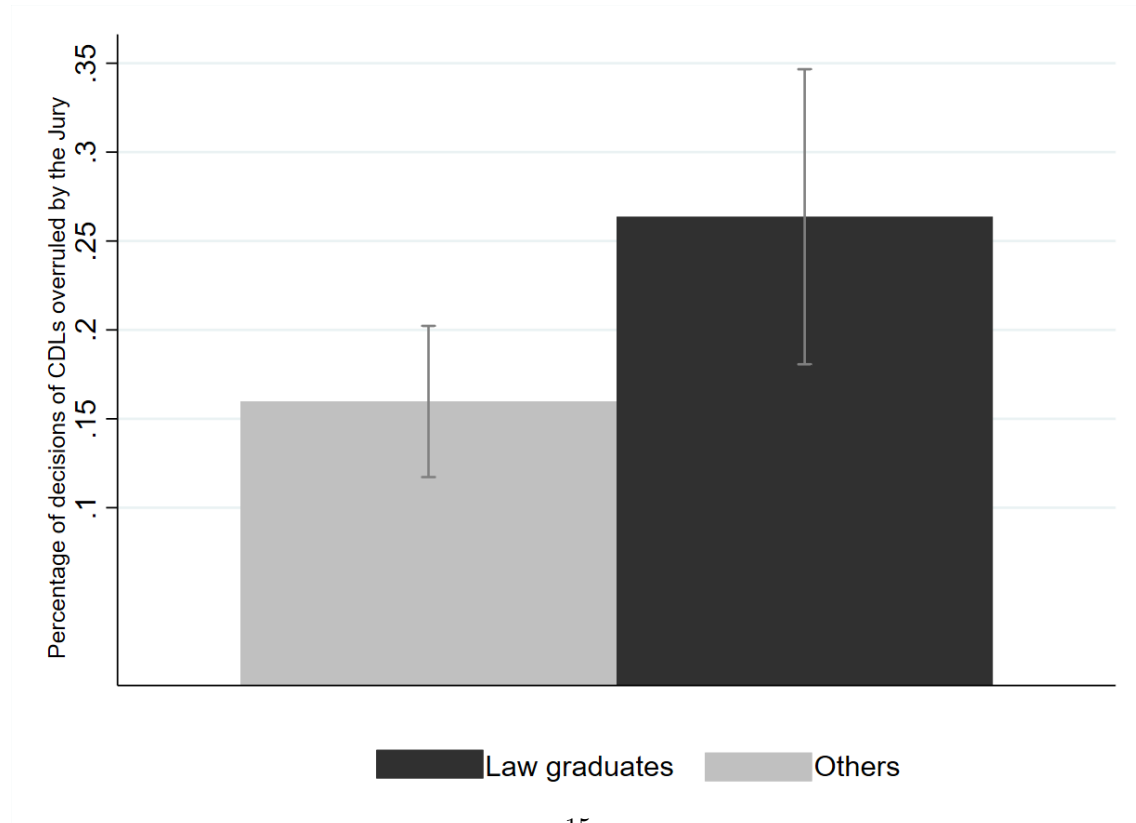
the disadvantage of mayors in front of the *Jury;* we add a dummy variable for mayors and the interaction of this variable with the *Jury* dummy variable to our estimation. As a result, we control for other defendants characteristics: Age, Jewishness, Journalist, Mayor, President/Vice President or Secretary of the Assembly and a dummy equal to one if the MP represented a territory in the "occupied" part of France during the War. Most importantly, we also control for the evidence of participation in the Resistance contained in the dossiers of defendant and coded in the dataset of Wieviorka (2001). This includes dummy variables equal to one if there was proof of a participation in the civilian resistance, in the military resistance, if the MP has been arrested by the Etat Français (=Vichy France) or if he has been a mayor under the Etat Français. By controlling for these variables and their interactions with the *Jury* dummy variable, we ensure that our results do not emerge because of an omitted variable bias or because Law graduates were better at transmitting information on their participation in the resistance. We indeed observe that the difference in clearance rates between dossiers including proofs of resistance (Civilian resistance, Military resistance or arrestation by Vichy France) and others' increased in front of the *Jury.* By the nature of the investigations, the *Jury* might had accessed information CDLs did not have. We control for this effect in our baseline estimates. The bottom panel of Appendix A3 moreover presents placebo tests emphasizing that there is no clear relative advantage of other characteristics in front of the *Jury* compared to CDLs. Controlling for all this information increases the predictive power of the model as the adjusted R^2 increases from 0.043 when only considering the advantage of Law graduates to 0.281 when considering all the dimensions mentioned before.

Table 2: Law graduates' advantage in front of the *Jury d'Honneur*: Baseline estimates

	(2.1)	(2.2)	(2.3)	(2.4)	(2.5)	(2.6)
Dep variable	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$
Estimator	OLS	OLS	OLS	OLS	OLS	OLS t
Jury	0.125***	0.420***	0.109***	0.219***	-0.0201	0.147
	(5.571)	(3.301)	(4.698)	(5.056)	(-0.802)	(1.310)
LG	-0.0189	-0.0200	-0.0215	-0.0218	-0.0191	-0.0238
	(-0.596)	(-0.640)	(-0.668)	(-0.666)	(-0.630)	(-0.768)
Jury X LG	0.102**	0.0942*	0.107**	0.0913*	0.102**	0.0942**
	(2.069)	(1.918)	(2.171)	(1.798)	(2.255)	(2.033)
Constant	0.101***	0.0815	0.109***	0.0975***	0.0496**	-0.0728
	(5.661)	(0.932)	(5.534)	(3.307)	(2.207)	(-0.759)
Controls:						
Age and Religion		Yes				Yes
Journalist			Yes			Yes
Political mandates				Yes		Yes
Resistance and collaboration WWII					Yes	Yes
Observations	796	796	796	796	796	796
Adjusted R-squared	0.043	0.055	0.043	0.052	0.271	0.281

Robust t-statistics in parentheses: *** p<0.01, ** p<0.05, * p<0.1. This Table presents estimates of Equation 1 when focusing on law graduates and adding variables explaining a difference in sentencing patterns between the Jury and CDL.Individual controls include: Age, Jewishness, Journalist, Mayor, Special Role in the Assembly, Civilian Resistance, Military resistance, Arrested by Etat Francais, Mayor under Etat Francais, Mp of an occupied territory. Each invidual control is also interacted with the Jury dummy variable.

When controlling for the advantage of other individual characteristics or the presence of documents attesting the participation in the resistance (or the lack thereof) in defendants dossiers (Columns 2.2 to 2.6), the coefficient β_1 remains significant at least at the ten-percent level and its magnitude barely varies. The difference in clearance rates between Law graduates and other defendants remains around 9 to 10 percentage

points higher in front of the *Jury* than in front of CDLs. This difference is significant even when controlling for a positive advantage of other groups in front of the *Jury* or for the presence of evidence of collaboration or resistance in the dossier of defendants in front of the *Jury*.

Table 3 moreover provides more information on the circumstances under which the advantage of Law graduate in front of the *Jury* appears. Being cleared by the *Jury* meant being eligible for elections. This decision could be inconsequential if the cleared defendants did not run for elections after being cleared. Likewise, the advantage of Law graduates in front of the *Jury* is inconsequential if it appears in cases where the defendant does not run for elections. The baseline results presented in Table 2 are therefore not necessarily related to elite persistence. To be sure they are, Table 3 investigates how the advantage of Law graduates varies depending on defendants' electoral prospects. In Columns 3.1 to 3.3, we identify these prospects by looking if the dossiers of defendants contained some electoral results for the 1945 municipal elections: the evidence that the defendant ran for these first post-war elections. Colums 3.1 and 3.2 estimates Equation 1 on the subset of cases in which defendants ran for the 1945 municipal elections and on the subset of cases in which defendants did not run for the 1945 municipal elections. In these columns, we observe that the advantage of Law graduates is significant at the ten-percent level when considering defendants running for reelections. On the contrary the coefficient measuring the advantage of Law graduates is insignificant at usual levels when defendants did not run for mayoral elections. Column 3.3 adds to Equation 1 multiple interaction terms to see how Court characteristics, Law graduates characteristics and our measure of the advantage of Law graduates vary when defendants ran for elections or not. These estimates show that the advantage of Law graduates is particularly strong when interacted with a dummy variable identifying defendants running for elections. The triple interaction term identifying decisions by the *Jury* on Law graduates running for municipal elections is significant at the one-percent level and its magnitude indicates that clearance rates were 40 percentage points higher in this subset of decisions after controlling for *Jury* fixed effects, a fixed effects for defendants running for elections and a whole set of defendant's characteristics.

