

## **Television, Justice and National Identity in Spain**

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## ARTICLE

# Television, Justice and National Identity in Spain

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Television dramas have an enormous discursive power to shape national identity in the form of shared experience and collective belonging. Both law and visual culture are dominant discourses constituting an imagined community, which creates meaning through storytelling and performance. Spanish television is a particularly good case study, since the medium has been a vital tool of identity construction at individual, collective and national levels in a country that lived through almost 40 years of dictatorship (1939–1975). Television was thus 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). This article examines law drama, law comedy and documentary/docu-drama over two periods of production/reception – the Transition from dictatorship to democracy in the 1980s and the first two decades of the new millennium – in order to compare changes in national culture and collective identity construction. 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.

**Keywords:** Spanish television; law on TV; workplace dramas; national identity; Spanish Civil War; Spanish comedy

## Introduction

At the beginning and the end of the twentieth century, Spain was a country in political and social transition. Although this is not dissimilar to other European countries, what makes Spain an interesting case study is the fact that from 1939 to 1975 the country endured almost forty years of nationalist dictatorship under General Francisco Franco. Whole generations were born into, and grew up in, a monolithic state which, at best, left little room for individual freedoms and, at worst, made a mockery of the justice system. Echoing connotations of religious symbolism, the nationalist tripartite motto '¡Una, Grande y Libre!' ('One, Great and Free') encapsulates national identity during the dictatorship. The motto refers to an indivisible state with suppression of separatism, hailing the colonial past to remember Spain's great empire and freedom from any communist influences. It also encompasses one race, one language (Castilian Spanish) and one culture in order to eradicate otherness in all its forms. National identity as an invention of the regime's elite created a dominant narrative of the nationalist victors and republican losers. Spanish identities progressed from the monolithic project of the nation in which social and cultural norms were dictated to the individual (particularly difficult for the Left as the losers of the Civil War) to the Transition from dictatorship to democracy, when suddenly the losers could speak freely (1975–1982). This was followed by very different political phases in which economic success became the driving force through integration into the (then) European Community (1986), and subsequently Spain became a key player in the neoliberal world in the late 1990s and the new millennium. Anderson (2006) highlights the importance of communication in the rise of national identity, in particular print capitalism in the nineteenth century. Today it is mainly television that disseminates cultural representations of Spanish social life. National heterogeneous identities reveal themselves through key issues such as gender, pop-legal education and justice in its different forms. In this article I examine law drama, law comedy and docu-drama over two periods of production/reception: the Transition from dictatorship to democracy in the 1980s and the first two decades of the new millennium. Shows of the 'Golden Age' of television during the Transition are a prime example of national, democratic identity in the making and, as a process of constant change, contradicting and contradictory identities display similarities and differences in the public debates. Most significantly, the ideological differences that go back to the Civil War (Nationalists versus Republicans) could now be expressed freely. These so-called 'two Spains' (the political right versus the left) are an integral, if implicit, part of any democratic debate in Spain and, although political divides are not dissimilar to other European countries, the acrimony with which the ideologies are defended can be explained by a lack of psychologically 'working through' the atrocities of the Civil War and Franco's dictatorship.

In this article I refer to Spanish television as a mediator of national concerns and a pop-legal educator. I contend that while the TV series discussed can be understood as reflecting and shaping identities, it is not only overt treatment of national concerns, but almost as importantly the representations of everyday lived experiences that give the series national authenticity. By 'national' I do not mean an explicit representation of *the* national identity, but rather a more self-conscious, televisual depiction of ongoing processes of legal, political and social changes. This does not imply banal nationalism (Billig 1995), but a trueness to Spanish reality and aesthetics through *mise-en-scène*, stock characters and actors. TV fiction lends itself to representations of national identities, because viewers appreciate domestic fiction they can relate to. This cultural proximity is achieved through representations of local narratives. Shows such as *Policías en el corazón de la calle/Police on the Street* (2000–2003, Antena 3) and *El Comisario/The Superintendent* (1999–2009, Telecinco) were successful through their marked distinction from US cop shows. Home-grown fiction makes character engagement and emotional attachment to the main characters easier. TV dramas represent the Spanish national imaginary and offer a rich variety of socially constructed cultures. Castelló rightly argues that:

[The characters] speak as they are expected to, they develop their professional careers in realistic cities (which are sometimes imaginary but which have the main features of the 'national character'), they interact with institutions in a legal system, they consume mass media, go to school and have fun in a way that is not merely the result of random creative inspirations. (Castelló 2009: 316)

