



From *Judge Judy* to *Judge Rinder* and *Judge Geordie*: humour, emotion and ‘televisual legal consciousness’

Helen Wood^{1*}

¹Department of Media and Communication, University of Leicester, Editor of the *European Journal of Cultural Studies* and principal researcher at CAMEo, the Research Institute for Cultural and Media Economies, University of Leicester

*Corresponding author. E-mail: Hw177@le.ac.uk

Abstract

This paper attempts to counter legal studies’ common reading of court TV shows by starting with an understanding of them *as* television, rather comparing them to ‘real courts’. It analyses two recent examples of British court TV shows – *Judge Rinder* (ITV, 2014–) and *Judge Geordie* (MTV, 2015) – to draw out how the text’s *form* establishes particular kinds of ‘televisual legal consciousness’. *Judge Rinder*’s daytime address and his camped authority allow a frame in which humour can disarm conflict and reveal wider political injustice. *Judge Geordie*’s irreverent upturning of the judged into judge draws upon the registers of youth reality television to privilege affect and emotion. In staging some of the tensions between law’s masculine rationality and popular culture’s feminine emotionality, these shows enact their interdependence. Such an analysis that includes attention to form, address and genre allows us a deeper exploration of the relationship between television, law and the everyday.

Keywords: TV judges; television form; humour; affect; emotion; legal consciousness

1 Introduction

Reality courtroom television has found a popular home across American and British television, exploiting the dramatic qualities of the court for television entertainment. In the US, the popularity of ‘syndi-court TV’¹ means that the most successful shows like *Judge Judy* (Paramount, 1996–present) and *The People’s Court* (RC Entertainment, 1997–present) have regularly received in excess of 5 million viewers since their arrival in the mid-1990s. CBS has recently acquired the rights to *Judge Judy* and recommissioned it until at least 2021.² Much of the existing academic literature from legal studies has worried about these shows’ influence over ‘the public’ in terms of how they must distort understandings of the ‘real’ courtroom and of judicial process, assuming a fairly easy direct effect on audiences. Whilst media studies have more often focused on questions of representation and demonstrated how judge shows fit an ideological neoliberal agenda of educating audiences in lessons of self-responsibility, what is missing from both of these accounts is an analysis of how television’s *form* – that is how its particular *mode* of production and reception – shapes the broader characteristics of the representation of law and adjudication. This paper will attempt to address this omission, in part by returning to some classic arguments about television form.

In order to do this, I will look at two recent developments in court TV – *Judge Rinder* and *Judge Geordie*. As late as 2014, British television commissioned its home-grown daytime version in the form of *Judge Rinder* (ITV, 2014–present) and, around the same time (although short-lived), MTV produced a British show called *Judge Geordie* (MTV, 2015), which was a spin-off from their popular copy of the reality show *Jersey Shore* called *Geordie Shore*. Paul Robson (2007) in this Journal has already argued that the US and the British contexts have spurred very different genealogies of law

¹Syndi refers to their presence on mainstream syndicated channels in the US.

²Available at <http://variety.com/2017/tv/news/judge-jury-library-sheindlin-rights-25th-season-1202518969/> (accessed 20 September 2017).

on television but, in this paper, I want to use these two recent British examples to make a case for understanding court television *as* television. Rather than comparing the programmes to ‘real courts’, this paper interrogates how television’s style, address and relationship to genre are central to determining the programmes’ representation of law. This means understanding television’s particular generation of intimacy and its evocation of personal and emotional realms, which allows us to ask different questions about the relationship between television, law and the everyday. Such an analysis suggests drawing out a kind of televisual ‘legal consciousness’ (Ewick and Silbey, 1998) driven by humour, affect and emotion, which can push at the boundaries of normative understandings of law’s attachment to detached reason.

2 Court TV as television

Critics have worried that audiences will not understand that court TV is not a *real* court. Despite the staging of the courtroom theatre – the wood, gavels, wigs and gowns – court TV is actually a form of arbitration, with the damages paid by the television company. English courts actually do not use gavels (or flags) and the presence of this symbolic referent in *Judge Rinder* owes more to the programme’s deliberate intertextual reference to its transatlantic counter-part *Judge Judy*. Barbara Villez (2010) is concerned that the dominance of US court narratives on French television is causing confusion for French audiences’ understandings of their own legal system. Interestingly, this is a position that she adopts without having undertaken any audience research, whereas audience research that *has* tested out theories of cultural imperialism has tended to show complex locally produced systems of meaning (Liebes and Katz, 1990; Miller, 1993). Villez’s argument develops from more grave concerns about the relationship between popular culture and law, where there is anxiety over the blurring of their lines of distinction, thus confusing the audiences’ understanding of ‘real law’. For writers like Richard Sherwin, the legal logic produced in the service of the television and film image economy leads to a ‘flattening out’ of legal meaning that can only bring an ultimate ‘institutional breakdown’ when the ‘judiciary converges on the same set of images as the mass media’ (Sherwin, 2000, pp. 4–5). Whilst Villez (2010) is certainly more optimistic about the pedagogic potential of television to support understandings of ‘real law’, there is still a problematic over-easy assertion about the relation between television and its acculturation of belief systems or, more reductively, its direct ‘effects’. For Sherwin (2000) in particular, it seems any ‘proper’ understanding of ‘law’ must not be contaminated by ‘the media’. There are two main simple points to be made here: one is that ‘media’ is a plural term and that media texts reflect distinct generic constructions of codes of which audience research has consistently shown viewers are well aware³; and the second is that audiences do not consume any single ‘media’ or text in isolation from other social and cultural processes, so it makes no sense to assume that any single media, text or form has any singular direct ‘effect’ on an audience (e.g. see Barker and Petley, 2001).⁴