Table 3: Law graduates' advantage appears when it matters: Electoral litigations

	(3.1)	(3.2)	(3.3)	(3.4)	(3.5)	(3.6)
Dep variable	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$
Sample	Ran for elections	Did not run	All	All	All	All
Jury	0.539	0.178	0.169	0.174	0.198*	0.225*
	(1.153)	(1.591)	(1.532)	(1.565)	(1.707)	(1.897)
LG	-0.130	-0.00543	-0.00280			
	(-1.441)	(-0.161)	(-0.0830)			
Jury X LG	0.330*	0.0519	0.0470			
	(1.908)	(1.110)	(0.998)			
Jury X LG X Ran for elections			0.404***			
			(2.609)			
Jury X LG X Pre-reform				0.333***	0.285**	0.301**
				(2.942)	(2.378)	(2.462)
Jury X LG X Post-reform				0.0405	0.0591	0.0705
				(0.844)	(1.233)	(1.494)
Individual Controls	Yes	Yes	Yes	Yes	Yes	Yes
Polynomial Date					3	3
Pre-reform dummy						Yes
Wald Test				0.016**	0.078*	0.079*
Observations	116	680	796	796	790	790
Adjusted R-squared	0.156	0.305	0.289	0.303	0.340	0.345

Column 3.1 estimates equation 1 among the set of cases for which the defendant was running in the first post-WWII mayoral elections. Column 3.2 estimates equation 1 among the set of cases the defendant was not running in the first post-WWII mayoral elections. Column 3.3 investigates how the magnitude of the advantage of Law graduates varied with their participation in the first post-WWII elections by adding a triple interaction terms. Columns 3.4 to 3.6 estimates equation 1 in a manner akin to a RDD estimates using the cutoff of the September 13rd as a discontinuity. It therefore how the reform affected the bias of the Jury towards law graduates after adding individual controls a time-polynomial of order 3 and a pre-reform dummy variable. Individual controls include: Age, Jewishness, Journalist, Mayor, Special Role in the Assembly, Civilian Resistance, Military resistance, Arrested by Etat Francais, Mayor under Etat Francais, Mp of an occupied territory. Each invidual control is also interacted with the Jury dummy variable. Robust t-statistics in parentheses: *** p<0.01, ** p<0.05, * p<0.1

To investigate the same dimension in a different way, we also use a reform in the activity of the *Jury*. Until September 1945, the *Jury* was in charge of evaluating two types of cases: electoral litigation cases after seisure by regional prefects and cases brought by the defendant themselves. An order of 13 September 1945 terminated that regime, the *Jury* was then in charge of systematically judging all MPs who had voted in favor of the enabling act granting full powers to Marshall Pétain or had participated in the Vichy regime. Table 3 explores the difference in bias towards Law graduates running for elections versus Law graduates not running for elections by using this discontinuity. By looking at evidence of a defendant seeking reelection in the dossier, we could spot elections' candidates for which the case in front of the *Jury* has been settled at a later date. By looking at the reform in *Jury* activity, we use the *Jury* procedure to infer the willingness of a defendant to run for reelection. Columns 3.4 to 3.6 present estimates similar to RDD estimates. They estimate Equation 1 and add interaction terms of a pre-reform dummy with measures of the Law graduates advantage. Columns 3.5 and 3.6 add to the estimation time polynomials and their interactions with measures of the advantage of Law graduate and with a pre-reform dummy to ensure that this effect is not driven by time dynamics in sentencing of the *Jury*.[25] All these estimators show that the advantage of Law graduates in front of the *Jury* was more important when the *Jury* focused on electoral litigations. The Wald-tests of the difference between this advantage before and after the September 1945 reform show that this advantage

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[25]Part of this difference in sentencing patterns over time might be captured by the comparison with the decision of CDLs (also varying over time). Adding time polynomials however allows to take time varying dynamics of the *Jury* into account as previous research has shown that time-dependence exists in sentencing (Bindler and Hjalmarsson, 2018).

is statistically higher before the reform than after the reform.

All in all, our baseline results evidence the advantage Law graduates had in front of the *Jury d'Honneur*: the court having the final say in the political purges of post-World War II France. We also show that this advantage of Law graduates in the purging process was not without consequences. It appeared mainly in cases where the defendant was running for election. These two results together emphasize that the advantage of some elite groups in front of specific purging authorities might be a mechanism explaining elite persistence.

5   The origins of elites' advantage in purges: Connections

The previous section presented evidence of the advantage Law graduates had in front the *Jury d'Honneur*. This advantage influenced the pool of candidates running for reelection as it appeared mainly in cases of electoral litigation. Understanding the origin of this advantage could shed more lights on the possible mechanism leading to elite persistence beyond the specific setting of this paper. This section does so by looking into the individual dossiers of defendants facing the *Jury d'Honneur*. Should the advantage of Law graduates appear just in front of the *Jury*, then their dossiers should be different than others' and explain this advantage. More specifically, we focus on connections as the factor explaining this advantage in front of the *Jury*. In our context, connections refer to two dimensions: shared social ties and the use of these social ties.

5.1   Data: 17,589 documents from defendants' dossiers

To identify these differences in dossiers, we performed a full inventory of the still-classified documents contained in the individual dossiers of the defendants facing the *Jury* (to be found in the French National Archives).[26] Overall this inventory provides information on 17,589 documents. This inventory contains information on the sender, the receiver, the expedition date, the length and part of the content of each document in dossiers. Adding this dimension to the dataset gives information on the decision-making process of the purges. The *Jury* used an extensive documentation on the process of the purges. Thanks to these formal investigations and the detailed documenting of the cases, it is possible to identify the persons intervening in favor or against a defendant because they sent letters to the Jury (= Letters of support).[27] Looking inside dossiers also clarifies the set of information the *Jury* got for each individual case. As such, this is the two main dimensions possibly forming the decisions of the *Jury*: interventions from outside the *Jury* and the set of documents and information the *Jury* has. From the inventory dataset, we have been able to code 37 variables measuring connections, the origin of letters of support, information in the dossiers, the attitude of the defendant and the attitude of the *Jury*. Each of these variables represents a different part of the content of dossiers in front of the *Jury* and takes different values for different defendants.

Appendix A16 provides summary statistics on that dataset. Figure 2 presents the origin of documents contained in individual dossiers. The main producers are the *Jury* accounting for 33.4% of the documents in individual dossiers, Administrations provided 19.0% of the documents, Resistant organizations 12.4%, Defendants accounted for 11.7% and private entities (e.g. citizens of a commune ruled by a politician, friends,

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[26]References AL//5295 to AL//5334

[27]We label all documents sent by detractors/supporters or persons requested to testify in a case as "Letters of support" as most of these documents actually are letters supporting the decision to clear the defendant. In some cases, detractors also sent the same type of documents but supporting the decision to purge the MP.

family members...) for 8.2%. In total, the dossiers contain 3385 letters of support (19.2% of documents in defendants' dossiers). Letters of support were mainly sent by private entities accounting for 33.8% of them and members of resistance organizations accounting for 30.5% of them.

5.2 Method: Investigating law graduates' connections

To appreciate which dimension of defendants' dossiers might explain the advantage of Law graduates in front of the *Jury* we proceed in two steps. First we compare the content of dossiers between Law graduates and other defendants in front of the *Jury*. Second, we observe how the content of dossiers of Law graduates and of other defendants could explain clearance by the *Jury* and how it correlates with the advantage Law graduates have in front of the *Jury*. To do so we estimate the following equation:

$$Clear_{i,c} = \alpha + \beta_1 Jury_c \times LG_i + \Gamma_1 (LG_i - Jury_c)_j \times D_i + \beta_2 Jury_c + \beta_3 LG_i + \beta_4 Jury_c \times NbDoc_i + \beta_5 NbDoc_i + \varepsilon_{i,c}$$
$$(2)$$

Where

- $Clear_{i,c}$ is a dummy variable equal to 1 if an individual i is cleared in front of Court c;

- α is a constant;

- β_1 is the coefficient measuring the advantage of Law graduates in front of the *Jury*;

- β_2, β_3, β_4 and β_5 are coefficient;

- Γ_1 is a vector of coefficients measuring the effect of a dimension of dossiers for different subcategories of decisions (defined along two criteria: LG or not/*Jury* or not);

- $(LG_i - Jury_c)_j$ is a set of four dummy variables identifiying 1- Decisions of CDLs on the eligibility of Law graduates 2- Decisions of CDLs on the eligibility of other defendants 3- Decisions of the *Jury* on the eligibility of Law graduates 4- Decisions of the *Jury* on the eligibility of other defendants ;

- LG_i is a dummy variable equal to one if the defendant is a Law Graduate and equal to zero otherwise;

- $Jury_c$ is a dummy variable equal to one if the observation is a ruling by the *Jury* and zero if the decision was a ruling by the CDL;

- D_i is the dimension of the dossiers we investigate;

- $NbDoc_i$ is the number of documents in the dossiers to control for the size of dossiers. Hence the vector of coefficients (Γ_1) captures the composition of the dossiers and not indirectly their size.

- $\varepsilon_{i,c}$ is the error term;

Equation 2 adds two elements to Equation 1. First, it controls for the interactions of a feature of defendants' dossiers (D_i) with dummy variables identifying decisions to purge along two dimensions: 1- Is the defendant a Law graduate? 2- Is the *Jury* ruling? Controlling for these interactions is a first test to see if some features of defendants' dossiers explain the advantage of Law graduates in front of the *Jury* or not. The coefficients of

Figure 2: Summary - Origins of the documents and letters of support in Defendants' files
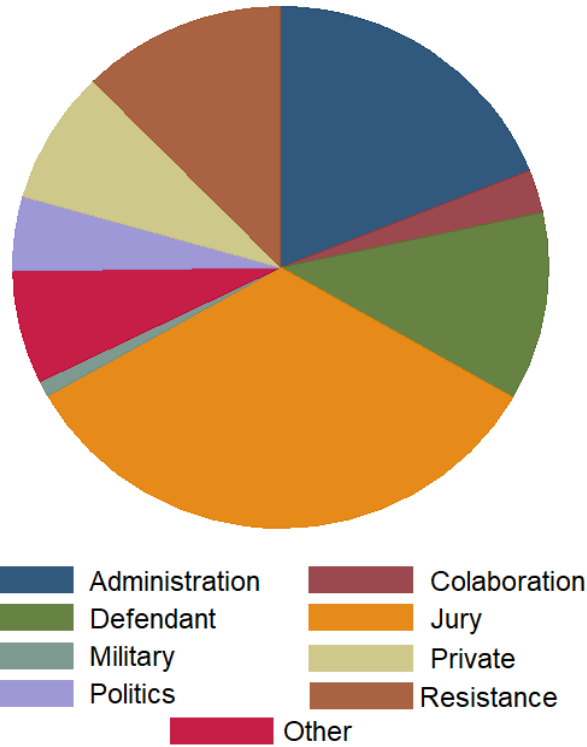

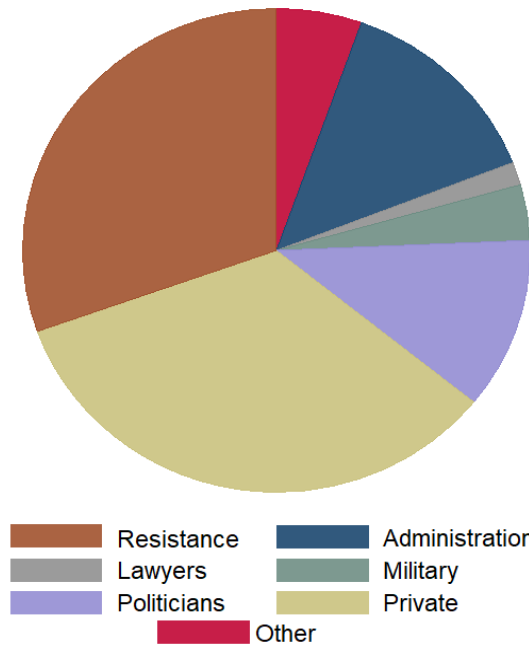Figure 2.a: Origins of documents contained in individual dossiers

Figure 2.b: Origins of letters of support contained in individual dossiers

these interactions also provide information on how the content of dossiers could have influenced the decisions concerning clearance for Law graduates more than for others. Second, Equation 2 controls for the number of documents in defendants' dossiers and the interaction of this variable with the *Jury* variable to directly control for a possible influence of the number of documents in defendants' dossiers on the difference in clearance rates between CDLs and the *Jury*.

