Spain

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1 Introduction
A central mechanism through which law rules is popular culture. Most people learn what they know (or think they know) about law from popular culture, often without realising they are receiving a popular-legal education. Both law and visual culture are dominant discourses constituting an imagined community, which creates meaning through storytelling and performance. As will become clear in the following survey of television law shows in Spain, all shows invite a judgmental viewing process and encourage their viewers to participate actively in finding justice. Televisual judgment offers jurisprudential commentary of its on-screen legal system. Analyses of the on-screen construction of law will focus on a few key issues: gender, sexual orientation, corruption, justice, and popular-legal education. The latter is particularly interesting in the context of Spain, since the medium was used as a means of propaganda (1956-1975), as primary educator of democratic values (1975-1989) and as creator of a social debate (1990 onwards). If we consider television one of the most influential agents of value construction, then law shows can be considered a powerful tool to guide viewers through the moral climate of their time. TV shows of the 1980s, in particular, are often referred to as ‘mythical’, attesting not only to their nostalgic value, but also to the importance of a collective process of ‘working through’ social issues.1 Furthermore, TV consumption is key to socialisation, providing collective memories and generational identities.

The variety of genres is wide: crime, lawyer and prison dramas; docu-dramas, reality shows, and comedies. The comedy genre is noteworthy, both in law and crime shows, as are the docu-dramas about miscarriage of justice and corruption. What is most striking in all shows is the hybridisation of genres: to a greater or lesser extent all shows contain elements of workplace dramas and/or domestic sitcoms, making the private political. This chapter is divided into three parts: after an introductory overview of the development of television, the second part is a historical survey of law shows (crime, law, prison) between 1967 and today; followed by an empirical study of law shows aired in November 2014.

TV and its development in Spain
Television in Spain was launched relatively late compared to its European counterparts: on 28 October 1956 TVE (Televisión Española) broadcast its first programmes. Through the small screen Spain could observe international and national events; television bore witness to a fast-changing society from dictatorship to democracy and has been an important means of political, social, and moral education. Manuel Palacios distinguishes three phases of television: the dictatorship (1956-1973); the Transition and first democratic governments (1974-1989) and finally the consumer society (1990-present).2 In the first phase TVE, the public television monopoly, was part of the state apparatus without independent legal status and dictated by ‘an erratic yet tangible’ censorship.3 This mouthpiece of the government had

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1 For further details on the concept of ‘working through’, see Ellis, J (1982).
3 Ibid.
two prime functions: reinforcing social and moral values at a symbolic level, and keeping the population obedient, ignorant of politics, while entertained through sport and popular imports. From the mid-sixties onwards, however, the failure of autarky led the Franco Regime to implement a new economic policy, based on the creation of a market economy and the liberalization of trade and foreign investment. Ideologically driven publicity campaigns represented the new life-styles of the sixties and hegemonic values of urban life, as Spanish society was moving from a rural to an industrialised consumer society. Between 1965 and 1975 Spain witnessed a dictatorship ‘where its citizen’s lack of freedom ran parallel to the initial creation of a mass-consumer society.’

Since Franco’s death in 1975 television has reinvented itself in a continuous process. The democratic project of the transition, enacted by the 1978 Constitution, ensured the rule of law and basic human rights. Shortly thereafter, the fundamental role of television was first defined in the Statute of Radio and Television (1980) which confirmed the role of RTVE as a state-run, essential public service maintaining the constitutionally enshrined political values of pluralism, freedom of speech and information, including education, linguistic and cultural diversity. Guaranteed objectivity, while ensuring a balanced democratic debate, and access to different genres of programming to satisfy the widest audience, were also stipulated. However, given that the state had the power to assign broadcasting rights, appoint the board and director general of RTVE, the information was hardly ever unbiased. The hybrid financial model - unique in Europe - blends government subsidies and advertising revenues; to this day there is no TV licencing system.

By 1983 the Socialist government under Felipe González promoted the constitutionally enshrined principle of regionalism in the Third Channel Law (1983) which permitted the autonomías (self-governing regions) to each establish their own publicly funded channel to provide services in other languages (Basque, Catalan, Galician). Once more the hybrid model of subsidies (this time from the autonomous regions) and advertising revenues was adopted. Shortly thereafter, still under Socialist leadership, Spain received a Private TV Law (1988) which regulated the establishment of Antena 3, Telecinco and its first subscription broadcaster Canal Plus. Private broadcasting started relatively late in 1990. The private channels finance themselves exclusively from advertising revenues. In 2006 the Zapatero Government radically reformed public television in an attempt to reorganise its structures and model of funding that enables it to fulfil its public service function. Public television was still accountable to parliament, but would also be overseen by an independent audiovisual authority assuring TVE’s independence, neutrality and

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4 See Palacio, M (2005).
5 For an excellent article on early Spanish television, see Palacio, M (2005).
8 See Brevini (2013: 78), where she argues that ‘the total subordination of PSB in Spain to the advertising industry and the absence of a cultural policy for public television […] has given rise to the extreme commercialization of TVE, so that it has never really distinguished itself from its commercial competitors.’
objectivity. The Corporation still had many of the duties laid down in the original 1980 law.\textsuperscript{11} For TVE the competition with other channels resulted in both a financial crisis (due to lost advertising revenue) and loss of audience share: from 1990 to 2006 TVE1’s share decreased from 52% to 18.2%.\textsuperscript{12} The battle for audience share, then, is split into four broadly equal rivals: TVE1, FORTA (the consortium of subsidised regional channels), Antena 3 and Telecinco.\textsuperscript{13} Finally, in 2010 a \textit{General Act on Audiovisual Communication} was approved.\textsuperscript{14} This takes cultural and linguistic diversity (Article 5) further, in that it requires television service providers to allocate at least 51% of their annual broadcasting time to European works (50% in any of the Spanish languages) and apportions at least 5% (private providers) or 6% (public providers) of the total revenue to pre-financing the production of European films.\textsuperscript{15}

2 Historical overview

Police dramas

Police dramas are without doubt one of the most important genres on television, both to represent social issues and reflect ideological changes. Public perception of the preservation of order in a country haunted by fascism makes the viewing of crime dramas in Spain interestingly ambivalent. Viewer reception is influenced by both cognition and affect, just as justice is often guided by reason and emotion. Noticeable shifts occur between each phase: in phase one there are non-political crimes during the dictatorship; in phase two one of the mythical police dramas, \textit{Central Brigade}, deals with the clash of the old and new Spain in the transition to democracy; while phase three, when crime drama is at its peak, gives us a large variety of different formats, genres, and subject matters. Some themes are so universal that they are represented in all police dramas: corruption and the abuse of police power. Although quantitatively more prevalent in recent shows, there is enough evidence in \textit{Central Brigade} to suggest that it is an ongoing issue that haunts every police force.