Ewick and Silbey’s (1998) approach to understanding law in everyday life, through a series of personal stories and narratives, offered a shift ‘away from tracking the causal and instrumental relationship between law and society toward tracing the presence of law in society’ (p. 35). They draw out how ‘legal consciousness’ is understood and enacted and refer to a broader ‘fabric’ of legality. I want to make a similar (non-causal) argument for understanding the relationship between law and television, and suggest that television can enact legality in various ways depending upon questions of mode of address, style, scheduling and genre that all make up the way in which television is able to frame the legal. Therefore, I would argue that television’s *form* is able to constitute its own kinds of ‘televisual legal consciousness’.

In the case of court TV, critics from legal studies are particularly troubled by television’s potential to disrupt the public’s respect for the law. For instance, Kimberlianne Podlas, in her aptly entitled

³There is now a body of television audience research that is too to recount here, but for useful summaries; see Nightingale (2013).

⁴Some refer to a longer process of ‘acculturation’ of media influence that is possibly closer to the position of Villez (2010).

article ‘Blame Judge Judy’, writes: ‘As these shows rely on aggressive, often unsympathetic judges, laughable litigants, and simplistic legal results, they might reduce the respect for the justice system and pervert understanding of the law’ (2001, p. 557). Through a survey of jurors, Podlas finds that their expectations of judges’ behaviour (to be aggressive and to search for easy solutions) are drawn from understandings of television shows that project an unrealistic understanding of the ‘real’ court. Buried within Podlas’s findings, but given short shrift, is another understanding – that the TV courtroom might actually help to remove barriers to litigation.

Television’s turn to ‘ordinary lives’ as it finds new business models in the age of dwindling advertising revenues has also achieved an opening-up of access to representation for many different and often marginalised social groups (Gamson, 1998). What to make of this phenomenon has been dominated by evaluative debates about the television talk show and ultimately reality television (arguably the television courtroom’s close cousins). More ‘public-issue’-oriented shows have been credited with providing a forum where formal institutions meet the public, leading some to describe them as infotainment or ‘democrataintment’ (Hartley, 1999). Drawing upon critiques of the masculinist public sphere, talk shows have also been lauded for offering feminist space for women’s narratives (Shattuc, 1997), whilst the broader turn to a confessional culture has seen ‘first-person media’ theorised as part of the social transformation of public intimacy (Dovey, 2000). However, later developments in ‘factual entertainment’ that have relied on ordinary people’s narratives of self-transformation and ‘ordinary celebrity’ have been seen to create a ‘demotic [rather than democratic] turn’ (Turner, 2010) and programmes that offer personal spectacles of failure and generate new modes of judgment, serve the commercial demands of the industry more than any democratic drive (Skeggs and Wood, 2012). I have of course glossed over these broad debates here, but it is important to note that I am not arguing for any straightforward celebration *or* demonisation of court TV; rather, I am trying to tease out the ambiguities generated by television and its cultural *form* as the main focus of this paper.

Research focused more on the way in which television produces its *own* discourse draws on television’s inherent ‘entertainment bias’ (Dahlgren, 1995) and has discussed the way in which court TV is part of a broader turn across television culture towards ‘confrontainment’, of the kind that can also be found in the talk show (Lorenzo Dus, 2008). Lorenzo Dus’s systematic discourse analysis of four US courtroom shows demonstrates the orchestration of that talk and the production of its theatricality where aggressive judges meter out moral judgments, producing conflict between litigants as well as themselves. Whilst, for Podlas (2001), television is failing in some obligation to represent the court ‘as it is really is’, for Dus, court TV is productive of its own reality where lay narratives often triumph over official discourses. Therefore, ‘as in other forms of reality television such as tabloid talk shows, the staging of raw (conflict) talk in the courtroom show does not hinder its “authenticity”, but produces *real* effects because it is openly constructed’ (Lorenzo Dus, 2008, p. 101, emphasis in original). In this sense, what the TV courtroom *performs* as a cultural form is the embracing of raw emotion where media-savvy courtroom judges perform their confrontation in ‘lay’ fashion, mimicking the triumphing of lay narratives over official discourses often found in the talk-show genre (Livingstone and Lunt, 1994; Wood, 2009). Understood within this cultural landscape, court TV begins to trouble the very idea of a neutral, objective, rational discourse, perhaps expected of ‘real’ judges.