5.3   Results: Connections as the explanation of the advantage of Law graduates

Table 4 provides the results of the first part of the investigation of mechanisms explaining our effect. From the inventory of documents in defendant dossiers, we have defined variables capturing different dimensions. Table 4 shows the results when comparing the evidence of defendants' connections between dossiers of Law graduates and dossiers of other defendants. Appendix A4 presents the structure of the dossiers, the number of letters of support (against, in favor, neutral) and the information available in dossiers of Law graduates and of other defendants. None of these dimensions exhibits differences that could explain the advantage of Law graduates in front of the *Jury*.[28] Hence, the dossiers of Law graduates look like those of other defendants regarding their structure, the information provided by letters of support and the information in other documents.

Most importantly, Table 4 presents mean comparisons of measures of "connections" from the content of defendants' dossiers. We measure these connections three different ways. First, we look at the origin of documents in the dossiers. *Jury* members being located in Paris and having studied in Paris, we hypothesize that documents and letters of support from Paris could reveal tighter connections to the *Jury* (lines 1 to 3). Second, we identify influential "organizations" as the once sending on average more documents to the *Jury* (lines 4 and 5).[29] Our measure of connections is the average number of documents supporters of a defendant have sent to the *Jury*. This measure captures how much supporters interacted with the *Jury* even in other cases and not necessarily as defendants' supporters. Third, we observe the number of documents adressing the recipient as "Dear X" (lines 6). The use of this "Dear" in French could reveal some degree of informality and therefore tighter links. Our measures count the overall number of informal documents (line 6), the number of informal documents to René Cassin, president of the *Jury* (line 6.1), the number of informal documents to any member of the organization of the *Jury* (line 6.2), the number of informal documents not to the *Jury* (line 6.3) and the number of informal documents sent by the defendant (line 6.4).

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[28]The mean of these measures is the same for Law graduates and for other defendants. The only variable having a different mean is the number of documents referring to "Resistant Press" but Law graduates have on average less of them. This probably is due to the fact the Law graduates are less likely Journalists, a dimension we already control for in our baseline estimations.

[29]We define "organizations" along two lines: the name of the organization (for example Ministry of Home Affairs) and its location (e.g. Paris). In this example, a bureau of the Ministry of Home Affaires located in Lyon will be considered as a different entity than the Ministry itself located in Paris. Sometimes, supporters do not belong to any precise organization: so for each *département* there is a fictious "organization" of people not affiliated to any known organization ("individuals"). Among organizations, individuals from Paris, the Minitry of Home Affairs (Paris), the National Assembly (Paris), the Prefecture of the Seine *département* (Paris), the Prefecture of the North *département*, the Prefecture of the Morbihan *département* and individuals from the Nièvre *département* are the more "connected" to the *Jury*.

Table 4: Content of the dossiers: Measures of connections with the *Jury*

	(4.1)	(4.2)	(4.3)
		Mean	
	LG	Others	Diff=0
	Group	Group	(p-value)
1. Nb of Documents from Paris	8.14	5.51	0.02**
2. Nb Letters of support from Paris	2.77	1.82	0.08*
3. Nb of Supporters from Paris	1.25	0.70	0.01***
4. Nb of Doc - Supporters' Orgs	649.12	519.93	0.51
5. Average Nb of Doc- Supporters' Orgs	48.39	27.89	0.02**
6. Nb Informal documents	2.07	1.27	0.02**
6.1 Nb Informal documents to Cassin	0.15	0.20	0.46
6.2 Nb Informal documents to Jury	0.22	0.22	0.95
6.3 Nb Informal documents not to Jury	1.85	1.05	0.01**
6.4 Nb Informal documents by Defendant	0.22	0.16	0.46

Others group contains all individual not holding a Law degree. Results are similar when those measures are transformed using log(k+1) - Available upon request. Column 4.1 displays the mean value for the group of law graduates, Column 4.2 for the control group. Column 4.3 presents the p-value of the difference between Column 4.1 and Column 4.2 and its level of significant with *** $p<0.01$, ** $p<0.05$, * $p<0.1$.

In Table 4, lines 1 and 2 show that Law graduates had more documents and letters of support from Paris than other defendants.[30] The number of organizations from Paris supporting the defendant also differed between Law graduates and other defendants (line 3). Line 5 also shows that the average supporter of Law graduates was more connected to the *Jury* than the one of other defendant. Likewise, the dossier of Law graduates contained more "informal" documents than others. Interestingly, the difference mainly arises in documents not sent by the defendant (line 6.4) and not sent to the *Jury* (line 6.1 and 6.2). We observe this informality between third parties to the case. This likely reveals the activation of connections not by the defendant and not directly targeting the *Jury*. Overall this Table evidences that in the dossiers of Law graduates there were more letters coming from well-connected supporters. We do also observe that informal links existed between third parties to the case (and that this commucation ended up in defendants' dossiers).

These results already emphasize the differences between Law graduates defendants and others. Table 5 displays estimates of Equation 2 to analyse which of these differences explains the advantage of Law graduates in front of the *Jury*. In this Table, we can identify mechanisms explaining the advantage of Law graduates in front of the *Jury* three ways. First, if one of these potential channels explains (=correlates with) the advantage of Law graduate then the coefficient attached to the interaction $Jury_c \times LG_i$ will turn insignificant. Second, the interaction of the measure of dossiers' content and of the dummy variables identifying decisions by the *Jury* $((Jury+LG) \times D$ and $(Jury+Others) \times D)$ will be significant. Should the effect of some dossier content be specific to Law graduates then only the interaction $(Jury + LG) \times D$ will turn significant. Third, the Wald-test of the difference in coefficients between the interactions of the four variables identifying decisions by *Jury*/CDL on Law graduates/Other would indicate if the difference in dossiers' content between Law graduates and other defendants are explained by some specificities of "Defendants"- "Courts" pairs.

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[30]The two groups having the same number of overall letters of support in favor of the defendant (See Appendix A.4).

Table 5: Proofs of Connections in the Dossiers - Triple interactions

Dependent variable	(5.1) $Cleared_{i,c}$	(5.2) $Cleared_{i,c}$	(5.3) $Cleared_{i,c}$	(5.4) $Cleared_{i,c}$	(5.5) $Cleared_{i,c}$	(5.6) $Cleared_{i,c}$
Investigating type of Doc / D =	Nb Docs from Paris	Nb Letters from Paris	Nb Doc from supporters	μ Nb Docs from supporters	Nb Doc Informal	Nb Doc Informal Not to Jury
Jury X LG	0.136*	0.0756	0.101*	0.0784	0.127**	0.130**
	(1.857)	(1.476)	(1.775)	(1.380)	(2.154)	(2.245)
(CDL + LG) X D	0.0348	0.0443	0.0152*	0.0163	0.0258	0.0196
	(1.206)	(1.371)	(1.678)	(1.249)	(0.724)	(0.568)
(CDL + Others) X D	-0.0338*	-0.00967	0.00754	0.0118	0.0121	-0.0127
	(-1.921)	(-0.507)	(0.908)	(0.882)	(0.422)	(-0.456)
(Jury + LG) X D	0.0471	0.118**	0.0310**	0.0438*	0.0328	0.0297
	(1.105)	(2.356)	(2.019)	(1.921)	(0.422)	(0.505)
(Jury + Others) X D	0.0115	0.0551	0.0280**	0.0374**	0.0871*	0.0888*
	(0.366)	(1.359)	(2.199)	(2.016)	(1.920)	(1.928)
Constant	0.176	0.230*	0.298**	0.261**	0.223*	0.180
	(1.602)	(1.639)	(2.106)	(2.039)	(1.794)	(1.478)
Control Nb Docs	Yes	Yes	Yes	Yes	Yes	Yes
Control Nb Docs X Jury	Yes	Yes	Yes	Yes	Yes	Yes
F-test equality of Interactions	0.06*	0.05**	0.24	0.31	0.42	0.15
Observations	796	796	796	796	796	796
Adjusted R-squared	0.059	0.067	0.066	0.066	0.060	0.060

Estimates of Equation 2 via OLS controlling for the size of each invidual dossiers / adding th the logarithmic transofrmation of the number of documents in each and its interaction with the Jury variable. Each column interact the dummy variables identifying "Court"-"LG" pairs with D. D stands for various measures of file content. Each column corresponds to a measure of files content. This measure is defined in the second line of the Table. Robust t-statistics in parentheses: *** p<0.01, ** p<0.05, * p<0.1

Turning to the interpretation of the results in Table 5, we observe that the interaction $Jury_c \times LG_i$ turns insignificant in two instances. It turns insignificant when controlling for a heterogenous effect depending on Defendants-Courts pairs of letters of support from Paris and of the mean number of documents sent by supporters to the *Jury* (Columns 5.2 and 5.4). Interestingly, Column 5.2 also shows that the number of letters of support from Paris mattered only in the decisions of the *Jury* on Law graduates and not in the decisions of the *Jury* on other defendants or in decisions by CDLs. The Wald-test indicates that the coefficient attached to the number of letters of support from Paris varies over the four Defendants-Courts pairs. These results point to a specific effect of letters of support from Paris for Law graduates in front of the *Jury*. Such evidence is in line with the hypothesis of an intervention of Parisian supporters connected to the *Jury*. For other defendants, even Parisian supporters are not necessarily connected to the *Jury* and hence cannot tilt the decision to clear the defendant. This could also explain why we do not observe an advantage of MPs representing Paris in front of the *Jury* (Appendix A3).

