

SPANISH YOUNG LEGAL CULTURE: BETWEEN THE STATE AND SOCIETY

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ABSTRACT

This thesis deals with the transformations of the Spanish legal professional spheres within the last twenty-five years (1975-2000) in terms of culture, organization, and profession. Although the Spanish transition towards democracy has been widely analyzed from different social science standpoints, very little is known regarding the internal transformation of the judiciary, and its repercussions upon the overall transition process. Yet, the effort to modernize the organizational structures and procedures of the judicial administration has been, together with the renewal of its professional staff, remarkably intense during the period considered, even if the judicial system is still rife with perennial deficiencies. These initial considerations operate as a general framework to approach a more specific analysis of professionals' values, attitudes, and behavior patterns in particular legal settings. Thus, stemming from qualitative data gathered throughout extensive fieldwork in legal institutions, I explore the paths that statistical data suggest concerning general aspects of the Spanish judicial system. On the one hand, I consider basic sociological profiles such as professionals' youth or feminization. On the other, I present values and behavior patterns such as judicial independence, cooperative behavior, partisanship, client-oriented relationships, and flexible decision-making in courts. At this step of the research, 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, and, ultimately, between the State structures and the society.

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