Critiques of popular culture’s corrosive influence over law’s right to autonomy therefore enact a gendered tension. As Margaret Thornton (2002) observes, there has been much to be ideologically gained by dismissing anything that disrupts law’s claims to authority, and popular culture has come to represent that very threat. Popular culture’s association with non-rationality and emotion, and with ‘mass culture as woman’ (Huyssen, 1986), means that the tension between popular culture and law is bound up within one of most powerful binaries of Western thought. It is part of a patriarchal insistence of maintaining the distinction between rationality, objectivity and the public as the legitimate source of authority, whilst relegating the emotional, the subjective and the private to a domestic space without power, and which has been at the centre of many feminist debates of the

role of the public sphere (see e.g. McLaughlin, 1993). The role of television *form* and its ability to transgress those powerful distinctions will therefore play a key role in this analysis of court TV.

3 *Judge Rinder* and the importance of daytime

Whilst some of the American court TV programmes can be found on satellite channels in the UK and there were brief outings of *The People's Court UK* and later *Teens on Trial*, it took a while for the UK to produce its own successful reality courtroom show in the form of *Judge Rinder*. The first season gathered more than 1.5 million viewers, which is considered a huge success for British daytime television.⁵ The show follows a similar pattern of arbitration that would more normally be found in small civil cases such as neighbourhood disputes, consumer issues and allegations of negligence that can be found on *Judge Judy*. *Judge Rinder* also follows the same symbolic staging as the US shows, despite this not accurately representing an English court. This produces the arbitration *as though* it is a real court, using all the traditional symbols and iconography of the gown, flags and the wood-panelling to steep the show in some fantasy of legal legitimacy. Although Robert Rinder is not a judge, he has said in interview that it is important that audiences know he is a successful criminal barrister and that he therefore makes judgments in accordance with real UK law; hence, he suggests the show is ultimately legal education.⁶ Of course, there is a certain amount of defensiveness here that is resonant of its place within the talk-show/reality genre where a show's claim to 'authenticity' is oft-debated as part of its status of low cultural value. The fact that very recently there has been a case of fraud on *Judge Rinder* where two men staged a dispute just to win damages is resonant of many debates about the talk-show circuit and the fake identities of some of its participants.⁷

Like American syndi-court shows, *Judge Rinder* is broadcast in the afternoon as part of ITV's daytime schedule. This means that it enjoys a space characterised as low-brow, feminised and often lamented as 'trash'. The classed dimensions of this cultural hierarchy are obvious and are closely connected to the kind of participants that daytime talk shows have encouraged. This is a point to which I will return but, for now, I want to concentrate on the *feminised* space of daytime television's place on the schedule. Key areas of dispute on *Rinder* are issues like disputes between (usually ex) partners over property or loans, or neighbourhood disagreements over space and cars, or landlords and tenants over non-payment of rent. There are occasionally more eccentric cases, such as the team of geriatric buskers who were disadvantaged by one of them inadvertently wearing his mankini upside down, but actually most of the content of the cases refer to the relatively mundane experiences in everyday life, which can and do lead into dispute.

Judge Rinder's time slot on the ITV schedule is, at the time of writing, 2 o'clock in the afternoon after the lunch-time news, and before a game show. Another mainstay of ITV's daytime schedule is the popular all-female panel talk show *Loose Women*, where Rinder recently promoted his new book. *Rinder* therefore sits nestled within staple daytime fare, which to overlook as trash also colludes with a cultural violence that dismisses the feminised everyday and the ordinary as sites unworthy of concern (Moseley *et al.*, 2014). Work in feminist television studies has asked us to consider the relationship between daytime television and the rhythms of the home – considering how the soap opera and the magazine show ritually replay the domestic and humdrum as part of the reconfiguring of the relationship between the public and private in modernity (Modleski, 1979; Wood, 2009). Drawing upon the work of Rita Felski (1995), we must be minded not to see the everyday as some kind of mundane trap, but as actually ritually constitutive of a more productive site of meaning in which women's lives have been part of the narrative of history.

⁵Available at <http://www.radiotimes.com/news/2016-12-05/inside-the-bizarre-world-of-itvs-judge-rinder/> (accessed 20 September 2017).

⁶Available at <https://www.legalcheek.com/2014/08/exclusive-interview-judge-rinder-on-life-as-britains-newest-reality-tv-star/> (accessed 21 September 2017).

⁷Available at <http://www.dailymail.co.uk/news/article-4919558/Duo-Judge-Rinder-5-000-faking-row.html> (accessed 20 September 2017).

Judge Rinder's segmented structure, in its one-hour show, is edited around three twenty-minute case narratives.⁸ The details of the dispute are set out mostly by Rinder, but with testimony from the litigant. He describes filming around nine cases per day, some lasting for hours, which are then heavily edited into the time slot.⁹ There are often images and presented evidence, a good deal of camp interjections on the part of Rinder, all followed by his ultimate ruling and awarding of any damages. After the ruling, the litigants are filmed outside of the court in a lobby area talking briefly to one another about what they feel of the hearing, again mirroring *Judge Judy*. This produces a mix of emotions from arguments, handshakes and even hugs, as a temporary resolution is created before moving on to the next case. The point here is that both the content of the disputes and their textual properties (segments of short narratives with temporary resolutions) fit the rhythm of the daytime schedule, resonant of the soap opera or the talk show, which also draw heavily from the precedents of oral culture, privileging the personal, the private and the everyday.¹⁰

As with much reality television, it is not that court TV actually purports to tell *the* singular empirical truth related to an ontological reality, but rather that it taps into many truths foregrounding their 'actuality' as they take place on our screens, which have a broader resonance with the familiar and the intimate (Kavka, 2008). Therefore, court TV here is successful not only because courts are inherently theatrical and lend themselves well to the spectacle of entertainment as with dominant accounts, but *also* because the substance of many disputes that end up in law are often inherently ordinary and domestic, and therefore find a perfect home in the discursive space afforded by television's 'dailiness' (Scannell, 1996), and by daytime's feminised mode of address in particular (Wood, 2009).