On the contrary, the coefficient of the mean number of documents sent by supporters to the *Jury* turns positive only when it is interacted with the $(Jury + LG)$ and the $(Jury + Others)$ Defendants-Courts pairs. The *Jury* might have increased its likelihood to clear both Law graduates and other defendants when it received letters of support from organizations it used to interact with. This channel applies to all types of defendants but Table 4 shows that Law graduates more likely benefited from such supporters.

Finally, in Column 5.5 and Column 5.6, we do not observe that the magnitude of the coefficients attached to the interaction $Jury_c \times LG_i$ varies. Nor does their significance. Interestingly though, the measures of informality turn significant at the ten-percent level only when interacted with the $(Jury+Others)$ Defendants-Courts pairs. The informal interventions of third parties might have advantaged defendants not already benefiting from an easier access to the *Jury* via their connections as Law graduates.

All in all, these results all show that letters of support from organizations connected to the *Jury* (as evidenced by the number of documents we found in the archives of the *Jury*) increased the likelihood to be cleared by the *Jury* for all defendant. Letters of support from Paris advantaged only Law graduates. The advantage of Law graduates in front of the *Jury* might then lie in their higher propensity to reach out supporters able to tilt the balance in their favor in front of the *Jury*. Determining which precise dimension of connections mattered remains hard task as our measures of connections are all correlated one to another (see the correlation matrix in Appendix A2).

As a complement, Table 6 looks into the possible origins of such connections. In particular, the analysis of dossiers' content reveals the advantage some Law graduates had thanks to supporters from Paris. This capacity to draw support from Paris was however not homogeneous among Law graduates. We hypothesize that Law graduates from a Parisian University were more likely connected to these potentially influential supporters than other Law graduates.

Our dataset includes 60 Law graduates from a Parisian university and 50 Law graduates from another University. Table 5 assesses the advantage of Law graduates from a Parisian university and the advantage of Law graduates from another university (as in Equation 1 without control). The idea in comparing the advantage of these two groups is to infer that they were likely similar in a wide array of characteristics (eg. legal skills, interest in Law, practice of Law) except in their access to the Parisian networks that mattered. We do observe that the advantage of Law graduates in front of the *Jury* is driven by the advantage of Law graduates from a Parisian university in front of the *Jury*. The difference in clearance rates between Law graduates from a Parisian university and other defendants is around 15 percentage points higher in front of the *Jury* than in front of CDLs.[31] Our measure of the advantage of Law graduates in front of the *Jury* is significant at the five-percent level in all estimations. This is not the case for Law graduates from other universities which do not display any advantage in front of the *Jury* when compared to non-Law graduate defendants. Appendix A1 moreover shows that this difference between Law graduates from Parisian universities and other universities also appears when looking at connections as revealed by dossiers' content. Law graduates from a Parisian university had more connections than other defendants whereas this was not the case for Law graduates from another University. Table 6 rationalizes the results of Table 5 by showing that Law graduates having the easiest access to the milieu able to tilt decisions actually had an advantage whereas their Law graduates peers did not.

5.4   Ruling out alternative explanations

As subsection 5.3 reveals the importance of connections in explaining the advantage of Law graduates in front of the *Jury* d'Honneur, this section shows that this advantage did not materialize because of other potential transmission channels.

5.4.1   Ruling out transmission of information

Our results are first likely not driven by the transmission of hard information (information on resistance or collaboration) and soft information (information on the defendant not related or indirectly related to resistance/collaboration). Our baseline results control for evidence of participation in the resistance (civilian

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[31]This result remains the same if we exclude other Law graduates from the control group as the bottom panel of the Table does.

Table 6: Parisian vs non-Parisian legal connections

	Control group = All those considered non-treated							
	CDL			Jury			Diff-in-Diff	
	(6.1)	(6.2)	(6.3)	(6.4)	(6.5)	(6.6)	(6.7)	(6.8)
	Treated Group	Control Group	Diff=0 (p-value)	Treated Group	Control Group	Diff=0 (p-value)	ΔΔ	p-value
Considered as treated =								
Law graduates	0.081	0.10	0.55	0.31	0.23	0.099*	0.10**	0.04
Law graduates from a Parisian Uni	0.07	0.10	0.41	0.35	0.23	0.05**	0.15**	0.01
Other Law graduates	0.10	0.09	0.91	0.26	0.25	0.84	0.01	0.91

	Control group = All non law graduate							
	CDL			Jury			Diff-in-Diff	
	Treated Group	Control Group	Diff=0 (p-value)	Treated Group	Control Group	Diff=0 (p-value)	ΔΔ	p-value
Considered as treated =								
Law graduates from a Parisian Uni	0.07	0.10	0.41	0.35	0.23	0.05**	0.16**	0.01
Other Law graduates	0.10	0.10	0.98	0.26	0.23	0.60	0.035	0.62

Upper panel provides estimates on the whole sample. Bottom panel provides estimates of one subgroup of lawyers compared to non-lawyers. Column 6.1 presents the average clearance rate of the treated group (defined in the left column) in front of the Comité Départementaux de Libération whereas Column 6.2 presents the average clearance rate of the control group (= all individuals not in the treated group) in front of the Comités. Column 6.3 displays the difference between these two means. Column 6.4 presents the average clearance rate of the treated group in front of the Jury whereas Column 6.5 presents the average clearance rate of the control group (= all individuals not in the treated group) in front of the Comités. Column 6.6 displays the difference between Column 6.4 and 6.5. Column 6.6 introduces the estimates of Equation 1 without any control for the bias towards each of the subgroup defined in the left column. Robust t-statistics in parentheses: *** p<0.01, ** p<0.05, * p<0.1

and military), arrestation by the Etat Français and a dummy variable equal to one if the defendant was a mayor during the Vichy regime. Moreover the placebo tests presented in Appendix A3 show that outside the variables we add as control variables (along with their interactions with the *Jury* dummy variable), no other observable individual characteristic was differently treated in front of the *Jury* compared to CDLs. Interestingly for our study, we do not observe that the difference in clearance rates between MPs elected in Paris and others increases in front of the *Jury*. Similarly the length of the political career (explained by the variable "conseiller général) does not explain a difference in clearance rates between the CDLs and the *Jury*. The bottom panel of Appendix A3 details the other variables not explaining a difference in clearance rates between the *Jury* and CDLs. Hence the effect we capture does not emerge because other potential observable characteristics correlated with the Law graduates dummy variable exhibit a similar advantage in front of the *Jury*.

Similarly Appendix A4 shows that the content of dossiers was not different for Law graduates and other defendants along multiple dimensions. They have exactly the same number of documents mentioning civilian resistance, military resistance, their political opinion, their reelection or legal arguments. Hence, they presented similar information to the *Jury*.

5.4.2 Ruling out a disadvantage in front of CDLs

Likewise, our measure of the advantage of Law graduates in the purges is a relative measure. We use the panel nature of the data to better understand how an individual characteristic (=being a Law graduate) affected the probability of being cleared in front of a court (= the *Jury*) by comparing clearance rates across courts. A similar result would emerge if the CDLs were biased against Law graduates. However Appendix A5 presents estimates of the impact of the Law graduates dummy variable on the decision of CDLs to clear defendants. The Law graduate variable does not explain clearance of defendants in front of CDLs or the lack thereof. Similarly, after controlling for the composition of resistant groups in Appendix A6, our baseline results remain unaffected. Local conditions affecting the composition of CDLs do not affect our results. Appendix A7 also tests how the information contained in dossiers in front of the *Jury* affected decisions of CDLs. Should the CDLs be biased against Law graduates then evidence of participation in the resistance/Vichy France would be treated differently for Law graduates than for other defendants. To test this hypothesis, we interact the Law graduates dummy variable with dummy variables tagging the participation of defendants in the resistance or in Vichy France. None of these interactions is significant except the interaction with the civilian resistance dummy variable. The interaction is however positive meaning that in front of CDLs defendants with proofs of participation in civilian resistance were more likely cleared if they were Law graduates. Such a result would lead to an attenuation bias of our results as it goes in the same direction as our measure of the advantage of Law graduates in front of the *Jury*.

5.4.3 Ruling out differences in legal skills

The results of Appendix A7 show that Law graduates might be better than others at defending themselves in front of CDLs. We argue that this does not explain why the difference in clearance rates between Law graduates and other defendants increases between CDLs and the *Jury*. First, Law graduates from Parisian universities and Law graduates from other universities likely had similar legal skills but they ended up with different clearance rates. Moreover we do not see more legal arguments in the dossiers of Law graduates

than in those of other defendants (Appendix A4). We complement these first hints with two additional tests showing that legal skills likely do not explain our baseline results.

Should legal skills explain the advantage of Law graduates in front of the *Jury*, then Law graduates would have also been better at exploiting the information revealed by the procedure of the *Jury*. Ultimately this would explain their advantage in front of the *Jury*. To observe if this was the case we test if the information contained in defendants' dossiers influenced the decisions of the *Jury* more for Law graduates than for other defendants. To do so, we use the panel structure of our data and we work on the interaction of the *Jury* variable with variables indicating participation in the resistance or in the collaboration. The coefficient attached to this interaction measures the importance of information revelation in front of the *Jury* as we did in baseline estimates. On top of this control we already used in baseline estimates we add an interaction of the variable capturing information revelation with the dummy variable identifying Law graduates. This triple-interaction measures how better Law graduates were at using the information in their dossiers in front of the *Jury*, a proxy for legal skills. In Appendix A8, none of the interaction terms mentioned earlier is significant: we do not observe that Law graduates were any better (or any worse) than other defendants at using evidence of participation in the resistance to defend their case.