The structure of crime dramas usually keeps to the classic 5-part structure: opening hook, exposition, obstacles, resolution and final catch/cliffhanger.\textsuperscript{16} In order to differentiate between studio-shot sitcoms and action-based crime dramas the latter often display a series of production practices: sophisticated plotlines, multiple locations, and special effects.\textsuperscript{17} Production practices become increasingly sophisticated over the three phases of television history. The typical array of police characters ranges from macho men, sticklers for procedure, sensitive cops, to the joker and corrupt cops; there is something for everybody in

\begin{itemize}
\item \textsuperscript{11} See \textit{Compendium: Cultural Policies and Trends in Europe} (2014), where it states that TVE had to promote: ‘territorial cohesion; linguistic and cultural diversity; social integration of minorities; knowledge of the arts, science, history and culture. Furthermore, it has an obligation to develop multimedia material in the languages of Spain, as a contribution to the development of Spanish and European culture industries.’
\item \textsuperscript{12} Brevini (2013: 78).
\item \textsuperscript{13} Contreras, JM, and Palacio, M (2001: 91).
\item \textsuperscript{14} Ley 7/2010, de 31 de marzo, general de la comunicación audiovisual.
\item \textsuperscript{15} \textit{Compendium: Cultural Policies and Trends in Europe} (2014).
\item \textsuperscript{16} Smith (2007: 63).
\item \textsuperscript{17} Barroso García (2002: 294-295).
\end{itemize}
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the viewer identification process. In all quality drama shows continuing narrative threads in the subplots lend regular characters unexpected traits and make them fully rounded individuals. The mix of narrative strands usually combines deep-level plot lines and surface stories that are concluded by the end of the episode. These patterns of repetitiveness inscribe themselves in our memory after only a few viewings and give us a sense of connection and continuity. Staple scenes at the police station and exterior locations for the public duty of law enforcement are intertwined with scenes in the local bar (where Spanish co-workers socialise daily) and police officers’ private flats. Every show deals differently with the distribution of public and private locations, depending on how much the private lives are an integral part of the storytelling.

Early examples
The earliest police drama is ¿Es usted el asesino?/Are you the assassin? (1967, TVE), directed by the master of crime dramas Narciso Ibáñez Menta. A huge success, this is the story of the investigation into the assassination of a rich banker. Stretched over 9 episodes viewers were kept hooked by the very slow solution of the crime. While Are You the Assassin? concentrates on one crime and the apprehension of the assassin, Visto para sentencia/Awaiting Judgment (1971, TVE), a Perry-Mason-style series, focuses on both the investigation of the crime and the court proceedings. Set in a court-room, the 12 episodes deal with a different case - based on true story - every week. The narrative is very much driven by prosecutor Luque’s (Javier Escrivá) questioning of the suspect and witnesses. While witness statements and the framing device of flashbacks give us the raw material of the narrative, the audience also gets an elementary televisual legal education: the hearings are re-enacted and legal proceedings explained. Given the historical time – four years before Franco’s death – the crimes are limited to non-controversial cases and always complimentary of the exemplary work of judges and prosecutors.

One of the first crime series of the post-Franco era was La huella del crimen/The Trace of the Crime (Season 1: 1985, Season 2: 1991, Season 3: 2009, TVE). The format is refreshingly different in that we do not witness the solution of the case or the apprehension of the suspect, but we are told the story of why and how the crime was committed in the first place. Carefully, and sometimes uncomfortably, humanising both perpetrator and victim, every episode is based on the most famous criminal cases in Spanish history.

Brigada central (1989-1992, TVE)
Brigada central/Central Brigade (1989-1992), is a ‘mythical’ police show directed by Pedro Masó, starring Imanol Arias, and hence reminiscent of Wedding Rings (1983). Central Brigade was an elite police squad dealing with organised crime. Comisario Manuel Flores (Imanol Arias) is of gypsy origin, a maverick with existential angst. He positions himself in

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18 For further details see Merelo Solá, A. (2009).
19 Actor Javier Escrivá relaunches his career as prosecutor Luque.
20 See also Carlos Marimon’s review in the Barcelona-based daily La Vanguardia (30 May 1971).
21 The Trace of the Crime gave many well-known directors (Juan Antonio Bardem, Vicente Aranda, Ricardo Franco, Pedro Costa, Antonio Drove, Imanol Uribe) and actors (Carmen Maura, Victoria Abril, Maribel Verdú, Fernando Guillén, Juan Echanove, José María Pou, Aitana Sánchez Gijón, Jorge Sanz) a chance to excel in TV drama-making.
22 See section below for the analysis of Wedding Rings.
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an intercultural space *par excellence*: both rejecting his cultural heritage while also deliberately ignoring the methods of an old-fashioned, and fascist, Spanish police system. His moral ostracism and bohemian life-style are reminiscent of Ramón, the left-wing lawyer, in *Wedding Rings*. Yet unlike Ramón, who is highly critical of the law, Flores never questions the law or fails to enforce it. He and his fellow officers display high moral standards, particularly juxtaposed to other, corrupt, police officers. In almost every episode corrupt colleagues are eliminated, while our heros fight on despite huge personal sacrifice, thus clearly demonstrating the gulf between moral rectitude and the corrupt system of the past.

**Petra Delicado (1999, Telecinco)**

By 1999 we have the first female superintendent, Petra Delicado. Attractive and self-confident Delicado (Ana Belén) is a complex representation of a career woman and, as her name suggests, she is both strong and delicate in everything she does. Sensitive in her manner of solving cases, she can also be harsh, stern and decisive in the rough macho world of a police station. When a suspect in a rape case asks Delicado provocatively to ‘suck his cock’, she calls his bluff without hesitation and asks him to get undressed to perform oral sex on him. Despite his predictable reluctance she forces him to lower his trousers to confirm that he cannot possibly be the rapist given the small size of his member (episode 1). Her unconventional methods are henceforth notorious. However, it’s not all plain sailing, every episode has its fair share of complications and obstacles that Delicado and her assistant Sergeant Garzón (Santiago Segura) have to overcome. In the course of the series she starts a sentimental relationship with Garzón which gets increasingly complicated as their private and professional lives overlap.

**El comisario/The Superintendent (1999-2009, Telecinco)**

By 1999 Spanish TV drama was at a peak. This was partly due to the competitive market of private networks, which produced ground-breaking local dramas. Two of these ground-breaking shows were police dramas which tried to achieve a cultural immediacy that only home-produced shows can render. Both shows (*The Superintendent* and *Policías*) had consultants from the National Police Agency to help them with legal procedures and police jargon. Both shows received public acknowledgements from the Agency in recognition of the contribution to its public image. Spain had come a long way from being a police state to a country in which the police were respected and it seems that these cultural constructions, particularly in *The Superintendent*, played a part in that.