Law shows at their best discuss issues of social urgency, and naturally the focus will be on national public debates. For example, divorce, the spectre of Francoism, and law and order in a democracy were controversial topics in the Transition. The pursuit and perversion of justice, as well as gender and sexuality, were prevalent themes in the more recent TV shows. In all shows the fictionalised debates share underlying assumptions regarding conservative versus progressive legal systems, and more generally the dichotomy between justice and law. Crime dramas do not solely deal with matters of criminology, but also social problems and the resulting ideological changes in law enforcement – the police force as a metonym for the nation. Castelló reminds us that:

Television is part of a complex social environment in which other important institutions have roles as 'nation builders'. However, it must be emphasized that television is currently one of the main links between people and their social environment, and that it is perhaps the most powerful tool of 'national' images. (Castelló 2009: 306)

The main function of the small screen, then, is to create identificatory processes and make us part of a social group of professionals. All shows invite viewers to participate actively in finding justice, and thus we become armchair lawyers and detectives. Although viewing habits have changed, social groups, both private and professional, still relate to each other when chatting about binge-watching a particular series or identifying with a certain character. It is this shared cultural practice that is also part of community creation and creating a sense of belonging. National identity is not normally explicitly stated in the episodes, but there is a noticeable texture and local production values that accentuate social realism which situate each show in Spain. Apart from the national language, other common markers of national identity are customs, traditions, shared histories and cultural practices. In a synecdochic move from legal system to national identity, the shows discussed below situate themselves in an implicit Spanish value system. It is important to note that identity is not a 'fixed state of being but a process of becoming [...], identity becomes a snapshot of unfolding meanings; it is a strategic positioning which makes meaning possible' (Barker 1999: 28). All the TV shows discussed have a loyal audience base; consumption and reception of the shows is a daily or weekly routine; therein lie their huge discursive potential and shared identities.

### Spanish Television in the Transition

Spanish television was used as a means of state propaganda (1956–1975), as primary educator of democratic values (1975–1989) and as creator of a social debate (1990 onwards). In the first phase *Televisión Española*, as the mouthpiece of the state apparatus, was a unifier of national identity by symbolically underpinning social values, keeping the population in political ignorance, while creating an illusion of happiness through sports and entertainment programmes, thus reinforcing the myth of national unity. The break with the past is most easily recognisable when looking at earlier examples of crime dramas. Narciso Ibáñez Menta's crime drama, *¿Es usted el asesino?/Are You the Assassin?* (1967, TVE), is the first, hugely successful, example of this genre. The story of the investigation into the assassination of a rich banker is stretched over nine episodes to ensure that viewers were kept hooked by the very slow solution of the crime (Merelo Solá 2009). An early example of US influences on European crime drama, *Visto para sentencia/Awaiting Judgment* (1971, TVE) is a Perry-Mason-style series that focuses on both the investigation of the crime and the court proceedings. Set in a courtroom, the 12 episodes deal with a different case 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 obtains an elementary televisual legal education: the hearings are enacted and legal proceedings explained. Given the historical time – four years before Franco's death – the dramas are limited to non-controversial cases of law and order, and always complimentary of the exemplary

work of judges and prosecutors (Marimon 1971). Social order is restored by the conviction of individual delinquents, keeping social issues clear of any politically motivated narratives which would have clashed with the censors.

The mythical series of the 'Transition' represent the social tensions and anxieties that radical social change invariably brings about. A supposedly uniform national identity was transformed to include a multitude of voices, 'weaving patterns of discourse into a centreless web' (Barker 1999: 7). Law was a vital tool in the creation of democracy, and lawyers and law enforcement officers were appointed to speed up this process. The TVE shows *Anillos de oro/Wedding Rings* (1983), *Turno de oficio/Public Defender* (1986) and *Brigada Central/Central Brigade* (1989–1992) realistically reflected the milieu of the Transition and its clashes between the new and the old Spain. Utilising the pedagogical potential of television, the protagonists are embodiments of social change who teach democratic values through narratives of professional and private lives. Their contribution to the process of redefining national identity should not be underestimated. The series discussed below fashioned identities as being constructed in multiple ways, allowing, for the first time in generations, different voices to be heard. Otherness under Franco included women, socialists and homosexuals. Women's social status rested on the image of a devoted, altruistic model of service to the family, and by extension to the nation. Being kept out of the public sphere under Franco, the leap to liberal self-realisation and subsequently a 'having-it-all' generation of women demonstrates the huge social changes that Spanish society underwent in very little time. An individual's freedom to redefine their identity seemed to have no limits.