Appendix A9 uses an additional variation within Law graduates to see if legal skills explain our results. Even after a similar Law degree, legal skills would vary within Law graduates depending on their career and how much they invest in their legal career after graduation. In our sample, some MPs almost immediately turned to politics and then stopped working on their legal skills whereas others had a longer legal career. To capture this investment in political skills instead of legal skills, we use the length of the career in départemental assemblies (Conseil général - which is the first step in a political career in France). Appendix A3 shows that this variable does not explain the difference in clearance rates between the *Jury* and CDLs. Should legal skills explain our effect, then the advantage of Law graduates in front of the *Jury* would decrease with the length of the political career. Therefore we investigate how this proxy for investment in political instead of legal career influences our main effect. We interact this variable with the variable identifying decisions of the *Jury* on Law graduates (results in Appendix A9). Figures in Appendix A10 present graphically the coefficients of the estimations in Appendix A9. We actually observe that the advantage of Law graduates in front of the *Jury* is higher if their political career is longer. This contradicts a possible hypothesis explaining the advantage of Law graduates in front of the *Jury* through their higher legal skills.

5.4.4 Ruling out direct access to the *Jury*

Finally our results distinguish different types of connections without ruling out any of them. In this subsection, we nevertheless show that direct connections are not the transmission channel of our effect. We are able to show that defendants' direct access to the *Jury* does not explain baseline results. As some defendants anticipated the automatic investigations of the *Jury*, they "seised" the *Jury* before the *Jury* had time to open the case. In Appendix A11, we do not observe that Law graduates were more likely than other defendants to do so. Appendix A11 also shows that Law graduates did send more communication to the *Jury* than other defendants, they however did not send more or longer statements of defence.[32] Appendix A12 investigates how these communications between Law graduates and the *Jury* could explain our baseline results. Columns

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[32]The distinction between communication and statement of defence lies in the presence of a legal argumentation supporting the case in statements of defence and not in communications. As a result, documents considered as "communication" are meeting requests, letters to inquire about the delays of the case or letters accompanying other documents.

A12.1 to A12.3 show that the advantage of Law graduates in front of the *Jury* does not appear when defendants seised the *Jury*. Hence this "direct access" does not explain our baseline results. Columns A12.4 to A12.6 uses communication between the defendants and the *Jury* observed in the dossier to see if this explains our baseline results (in the same manner as we have done for other measures of connections - See Equation 2). We do see that these measures of direct access to the *Jury* do not explain the advantage of Law graduates in front of the *Jury* as the magnitude of the coefficient attached to the interaction $Jury_c \times LG_i$ is significant at usual levels and its magnitude increases from 0.10 to 0.17 after controlling for a heterogeneous effect of measures of direct access to the *Jury* depending on Defendant-Court pairs. Moreover the coefficients of measures of direct access to the *Jury* interacted with Defendants-Courts identifiers are insignificant. In line with this evidence, direct access to the *Jury* does not explain our baseline results.

At the end of these robustness checks and in line with the evidence presented in the previous subsection, the more likely explanation of the advantage Law graduates had in front of the *Jury* lies in the connections of Law graduates to the *Jury*. No other personal characteristic or mechanism we thought of explains baseline results as well as connections. Connections probably made the circulation of information easier. Letters from supporters connected to the *Jury* were more easily verified or trusted. This mechanism created an advantage for Law graduates facing the *Jury* or a bias of the *Jury* in favor of Law graduates. This advantage of Law graduates appeared only in front of the *Jury* and not in front of CDLs whose connections were different.

6   Conclusion

Elite persistence has been an issue plaguing democratic transitions. As the literature has emphasized the detrimental effects of such a persistence or capture (Martinez-Bravo, 2014; Martinez-Bravo et al., 2017), it did not explain how this persistence materializes - how elites persist. Our results suggest that they may do so as a result of some elite advantage when facing political transitions and purges. This implies that, even in democracies, political purges might encourage elite persistence. This persistence would however depend on the institutional setting of transitional authorities. The identification of this paper relies on the comparison of decisions of two different transitional bodies whether to purge or not the exact same politicians. Our results hence speak of the advantage some elites might have in a system compared to another. More specifically, we compare the sentencing pattern of the *Jury d'Honneur* with the one of local courts (*Comités départementaux de libération* - CDLs) in the political purges happening in France after World War II. We focus on Law graduates as this group was/still is a powerful interest group in French politics (Le Béguec, 2003). Our baseline results indicate that the difference in clearance rates between Law graduates and other defendants was around 10 percentage points higher in front of the *Jury* than in front of CDLs. Put differently, using the decisions of CDLs as counterfactuals we observe that Law graduates have been treated more favourably than other defendants by the *Jury*. This advantage of Law graduates in the purging process was consequential as it appeared mainly in cases of electoral litigation.

In a second part of the paper, we investigate the source of this relative advantage of Law graduates in front of the *Jury*. We hypothesize that the advantage of Law graduates might result from shared connections between Law graduates defendants and the members of the *Jury* as they all had connections within the legal milieu. Additional results indeed show that the supporters of Law graduates were better connected to the *Jury*. We furthermore observe that this bias mainly emerged for highly connected law graduates, i.e. the ones graduating from Parisian universities.

What do these results imply? First, they show that transitional authorities are by definition connected to previous ones. So are the members of these transitional authorities. As a result, members of transitional authorities are connected to a subset of the previous elites. Even in the absence of any malicious plan, these connections confer on this subset of the previous elites an advantage in persisting through the transition and in keeping their political influence intact. We also show that this advantage of some elites in the transition will vary upon the design of the Court. In our case, Law graduates benefited from better connections in front of the *Jury* but apparently not in front of CDLs. The advantage of some elites in persisting is then evitable as it lies upon the shared connections between transitional bodies and the previous elites. Paying a systematic attention to these possible connections would be a way to avoid the perpetual overrepresentation of some elites throughout time. Second, these results also show how distorted political selection in new democracies might be. Beyond elite persistence, our results show that some elites are better than others in persisting. In our case, some politicians from previous regimes are cleared so elites persist. However, not only some elites persist, but a part of the elites is better at persisting. We show the importance of connections in explaining this pattern. Connections might be one dimension of the *de facto* power Acemoglu and Robinson (2006) refer to when investigating institutional persistence. They have been proven to be instrumental in distorting laws (Cohen and Malloy, 2014) and political selection within political regimes (Dal Bó et al., 2009). Our results show that connections also matter after major institutional changes. Connections, at least partially, explain elites persistence.

Appendices

A.1 Additional evidence of connections being the factor

Appendix A1:Documents and parisianism

Control group = All considered as non-treated

Difference in:	(A1.1) LG from Paris U Group	(A1.2) Control Group	(A1.3) Diff=0 (p-value)	(A1.4) LG not from Paris U Group	(A1.5) Control Group	(A1.6) Diff=0 (p-value)
	Mean				Mean	
Nb of Documents from Paris	10.72	5.44	0.00***	5.04	6.41	0.37
Nb Letters of support from Paris	3.65	1.81	0.01***	1.72	2.14	0.56
Nb of Supporters from Paris	1.62	0.72	0.01***	0.82	0.86	0.89
Nb of Doc - Supporters' Org	847.32	503.86	0.17	411.28	576.38	0.54
Average Nb of Doc - Supporters' Org	57.86	29.24	0.01***	37.04	33.05	0.74
Nb Informal document	2.88	1.24	0.00***	1.10	1.55	0.33
Nb Informal document to Cassin	0.18	0.19	0.94	0.12	0.20	0.36
Nb Informal document to Jury	0.27	0.21	0.53	0.16	0.23	0.45
Nb Informal document not to Jury	2.62	1.03	0.00***	0.94	1.32	0.39
Nb Informal document by defendant	0.25	0.17	0.37	0.18	0.18	0.99

Control group = All non law graduates

Difference in:	(A1.1) LG from Paris U Group	(A1.2) Control Group	(A1.3) Diff=0 (p-value)	(A1.4) LG not from Paris U Group	(A1.5) Control Group	(A1.6) Diff=0 (p-value)
	Mean				Mean	
Nb of Documents from Paris	10.72	5.51	0.00***	5.04	5.51	0.73
Nb Letters of support from Paris	3.65	1.82	0.01***	1.72	1.82	0.88
Nb of Supporters from Paris	1.62	0.70	0.00***	0.82	0.70	0.61
Nb of Doc - Supporters' Org	847.32	519.93	0.22	411.28	519.93	0.70
Average Nb of Doc - Supporters' Org	57.86	27.89	0.01***	37.04	27.89	0.43
Nb Informal document	2.88	1.27	0.00**	1.10	1.27	0.66
Nb Informal document to Cassin	0.18	0.20	0.83	0.12	0.20	0.37
Nb Informal document to Jury	0.27	0.22	0.61	0.16	0.22	0.52
Nb Informal document not to Jury	2.62	1.05	0.00***	0.94	1.05	0.76
Nb Informal document by defendant	0.25	0.16	0.38	0.18	0.16	0.99

Upper panel provides estimates on the whole sample. Bottom panel provides estimates of one subgroup of law graduates compared to others. Column A1.1 presents the averages in various measures of document contents for Law graduates from a Parisian University; Columns A1.4 displays averages for Law graduates from other universities. Columns A1.2 and A1.5 show the averages for control groups, Columns A1.3 and A1.6 the difference between averages of the treated group and control group. Robust t-statistics in parentheses: *** p<0.01, ** p<0.05, * p<0.1