The long-running *The Superintendent* is set in the small fictitious police station of San Fernando, Madrid. *Comisario* Castilla (Tito Valverde) and his officers handle a vast array of cases, which –Telecinco claims– are based on true stories; they are certainly of social urgency: sexual harassment, street violence, drugs, violence in old people’s homes, human trafficking, Latin American crime gangs, and property speculation. The implicit values and politics of the show are liberal (due process, individual rights and rehabilitation). But unlike any of the other police shows before or after *The Superintendent*, the representation is based

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23 The TV series is based on the novels of Alicia Giménez Bartlett, one of Spain’s most popular crime writers.
24 For excellent close readings of *The Superintendent* and *Policías*, see Smith (2007).
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on the realistic normality of a police force in a liberal European democracy. What is most striking in *The Superintendent* is the likeability of the police officers. Charlie and Pope, the two main inspectors solving any given case, are dressed so casually that they seem a pair of punks. Their casual dress sense makes them visually immediately identifiable as personifying liberal politics. They straddle the difficult lines between the law, private moral dilemmas and public operation of justice. This goes hand in hand with the amount of screen time given to the private issues of the officers. Not only does it render them into human beings with almost as many problems as their suspects, but it also explains their liberal approach to law enforcement. To take a few examples at random: Pope dates a prostitute; the son of two married police officers hangs out with drug addicts and dealers; the *comisario*’s love interest is a female judge, and his daughter is critically injured in an explosion aimed at himself. These relationships are a high wire act, but the officers always err on the side of (liberal definitions of) justice. This is mirrored in an ‘intimate televizual style and a sensibility based on affect […] and the dignity of the individual’ (Smith 2007, p 55). It is also reinforced in staple scenes in the reception area of the very busy police station mixing the main case with casual perpetrators of minor misdemeanours. Even in those minor scenes we are made aware of its subtly liberal politics and as viewer nobody would mind ending up in the police station of San Fernando.

*Policias, en el corazón de la calle/ Police on the Street (2000-2003, Antena 3)*

One of the most popular, if short-lived, crime series, *Police in the Heart of the Street* is set in a police station in Madrid. Arguably one of the most important, and action-packed, Spanish quality police dramas, the show is run by towering Chief Superintendent Héctor Ferrer (Josep Maria Pou). The format of each season relies on a prime antagonist combined with several secondary plotlines; recurrent themes include police corruption and antisocial personality disorders. Although *Policias* is billed as dealing with the private lives of the police officers, this is less overt than in other dramas (*The Superintendent, Paco’s Men*). Instead we get a fair share of action in exterior locations; and our heros routinely risk their lives in the line of duty. As in Central Brigade, the personal sacrifice is huge, which is particularly developed in the Carlos Gándara storyline, whose own life and that of his loved-ones is endangered regularly. The worldview is conservative: law enforcement as maintaining the social order, yet without the moral Manicheism of a blockbuster film; thanks to the scriptwriters the baddies usually have redeeming features and the police officers are not exactly saints. Women are conspicuous by their absence, the main female police officer, feisty Lucía Ramos, was killed off after the first series. Although all the episodes’ titles are lines from poems recited by one of the police officers in each episode, there is nothing particularly poetic about the series. Police work is represented as gloomy and intense; action scenes are frequently filmed with a shoulder-held camera. Both the aesthetics and the fast-paced narratives convey the frenetic environment of the police on the beat. A recurring feature adding cultural immediacy involves scenes in their local bar, where well-known pop groups play gigs (Amaral, Café Quijano, Fangoria).

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25 See viewers’ comments on the ‘Transgresión continua’ blog.
26 Pou was regularly nominated for best actor awards for the role.
Los hombres de Paco (2005-2010, Antena 3)
Los hombres de Paco/Paco’s Men is one of the most successful crime comedies in Spain. It is set in San Antonio, a fictitious underprivileged neighbourhood in Madrid, where the police station is superintended by Comisario Lorenzo Castro Riquelme (Juan Diego), who thinks little of his chaotic colleagues – the archetypal angry superintendent who is constantly dismayed by his staff’s mediocrity. Inspector Paco Miranda Ramos and ‘his men’ (deputy inspectors Mariano and Lucas) have a haphazard and surreal way of solving crimes; in fact, the solution of the crime is often by accident rather than design. Police procedures are not followed; interrogations are controlled by the suspects rather than the investigating officers; police officers are scared of their prisoners; and all that with elements of slapstick comedy – a perfect caricature of the national police. Webs of relationships are taken to an extreme, mocking the stereotype of nepotism. Paco’s Men is an excellent example of a professional dramatic comedy, set in the workplace, but full of personal narratives, sometimes of melodramatic proportions. As is custom in a dramatic comedy, melodramatic elements seamlessly go into humorous scenes to rescue the viewer from too much emotional turmoil. One staple of creating humor is the constant meddling in other people’s affairs (in all senses of the word) and here humor and melodrama are beautifully intertwined.

Serious issues are brought in casually and allow for the treatment of social issues in a light-hearted context. Paco’s Men is particularly renowned for its treatment of homosexuality. In the second series Quique, one of the police officers, is ‘helped’ in the process of coming out. This is done in a very heavy-handed, counterproductive way, so much so that Quique denies his homosexuality at the beginning. Despite this farcical exaggeration the viewer learns about cultural sensitivity, namely how very difficult both sides find this: the coming out in a macho environment and the genuine, and public, acceptance of such an act. In a magnificent scene (season 2, episode 5) in the changing room (the interspace between public and private), a straight cop starts dancing provocatively to a Boney M song with the genuine intention of declaring his acceptance of gay culture. After an initial misunderstanding, Quique is delighted and both put on an impromptu gay strip show. In seasons six to eight Paco’s Men became internationally renowned for its storyline of a lesbian relationship and marriage between officer Pepa Miranda Ramos (Laura Sánchez), Paco’s sister, and forensic scientist Silvia Castro León, Don Lorenzo’s daughter. When Silvia was assassinated in season 8, such was the outcry that there was an international campaign in more than 50 countries to save the character from being killed off.°

Guante blanco/White Glove (2008, TVE)
Mario Pastor (José Luis García-Pérez) is a master of high class crimes, a con-artist, who is usually at least one step ahead of Inspector Bernardo Valle (Carlos Hipólito). Both men have a whole team to help commit and solve the crimes, respectively. Crimes committed range from the theft of a Van Gogh painting, a Stradivarius to burglary of a casino and, the jewel in the crown of every high class thief, the Fabergé egg. The most interesting feature of this crime show, however, is the depiction of both protagonists as family men with their ongoing

° For further details, see Ramos Pérez, A, and Fernández Casadevante, JL (2011).
28 White collar crime is called ‘white glove crime’ in Spanish.
sagas: in every episode Mario gets into trouble with his wife and both men have to cope with their rebellious teenage children. This series is a hybrid of a family drama and a crime show, in which the solution of the case is almost of secondary importance. Our sympathies lie with Mario, whose private life is wonderfully endearing because he is so challenged by everyday life, while as a thief, he meticulously micro-manages every minute of the crime. Inspector Bernardo Valle is no less likeable, but the fact that he gets regularly outwitted by Pastor gives the viewer an immense pleasure.