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

This award-winning TV show focusses entirely on the topic of divorce. Ingeniously constructed as ongoing cross-cuts between the public and the private spheres, this self-conscious dramatisation of the potential collapse of the nuclear family explains the new concept of divorce to viewers. The debates are couched in a rights discourse and disagreement usually stems from different conceptualisations of rights-based justice. To be precise, *Wedding Rings* is aimed at a generalist interpretative community; there is little popular-legal education. The new divorce legislation is never elucidated in detail. Does there have to be a serious matrimonial offence (typically adultery or physical abuse)? Is it a unilateral divorce in which one spouse has the right to ask for a divorce without the consent of the other? Neither of those questions seems to matter, as it discusses 'real' cases of marital melodramas.

Lola Martínez Luque's (Ana Diosdado) bourgeois family life and Ramón San Juan's (Imanol Arias) bohemian life-style feature heavily in each episode, making their own private lives a vital part of the ongoing divorce debate. Secondary characters introduce the views of the past as an important reminder of the fascist factions that were still very much part of the democratic Spain, re-enacting the old battle lines of the two Spains, albeit in verbal rather than material form. Their reactionary landlady, Doña Trini, insults everybody who seeks advice in the lawyer's office, lectures on the sanctity of marriage and confronts clients who want to know more about 'this new divorce law'. For many people the stability of law and order was preferable to the perceived uncertainty and instability of a new democracy. The variety of cases allows the viewers to empathise with the spouse who wishes to leave, and this empathy through storytelling gives the viewer indirect educational value. The diversity of voices also allows for a range of 'character engagement' in the sense of 'the mental responses viewers have in relation to characters' (Plantinga 2009: 111) in the televisual divorce debate. Lola is mindful of the complexity of cases; for her there is no obvious guilty party, and justice does not necessarily lie in divorce. As a middle-aged woman she would have gone to university and studied law during the dictatorship; she would also have been brought up to believe that 'women are the repository of the nation's spiritual values' (Brookbanks Jones 1997: 2). She can thus relate to clients who cannot fathom the concept of, and right to, divorce. Reason and harmony prevail in Lola's dealings with the estranged couples, whereas Ramón is a self-proclaimed lawyer of the new democracy and, as an anarchist, a proponent of free love. Ramón passionately imagines justice in divorce and gets frustrated when he realises that changes in the law do not immediately translate into social change. Lola is not so much a representation of a feminist in the early days of the democracy, but rather a woman who struggles in her profession and thus can be read as a prototype for women in the workplace (Folguera 2015: 97). The extent to which Lola struggles is never more obvious than in the summarising sections of the narrative: when Lola explains her cases to her husband, while cooking a meal – a pertinent reminder that it seems 'natural' to ask women to manage professional and private duties simultaneously. Just looking at her screen presence you could be forgiven for thinking that she is mainly a housewife who also goes to an office in the afternoons. However, once at work, she takes great delight in putting male clients in their place when they assume she is just a secretary. Cultural narratives are both written into and resisted through her character: Lola wavers between being a confident woman who combines her double burden of mother-of-three and divorce lawyer superwoman, on the one hand, and a mother, constantly on the verge of a nervous breakdown due to her taxing day job, on the other. Evidence for both constructions can be found in the text. In the latter case she invariably turns to her husband Enrique and/or law partner Ramón for support.

### ***Turno de oficio/Public Defender (Season 1: 1986, TVE, Season 2: 1996, TVE)***

In this series three lawyers represent three different archetypes: Juan Luis Funes (Juan Galiardo), the experienced lawyer nicknamed *el Chepa* (the hump) (which refers to his irritating habit of annoying those in power); Cosme Fernández (Juan Echanove), novice lawyer and son of a famous notary; and Eva García (Carmen Elias), with a few years' experience under her belt, still idealist and definitely feminist, and thus representing a new generation of women lawyers. The

cases range from minor misdemeanours to heinous crimes, as well as the obligatory miscarriage of justice as a staple of the visual law genre. Viewers learn from the lawyers' conversations (with each other), which run through the series like a jurisprudential commentary on its on-screen legal system. For example, the rookie Cosme's and the veteran *el Chepa*'s conversations explain legal concepts that were new and unknown to the Spanish public (the public defender's function, *habeas corpus*, the presumption of innocence, due process, individual rights). As the legal system moves from a totalitarian state to a new democracy, from 'law and oppression' to a liberal legal system, generally considered a 'carbon copy' of German post-war law, our lawyers teach their audience not to ask 'what has the criminal done' but to ask 'how did they get there', taking into consideration social and personal conditions as mitigating circumstances. *Public Defender* invites its viewers to consider a more liberal approach for offenders and their rehabilitation, a marker of the changing national education and consciousness.

