

Spain

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TV law shows in Spain

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).¹ 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.² Furthermore, TV consumption is key to socialisation, providing collective memories and generational identities.

Television in Spain was launched relatively late compared to its European counterparts: on 28 October 1956 TVE (*Televisión Española*) broadcast its first programmes. Television bore witness to a fast-changing society from dictatorship to democracy and has been an important means of political, social, and moral education. 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 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.⁴ 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.’⁵

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,⁶ 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

¹ See Palacio, M (2006).

² For further details on the concept of ‘working through’, see Ellis, J (1982).

³ Palacio, M (2006: 16)

⁴ See Palacio, M (2005).

⁵ For an excellent article on early Spanish television, see Palacio, M (2005).

⁶ *Spanish Constitution* (1978).

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(Radio Televisión Española) 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.⁷ 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.⁸ By 1983 the Socialist government under Felipe González promoted the constitutionally enshrined principle of regionalism in the *Third Channel Law* (1983)⁹ which permitted the *autonomías* (self-governing regions) to each establish their own publicly funded channel to provide services in other languages (Basque, Catalan, Galician). Shortly thereafter, still under Socialist leadership, Spain received a *Private TV Law* (1988)¹⁰ which regulated the establishment of Antena 3, Telecinco and its first subscription broadcaster CanalPlus. These 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 objectivity. The Corporation still had many of the duties laid down in the original 1980 law.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%.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.¹³ Finally, in 2010 a *General Act on Audiovisual Communication* was approved.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 co-official languages) and apportions at least 5% of the total revenue to pre-financing the production of European films.¹⁵

⁷ *Ley 4/1980, de 10 de enero, de Estatuto de la Radio y la Televisión* (1980).

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.'

⁹ *Ley 46/1983, de 26 de diciembre, reguladora del Tercer Canal de Televisión* (1983).

¹⁰ *Ley 10/1988, de 3 de mayo, de Televisión Privada* (1988).

¹¹ See *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.'

¹² Brevini (2013: 78)

¹³ Contreras and Palacio (2001: 91)

¹⁴ *General Act on Audiovisual Communication (7/2010 Act)*

¹⁵ *Compendium: Cultural Policies and Trends in Europe* (2014)

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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, *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 *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.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.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 everyone in 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.

Brigada central (1989-1992, TVE)

Brigada central/Central Brigade (1989-1992), is a 'mythical' police show directed by Pedro Masó, starring Imanol Arias and depicting an élite police squad dealing with organised crime. *Comisario* Manuel Flores (Imanol Arias) is of gypsy origin, a maverick with existential angst. He positions himself in an intercultural space *par excellence*: both rejecting his cultural heritage while also deliberately ignoring the methods of an old-fashioned and fascist 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

¹⁶ Smith (2007: 63)

¹⁷ Barroso García (2002: 294-295)

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standards, particularly juxtaposed to corrupt police officers. In almost every episode corrupt colleagues are eliminated, while our heroes 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)

Petra Delicado is the first female superintendent.¹⁸ 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. Her unconventional methods are notorious. 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 *Policias*) had consultants from the National Police Agency to help them with legal procedures and police jargon, which resulted in 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.¹⁹ 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 on normal daily life in a police force of 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 a police officer hangs out with drug dealers; the *comisario*'s love interest is a female judge, and his

¹⁸ The TV series is based on the novels of Alicia Giménez Bartlett, one of Spain's most popular crime writers.

¹⁹ For excellent close readings of *The Superintendent* and *Policias*, see Smith 2007.

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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 televisual 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.

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

One of the most popular,²⁰ if short-lived, crime series, *Police on 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).²¹ 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 *Polícías* 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 heroes routinely risks 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).

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’ 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 – 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

²⁰ See viewers’ comments on the ‘Transgresión continua’ blog.

²¹ Pou was regularly nominated for best actor awards for the role.

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professional dramatic comedy, set in the workplace, but full of personal melodramatic narratives. 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, 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. Despite 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 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. 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, 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.²²

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 Lebel²³ (María Pujalte), a police officer with a chaotic life and absent-minded personality does not seem intelligent enough to solve crimes. Yet despite her inimitable scatter-brained style Laura solves each mystery with Sherlock Holmes-style attention to detail. Relationships loom large in this series, both professional and private, and give it the feel of a family drama. Martín Maresca (Oriol Tarrasól) is Laura's sidekick, ten years her junior, an eternal charmer, 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. Laura relies on sheer intuition to get through the vicissitudes of their cases, but the lightbulb 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 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

²² For further details, see Ramos Pérez, A, and Fernández Casadevante, JL (2012).

²³ Lebel means hound in Spanish.

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police station, who approaches the mystery with nosy nonchalance and is, thus, 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.

Lawyer shows

Spanish television can boast with some excellent lawyer shows. A popular-legal education is more obviously present than in crime shows; 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 with 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*, while more convincingly foregrounded at case and collegial level in *Public Defender 2*. The popular-legal education moves 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 rookie lawyers, veteran partners, idealist heroes and corruptible villains, and anything in between to allow for more complex characters; there is something for everyone 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 prevalent themes in all shows, often involving a love triangle between colleagues and/or jealous rivalries that complicate the work environment.

The mythical 80s

The process of democratization during the transition from dictatorship to democracy rested very much on the shoulders of a new generation. What better way to celebrate lawyers than with 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. 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.