*Los misterios de Laura / The Mysteries of Laura (2009-present, TVE)*
The Mysteries of Laura is a wonderfully light-hearted crime comedy with Spanish humour at its best. Laura Lebrel²⁹ (María Pujalte), a police officer with a chaotic life and absent-minded personality does not seem intelligent enough to solve any crime. Yet despite her inimitable scatter-brained style Laura solves each mystery with Sherlock Holmes-style attention to detail and a light bulb moment in the most unlikely situations. Relationships loom large in this series, both professional and private, and give it the feel of a family drama. Martín Maresca (Oriol Tarrasós) is Laura's partner at work, ten years her junior, an eternal charmer, edgy and spontaneous, who deeply cares about his boss and might even be in love with her. The fact that the immediate superior is her ex-husband (Fernando Guillén Cuervo) complicates matters of office politics. Laura’s main antagonist, Lydia Martínez, is the exact opposite of our heroine: she is methodical, analytical and relies on scientific evidence. Help usually comes from an unlikely ally: her mother, who takes an unhealthy interest in her daughter’s work to the point of dishing out unsolicited advice.³⁰ Laura relies on sheer intuition to get through the vicissitudes of their cases, but the light bulb moment - which leads to the most unlikely link of seemingly spurious evidence - is usually brought about by an off-the-record conversation between mother and daughter – usually while both women cook dinner. Female intuition is literally written into the format, both in the form of professional success as well as a source for ridicule. Yet identity construction is also achieved through comparison: cold, intelligent and scientific Lydia should be the winner of all unspoken professional duels with Laura, but very much to our pleasure she is not. Intuition and old-style detective work win over reason and modern forensic science. However, Laura has always found her master in her incomparable mother, for it is she who always drives the detective work forward. The mother’s function is that of an innocent by-stander outside the police station, who approaches the mystery with nosy nonchalence. Her function thus is the closest to the viewer’s own position, when we watch the series trying to guess what is going to happen next. The prize-winning series was premiered on July 27 2009 and was an instant success. Italy, Russia, Holland and most recently, the American network NBC adapted the series.

*Punta Escarlata (2011, Telecinco)*
In the most successful Telecinco series of 2011, Bosco Ruiz and Max Vila are two police officers who investigate the disappearance of two children and move to Punta Escarlata, a

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²⁹ Lebrel means hound in Spanish.

³⁰ The show was first going to be named *Mothers and Detectives*, because of this staple plotline.
small fictitious coastal town, where their investigation becomes increasingly complicated and the list of suspects becomes longer in each episode.

**El príncipe (2014, Telecinco)**

*El príncipe/The Prince*, set in the Prince Alfonso neighbourhood in Ceuta, close to the Moroccan border, tells the story of a Christian police officer’s love affair with a young Muslim who is the sister of a well-known drug baron. Aimed at a young audience, this is a story of multicultural love, passion, intrigues, police corruption and international crimes.

Thanks to the huge success of its first season, at the time of writing a second season is being filmed. Morey (Alex González), an undercover agent for the CNI (*National Intelligence Centre*), is stationed at the Prince Alfonso Police Station to investigate the recruitment strategies and financial sources of a jihadist group. He encounters a web of police corruption, led by veteran police officer Fran (José Coronado) who tries to put every conceivable obstacle in Morey’s way.

**Docu-dramas**

One of the more popular genres on Spanish television is docu-dramas about historical events aired as mini-series in 2-3 parts. *El caso Wanninkhof/The Wanninkhof Case* (2008, TVE) deals with one of the most serious miscarriages of justice in recent Spanish history. It is the story of the murder of 18-year old Rocío Wanninkhof. Despite nothing but circumstantial evidence Dolores Vázquez, the lesbian ex-lover of Rocío’s mother Alicia Hornos, was found guilty in a trial by jury. In a shocking case of mob and media justice the police, the judicial system and the media form an unholy alliance with Rocío’s mother, who is convinced that her ex-lover killed Rocío in a tantrum of jealousy. The docu-drama familiarises us with the private lives of Vázquez and Hornos, and then focuses on the police investigation full of preconceived ideas, dubious interrogation methods and circumstantial evidence, not to mention substandard DNA evidence. When the defence lawyer Pedro Apalagetui repeatedly points this out, he is ignored by the judge, who openly sides with the prosecution and continually refuses evidence for the defence. The police and judicial system, pressurised by the preceding trial by media, fabricated a case, a motive and a criminal. This is a clear case of Bourdieu’s notion of a ‘transfer of the power of judgment’ from the judicial system to the media, and particularly scandalous since trials by jury had just been re-introduced in 1995.

Part 1 of the mini-series finishes with the guilty verdict of the supposedly cold and calculating lesbian. Part 2 tells the story of her appeal and, more importantly, the second sexually motivated murder of a young woman by the real killer Tony Alexander King, a

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32 For an interesting interview with Pedro Apalagetui, see Teodoro León Gross’s column in *Diario Sur* (10 February 2013), where he explains that: ‘due process, a categorical imperative in Anglo-Saxon law, has always been questioned here; […] it was a big blow against the right to a fair trial’.

33 Bourdieu, P (1998: 57)

34 Trials by jury had been suspended in 1923 due to an infamous miscarriage of justice, for more details see Fernández Rodríguez (2007). The 1995 re-introduction by the *Ley Orgánica del Tribunal Jurado* explains that the jury’s role ‘is to declare whether or not the facts are proven. […] The jury hence relates more to the right of the citizen to participate in public matters and in the administration of justice than to the right of the accused to be tried by his or her peers.’ (Villiers 1999: 138). See also Igartua Salaverria, Juan (2004), ‘El caso Wannikhof: ¿Tiro de gracia al jurado?’, in *Jueces para la Democracia*, 50
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British expatriate, in 2003. The DNA of both murders matched that of Tony King and Dolores Vázquez is finally set free.

*El bloke – Coslada Cero* (2009, TVE) is based on a true story of police corruption in Coslada, Madrid. In 2008 a corruption network was discovered in Coslada and the ‘Bloc operation’ was one of the biggest investigations into police corruption (extortion, prostitution, intimidation, physical violence, illegal possession of arms and drugs). Narrated through the eyes of a new, and decent, police officer who has just been transferred to Coslada, we follow the daily lives of police officers and the viewer realises very quickly how corrupt the Coslada police force is. The innocent viewer can be forgiven for sometimes confusing the corrupt cops with the delinquents, such is the former’s level of criminality. Other times we are given obvious pointers: good cops smoke cigarettes, bad cops take cocaine.

*Operación Malaya/Operation Malaya* (2011, TVE) is a cross-over of a police and lawyer show. Based on a true story set in Marbella, it deals with corruption in urban development. We follow Operation Malaya headed by an investigating judge and the two main police officers. Similar to other ‘stories of justice’, we learn how very complicated it can be to prove corruption and what high personal price the investigating team pays in the pursuit of justice.