In law shows feminist issues are usually dealt with as individual cases and/or by judging the public performance and private life of the female lawyer. Eva García is young, self-assured and vociferously feminist – another child of the democracy. At the time of the crumbling dictatorship in the late 1960s she would have witnessed student protests at the University of Madrid, inviting her to become an agent of change. Her self-confidence is a marked difference to the constantly doubtful Lola in *Wedding Rings*, bringing the generational difference into sharp focus. Eva does not need a man to lean on. However, her outstanding professional ability does not save her from misogynist treatment by colleagues and clients. Archetypically for female lawyers, she invests a lot of energy in the emotional labour of her cases, while also being the personification of Lady Justice. In a domestic violence case, she takes care of the victim's child and makes sure the victims can start a new life elsewhere, thus going far beyond the call of duty. In another case she uncovers a miscarriage of justice and reminds the contemporaneous viewer of the importance of a liberal legal system and the abolition of the death penalty in the 1978 Constitution.

In the second season (1996), in an almost nostalgic continuation, ten years have passed. The viewers are eager to know what has happened to the trio. *El Chepa*, a past master, is now openly alcoholic. He is sidelined by the narrative and serves more as a guide on the side rather than enjoying the sage-like status he had in the first season. Cosme has become a *juez instructor*, an investigating judge who has wide powers to clarify the circumstances of an offence (Merino-Blanco 1996: 174) and hence there are staple scenes of careful questioning of the suspects. The signalling effect of these interrogations lies in the respectful attitude of Cosme. His belief in social justice is unaltered and can be seen in action when he interrogates the suspects, demonstrating a non-judgmental approach. Apart from the usual spectrum of misdemeanours to heinous crimes, the second season deals more prominently with international organised crime, notably the drugs trade from Latin American countries, symbolically linking the 'bad new days' of the young democracy to crimes that would not have occurred during the dictatorship. Equally, the Eva García storyline introduces an international element, as she returns to Madrid after ten years as a human rights lawyer in El Salvador. Bitter, drained and disillusioned, she just wants to get married and live happily ever after, a sentiment shared by many feminists of her generation. Another young female lawyer enters the law practice: Mapi, *el Chepa*'s assistant, who represents the female lawyer of the mid-90s, the first generation that was brought up in a democracy. Given her preference for corporate law, she seems an odd choice for the self-proclaimed 'Saint Francis of Assisi of the small-time crooks'. The ugly face of capitalism has become female. Predictably, she falls in love with *El Chepa*. As a symbolic nod to the sexual liberty of the post-Franco era, she also spends a night or two with Cosme; in fact, everybody sleeps with everybody in the course of the second season. The development of the profession of lawyers, in its televisual representation, can be read as an index of the shift in national identity from idealistic young democracy to full integration in the neoliberal world order. These lawyers have become old, bitter and tame. Only Cosme still fights in the name of democracy and social justice with quixotic obstinacy.

### ***Brigada central/Central Brigade (1989–1992, TVE)***

Another 'mythical' show of the 1980s is *Central Brigade*, with Imanol Arias, known to the audience as Ramón San Juan in *Wedding Rings*, in the lead role of Superintendent Manuel Flores. Flores leads an elite force trained to combat international organised crime. Like San Juan, he personifies the young generation that builds the new democracy in the 1980s. He shares San Juan's radical approach to social change, and hence is equally frustrated by the slowness of the same. The transition from police state to law enforcement agencies that respect the human rights of the perpetrators, and follow due process, was a painfully long endeavour. Throughout its history the involvement of military and police figures in politics was a common means of social control. As recently as 1981, Colonel Tejero of the reactionary Civil Guard organised a coup d'état in an attempt to bring Spain back under military/police rule. Furthermore, the general view amongst Spanish citizens was that the old guard, who were officers in the regime's police force and reluctant to change, were still governing, despite theoretically having been reformed during the transition. Indeed, in the early to mid-1980s nine of the thirteen Police Headquarters were headed by former members of the so-called Social Investigation Brigade, a Francoist secret police corps (Miralles 1989: 129). As a representation of the changing values in one of the most conservative Spanish institutions (and thus a synecdoche for the nation), the clash between the 'two Spains' is played out daily. As architects of a new police force, Flores and his team fight on two fronts: they solve a case of international crime, a storyline which is concluded by the end of each episode, while also exposing and eliminating corrupt officers as an ongoing plotline. This is a recurring theme throughout the series, and attests to the sheer magnitude of corruption. Importantly, corruption is not depicted as police taking bribes, or colluding with criminals, but rather