Appendix A2: Correlation matrix - Measures of proximity to Jury from the dossier

	Nb of Documents from Paris	Nb Letters of Support from Paris	Nb of Doc - Supporters' Org	Average Nb of Doc - Supporters' Org	Nb Informal documents	Nb Informal document not to Jury
Nb of Documents from Paris	\					
Nb Letters of support from Paris	0.87	\				
Nb of Doc - Supporters' Org	0.63	0.78	\			
Average Nb of Doc - Supporters' Org	0.48	0.57	0.74	\		
Nb Informal documents	0.65	0.65	0.49	0.42	\	
Informal document not to Jury	0.64	0.65	0.50	0.43	0.98	\

A.2 Advantage not explained by other individual characteristics - Transmission of hard information

Appendix A3: Hard information and advantage in front of the Jury

Treated:	CDL			Jury			Diff-in-Diff	
	(A3.1)	(A3.2)	(A3.3)	(A3.4)	(A3.5)	(A3.6)	(A3.7)	
	Treated	Control	Diff=0	Treated	Control	Diff=0	$\Delta\Delta$	p-value
	Group	Group	(p-value)	Group	Group	(p-value)		
Control variables								
Politics and political mandates								
Mayor	0.11	0.09	0.46	0.21	0.28	0.131	-0.09**	0.03
Pres/Vice-Pres or Sec Assembly	0.16	0.09	0.22	0.22	0.25	0.68	0.10**	0.04
MP of an occupied department	0.09	0.10	0.55	0.19	0.31	0.01***	-0.09**	0.017
Networks, clubs and religion								
Jewish MPs	0.17	0.09	0.55	0.66	0.24	0.02**	0.35*	0.088
Occupations								
Journalist	0.04	0.10	0.18	0.29	0.24	0.47	0.11*	0.098
Informational cues								
Mayor under "Etat Fr"	0.06	0.11	0.11	0.14	0.29	0.00***	-0.09**	0.02
Arrested by Etat Fr	0.14	0.09	0.50	0.50	0.23	0.01***	0.22***	0.00
Militarian resistance	0.26	0.06	0.00***	0.68	0.14	0.00***	0.33***	0.00
Civilian resistance	0.13	0.05	0.02**	0.37	0.08	0.00**	0.22***	0.00
Continuous variables								
Age							-0.005**	0.023
Placebo Tests								
Politics and political mandates								
Senator	0.09	0.10	0.67	0.25	0.25	0.94	0.009	0.83
Rightwing	0.10	0.09	0.60	0.25	0.25	0.86	-0.02	0.58
Center	0.06	0.11	0.21	0.21	0.26	0.41	0.002	0.97
MPs elected in Paris	0.07	0.10	0.70	0.27	0.25	0.87	0.05	0.46
Dynastic Politicians	0.06	0.10	0.35	0.27	0.24	0.67	0.06	0.29
War experience								
WWI veteran	0.10	0.09	0.86	0.25	0.25	0.953	-0.003	0.95
WWII fighter	0.08	0.10	0.84	0.38	0.24	0.14	0.15	0.19
Networks, clubs and religion								
Free Masons	0.07	0.10	0.70	0.33	0.25	0.44	0.12	0.31
Labour Unions	0.03	0.10	0.21	0.19	0.25	0.46	0.009	0.90
Agr organization	0.13	0.09	0.43	0.26	0.25	0.83	-0.02	0.69
War Medal	0.10	0.09	0.84	0.23	0.26	0.54	0.03	0.43
Légion d'Honneur	0.11	0.09	0.38	0.25	0.25	0.96	-0.02	0.57
Veterans club	0.06	0.10	0.56	0.28	0.25	0.77	0.07	0.57
Occupations								
Civil servant	0.08	0.10	0.79	0.32	0.24	0.40	0.09	0.30
Workers	0.11	0.09	0.83	0.25	0.25	0.99	-0.01	0.87
Informational cues								
Excluded by his party	0.12	0.09	0.27	0.31	0.23	0.08*	0.05	0.32
Signed Bergery motion	0.06	0.10	0.34	0.22	0.25	0.56	0.004	0.94
Continuous variables								
National Mandate							0.0007	0.79
Conseiller général							-0.001	0.54
Study Years							0.004	0.51

Column A3.1 presents the average clearance rate of the treated group (defined in the left column) in front of the Comité Départementaux de Libération whereas Column A3.2 presents the average clearance rate of the control group (= all individuals not in the treated group) in front of the Comités. Column A3.3 displays the difference between these two means. Column A3.4 presents the average clearance rate of the treated group in front of the Jury whereas Column A3.5 presents the average clearance rate of the control group (= all individuals not in the treated group) in front of the Comités. Column A3.6 displays the difference between Column A3.4 and A3.5. Column A3.6 introduces the estimates of Equation 1 without any control for the bias towards each of the subgroup defined in the left column. This estimate is also by construction equal to the difference between Column A3.6 and A3.3. Robust t-statistics in parentheses: *** p<0.01, ** p<0.05, * p<0.1

A.3 Advantage not explained by the transmission of soft information

Appendix A4: Law graduates and the type of documents

	LG Group	Others Group	Diff=0 (p-value)
		Mean	
Structure of the dossiers			
Nb Doc	41.31	40.48	0.78
Nb Pages	59.79	53.75	0.23
Nb Doc from Jury	13.91	13.61	0.67
Nb Archival Docs	3.23	2.64	0.40
Nb of Adm reports	1.26	0.93	0.30
Nb Information requests	1.15	1.03	0.26
Letters of support			
Nb Letters of support	7.30	8.02	0.60
Nb Letters of supporters outside of Paris	4.53	6.20	0.14
Nb Letters of support - in Favor	6.92	7.61	0.61
Nb Letters of support - Against	0.22	0.22	0.98
Nb Letters of support - Neutral	0.16	0.19	0.73
Nb Letters of support - Res	2.12	2.52	0.40
Nb Letters of support - Mil	0.26	0.28	0.90
Nb Letters of support - Others	2.13	2.88	0.30
Nb of Organizations outside of Paris supporting	1.97	2.31	0.43
Information in the dossier			
Nb Doc - Military resistance	0.82	0.74	0.82
Nb Doc - Civilian resistance	8.53	8.53	1.00
Nb Doc - Resistant Press	0.29	0.70	0.04**
Nb Doc - Legal Arguments	5.67	5.35	0.46
Nb Doc - Political opinion	10.39	9.91	0.76
Nb Doc - Reelection	0.95	1.06	0.65
Nb Doc - Other topic	6.50	6.27	0.81

A.4 Advantage not explained by a disadvantage in front of CDLs

Appendix A5: Estimating the advantage of Law graduates in front of CDLs

Dependent variable	(A5.1) $Cleared_{i,c}$	(A5.2) $Cleared_{i,c}$	(A5.3) $Cleared_{i,c}$	(A5.4) $Cleared_{i,c}$	(A5.5) $Cleared_{i,c}$	(A5.6) $Cleared_{i,c}$
LG	-0.0189	-0.0200	-0.0215	-0.0218	-0.0191	-0.0238
	(-0.596)	(-0.641)	(-0.669)	(-0.666)	(-0.631)	(-0.769)
Constant	0.101***	0.0815	0.109***	0.0975***	0.0496**	-0.0728
	(5.664)	(0.933)	(5.538)	(3.309)	(2.209)	(-0.760)
Controls:						
Age and Religion		Yes				Yes
Journalist			Yes			Yes
Political mandates				Yes		Yes
Resistance and collaboration WWII					Yes	Yes
Observations	398	398	398	398	398	398
Adjusted R-squared	-0.002	-0.006	0.001	-0.003	0.073	0.083

Column A5.1 estimates a bivariate regression estimating the statistical advantage of law graduates in front of CDLs. Further Columns add the individual control variables used in the baseline estimations. Individual controls include: Age, Jewishness, Journalist, Mayor, Special Role in the Assembly, Mp of an occupied territory. Each invidual control is also interacted with the Jury dummy variable. Robust t-statistics in parentheses: *** p<0.01, ** p<0.05, * p<0.1

Appendix A6: Controlling for the composition of resistance in each department

Dep variable	(A6.1) $Cleared_{i,c}$	(A6.2) $Cleared_{i,c}$	(A6.3) $Cleared_{i,c}$	(A6.4) $Cleared_{i,c}$	(A6.5) $Cleared_{i,c}$	(A6.6) $Cleared_{i,c}$	(A6.7) $Cleared_{i,c}$	(A6.8) $Cleared_{i,c}$	(A6.9) $Cleared_{i,c}$	(A6.10) $Cleared_{i,c}$
Jury	0.133***	0.123***	0.156***	0.125**	0.134***	0.123***	0.130**	-0.0667	-0.0971	0.0815
	(5.663)	(4.894)	(7.510)	(1.996)	(5.694)	(4.888)	(2.050)	(-0.888)	(-1.281)	(0.607)
Gaullist/Communist Resistance	0.0446							-0.106	-0.110	-0.0678
	(0.702)							(-0.645)	(-0.663)	(-0.392)
Jury X Gaullist/Communist Resistance	0.155							0.0108	0.0319	0.0437
	(1.523)							(0.0442)	(0.126)	(0.156)
Gaullist/Domestic Resistance		-0.0238				0.00523		0.299	0.305	0.0310
		(-0.0832)				(0.0175)		(0.414)	(0.420)	(0.0353)
Jury X Gaullist/Domestic Resistance		0.843*				0.954*		0.516	0.483	0.0104
		(1.740)				(1.887)		(0.463)	(0.429)	(0.00769)
Foreign/Domestic Resistance			-0.000298**		-0.000413*	-0.000300	-0.000426**	-0.000232	-0.000203	-0.000210
			(-2.084)		(-1.924)	(-1.490)	(-2.530)	(-1.067)	(-0.900)	(-0.736)
Jury X Foreign/Domestic Resistance			-0.000673***		-0.00106***	-0.00114***	-0.000643***	-0.000753**	-0.000933***	-0.000867**
			(-6.717)		(-4.078)	(-4.142)	(-5.008)	(-2.244)	(-2.848)	(-2.438)
Communist/Domestic Resistance				-0.305**			-0.311**	-0.339**	-0.340**	-0.268*
				(-2.519)			(-2.540)	(-2.292)	(-2.298)	(-1.651)
Jury X Communist/Domestic Resistance				0.0820			0.0735	0.144	0.151	0.122
				(0.471)			(0.419)	(0.652)	(0.687)	(0.544)
LG									-0.0170	-0.0258
									(-0.566)	(-0.830)
Jury X LG									0.106**	0.0983**
									(2.314)	(2.119)
Constant	0.0897***	0.0963***	0.0965***	0.200***	0.0899***	0.0963***	0.204***	0.156***	0.161***	0.0483
	(5.555)	(5.328)	(6.459)	(4.116)	(5.556)	(5.317)	(4.121)	(2.951)	(2.951)	(0.421)
Proof of resistance										Yes
Individual controls								Yes	Yes	Yes
Observations	796	796	796	796	796	796	796	796	796	796
Adjusted R-squared	0.045	0.043	0.039	0.045	0.046	0.044	0.045	0.251	0.254	0.279