**Lawyer shows**

Spanish television can boast with some excellent lawyer shows. A popular-legal education is more obviously present than in crime shows, again viewer reception is influenced by both cognition and affect. The nature of justice is an overarching question running through all shows, as is the lawyers’ behaviour, which is judged by us with a mixture of reason and emotion. Furthermore, the judicial system is on trial when delivering doubtful forms of justice. Noticeable shifts occur in the representation of gender, sexual orientation and popular-legal education, dealt in more detail below. Lola in *Wedding Rings* is a career woman without any feminist agenda; Eva in *Public Defender* is politically feminist and socialist, while Mapi in the second series of *Public Defender* is a bossy corporate lawyer who happens to be a woman. By the noughties there is wide variety of female lawyer roles. Sexual orientation is discussed in *Wedding Rings*, more convincingly foregrounded at case and collegial level in *Public Defender 2*, and openly celebrated in *Paco’s Men*. As for the popular-legal education we move from the quasi ‘educational shows’ of the 1980s to a more subtle education in the public debate of social issues in the noughties. The structure of lawyer shows usually keeps to the classic 5-part structure. Staple scenes take place in the lawyer’s offices, the court-room, at the local bar and in the characters’ private spaces. The typical array of lawyers ranges from the rookie lawyer, the veteran partner, idealist heroes and corruptible villains, and anything in between to allow for more complex characters; there is something for everybody in the viewer identification process. The shows usually focus on the private lives of the lawyers to lend them a multitude of traits. As in crime shows the unresolved private stories give us a sense of continuity. Office politics are a prevalent theme in all shows, often involving a love triangle between colleagues and/or jealous rivalries that complicate the work environment.
The mythical 80s
When looking for hero lawyers in Spain an obvious point of reference is the transition from dictatorship to democracy. The process of democratization rested very much on the shoulders of a new generation; young and innocent lawyers were called upon to construct democracy. What better way to celebrate hero lawyers than with a series set in one of the most challenging times of recent Spanish history, in which democracy was in the making and law was instrumental, both real and imagined, in major social changes of the time. The TV shows *Anillos de oro/Wedding Rings* (1983) and *Turno de oficio/Public Defender* (1986) convincingly capture this Zeitgeist of change. They represent stories of hero lawyers as personifications of progress and active agents of social change. The spectre of Francoism still loomed very large and television was used to erode Francoist values; the pedagogical value of television shows was exploited when democracy needed to be imagined and democratic values taught through narratives of private lives.

*Anillos de oro/Wedding Rings (1984, TVE)*
In this highly acclaimed and award-winning TV show Lola Martínez Luque (Ana Diosdado) and Ramón San Juan (Imanol Arias) specialise in divorce cases. The focus on divorce attests to the anxiety about the breakdown of marriages and its consequences for the family as the most basic structural unit of society. Law, however, is conspicuous by its absence. Lola’s bourgeois family life and Ramón’s bohemian life-style feature heavily in each episode making their own private lives a case study and an integral part of the ongoing debate about divorce. Secondary characters introduce the voice of the past as an important reminder of the fascist factions that were still very much part of the democratic Spain. For many people law and order, and thus stability, was preferable to the perceived insecurity of a democracy. The series uses an assortment of cases as a careful mix of injustices in which neither gender is blamed for their supposedly egotistical desires of filing for divorce. In each case, the viewer empathises with the spouse who wishes to leave, and this empathy—through storytelling—gives the viewer indirect educational value. Personalised emotive accounts of claimants lend themselves to melodramatic narratives of family life and law. For Lola nothing is ever clear-cut, while Ramón is a self-professed lawyer for the socially disadvantaged wanting divorce at almost any price. Lola is also the voice of reason and harmony whenever couples decide not to get divorced after all, while Ramón passionately imagines justice in divorce and gets frustrated by the limitations of legal change. I have argued elsewhere that Lola is not an icon of feminist progress, but a woman who struggles with her career. Arguably, cultural narratives are written and resisted on the Lola character: she can be read as vacillating between a self-confident mother-of-three/divorce lawyer superwoman and a middle-aged back-to-work-type mum, constantly on the verge of a nervous breakdown. *Wedding Rings* is also the first lawyer show to deal openly with homosexuality, but given the historical time, the issue is marriage as a cover-up for homosexuality, so the exact opposite of coming out.

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35 The term hero ‘lawyer’ is used to refer to an archetypal hero and honourable lawyer as a representative of justice and social change.
36 For a close reading of *Wedding Rings*, see Louis (2012).
Another excellent case study is *Public Defender* (1986, TVE). Three hero lawyers who take it in turns to fight for justice: Juan Luis Funes (Juan Galiardo), veteran lawyer and nicknamed *el Chepa*, Cosme Fernández (Juan Echanove), rookie lawyer and son of a famous notary; and Eva García (Carmen Elias), young, idealist and feminist lawyer, nicknamed ‘Saint Justice, Martyr and Virgin’. The cases are anything from petty crimes of the socially disadvantaged to medical negligence, rape, domestic violence, and miscarriage of justice. Yet these cases are not particularly well-developed, we learn more from the three lawyers’ conversations with each other than through an analysis of the cases. Particularly in the conversations between Cosme (who is a child of democracy) and *el Chepa* (who had seen how law was perverted under Franco) the viewers learn about the usefulness of a public defender’s office, and basic legal concepts (*habeas corpus*, the presumption of innocence, due process, individual rights). All these conversations run through the series like a jurisprudential commentary of its on-screen legal system. The cognitive viewing process, then, is two-fold at the level of law: popular jurisprudence as well as receiving a popular legal education, as the contemporaneous viewer follows the cases’ storylines week after week.

There are a sufficient number of scenes to give it a legal aesthetic, but staple scenes also take place in the lawyers’ flat and, above all, in bars and restaurants. Private lives make them fully rounded characters, particularly when these social justice lawyers of the first hours of democracy themselves are in trouble with the law. In their many discussions about social justice and the usefulness of their pro bono work, we get reminded of the sober fact that lots of delinquents are ordinary people and it could happen to any of us. The various Francoist voices also run through the series like an ongoing political commentary, reminding us that not everybody sees the point of public defenders, legal representation and the right to a fair trial. *Public Defender* invites the viewer to take sides on the (social) justice spectrum from conservative ‘law and order’ to a more liberal approach of a democracy based on basic human rights for offenders and their rehabilitation. It is in cases with overpowering feelings of disgust that the legal system is most tested, and where the contemporaneous viewers’ political colours are likely to emerge.

As is customary with feminist issues, these are dealt with at two levels: at case level as well as the public performance and private life of the female lawyer. Eva García is young, self-confident and outspokenly feminist. Despite being an excellent lawyer she suffers the macho treatment of her colleagues and clients. Compared to the middle-aged, motherly, career woman in *Wedding Rings*, Eva is much younger, and hence another child of the democracy. She is idealist about the new Spain and cares deeply for her clients. In a domestic violence case in which the victim ends up in hospital, she takes care of her child and makes sure the woman can start a new life in another city. Equally, in another case she unearths a miscarriage of justice; the judge, who overturns the verdict, commends her for her tenacity and reminds us of the importance of a liberal legal system – a pertinent reminder that Franco’s subjects did not expect justice from their legal system.