Judge Rinder reminds us that, despite the abstract semiotic pageantry, the archaic structures, the bewildering bureaucracy and complex legal language of law that are abstract and alien to most people, 'it is law's extraordinary ability to nestle itself into much of what we take for granted which renders its presence in everyday life so formidable' (Gies, 2008, p. 21). In Lieve Gies's further discussion of this dynamic, 'law succeeds in remaining largely invisible until such a moment when there is a breakdown in the social relations governed by it: a divorce, a break of contract, a neighbour dispute' (Gies, 2008, p. 23) – these are the very moments that get rehearsed on *Rinder*, which are sometimes banal and sometimes extraordinary, drawing on the very real colour of everyday life and sitting within the topics sometimes discussed on a preceding panel show like *Loose Women*.

The production and the staging of the ultimate rulings on *Rinder* perform this ritual grounding of law in the everyday. For example, in the case of Angela and Yannis (Season 3, Episode 88),¹¹ Judge Rinder draws out a rather familiar story of a woman's distress when she has invested a lot of money in a builder who has ultimately let her down and left her house in a lot of disrepair. Angela is claiming £4,700 in damages from Yannis, who took over the job from the original builder. Rinder's authority as judge is clear as he elicits a narrative of which he is clearly already familiar and well briefed (similar to the talk-show host) and he challenges Angela's common sense in taking on a builder without a formal contract. But what emerges is a story that draws out the bizarreness of the everyday, as we learn that Yannis took on the job in exchange for free lodging and food in Angela's garden shed. There's a good deal of laughter about this notion and Rinder's question about whether they were in a relationship eliciting the response 'well I held his tools to ransom' is indicative of a camp conviviality that is central to Rinder's TV judge personality (and to which I will return). The production of the discourse and no doubt the editing (of one story into twenty minutes) produce a story tuned to comedy and to melodrama. We learn that Yannis had to stop working when the money

⁸Broadcast television's form is characterised by segmentation, which contributes to the sense of 'flow' (Williams, [1974] 2003).

⁹Interview with *Legal Cheek*. Available at <https://www.legalcheek.com/2014/08/exclusive-interview-judge-rinder-on-life-as-britains-newest-reality-tv-star/> (accessed 1 September 2017).

¹⁰These shows might therefore run against the grain of law's formal attachment to the written text. According to Les Moran (2012, p. 443), there is 'a long-standing hostility to visual images, associated with the elevation of the written text as the supreme form of representation and the one most closely associated with "truth"'.

¹¹First broadcast on 10 February 2016.

ran out and, when Rinder presses Angela with ‘Do you have anything in writing?’, she breaks down in tears with the court clerk bringing tissues. Rinder, with sympathy, fills in parts of the story with ‘You lost a lot. You lost your job’ and Angela admits ‘I couldn’t cope with the stress’.

This is the kind of dispute (and there are many of this kind on *Rinder*) where there is no obvious villain. We, guided by Rinder, feel empathy for both parties. Rinder’s ruling then takes us through what might be the difference between ‘equity’ and the rule of law, and thus bridges the space between everyday life and litigation. He awards Angela a significant amount of the claim, stating: ‘In law he [Yannis] took over the contractual obligations... so in “doing the right thing” he becomes liable and that is the reality in law.’ In the post-courtroom discussion between the participants, Angela states that she is ‘over the moon’ and thanks Yannis for being honest and for caring enough about her. It is true that this might seem an ‘easy solution’ to a messy situation that is produced to fit the reality format and offer a form of narrative resolution, but it is also one that demonstrates the way in which a seemingly mundane offer ‘of doing the right thing’ can become a legal mistake through the staging of television’s interest in the everyday. As law is bound up within everyday lives and matters of intimacy, in what Gies calls the ‘juridification’ of everyday life, so television, the form that has been most deeply connected with the everyday and with ontological security (Silverstone, 1994), replays an everyday consciousness of legality.¹²

4 Camp authority in the domestic everyday

Television scholarship has discussed television’s association with the everyday and its connection to a temporality that privileges ‘liveness’.¹³ Much television, even when not actually live, takes on a *form* that still aims to produce the experience or feeling of liveness. Television’s scheduling practices that still (despite all the changes brought by downloading) target the idea of the ‘national family’, and make assumptions about the gendering of the working day, often address the nuclear family at home. Therefore, Jane Feuer (1983) has argued that, through privileging liveness as *form*, television has helped to reinforce an overall ideology of heteronormativity. In this sense, we might see *Rinder*’s space in the television schedule, and the arguments outlined above about the dailiness of the boundaries of law, as part of this domestic normativity. This reinforces what Gary Needham (2008) has called ‘scheduling normativity’, which is produced through television’s schedule as well as its familial imaginary. For Needham (2008), more progressive television texts (always drama) often usurp the teleology of normativity (often through narrative time travel) to produce their queer purchase, challenging the normative logic of television. However, here I want to suggest that *Judge Rinder* queers the everyday, not only through the space provided for queer contestants, repeating the arguments made about the talk show, but also through the particular performative logic of *Rinder*’s camp authority.