police officers taking the law into their own hands, ignoring due process and the presumption of innocence. Arbitrariness and mild forms of torture rule the investigation process. Old officers, trained during the dictatorship, arrogantly claim that brute force is a normal investigation technique, and worse still, that it achieves the right results, i.e. a confession and 'neat' solution of the crime. Despite huge personal risk, the new generation demonstrates a degree of moral integrity that a Spanish audience would have found surprising so shortly after the dictatorship. It is hard to imagine that viewers warmed to the obnoxious Superintendent Flores and yet the series was a huge success. This suggests that its main attraction was the tension between the different worldviews of law enforcement. The viewers' vicarious wish fulfilment revolves around the fact that the young police force of the new democracy breaks with fascist law enforcement techniques. Furthermore, the first series is not Madrid-centric, but also features other crime capitals of Spain: Barcelona, Palma de Mallorca, Alicante, and Málaga, portraying a strong regional identity, albeit a negative one. Making the autonomous regions an integral part of the narratives was testament to the new, decentralised Spain, and likely to have been a political decision by the producers.

By the second series (1992), Spanish national identity is constructed against an international other. Thanks to a co-production with German and French television, plots are often set in European capitals. Interestingly, viewing figures dropped sharply, which suggests that the audience was not ready for international storylines. Nevertheless, the iconic status of the series is such that, at the time of writing, a third and fourth series have been planned (Formula TV 2020). Imanol Arias will return as a veteran police officer with a view to settle all the unresolved storylines in both Flores's professional and private lives. The cases will involve transnational organised crime on European soil, and one of the main characters will be his half-brother, who has also joined the police force, suggesting a return to the haunted past of the Flores character.

### Comedies

Comedy is a prevalent genre in Spanish culture (literature, cinema, television). Spanish national television broadcast its first sitcom, the *Tele-Rodríguez*, as early as 1957, and it has since been a much-loved format in the programme schedules (Gordillo Alvarez 2015: 79). The choice of genre is indicative of cultural identity: 'Genre is culturally packaged and provides keys for interpreting the "imagined community"' (Castelló 2009: 308). As will become clear in what follows, Spanish humour is often self-deprecating, almost proudly celebrating mediocrity, ridiculing social issues or poking fun at Spanish stereotypes. The most common typology Buijzen and Valkenburg (2004: 148) classifies humour into three main categories: relief (release of nervous energy to overcome socio-cultural inhibitions and reduce tension in social encounters), superiority (group dynamics between superior and inferior social groups) and incongruity (unusual associations, through violations of what is socially and culturally normal). Can humour be used strategically to bring about social change? Comedy scholars are divided regarding comedies' subversive or conservative potential. While some scholars consider it an ideal format for subversion, others contend that it contains no subversive content. In what follows I will argue that comedy is full of social criticism, precisely because the stakes are so low. It is a safe space to experiment with novel notions of social change in order to challenge the audience to imagine a different future.

