SPANISH LEGAL CULTURE: BETWEEN STATE AND SOCIETY

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ABSTRACT

This dissertation deals with the transformations of the Spanish legal professions within the last twenty-five years (1975-2000) in terms of cultural values, professional groups, and institutional infrastructures. Although the Spanish transition towards democracy has received wide attention from scholars, particularly from historians and political scientists, very little is known regarding the sociological profile of legal professions and the situation of the administration of justice in this period. The core hypothesis is that changes in attitudes, values, and behavior patterns of Spanish judges, prosecutors, and lawyers are relatively independent of politics and government. Rather, these changes mainly result from specific socio-demographic and organizational processes. The most visible changes are the generational renewal and the new gender composition of legal professions. First, judges, prosecutors, and lawyers have become much younger. Second, women have massively entered all professional spheres. Third, in the specific case of lawyers, a demographic explosion has taken place, with the subsequent enlargement and diversification of lawyering services. Furthermore, the effort to modernize the organizational structures and procedures of the administration of justice has been remarkably intense during the period considered, even if the judicial system is still rife with perennial deficiencies. These sociological parameters operate as a general framework to approach a more specific analysis of values, attitudes, and behavior patterns of legal professionals in particular settings. Thus, stemming from qualitative data gathered throughout extensive fieldwork in legal institutions, I explore the paths that statistical data suggest concerning specific characteristics of the Spanish judicial system.
and the legal profession. On the one hand, I consider the structural and organizational nature of the problems within the administration of justice. On the other, I analyze the emerging traits of the professional culture of young lawyers. To conclude, it can be said that what shapes Spanish legal professional culture is a delicate equilibrium between significant reforms and both institutional and procedural obsolescence, hierarchy and free discretion, organizational routines and creativity. Ultimately, Spanish legal culture is a mix of the traditional values of statesmen and the ones shared by members of civil society.
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