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*Anillos de oro/Wedding Rings (1984, TVE)*²⁴

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. 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. 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.

Turno de oficio/Public Defender (Season 1: 1986, TVE)

Another excellent case study is *Public Defender* (1986, TVE). Three hero lawyers who take it in turns to fight for justice: the veteran Juan Luis Funes (Juan Galiardo), the rookie Cosme Fernández (Juan Echanove) and the feminist Eva García (Carmen Elias). The cases are anything from petty crimes of the socially disadvantaged to medical negligence, rape, domestic violence, and miscarriage of justice. The 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 Funes (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. 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

²⁴ For a close reading of *Wedding Rings*, see Louis (2012).

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‘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. She is idealist about the new Spain and cares deeply for her clients, be it in domestic violence cases or miscarriages of justice; the judges commend her for her tenacity and remind us of the importance of a liberal legal system – a pertinent reminder that Franco’s subjects did not expect law to deliver justice.

Turno de oficio (diez años después)/Public Defender (Ten Years Later) (1996, TVE)

Due to its huge success the show returns ten years later: Funes, 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*²⁵ 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 drugs trade. The murder of a homosexual is mirrored in a sub-plot (episode 4), when Cosme realises that his forensic specialist is gay. 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. His incorruptibility makes him likable in his fight for (social) justice and against corruption. Here he clashes with Funes, 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. Nevertheless, they remain friends 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, little is left of her feminism or human rights lawyering. This is juxtaposed to Mapi, who represents female lawyers of the mid-90s. She is young, middle-class, careerist and money-driven. 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 Funes. 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 Funes 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.

²⁵ 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).

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Al filo de la ley/At 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.’²⁶ The format usually consists of 2 cases: while the main cases are of social urgency²⁷, the second cases are usually of a lesser offence²⁸ 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 gender violence. Three months after coming to power the Socialist government presented the first draft of the *Comprehensive Law of Protective Measures against Gender-based Violence* (2004). 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 gender 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. 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.

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 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 romantic interludes with each other. Apart from Dani, who as a partner wears expensive suits, all women in the office show

²⁶ *Al filo de la ley* TVE webpage.

²⁷ 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.

²⁸ 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.

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very low cleavage; reinforced by both Estrada and Xifré constantly making 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 with justice being done, but the methods and professional ethics are highly questionable. 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.

Prison dramas

There has been one 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. The huge success of the series might be due to its uncomfortably realist mood.

Empirical Study vs Historical Overview

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 viewing²⁹ and the TV guide of the liberal daily newspaper *El País*. Virtually 100% of the sample were police shows (of a total 338 episodes/programmes). The sample was 99.5% imported programmes from Canada (6.5%: *Crime Stories*), Germany (16%: *Alarm for Cobra 11; The Last Cop*), Italy (11%: *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 dramas (65%), followed by documentaries (32%) and comedy dramas (3%). The vast majority of

²⁹ For statistics of audience share, please see Formula TV (2015).

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programmes were shown on Cuatro (52%) and La Sexta (31%); TVE2 aired 11% of programmes and Canal+ 5%. Half the programmes 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. Forensic science documentaries were aired every day (morning or night slots), suggesting a *CSI* effect in viewer preferences of content.

The historical overview suggests a fair amount of quality shows on a par with other countries. 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.³⁰ 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.³¹ The empirical study, however, returns a result of almost 100% imports. This might suggest that since Spain's recent economic crisis television had to resort to the much cheaper importation rather than production of TV shows. Concurrently, 'creating virtue out of necessity', it also encouraged producers to start securing international business again.³² This research presents two stories: Spanish television reaching global recognition and exporting its shows, while – at least in the empirical study – the exact opposite is the case. More research is needed; fruitful directions could be comparative case studies in content analysis of Spanish formats exported abroad.

Content-wise there was only one noteworthy programme in the sample: *Seré asesinado/I'll be Killed* (TVE, 2013) a Spanish feature-length, award-winning documentary about a Guatemalan lawyer allegedly murdered by the then president Álvaro Colom Caballeros. Shortly before his death in 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.'³³ 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. The portrayal of the honorable lawyer Rosenberg is sustained for a long time, mainly because the conspiracy theory has all the ingredients the viewer expects from a Central American political scandal involving corruption. The viewer only becomes suspicious when we learn that Rosenberg had a secret affair with a business woman entangled in the allegations. Castresana, who is Spanish and hence deemed neutral, explains dispassionately that he could not find any evidence of corruption. His conclusion is stranger-than-fiction: Rosenberg was so distraught by his lover'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, thus implicating the government in a scandal.

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

³⁰ Vaca Berdayes, R (2004: 60).

³¹ Smith, PJ (2003: 14).

³² Pablos, E de, (2013).

³³ For the English translation of the full video statement, see Rosenberg 2009.

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because, at the time of writing, a similar case has made headlines in Argentina.³⁴ 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.³⁵

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³⁴ For further details, see online newspaper reports about the death of public prosecutor Alberto Nisman, such as *The Guardian* (3 February 2015).

³⁵ For further details, see the following blog at <http://candidatos2011.gua.blogspot.co.uk/2011/04/asesinato-del-abogado-rodrigo-rosemberg.html>, accessed on 22 February 2015.

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