#### *Los hombres de Paco/Paco's Men (2005–2010, Antena 3)*

This successful crime comedy is set in a fictional underprivileged neighbourhood in Madrid. Lorenzo Castro (played by renowned actor Juan Diego) is the stock character of an irritated superintendent dismayed at his staff's poor performance. Sarcasm as superiority humour features heavily in his communications. Undeniably, Inspector Paco Miranda and 'his men' have a random way of solving crimes and success is often by accident rather than design. Worse still, procedures are botched, and during the staple interview room scenes suspects run rings around officers. The added relief humour (slapstick techniques) delivers the perfect caricature of the national police. Professional and private affairs are so intertwined that they mock the *amiguismo* (cronyism) that is stereotypically associated with Mediterranean cultures. *Paco's Men* is an excellent example of a workplace comedy, but, true to the genre, also contains personal storylines. A recurring scene is the endless intrusion into other people's affairs (in all senses of the word), adding humour to otherwise compromising situations. Relief humour is brilliantly deployed on the issue of homosexuality – a good example of how serious issues are developed in a light-hearted way. In the second season police officer Quique is assisted in the process of coming out. Through the use of relief humour the colleagues' genuine endeavour results in a very heavy-handed exercise with unintended consequences, so much so that Quique denies his homosexuality. Despite this farce we learn how very difficult a sensitive coming-out process can be from either perspective. The masculine environment of law enforcement is not conducive to the genuine acceptance of a queer colleague. In a superb scene in the locker room (the interspace between public and private), a straight cop demonstrates his acceptance of gay culture by dancing provocatively to a Boney M song. After an initial misinterpretation, Quique is overjoyed and both put on an impromptu gay strip show. *Paco's Men* became celebrated for its representation of homosexuality. In seasons six to eight a lesbian relationship is introduced between officers Pepa Miranda and forensic scientist Silvia Castro (the former is Paco's sister, while the latter is Don Lorenzo's daughter). Don Lorenzo is doubly challenged, first to accept his daughter's sexual orientation and second to allow marriage to a Miranda. Such was the international appreciation of *Paco's Men* that when Silvia was assassinated in season 8, there was an international campaign in more than 50 countries to save the character from being taken out (Ramos Pérez & Fernández Casadevante 2011). The series' success suggests that the scriptwriters of *Paco's Men* erred on the right side of humour and stereotyping (a vital ingredient to make humour work). Poking

fun at the national police is socially accepted and entertaining, and as such this series becomes an excellent conduit for other, more important, social issues to be represented to effect social change. Humour as catalyst for social change, then, is not so much about policing, as about behavioural change in a conservative national institution.

### **LEX (2008, Antena 3)**

LEX is an excellent example of an *esperpento*, a Spanish genre that represents reality in grotesque exaggerations. The three partners Daniela León, Mario Estrada and Gonzalo Xifré (LEX) thus become stock characters. Dressed in elegant attire, Daniela is the archetype of a female lawyer who is more capable, decent and serious than her male partners, and thus reminiscent of Ana García in *Public Defender*. Meanwhile the 'boys' Mario and Gonzalo objectify both their female staff and clients with behaviour that is outright harassment. Evocative of *Ally McBeal* in its bizarre range of cases, legal argumentation in LEX is nonetheless used to discuss social issues. Legal cases and private storylines are developed in parallel, which reinforces the issues at stake. One of the leitmotifs is the profession itself and the im/morality of their methods. Estrada brags about his 'pragmatic' way of lawyering, only to be interrupted by a rookie lawyer who lectures him on 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.

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

The intertextuality with American law films and by extension popular culture is interesting. For a lawyer to blame idealist representations of justice in films and television is nothing particularly astonishing. Lawyers, as much as other professions, often complain about the creative licence that scriptwriters and directors take. The legal profession criticises the distorted representation of process and procedures, or the fact that most cases do not end in a trial but an out-of-court settlement. Estrada's assertion that justice equals winning the court case even if the client is guilty feeds into our imagination of corrupt lawyers. Estrada does not display any hint of self-criticism of his own immoral, and sometimes illegal, behaviour. From a transnational perspective it is also noteworthy that he refers to American films, rather than Spanish ones. This attests to the fact that Spain imports a large number of American films and TV series. At a more subtle level it could also imply that Spanish culture is refreshingly different from American ideals, looking down on the moral rectitude of the classic American lawyer films, suggesting that a lawyer in Estrada's law firm cannot afford the 'luxury' of integrity. Estrada's courtroom performances are a *tour de force* of eccentric approaches, again reminiscent of *Ally McBeal*'s courtroom circus acts. The main humour category here is incongruity: the narrative – both of the client and their legal representation – goes to such an extreme that it makes light of serious issues. Notwithstanding the high entertainment value of this legal *esperpento*, from a more serious perspective it also makes us aware of the viewers' own assumptions about the legal profession. Some viewers will agree that positive law does not necessarily deliver justice, at least not for a layperson's natural sense of the same. The archetype of the *pícaro*, a loveable rogue who outwits his friends and foes in a corrupt society, has been an integral part of Spanish cultural identity since the sixteenth century. Lawyers being *pícaros* themselves is a comedic, yet cruel, indictment of a profession who ought to be in search of justice.