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37 *El Chepa* refers to his irritating habit of annoying those in power.
Due to its huge success the show returns ten years later and in the first episode we are keen to discover what has become of our trio. *El Chepa*, even more veteran and now openly alcoholic, is sidelined by his colleagues as well as the narrative, and serves more as a wise guy in the background. The main storyline is driven by Cosme, who returns to Madrid as a *juez instructor* and becomes a judge-cum-detective. His passion for social justice has not changed and in the careful questioning of the numerous suspects he is always at pains not only to find the truth but also to treat the criminals with the utmost respect. Staple scenes are set in his office when he interrogates the suspects with his inimitable teddy-bear approach. Crimes range from drug-related crimes, juvenile delinquency, and hate crimes against homosexuals to international law around asylum seekers and the international drug trade. The murder of a homosexual is mirrored in a sub-plot (episode 4), when Cosme realises that his forensic specialist is also gay. The lack of evidence almost lets the suspect get away with murder, but Cosme rises to the challenge, partly driven by a very enlightening conversation with his colleague about gay life in Madrid. This conversation can be read at two levels: practically it helps solve the case, but more importantly, Cosme’s non-judgmental attitude towards gays personifies blind justice and has the signalling function of liberal politics amongst his colleagues. One ongoing narrative thread is the corruption not only in the police force but also amongst judges and even his own juzgado de instrucción. His incorruptibility makes him likable in his fight for (social) justice and against corruption. Here he clashes with *el Chepa*, who is initially delighted to have direct access to a judge to further his own cases, only to find that he had underestimated his friend’s rectitude. They remain friends, of course, and still incessantly talk about law, whisky and women.

Eva García’s storyline brings in a very international dimension: she returns to Madrid after ten years as a human rights lawyer in El Salvador. Completely burnt out, all the old-time feminist wants is to get married, it seems; little is left of her feminism or human rights lawyering. Another main character, the young female lawyer Mapi, *el Chepa*’s assistant, represents the female lawyer of the mid-90s. She is young, middle-class, careerist and money-driven. Given her preference for corporate law, she seems an odd assistant for the self-proclaimed ‘Saint Francis of Assisi of the small-time crooks’. What she lacks in legal skills, she makes up for in her fervour to teach old lawyers new tricks; and predictably falls in love with her boss, while also spending a night or two with Cosme. In fact, everybody sleeps with everybody in the course of the series. What then is the representation of lawyers in the 1996 version of *Public Defender*? Neither Mapi nor Eva are particularly inspiring role models for lawyers, yet neither is *el Chepa*, with his alcoholism and dubious desire to corrupt his best friend, the judge. Long gone are the idealist days of the young democracy that was Spain in the 80s. Only Cosme still fights crime and a corrupt legal system with quixotic stubbornness.

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38 The investigating judge is different from the judge conducting the public hearing, the former having wide powers to clarify the circumstances of an offence (Merino-Blanco 1996: 174).
TV law shows in Spain

Al filo de la ley/The Edge of Law (2005, RTVE)

One year after José Luis Rodríguez Zapatero (Spanish Socialist Workers’ Party) was elected prime minister, TVE launched one of the most interesting law shows in recent history. At the Edge of Law is set in the law firm Álvarez & Associates in Madrid. The senior partner, Gonzalo Álvarez (Emilio Gutiérrez Caba), has a young and dynamic team consisting of the handsome Álex Villar (Leonardo Sbaraglia), his girlfriend Patricia Muñoz (Fanny Gautier) and his ex-girlfriend Elena Castro (Natalia Verbeke) – a triangle full of sexual tension that keeps us entertained throughout the series.

The series is billed as dealing ‘with current and controversial issues of our society, such as domestic violence, drugs trade, racist attacks, labour disputes, [...] stories based on headline news about marginalised people.’ The format usually consists of 2 cases: while the main cases are of social urgency, the second cases are usually of a lesser offence and might bring in humorous elements as comic relief to lighten up the sombre mood of the main case. The main cases are show trials of the new Socialist administration that wanted to improve the dire social situation that the previous conservative government left. A case in point is male violence. Three months after coming to power the Socialist government presented the first draft of the Comprehensive Law against Gender Violence. Zapatero made no secret of the fact that the proposed legal changes had been informed by feminist associations and an indignant public debate. The way in which legal, media and cultural discourses work together to condemn male violence is superbly dealt with in one of the episodes when Álex and Elena defend a woman who is accused of murdering her violent husband.

When entering the courthouse the lawyers are met with a huge feminist crowd in support of the defendant. The prosecutor uses the opportunity to trivialise the case by suggesting that the cultural discourse created by the feminist mob and the press is giving women an easy ride. Álex is furious and demands that the female judge insist the prosecution start taking ‘cases of social urgency’ seriously. The judge blatantly sides with the prosecution, and the defence’s case seems to crumble, until in a dramatic turn we go from domestic violence to child abuse and it transpires that the son shot his father. The strength of this episode, and the series, lies in its bringing together of the socio-political agenda of the Socialist government, public opinion and the function of lawyers as beacons of justice. In this sense the series is reminiscent of the 1980s with its hero lawyers. And to render them round, Álvarez & Associates are also involved in their fair share of wrong-doing, but the way they stand up for the underdog redeems them overall.

LEX (2008, Antena 3)

LEX is the law firm of the three partners Daniela León, Mario Estrada and Gonzalo Xifré, another lawyer trio, and another example of a female lawyer being the capable, decent and serious one, while Estrada and Xifré happily bend rules and make the law work for their

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39 Al filo de la ley/Edge of Law TVE webpage.
40 Miscarriage of justice against a Moroccan immigrant; medical negligence; rape; mobbing in schools; corruption in politics, the judicial system and the real estate sector; sexual harassment; forced marriages.
41 Misappropriation of a lottery win, marriage swindlers, hit-and-run driver, insurance fraud, embezzlement of funds in an old people’s home, petty street crime, abandonment of the elderly.
clients. The format is best described as an esperpento, a genre that represents reality in grotesque exaggerations to criticise society. LEX is a wonderful example of a law comedy which plays with popular stereotypes about law and lawyers. Reminiscent of Ally McBeal in its absurd assortment of cases, legal arguments are nevertheless regularly used to discuss various social issues. A mirroring between the issues in legal cases and private lives usually reinforces a character’s drama. Visually most striking is the highly sexualised work environment. Lawyers and secretaries regularly flirt and/or have a romantic interludes with each other. Apart from Dani, who as a partner wears expensive suits, all women in the office show very low cleavage; reinforced by both Estrada and Xifré constantly making sexist or sexualised remarks about their secretaries and clients.

One of the recurring themes is the good/bad lawyer dichotomy and the perennial question of what is justice? True to the genre of comedy the case work usually ends happily ending with justice being done, but the methods and professional ethics are highly questionable. Estrada is very open about this when a rookie lawyer lectures him about professional ethics:

Estrada: Forget what you’ve learnt at university, [in this law firm] money is always right. […] In this profession nobody is clean, remember that!

Vega: I’m quitting my job, I prefer stealing in the metro, that’s less dirty…. (walks off)

Estrada (laughs it off): [These young lawyers] watch too many American films, they end up believing all that [nonsense] about honesty and ‘the truth’…

In a beautiful intertextual nod to American films Estrada blames idealist representations of justice in popular culture, rather than questioning his own dubious, and at times illegal, behaviour. His desire to win every case is mainly fuelled by money. His court-room performances are a masterpiece in unconventional methods. The cases range from drugs-related crimes, health and safety, and grievous bodily harm to sexual harassment, domestic violence, medical negligence and attempted murder. What makes these cases grotesque is the extreme to which the narrative, both of the client and the resulting legal representation, takes them. Playing with stereotypes trivialises serious issues and yet we cannot help but be amused by the star performances of the trio infernale. This highly entertaining legal esperpento ultimately questions our own assumptions about lawyers and the law/justice dichotomy. Maybe some viewers have their worst prejudices confirmed in this series, while a gentler viewer might realise that this series holds up a mirror and shows us that justice cannot always be reached by entirely legal means. In most episodes all’s well that ends well, everybody celebrates in a chic bar, and ironies of irony, the upright rookie lawyer ends up working for LEX.