The US syndi-court shows have been much criticised as ‘trash’ for their production of conflict and argument, which fit with ideas about the privileging of spectacle on daytime talk shows. However, even with the US versions of the shows there are key distinctions between programmes, and their attachments to legal frameworks (see Kohm, 2004).¹⁴ The way in which authority is used and dispersed, therefore, varies in relation to the show’s production and staging of the legal dispute, and in terms of the personality of the TV judge (Judge Judy is described as ‘the toughest moral voice in reality

¹²Clearly, Judge Rinder can see the commercial benefits of being able to point out these lines for lay people, as he recently published a popular book, *Rinder’s Rules: Make the Law Work For You*. Interestingly, he promoted his book, published by Random House, on *Loose Women* on 13 October 2015. Available at <https://www.itv.com/loosewomen/judge-rinder-make-the-law-work-for-you> (accessed 23 July 2018).

¹³This can be found discussed as early as Williams ([1974] 2003) but, for a review, see also Marriott (2007).

¹⁴Stephen Kohm’s (2004) extensive comparison of *The People’s Court* and *Judge Judy* finds that ‘People’s Court presents a participatory-democratic vision of law that is grounded in liberal-legal notions of due process, individual rights and free speech, while Judge Judy offers an authoritarian vision of judgment and law centred on the moral discourses of personal responsibility, traditional family values, and harsh punishment for those who fail to learn from their past mistakes’.

TV, delivering her strict judgments on bullies and cheats').¹⁵ Judge Rinder's television personality is also, therefore, vital to any interpretation of the show, he is described as, 'effervescent, comic, sensitive, sensible and proudly camp'.¹⁶ Unlike the detached film star of cinema's star system, the successful television personality is coded as 'likeable', and must be in touch with the 'ordinary' person (Langer, 1981). Rinder's over-reactions to key parts of the cases provide much of the entertainment, where he says asides such as 'just give me a moment' as he dramatically brushes his brow, as part of a camped version of 'doing being ordinary' (Harvey Sacks, in Tolson, 1991; 2001). In any case, as Baum (2006) argues judges are preoccupied with self-image and self-presentation: '[...] it involves and demands high self-monitoring, including refined skills of audience awareness and significant labour spent on producing and managing the judicial image to ensure that the performance of elite status is realised' (Baum, 2006, p. 32, cited in Moran, 2012). Rinder, through the production of his TV personality, manages to combine his legal authority with his camped everyday aesthetic, such that the more confrontational elements that normally sit within many of the US shows are given a different affective charge. His catchphrase 'talking!' and 'three strikes and you're out' rule are clearly and successfully part of his staging of his judicial authority, but their delivery is not always registered in the room in such an aggressive combative manner, and are often met with wry smiles rather than aggressive argumentation.

In Lorenzo Dus's analysis of the confrontation in US shows, she could identify numerous running attacks between plaintiffs and defendants but, in *Judge Rinder*, most of the interjections are directed towards him, such that there is very little direct argumentation between participants and, when it appears, it is not tolerated. So, whilst, in programmes like *Texas Justice*, we have many instances of participants calling each other liars and shouting 'Shut up!' over each other in a number of turns before the judge intervenes (much like the talk show), in *Judge Rinder*, he takes charge of most negative accusations, which would have normally formed the start of an argumentative exchange. Rinder delivers the lines that might cause most offence in a manner that at once recharges his authority, at the same time as it discharges the aggression. Take, for instance, the example from Angela and Yannis's case above. As the story unfolds and we discover the state of Angela's home, which is left in disrepair, and see examples of Yannis's apparent poor work, Rinder's attack is delivered with the precursor 'Listen here lemonjuice [which we learn was Angela's nickname for Yannis]', which is received with smiles, at the same time as the admonishment is delivered.

Rinder's often theatrical performance draws on the language of camp (Sontag, [1964] 1999) in which the self-conscious performance of play and artifice works to 'dethrone the serious' and, in so doing, undermines the normative expectations of the courtroom. Rinder's approach to the entertainment bias of television is to draw out humour to deflect the conflict (whilst he has simultaneously dismissed participants from his court if they break the three-strikes rule). Take, for instance, his particular undermining of defendant Ben, the hairdresser who had asked a friend to take out a mobile-phone contract on his behalf because of his credit history, but then did not give her the repayments (Series 4, Episode 49).¹⁷ Looking at Ben's hairstyle (which involves a bright bleached section), he asks:

Rinder: Did someone else do that for you or did you do it?

Ben: I did it to myself.

Rinder: I mean is that a hairstyle or a personal injury?

Sequences such as this are edited into the opening title sequences, setting the scene for the tone of events. Whilst there are numerous punch lines and one-liners such as this one, all delivered by Rinder, they are only part of the story. What is interesting is that, as these interjections 'dethrone the serious', they are also held in tension with the more serious and litigious aspects of any case.