### **Los misterios de Laura/The Mysteries of Laura (2009-present, TVE)**

The jewel in the Spanish comedic crown is *The Mysteries of Laura*. This prize-winning series was an instant success and subsequently adapted in Italy, Russia, Holland and the US. Unlike *Paco's Men*, Laura Lebel (María Pujalte) solves murder mysteries with uncanny ease, although as a mistress of the ditsy-woman act she regularly seems to hamper her own investigations with her absent-minded and chaotic way of working. Unlike *Paco's Men*, in which the entire police station is the butt of jokes, in this series Laura is the main object of humour, or so it seems at a surface level. Laura Lebel's clumsiness is her trademark. At best, she bumbles around looking ineffective; at worst, she literally stumbles across evidence and contaminates the crime scene. Humour as a sense-making activity is based on identity and personal beliefs, and Laura's self-deprecation is an integral part of her personality. Her humour can be read as a powerful strategy based on self-confidence which endears her to the viewer, making her look human, while diegetically she outwits the suspects, luring them into a false sense of security. Intuition is her trump card and wins over reason and modern forensic science, a comic indictment of crime series such as *CSI*. Female intuition is not only part of professional success, but also a source for ridicule. The latter comes from Laura's main antagonist, Lydia Martínez, who is methodical, analytical and relies on scientific evidence. Predictably, she considers Laura an amateur. As such Lydia should be the winner of all implicit competitions between colleagues, but, very much to the viewers' delight, Lydia loses those battles regularly. In those scenes the humour is at the expense of Lydia and, by extension, professional women of the ice-queen variety.

Similarly to *Paco's Men*, relationships, both professional and private, give the series the feel of a family drama. Cross-cuts are an integral part of the format, suggesting simultaneous action, and both private and professional 'families' appear equally dysfunctional. The fact that the superintendent is Laura's ex-husband Jacobo (Fernando Guillén Cuervo),

who had a fling with Lydia, complicates matters of office politics. It also introduces the theme of the *doble jornada*, or double shift, of a professional mother. Jacobo regularly reminds her that the boys do not have a stable home any more – a bizarre accusation given his infidelity and one that is angrily rebutted by his ex-wife. Most interestingly, there are two stock characters that are closest to the viewer's own position: the sidekick and the mother. Martín Maresca (Oriol Tarrasó), ten years her junior, an eternal charmer, cares deeply about his boss and might even be in love with her. He admires Laura's superior mind, but his own professional, male pride channels this into an attitude of incessant teasing of his boss, particularly when she comes up with yet another wildly unreliable murder theory. Since we are as oblivious as Martín, we side with his scepticism. Laura has found her match in her incomparable mother, for it is she who sometimes drives the detective work forward. The mother's function is that of an innocent bystander outside the police station, who approaches the mystery with nosy nonchalance. Hence her function is close to the viewer's own position, when we watch the series trying to guess what is going to happen next. The mother's authority is undercut by her meddling and annoying habit of disturbing Laura in the most awkward situations. All's well that ends well, though, since by the end of every episode Laura has solved the murder mystery, Martín admits his admiration for a fleeting moment or two, and even Jacobo commends Laura to his superiors, partly to cash in on her achievement.

### Docu-dramas

The twenty-first century has witnessed a new boom in docu-dramas (Gordillo Alvarez 2015: 85), and it is noteworthy that this popular genre deals with two familiar issues: the Transition and corruption. The former concerns historical events, such as the assassination of Franco's successor (*El asesinato de Carrero Blanco*, TVE/ETB, 2001); Franco's last days (*20-N: los últimos días de Franco*, Antena 3, 2008); the attempted coup d'état in 1981 (*23-F: el día más difícil del rey*, TVE, 2009); historic figures such as Adolfo Suárez, *presidente* (Antena 3, 2010), and King Juan Carlos (*El rey*, Telecinco, 2014). In marked contrast to the legendary series examined above, in which stories of daily lived experiences beautifully bridge the gap between the private and public spheres, these mini-series recount the intricacies of the political changes, and give an almost nostalgic insight into the historic weight that was resting on the shoulders of the statesmen of the era.

Corruption is still an ongoing issue that is particularly well rendered in two docu-dramas. *El bloke – Coslada Cero* (TVE, 2009) is based on a true story of police corruption in Coslada, Madrid. 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. 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. Similarly, *Operación Malaya/Operation Malaya* (TVE, 2011) is a cross-over between a police and lawyer show. Based on a true story set in Marbella, it deals with corruption in urban development (e.g. bribery and embezzlement of public funds). Similarly to other justice narratives, we learn how complicated it can be to prove corruption and how high the personal price is that the investigating team pays in the pursuit of justice.