All regressions test the effect of the composition of resistance, and so likely of CDL, on the bias as the ratio of the number of militants belonging to different groups as defined by their certificate of resistance. For example, Gaullist/Communist resistance is defined as the ratio of the number of members of gaullist resistant factions over the number of members of communist resistant factions in a department. Proof of resistance include: Civilian Resistance, Military resistance. Individual controls include the following control variables: Age, Jewishness, Journalist, Mayor, Special Role in the Assembly, Arrested by Etat Francais, Mayor under Etat Francais, In occupied territory. Robust t-statistics in parentheses: *** p<0.01, ** p<0.05, * p<0.1

Appendix A7: The specific treatment of information on Law graduates in front of CDLs

	(A7.1)	(A7.2)	(A7.3)	(A7.4)	(A7.5)
Dep Variable	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$
Sample	Decisions CDL	Decisions CDL	Decisions CDL	Decisions CDL	Decisions CDL
LG X Civil Res	0.0943*				0.0953*
	(1.709)				(1.860)
LG X Military Res		0.00677			-0.00192
		(0.0569)			(-0.0163)
LG X Arrested EF			0.166		0.160
			(0.695)		(0.676)
LG X Mayor EF				0.00811	0.0102
				(0.127)	(0.167)
Constant	0.0618	-0.0569	0.0967	0.0980	-0.0530
	(0.639)	(-0.612)	(1.049)	(1.069)	(-0.546)
Individual controls	Yes	Yes	Yes	Yes	Yes
Observations	398	398	398	398	398
Adjusted R-squared	0.009	0.075	-0.006	0.002	0.082

Estimations focus on the decisions of CDLs. They assess how the CDLs could have reacted to certain types of information contained in the dossier of the Jury and used by law graduates. They interact the law graduates dummy variable with variable assessing the information in the dossier of defendants. Individual controls include: Age, Jewishness, Journalist, Mayor, Special Role in the Assembly, Mp of an occupied territory. Each invidual control is also interacted with the Jury dummy variable. Robust t-statistics in parentheses: *** p<0.01, ** p<0.05, * p<0.1

A.5 Advantage not explained by different legal skills

Appendix A8: Difference in the treatment of information between CDLs and the Jury

	(A8.1)	(A8.2)	(A8.3)	(A8.4)	(A8.5)	(A8.6)
Dep Variable	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$
Sample	All	All	All	All	All	All
Civil Res X Jury	0.149***	0.207***				0.156***
	(3.846)	(5.277)				(4.070)
LG X Civil Res X Jury	0.0510	0.0497				0.0501
	(0.614)	(0.593)				(0.619)
Military Res X Jury	0.259***		0.283***			0.241***
	(3.596)		(4.048)			(3.404)
LG X Military Res X Jury	0.0957		0.0543			0.0688
	(0.586)		(0.351)			(0.428)
Arrested EF X Jury	0.198*			0.218**		0.195**
	(1.883)			(2.116)		(1.975)
LG X Arrested EF X Jury	0.105			0.122		0.154
	(0.403)			(0.419)		(0.563)
Mayor EF X Jury	-0.0533				-0.0338	-0.0102
	(-1.300)				(-0.697)	(-0.221)
LG X Mayor EF X Jury	-0.0321				-0.0320	-0.0161
	(-0.344)				(-0.312)	(-0.168)
Constant	0.0646***	0.0618	-0.0569	0.0967	0.0980	-0.0530
	(2.627)	(0.638)	(-0.611)	(1.048)	(1.068)	(-0.546)
Controls		Yes	Yes	Yes	Yes	Yes
Observations	796	796	796	796	796	796
Adjusted R-squared	0.274	0.138	0.226	0.077	0.069	0.284

Columns A8.1 to A8.6 use the whole set of decisions (both CDL and Jury). They interact a dummy variable for the Jury to variables assessing the information in the dossier and add a triple-interaction of this first term with a law graduate dummy variable to assess the specific reaction of the Jury to this type of information for law graduates. Individual controls include: Age, Jewishness, Journalist, Mayor, Special Role in the Assembly, Mp of an occupied territory. Each invidual control is also interacted with the Jury dummy variable. Robust t-statistics in parentheses: *** $p<0.01$, ** $p<0.05$, * $p<0.1$

	(A9.1)	(A9.2)
	Diff-in-diff	Diff-in-diff
Dependent variable	$Cleared_{i,c}$	$Cleared_{i,c}$
Jury	0.158***	0.185
	(5.344)	(1.610)
LG	-0.0163	-0.0264
	(-0.417)	(-0.841)
LG X Jury	0.0312	0.0320
	(0.487)	(0.577)
LG X Jury X CG	0.00798*	0.00611*
	(1.903)	(1.961)
LG X CG	-0.000500	-0.000636
	(-0.175)	(-0.230)
Constant	0.0908***	-0.0591
	(4.211)	(-0.605)
Full controls		Yes
Observations	796	796
Adjusted R-squared	0.043	0.286

Appendix A9: Political career and bias

Table A9 adds the interaction of the length of the political career with our baseline estimates of the advantage of law graduates in front of the Jury to estimate how renouncing to the development of legal skills affect this baseline effect. Column A9.2 adds full individual control variables. Individual controls include: Age, Jewishness, Journalist, Mayor, Special Role in the Assembly, Mp of an occupied territory. Each invidual control is also interacted with the Jury dummy variable. Robust t-statistics in parentheses:*** p<0.01, ** p<0.05, * p<0.1

Appendix A10: Marginal effect interaction measure of bias with the length of the political career
(upper panel: without control variables / lower panel: with control variables)

Predictive Margins with 95% CIs

Law graduates in front of the Jury — Other decisions

Predictive Margins with 95% CIs

Law graduates in front of the Jury — Other decisions
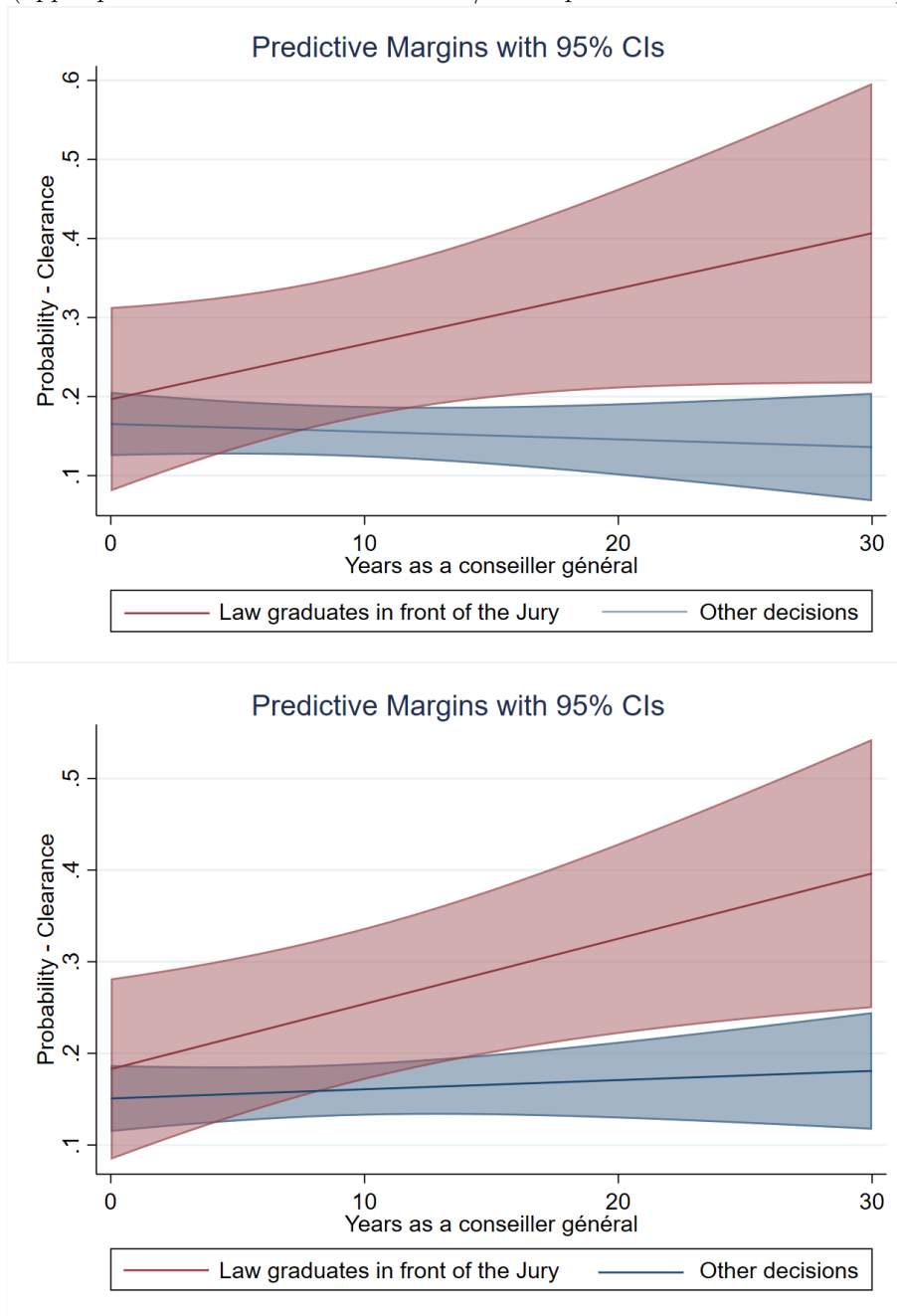
A.6 Advantages is not explained by direct access to the Court

Appendix 11: Measures of direct access to Courts in defendants' dossiers.