Acusados/Accused (2009-2010, Telecinco)
The format of Acusados/Accused is an interesting variation of the normal lawyer show. Reminiscent of the second season of Public Defender, this time the investigating judge is female and much tougher than her 1996 televisual predecessor. Judge Rosa Ballester (Blanca Portillo) investigates a relatively harmless fire in a night-club, but given that the main suspect is an important politician (José Coronado) the storyline quickly leads to corruption and
murder. For the entire first season Ballester works her way through an increasingly complex web of suspects, and what is worse, endangers her own family in the quest for justice. The second season commences with the murder of a journalist but quickly revolves around the same suspects and storylines again. In both seasons Ballester herself stands accused of illegal methods, but the viewer knows that this is done out of frustration with the judicial system. In the final showdown when Ballester appears in front of a court she eloquently accuses the system while admitting her own guilt:

I have made mistakes […] but there is another guilty party that never gets accused: the system. [Judges] rebel against the system that seems unjust. […] The delays in the courts leave criminals in the street, money buys judges and verdicts, politicians create partisan laws. The price we all pay is too high and I’m not prepared to pay it any longer.

What stands accused throughout the series, then, is the judicial system itself and the viewer learns the sobering fact that the very system that administers justice delivers it at best haphazardly.

Prison dramas
There has been one successful Spanish prison drama entitled La fuga/The Escape (2012, Telecinco). It is set in the mid-twenty-first century and combines the formula of a romantic thriller and a prison drama. Ana (María Valverde) and Daniel (Aitor Luna) are newlyweds, when Daniel is imprisoned by a global dictatorship that rules the world, its natural resources and its people with an iron hand. Both are part of a resistance movement that fights for freedom and basic human rights. The whole series is driven by Ana trying to get her husband back: she infiltrates the prison as an officer in the hope of helping her husband escape. In an interesting role reversal the female lead is the active hero while her husband plays a more passive part as a prison inmate. Despite being set in the future the series has an uncomfortably realist mood.

Reality Shows
Often billed as ‘mythical’ the first court show appeared in 1993 called Veredicto/Verdict (1993-1994, Telecinco) fronted by Ana Rosa Quintana, a well-known presenter, and the former Supreme Court judge Diego Rosas Hidalgo. One of the most popular shows during the sobremesa (‘after lunch’ slot at 2.30pm), it deals with real-life cases the public can present. The pre-trial introduction by Quintana immediately gives us a popular legal education. Both the plaintiff and defendant then put forward their point of view, while the judge calmly reviews the case. The studio audience shares their opinions, so that we have the people’s verdict before the judge’s. The judge then cites the relevant articles from the legal codes and we learn about their interpretations and application. Another court show in the sobremesa time slot, is entitled De buena ley/Good law (2009-2014, Telecinco). Linguistically playing with the Spanish term for ‘in good faith’ (de buena fe) this court show deals with people whose behaviour is anything but in good faith. Modernized for the contemporary audience, the format is similar, yet different: both plaintiff and defendant explain their cases, the judge interrupts and asks clarifying questions. Both parties have lawyers who loudly defend their clients. The vox populi of the studio audience is also brought
in, as are expert witnesses to intervene with rational argument. But by this point the debate has disintegrated into a shouting match. In Good Law is wonderfully reminiscent of popular Spanish talk shows in which slanging matches are the norm. The judge finally sums up the case couching it in legal language to ‘teach the viewer about their rights and responsibilities’.\(^42\) While it is questionable to what extent the amusing shouting matches enrich anybody, this is excellent Spanish-style entertainment with dubious legal authority.

3 Law Shows in November 2014

The sample of the empirical study was taken in November 2014: channels included in the study were the six main national freeview channels (TVE1, TVE2, Antena 3, Cuatro, Telecinco, La Sexta) and one subscription channel (Canal+). This was based on share of total viewing\(^43\) and the TV guide of the liberal daily newspaper El País. There was virtually 100% of police material of a total of 338 episodes/programmes in the month of November. Equally, the material was 99.5% imported programmes from Canada (6.5%: Crime Stories), Germany (16%: Alarm for Cobra 11; The Last Cop), Italy (11%: A un paso del cielo/One Step from Heaven; Inspector Montalbano), Sweden (1%: The Fjällbacka murders) and the US (65%: Body of Evidence, Castle, CSI, Fargo, Forensic Files, White Collar). The one notable exception was the home-produced feature length documentary Seré asesinado/I’ll be Murdered. By far the largest category is crime drama (65%), followed by documentary (32%) and comedy drama (3%). The vast majority of programmes were shown on Cuatro (52%) and La Sexta (31%); TVE2 aired 11% of programmes and Canal+ 5%. Half the programmes (50%) were shown in the morning slot (6am to 2pm), followed by an almost equal split between the afternoon/evening slot (2pm to 10pm) and the night slot (10pm to 6am), 26% and 24% respectively. Documentaries were imported from the US (Forensic Files, Body of Evidence) and Canada (Crime Stories). These forensic science documentaries are aired every day (morning or night slots), which suggests a CSI effect in viewer preferences of content. Cuatro was the only channel that showed two shows in the prime time slot (20.30-24.00 hours): Castle (9% of total episodes, 33% of total crime show viewing time) and CSI (7.5% of total episodes, 7% of total crime show viewing time). 40% of the crime shows shown in November were shown by Cuatro in prime time viewing hours; 60% were relegated to the less popular slots. In terms of content three programmes were noteworthy in November: Alerta Cobra/Alarm for Cobra 11, El ultimo poli duro/The Last Cop and Seré asesinado/I Will be Murdered.

Alarm for Cobra 11 (1996-present, Cuatro) is long-running successful German export about the highway police between Düsseldorf and Cologne: ‘German highways have become the thoroughfare for Europe’s organised crime: a multitude of sinister characters, transports of dangerous loads and daredevil drivers’\(^44\) – making the show transnational by definition. Its transnationality can be observed in both content and format. The storylines include Latin American drug barons, East European Mafias, international child trafficking, rogue army officers wanting to destroy the world. Reminiscent of its Spanish equivalent Policias, but

\(^{42}\) De buena ley/Good Law (2014)

\(^{43}\) For statistics of audience share, please see Formula TV (2015).

even more action-packed, *Alarm for Cobra 11* subscribes to what Europeans perceive as an American formula: fast-moving and far-fetched plotlines, an easily identifiable Manichean worldview, reinforced by fast-paced camera movements including crash zooms and hyperactive editing as well as special effects of explosive proportions and death-defying stunts. This show inhabits an interesting triangulated space: an American format set in Germany dealing with international crime, this reality is then imported to the Spanish small screen. Chief Superintendent Semir Gerkhan (Erdoğan Atalay) is of Turkish decent and hence a symbol of a successful multicultural Germany, while his side-kicks are usually German. Similar to the Spanish crime series discussed above, the characters’ personal lives become part of the storyline in some episodes, in particular through Gerkhan’s family. Far-fetched scenes in Gerkhan’s flat involve regularly break-ins by the gangs in question, sometimes with dramatic fistfights and, at worst, threatening his wife and children – using the most deliberately emotional trigger to weaken the law enforcement officers.