By far the most gripping docu-drama is *El caso Wanninkhof/The Wanninkhof Case* (TVE, 2008). It deals with the cold-blooded murder of Rocío Wanninkhof (1999). Dolores Vázquez, the lesbian ex-lover of the victim's mother, was found guilty in a trial by jury, on the basis of nothing but circumstantial evidence. In a shocking case of trial-by-public the police, the judicial system and the media side with Alicia Hornos, Rocío's mother, who is convinced that Vázquez killed Rocío in an act of jealousy. Part One of the docu-drama introduces us to the private lives of Vázquez and Hornos through the prism of the police investigation. Dubious interrogation methods and substandard DNA evidence suggest a botched police investigation, and their construction of an uncorroborated hate narrative against a supposedly cold and calculating lesbian. When the defence lawyer Pedro Apalagetui repeatedly objects, he is ignored by the judge, who openly sides with the prosecution and continually refuses to admit evidence for the defence. The police and judicial system, pressurised by the preceding trial by media, fabricate a case, a motive and a criminal – a clear case of Bourdieu's notion of 'transfer of the power of judgment' from the judicial system to the media (Bourdieu 1998). Part Two deals with Vázquez's appeal and, more importantly, the second sexually motivated murder of a young woman by the real killer Tony Alexander King, a British expatriate, in 2003. The DNA of both murders matched that of Tony King, and Dolores Vázquez was eventually fully exonerated. The case can be considered one of the most serious miscarriages of justice in recent history. It is noteworthy that trials by jury had just been re-introduced in 1995, after having been suspended in 1923 due to an infamous miscarriage of justice. In the so-called Cuenca Crimes, two peasants were found guilty of a murder that was never committed (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; Igartua Salaverría 2004).

### Conclusion

In an interview years later, Pedro Apalagetui explained 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' (León Gross 2013). Disillusioned by the Spanish justice system, he was convinced that those with political power did not want the system to work: 'they're more comfortable if it works badly, as it's easier to manipulate' (León Gross 2013). Having been one of the young lawyers during the Transition, when the media played a vital role in democracy-building, he further laments the marketi-



sation of the media without strict laws to regulate it, leading to trials by media. The Wanninkhof case illustrates that sometimes justice is ultimately only restored thanks to the tenacity of an individual lawyer, who fights with a quixotic stubbornness reminiscent of Cosme in *Public Defender*. They are the same generation and share the same ideals: an independent legal system and the fourth estate as vital new nation builders during the Transition. In 2016 Apalagetui (Sur 2016) was rewarded for his moral rectitude when he received the Medal of Merit in recognition of services to Law, with a special mention of his defence in the Wanninkhof case.

One constant feature of national identity is the juxtaposition of identities pertaining to the two Spains. Spain is still haunted by its ideologies, which today become symbolic re-enactments of the Civil War. The changing national identities of a society are associated with liberal values such as equality and tolerance; the synecdoche for the latter is the treatment of homosexuality; the former can be best traced through women's progress. If identities are constructed through TV representations, then strong female protagonists will have had a huge role model function. For example, Lola in *Wedding Rings* is a career woman without any feminist agenda and yet a strong role model for a whole generation (Folguera 2015: 97). Eva in *Public Defender* is a feminist, socialist and brilliant advocate of women's issues, making the claim to equal rights for her real-life sisters a little bit easier. Mapi in the second series of *Public Defender* is a bossy corporate lawyer, and thus a personification of professional women being masculinised by their environment. Equally, Dani in *LEX* battles the inherent phallocentrism of the legal profession, while the protagonist of *Mysteries of Laura* makes professional success look easy, when single motherhood remains a challenge. By the noughties there is a much wider variety of female roles and thus women have various options for character engagement leading to their own construction of multi-faceted identities. Similarly, cautious representations of homosexuality can be found in *Wedding Rings*, while more convincingly foregrounded at case and the level of colleagues in *Public Defender 2*, in which the non-judgmental Judge Cosme signals social change. *Paco's Men* openly celebrates homosexuality to the point of public outcry when the audience's favourite lesbian couple is killed off. Today most TV series represent gay characters to normalise their social roles. Both social groups have progressed from oppression under Franco to equality of opportunity in 20–30 years; they are now on a par with the most advanced nations. That arguably makes Spanish society at the forefront of progressive change in the context of all European countries.

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Website thumbnail image. Daniela 'more capable, decent and serious' than her male partners. DVD cover of *LEX*, Globomedia, Antena 3 Television.

### Competing Interests

The author has no competing interests to declare.

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