¹⁵ Available at <https://www.theguardian.com/media/2008/oct/09/realitytv.television> (accessed 10 September 2017).

¹⁶ Available at <https://www.legalcheek.com/2014/08/exclusive-interview-judge-rinder-on-life-as-britains-newest-reality-tv-star/> (accessed 20 September 2017).

¹⁷ First broadcast on 6 October 2016. Available at <https://www.youtube.com/watch?v=3FUrillCqJU> (accessed 23 July 2018).

Later, we learn that Ben had said that he could not repay Abigail because he was diagnosed with cancer, which we learn is not actually the truth. Rinder uses these interjections to establish his authority and when telling Ben that he will check out the facts – ‘I have a great deal of power and I’m very experienced at sniffing porkies ... I can smell them like peroxide’¹⁸ – much to the laughter of the courtroom.

Through these types of interactions, Rinder is able to sustain his authority *through* his camped television personality. He is performing exactly what is so jarring about the coming-together of the courtroom and popular culture, and the cognitive dissonance of these realms. Michelle Aaron (2008, p. 69) argues that the ‘very notion of queer television, of conjoining such seemingly incompatible terms might seem irreverent in itself’. What is important is what this type of performance does to the everyday – it takes its banality and challenges its normative logic when it is translated into the courtroom hearing and made part of a litigious investigation. In this sense, Rinder makes the familiar queer and draws upon television’s ability ‘to throw into relief the assumed norms, the banalities and even the homeliness of home life’ (Aaron, 2008, p. 71).

5 Class, humour and injustice

Judge Rinder has been positioned in a cultural hierarchy with trashy daytime television that often receives much popular disdain. For instance, in a *Radio Times* article, Michael Buerk describes the show: ‘Every afternoon, Judge Rinder lords it in a rather adenoidal, and extremely camp, way over a steady stream of the kind of lowlife inadequates who seem to have been bred specially for daytime television.’¹⁹ Of course, this type of classed snobbery repeats similar discourses associated with the recent opening-up of television space. As previously mentioned, Graeme Turner has argued that the way in which television generates new media identities from ‘ordinary people’ creates a ‘demotic turn’, where reality celebrities are now called to perform themselves on television in the most spectacular ways. We can identify this in the spectacular staging of conflict on talk shows such as *Jerry Springer* and, in the UK, *The Jeremy Kyle Show*, which precedes *Judge Rinder* on its repeat at 5 p.m. on ITV2. I have contributed to that debate by arguing elsewhere that forms of reality and lifestyle television that stage spectacular failure (whether it is about eating, spending, sex or taste) do so in ways that are in keeping with regimes of neoliberal culture in which structural class inequalities are reframed around personal shame and individual responsibility (Wood and Skeggs, 2008; 2011; Skeggs and Wood, 2012).

Laurie Ouellette (2004), writing of *Judge Judy*, argues that the court programme offers lessons in neoliberal governance in a post-welfare context, in an essay appropriately entitled ‘Take responsibility for yourself!’. Judy’s metering-out of rulings is accompanied by many moral accusations about a lack of self-control or responsibility that would seem to go beyond her legal role. This type of moral authorising that we see across television is part of a broader culture of self-management and valuation that we witness in capitalist societies (Skeggs and Wood, 2012). David Hill (2015) has argued that this trait is visible in Rinder’s daytime companion, the talk show *The Jeremy Kyle Show*, where, instead of the privileging of lay authority witnessed in early talk shows, working-class participants are subjected to lie detectors, drug tests and paternity tests as their testimony is not trusted. He places this with the context of austerity culture in Britain, where blame for the financial crisis has been wrested onto the poor via welfare cuts. As such, the participants of *Kyle* are measured by their lack of value as part of the ideology of ‘waste populations’ constituted by a new turn in austerity culture that is visible across a good deal of British reality television and often characterised as ‘poverty porn’ (Jensen, 2014).

In this context, *Judge Rinder* plays a part in this ‘spectacularisation of the working class’, since its ability to award damages with no cost to the participants makes it accessible and decisively skews the

¹⁸Which is reference to Ben’s artificially bleached hair.

¹⁹Available at <http://www.radiotimes.com/news/2016-12-05/inside-the-bizarre-world-of-itvs-judge-rinder/> (accessed 20 September 2017).

class profile of the participants. The staging of the courtroom exacerbates the classed dynamics, since, as a judge, Rinder performs his elite status with a privileged set of knowledge, interpreting aspects of the law for the 'ordinary' participant. Rinder, like most lawyers, is publically schooled and, as is well discussed, the legal profession is not largely accessible to the working classes.²⁰ I do not want to disagree with the deeply problematic drawing-out of ordinary lives for the moral approbation of the middle classes, especially for television entertainment, but I do want to draw out some nuances in the way in which Rinder's camp authority plays with class as part of the television frame.