*El último poli duro/The Last Cop* (2010-2014, Cuatro) has a format that puts the police on the stand: Mick Brisgau, a Dirty-Harry-type police officer in Germany’s tough Ruhr area, wakes up after 20 years in a coma. This plot device makes two worlds collide and part of the charm of the series is the constant bickering between Brisgau and his partner Kringge, a young careerist who is a stickler for procedure. These disagreements usually revolve around police procedures, be it how to gather evidence (Brisgau happily breaks into the suspects’ flats to obtain proof) or how to conduct interviews (physical intimidation versus correct observation of procedures). ‘New’ methods such as DNA analysis, technology (internet, mobiles, GPS) and increased red tape make it difficult for Brisgau to operate effectively. The focus is on the police procedural; the cases alternate between run-of-the-mill murder cases and a degree of social relevance: domestic violence, polygamy, internet dating, crimes of capitalism (in banks and outplacement firms) and all that in new-fangled settings such as feng shui schools, spa oases, and coaching seminars. There is a lot of mileage in gender issues: Brisgau, as macho charmer, flirts with the female colleagues and suspects bordering on sexual harassment. A recurrent motif is the macho dialogues with self-confident women, who consider him narcissistic and rough, but then might sleep with him. To render Brisgau round, even in the early first season, he repeatedly shows sensitivity and empathy for vulnerable people. Brisgau’s sense of justice is well-developed and his intuition does not fail him in his search for the killer. As the episodes/seasons progress Brisgau becomes softer, particularly since falling in love with the police psychologist, and his sidekick becomes more macho in his treatment of suspects. Both Brisgau and Kringge, as true bickering buddies, adjust to each other’s individualities.

*Seré asesinado/ I Will be Murdered* (TVE, 2013) is a Spanish feature-length, award-winning documentary about a Guatemalan corporate lawyer allegedly murdered by the then president Álvaro Colom Caballeros. Shortly before his death on 10 May 2009, Rodrigo Rosenberg produced a video of himself starting: ‘If you’re watching this video, it’s because the president of the country has killed me.’\(^\text{45}\) The video went viral on YouTube resulting in violent protests

\(^{45}\) For the English translation of the full video statement, Rosenberg 2009.

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and a demand for the president to resign. With the government on public trial, special prosecutor Carlos Castresana, head of the International Commission against Impunity in Guatemala, began to investigate the case. The documentary mainly follows Castresana and Rosenberg’s son, Eduardo, in their attempt to make sense of the evidence. Eduardo portrays his father as an incorruptible lawyer who shied away from politics, because he detested the Guatemalan culture of conflict. This portrayal of the honorable lawyer is sustained for a long time, mainly because the conspiracy theory has all the ingredients the viewer expects from a Central American political scandal. Giving evidence in his self-made video, Rosenberg explained that his death would be due to his involvement in the Musa case: businessman Khalil Musa, and his daughter Marjorie, were both assassinated in April 2009, allegedly because Musa had discovered members of the government were using Banrural, a rural development bank, to launder money. The viewer then becomes suspicious as soon as we learn that Rosenberg had a secret affair with Marjorie Musa. Worse still, Castresana, who is Spanish and hence deemed neutral, explains dispassionately that he could not find any evidence of money-laundering at Banrural. His conclusion is stranger-than-fiction: Rosenberg was so distraught by Marjorie Musa’s death that he had convinced himself she had been killed by the government, but knew his case would not hold up in court. In a bizarre ending Rosenberg orchestrated his own suicide, hiring a hitman to kill him in bright daylight. Castresana shares his moral interpretation of the Rosenberg case:

[Rosenberg] is mentally disturbed. What he did is fraudulent, but it is such a twisted fraud that he thinks it’s justice. So… Is it honourable or fraudulent? It’s materially fraudulent, but the spirit of the act comes from a person who is convinced that such a twisted fraud delivers justice, even if such conviction is twisted.

Conclusion

It is apposite to finish this chapter with a documentary about a stranger-than-fiction reality, not only because it is a reminder of the blurred boundaries between fact and fiction, but also because, at the time of writing, a similar case has made headlines in Argentina. The pop-educated viewer might want Rosenberg to be the honourable lawyer who dies a martyr and brings down a corrupt Latin American government. Our popular-legal education might have created this imagined community of hero lawyers who fight for justice. The documentary encourages its viewers to participate actively in televisual judgment, brilliantly manipulated by the editing and cross-cutting of the various strands of evidence and points of view. Very much to our chagrin, then, after 67 (of 90) minutes we realise that Prosecutor Castresana belongs to the same community of lawyers, his professional ethics cannot let him collude in a conspiracy theory. Yet the lack of conclusive evidence is no hindrance for our legal imagination and our sense of justice to pit two honourable lawyers against each other – the veracity of Castresana’s verdict is still questioned today.

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46 For further details, see online newspaper reports about the death of public prosecutor Alberto Nisman, such as The Guardian (3 February 2015).
47 For further details, see the following ‘Candidatos presidenciales’ blog (2011).
TV law shows in Spain

A comparison of police dramas suggests similarities between Spanish and German dramas: Brisgau’s unconventional methods remind us of Comisario Manuel Flores, both inhabit an intercultural no man’s land, while Alarm for Cobra 11 is reminiscent of its Spanish equivalent Polícias, both subscribe to an American formula. Alarm for Cobra 11 inhabits a curious triangulated space: an American format, set in Germany dealing with international crime, is then imported to the Spanish small screen. Parts two and three of this chapter paint very different pictures. The historical overview suggests a fair amount of quality shows on a par with other countries (in quality rather than quantity), whereas the empirical study returns a result of almost 100% imports. This might suggest that since Spain’s economic crisis television had to resort to the much cheaper importation rather than production of TV shows.

Particularly in the noughties law shows were at their peak and in general Spain boasted huge, home-grown success stories, achieving higher ratings than US imports.48 Furthermore, Spain used to be one of the biggest producers of series drama in Europe, overtaking France and Germany, while also selling original formats abroad.49 According to Emiliano de Pablos an increasing global demand for Spanish television drama has developed, partly because ‘Spain’s crisis has forced TV producers to seek international business. […] Creating virtue out of necessity, an increasing number of drama producers are looking beyond the Spanish border and beginning to reap the rewards of international ventures.’50 This research represents two stories: Spanish television reaching global recognition and exporting its shows, while – at least in the empirical study – the exact opposite is the case. Clearly, more research is needed and future fruitful directions could be comparative case studies in content analysis of Spanish formats exported abroad.

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