	(A11.1)	(A11.2)	(A11.3)
	Mean		
	LG	Others	Diff=0
	Group	Group	(p-value)
1. Nb Doc from Def	5.08	4.48	0.38
1.1 Nb of Doc - Communication from Def	1.8	1.31	0.05**
1.2 Nb of Doc -Statement of Defense from Def	3.28	3.18	0.84
1.3 Nb of pages - Communication from Def	2.62	1.57	0.01**
1.4 Nb of pages -Statement of Defense from Def	11.71	8.93	0.26
2. Seised the Jury	20.49	17.27	0.47

Appendix 12: Did direct access to the Jury explain the advantage of Law graduates?

	(A12.1)	(A12.2)	(A12.3)	(A12.4)	(A12.5)	(A12.6)
Dep variable	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$	$Cleared_{i,c}$
Sample	Jury	Jury	All	All	All	All
	Not seised	Seised				
D=				Nb Docs	Nb Docs	Nb Pages
				from Def	Com from Def	Com from Def
Jury X LG	0.0944**	0.0442	0.0965**	0.167**	0.171***	0.171***
	(2.209)	(0.252)	(2.224)	(2.068)	(2.744)	(2.682)
Jury X LG X Seised			-0.0141			
			(-0.0820)			
(CDL + LG)X D				0.0453	0.0642	0.0573
				(1.054)	(1.490)	(1.446)
(CDL + Others)X D				-0.0156	-0.0193	-0.0213
				(-0.627)	(-0.765)	(-0.971)
(Jury + LG)X D				0.0433	0.0179	0.0140
				(0.692)	(0.267)	(0.245)
(Jury + Others)XD				0.0357	0.0531	0.0424
				(0.904)	(1.218)	(1.096)
Constant	-0.00201	-0.375	-0.0852	0.196	0.201*	0.198*
	(-0.0241)	(-0.971)	(-0.915)	(1.630)	(1.843)	(1.827)
Individual controls	Yes	Yes	Yes			
Nb of Docs as control				Yes	Yes	Yes
F-test equality interactions				0.39	0.13	0.12
Observations	640	156	796	796	796	796
Adjusted R-squared	0.275	0.149	0.293	0.056	0.058	0.058

Estimates of Equation 2 via OLS controlling for the size of each invidual dossiers / adding th the logarithmic transofrmation of the number of documents in each and its interaction with the Jury variable. Each column interact the dummy variables identifying "Court"-"LG" pairs with D. D stands for various measures of file content. Each column corresponds to a measure of files content. This measure is defined in the second line of the Table. Robust t-statistics in parentheses: *** p<0.01, ** p<0.05, * p<0.1

A.7 Alternative estimations

	Appendix 13: Logit and Probit estimations	
	(A13.7)	(A13.8)
Dep variable	$Cleared_{i,c}$	$Cleared_{i,c}$
Estimator	Logit	Probit
Jury	2.107*	0.998*
	(1.816)	(1.723)
LG	-0.359	-0.216
	(-0.824)	(-1.004)
Jury X LG	0.905*	0.505**
	(1.870)	(2.042)
Constant	-4.936***	-2.572***
	(-3.626)	(-3.714)
Controls:		
Age and Religion	Yes	Yes
Journalist	Yes	Yes
Political mandates	Yes	Yes
Resistance and collaboration WWII	Yes	Yes
Observations	796	796

Robust t-statistics in parentheses: *** $p<0.01$, ** $p<0.05$, * $p<0.1$. This Table presents estimates of Equation 1 when focusing on law graduates and adding variables explaining a difference in sentencing patterns between the Jury and CDL.Individual controls include: Age, Jewishness, Journalist, Mayor, Special Role in the Assembly, Civilian Resistance, Military resistance, Arrested by Etat Francais, Mayor under Etat Francais, Mp of an occupied territory. Each invidual control is also interacted with the Jury dummy variable.

Appendix 14: Case-level estimates: When did the Jury deviate from local Courts decisions?

	(A14.1)	(A14.2)	(A14.3)	(A14.4)	(A14.5)	(A14.6)	(A14.7)	(A14.8)	(A14.9)
Dependent variable	$Cleared_i$	$Cleared_i$	$Cleared_i$	$Cleared_i$	$Cleared_i$	$Cleared_i$	$Cleared_i$	$Cleared_i$	$Cleared_i$
Sample	All Cases			Not cleared by CDL			Cleared by CDL		
Estimator	OLS	Logit	Probit	OLS	Logit	Probit	OLS	Logit	Probit
LG	0.0810**	0.797**	0.396**	0.110***	1.036***	0.556***	-0.218	-2.836	-1.197
	(1.979)	(2.150)	(1.990)	(2.647)	(2.754)	(2.754)	(-1.282)	(-1.126)	(-1.249)
Cleared by CDL	0.445***	3.252***	1.680***						
(=1 if Yes)	(6.045)	(4.635)	(4.534)						
Constant	0.106	-2.964***	-1.676***	0.0161	-4.113***	-2.353***	1.444***	7.893***	4.050**
	(1.036)	(-3.047)	(0.158)	(0.158)	(-4.080)	(4.093)	(4.093)	(2.008)	(2.419)
Individual Controls	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Observations	398	398	398	360	360	360	38	38	38
Adjusted R^2	0.411			0.315			0.135		

All regressions are estimated at the case level. Columns A14.1 to A14.3 is the result of a regression estimating the probability of the Jury to clear individual i and adds the baseline individual controls and a dummy variable equal to 1 if the individual was cleared by the CDL. Columns A14.4 to A1.9 presents similar estimates without controlling for the decision of the CDL. Columns A14.4 to A14.6 estimate the probability of the Jury to clear an individual among the set of individuals not cleared by CDL. Columns A14.7 to A14.9 estimate the probability of the Jury to clear an individual among the set of individuals cleared by CDL. Individual controls include: Age, Jewishness, Journalist, Mayor, Special Role in the Assembly, Civilian Resistance, Military resistance, Arrested by Etat Francais, Mayor under Etat Francais, Mp of an occupied territory. Each invidual control is also interacted with the Jury dummy variable. Robust t-statistics in parentheses: *** p<0.01, ** p<0.05, * p<0.1

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A.8 Descriptive statistics - Different datasets

Appendix A15: Description - Defendants' characteristics

Variable	Mean	s.d	Min	Max
Law graduates	0.28	0.45	0	1
Dependent variable				
Clearance in front of Jury	0.25	0.43	0	1
Clearance in front of CDL	0.10	0.29	0	1
Politics and political mandates				
Senator	0.35	0.48	0	1
Rightwing	0.51	0.50	0	1
Center	0.21	0.41	0	1
Mayor	0.47	0.50	0	1
Pres/Vice-Pres or Sec Assembly	0.08	0.27	0	1
MPs elected in Paris	0.05	0.22	0	1
MPs of an occupied department	0.52	0.50	0	1
Dynastic politicians	0.16	0.37	0	1
War experience				
WWI Veteran	0.51	0.50	0	1
WWII fighter	0.06	0.24	0	1
Networks, clubs and religion				
Free Mason	0.04	0.19	0	1
Jewish MPs	0.02	0.12	0	1
Labour unions	0.08	0.27	0	1
Agricultural organizations	0.095	0.29	0	1
Légion d'Honneur	0.38	0.48	0	1
War Medal	0.38	0.48	0	1
Veterans club	0.05	0.21	0	1
Occupation				
Civil Servant	0.06	0.24	0	1
Workers	0.07	0.26	0	1
Journalist	0.12	0.33	0	1
Informational cues				
Excluded by his party	0.27	0.44	0	1
Signed Bergery motion	0.13	0.33	0	1
Mayor under "Etat Fr"	0.27	0.44	0	1
Arrested by Etat Fr	0.06	0.23	0	1
Militarian resistance	0.19	0.40	0	1
Civilian resistance	0.58	0.49	0	1
Continuous variables				
Age	60.25	10.46	34	84
National Mandate	11.25	8.10	1	38
Conseiller Général	8.51	10.60	0	42
Study Years	3.41	3.13	0	8

A.9 Mechanisms and document dataset

Appendix A16: Summary statistics - Documents dataset

Documents	Total	Min per dossier	Max per dossier	Mean per Dossier	s.d
All type of document	17589	1	170	40.62	26.9
Produced by					
Jury	5882	0	50	13.58	6.13
Defendant	2061	0	62	4.76	6.27
Administrations	3335	0	48	7.70	6.00
Politicians	802	0	26	1.85	3.26
Resistant Organizations	2176	0	45	5.03	5.6
Journal Officiel	441	0	3	1.01	0.38
Press	251	0	24	0.58	1.96
Private	1449	0	70	3.34	7.28
Military	181	0	12	0.42	1.34
Intelligence Services	162	0	9	0.37	0.96
Lawyer	115	0	10	0.27	1.03
Court	131	0	6	0.30	0.96
Labor Unions	38	0	4	0.09	0.39
Veterans Association	41	0	7	0.09	0.56
Collaborationist administration	466	0	19	1.07	2.39
Others	58	0	5	0.12	0.54
Type of documents					
Letters of support	3385	0	90	7.54	12.09

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