Many of Rinder's humorous interjections exactly draw out the classed dimensions at work here. Take, for instance, the oft-cited examples like, 'If you'd have been at the last supper you'd have asked for ketchup', many of which register classed disdain and play directly into the classed snobbery that surrounds the show. In the case of Abigail and Ben, discussed above, much is made of Abigail's regional identity as from Essex.²¹ (Essex girls have, of course, been stereotyped as the archetypal stupid working-class blond of British popular culture.) Rinder directly addresses this issue as he draws out her story of trusting her friend with the mobile-phone contract without getting anything in writing and he asks: 'Is there a word for stupid in Essex I should be aware of?' But he also simultaneously takes pains to draw out where Abigail has been smart, by cancelling the contract, and repeats that she is not stupid at all. He does so by drawing on a kind of feminised defence that can be afforded by his camped status:

Rinder: You are clever Abigail. You may not think before you do things but most people do that and they're just called men [laughter] ... you cancelled the contract and I call that clever and don't let any anyone tell you otherwise just because you made some rather unfortunate choices on behalf of friends, generosity makes people a little bit stupid from time to time.'

Rinder's moral authority also enables him to defend *as well as* attack participants on the show, as in the case above, placing himself on the side of the assumed feminised viewer of daytime's television address. Peter Goodrich (2005) has argued that humour, satire in particular, has played an important role in interrogating the legal system and has a role in critical legal studies by deflating law's pretensions of authority, and pushing at the boundaries of law that is part of the narrative of its progress. He suggests that:

'Satire addresses that moment prior to judgement in the hope of preventing prior judgements. The satirist in that sense behaves badly or at least irreverently, and endeavors to hold open the site of judgment, the transitivity of deciding, and to suggest that certainty is not necessarily the most valuable of values.' (Goodrich, 2005, p. 501)

Condren *et al.* (2008), in their working definition for the ordinary meaning of satire, suggest an inclusive sense in which 'satire can be direct or indirect, subtle, gentle or harsh, vitriolic or slanderous, sustained or more sporadic, all within a single piece of work', arguing that modes of satire have their own 'play frames' (p. 411). We might, therefore, see Rinder's camp 'dethroning of the serious' operating in similar terms. It certainly has its own 'play frame', which, like satire, often has a moral dimension that draws out any hypocrisy or pretence. Given the profile of the show and the show's attractiveness to litigants whose cases might not have otherwise been heard, Rinder's cases also *stage* some of the results of austerity culture and the inequalities produced by the financial crisis. Take, for instance, the case of Ananda, a landlord, and Kevin, a single father, who struggled to pay his rent (Series 4, Episode 88).²²

²⁰ Available at <http://www.independent.co.uk/news/uk/crime/legal-profession-discriminates-against-working-class-students-431291.html> 8–7–2007 (accessed 11 October 2017).

²¹ Available at https://www.youtube.com/watch?v=_CmfgY8MgLE 'Judge Rinder meets a clever Essex Girl' (accessed 9 February 2018).

²² First broadcast on 10 February 2016.

Given the discussion about the representation of the working classes on reality television above, we might expect a narrative to unfold that blames Kevin for his financial shortcomings, but what we see is something more complex.

Rinder sets the scene for the case by asking Ananda, the landlord, how much he was worth before the financial crash and reveals that he was extremely wealthy and worth around £22 million, with expensive property and cars, until such a point when he finds himself 'in urgent circumstances'. It seems that Rinder here is attempting to balance the case by pointing to the parallels (even if uneven in scale) between the two men's sets of circumstances. He also praises Ananda as the landlord for the production of excellent paperwork about the case by drawing upon his own brand of camp authority, which brings humour: 'bearing in mind the award that you get in this court for paper which is jazz hands, your bundle which I have seen this morning isn't jazz hands it's an entire contemporary dance! [laughter]' It is clear that Ananda has kept very detailed records of payments and missed payments and, in what ensues, Rinder draws out that Ananda was a 'decent landlord' according to Kevin, who 'cut him a break'. Thus, at the outset, we might fear that Kevin will be sanctioned as a failure. But the humorous praise is also setting up Ananda for a potential fall. We also learn that Kevin is a single father of three and a working plumber who did try to make some payments, but ultimately could not keep up with the rent and got evicted. Rinder makes clear: 'so effectively as far as statute was concerned you are homeless really.'

Ananda is claiming not only for the unpaid rent, but also for legal costs of the process of going through eviction. But here is where the harsh reality of austerity housing cuts bursts into the frame. Kevin, emotionally, begins to explain that the only way he could get another roof over the head of his family was to let himself be evicted and Rinder is at pains to make it clear:

Rinder: In other words the only way you are going to get emergency housing for you and your three children is if you get evicted ... he didn't want to stay there he would have walked away like a gentlemen.

Kevin: There were other things going on in my life [getting upset].

Rinder: I understand

Kevin: I had no option but to go down that path.'

In the UK, the housing-benefit freeze is seeing a rapid increase in households where low wages and rent increases push people into homelessness – a situation that is predicted to increase to more than 1 million homes by 2020.²³ The only access to housing for those on low incomes then becomes emergency housing, which can only be accessed after legal eviction and usually involves bed-and-breakfast accommodation because of a grave social-housing shortage. When Kevin laments 'I wish it was different', Rinder reminds him and us that 'it happens to a lot of people'.

Unlike early talk shows, there is no government minister called to account or take responsibility here, but it seems clear that the responsibility does not lie with Kevin. Ananda, as the landlord and plaintiff, must account for the charging of court fees that amount to almost half of the amount of the rent. Here, the moral and legal run counter to each other, which draws out the dramatic tension of the case:

'Rinder [directly to Ananda]: Do you think that that is a *reasonable* amount to charge someone in dire straits? The better part of a third just to exercise your legal rights? Do you think that is a reasonable sum? [Ananda looks awkward]'

Rinder then takes on the immaculately documented parts of the landlord's case that were previously awarded 'jazz hands' (such as the late-payment fines that were not part of the original contract and

²³Available at <https://www.theguardian.com/society/2017/jun/24/social-housing-poverty-homeless-shelter-rent> (accessed 11 October 2017).

interest on unpaid rent) and points out their immoral status. In this case, in terms of the moral narrative, the private landlord comes off worst and is only awarded part of his claim.

As in the arguments about television in a post-welfare context, we might want to question television's role in offering relief to those on low incomes. What does it mean if a television show offers to pay off unpaid rent fines for low-income families in the absence of proper state support? But I am arguing here for a closer reading of the textual interventions in this space. In taking these personal cases and distilling them down to the individual defendant and plaintiff, the court does provide a perfect setting for individualising social issues that strikes a chord with much of the genre of reality television. However, the way Rinder draws out the moral and emotional through humour offers a wider and more empathetic narrative, which touches at the intimate realm of both television and law. As Goodrich reminds us, 'It is the primary value of satire to afflict the comfortable while comforting the afflicted ... satire must bite' (2005, p. 65). As Milner-Davis and Foyle (2017) point out, satire's irreverent political nature is extremely context-dependent and historically dependent. Thus, on this British court TV show, Rinder's camp humour also sometimes enables a satiric, televisual 'play frame' through which he can demonstrate how broader political injustices come to bear on ordinary everyday experience. As in the case above, this can confer a harsher reckoning of the realities of austerity culture than we might expect, even if it does not call to account those who are directly responsible. Rinder's camp sensibility, his engaging with humour, his playful treatment of the feminised daytime space that calls out clashes between the legal and the moral through emotion can sometimes, if only temporarily, push at the injustices of legal regimes of responsibility in austerity politics.

6 Judge Geordie and the desecrated space of adjudication

Thus far, I have been suggesting that television form can enable its own 'legal consciousness' through its access to the everyday, to humour and to the emotional ground that opens up through the interfacing of moral and legal registers. It is clear that, across television schedules, forms of adjudication have become commonplace, moving beyond the mocked-up court to many other forms of entertainment: for example, programmes like *X Factor*, which attempt to judge talent, or weight-loss programmes like *The Biggest Loser*, which judge weight loss, and so on. Here, types of judges, verdicts and jury-style voting abound. Lieve Gies (2008) has discussed this as a 'juridico-entertainment complex' where, for instance, a programme like *Wife Swap* draws out what happens when women try to lay down the law and upset the sexual contract. Many shows therefore interface with law and draw on 'reality television's spectre of legality' (Gies, 2008, p. 40). Similarly, Cynthia Bond (2012, p. 3) argues that 'narratives of law play a constitutive and essential role in the form and genre of reality TV itself, which is now exacerbated by the convergence of media platforms creating more spaces for audiences to join in the judging process. It is clear therefore that television has its own and multiple forms of 'legal consciousness' where, according to Gies (2008, p. 46), 'Reality television stages and arguably upstages law's reality by creating its own parallel universe'.

In this final section, therefore, I want to discuss one such parallel universe – one that works around the formal idea of legal hearings, originally broadcast at 9 p.m. mid-week, which addresses a youth audience and, in some ways, tried to overturn formal codes of legitimate authority. In 2015, MTV produced for only one season a show called *Judge Geordie*, which attracted around 200,000 viewers. In terms of the classed hierarchies of adjudication described previously, this show upturns any expectations of legal authority by casting reality celebrity, Vicky Patterson, as its judge. As with Rinder, Vicky's television personality is central, as she was made famous by MTV's British version of *Jersey Shore*, called *Geordie Shore*. We can only interpret *Judge Geordie* through its intertextual reference to the youth show. *Geordie Shore* is a reality show that follows a group of young, unemployed people from Newcastle in the north of England who are put together to live in a house. We follow them going out clubbing, holidaying, partying and having fun, and see intimate relationships and, most controversially, their sex lives. In this sense, the participants on the show have been subject to their fair share of moral judgment as apparently the optimum viewing position for this type of reality television

(Douglas, 2013). Unlike *Judge Rinder* with legal experience, the show is not given greater credibility through using Vicky's name, but refers to her other reality role in the name, *Judge Geordie*.²⁴ This is the first indication that this show is not about upholding 'the law' as we know it, but is about another term of reference altogether, which is the youth reality show's own framing of a (pre) legal consciousness.

Judge Geordie therefore turns the judged into the judge, and its title sequence opens with Vicky swathed in the same symbols of legal legitimacy – the gown and the wig – striding to loud music that fits the codes of music youth television. Unlike the other judges, Vicky does not keep these items in place but, in slow motion, she unceremoniously casts them aside, marking a disinterest in their symbolic value whilst simultaneously taking the position of central authority. Her working-class credentials (and regional accent) make her perfect for this television part, whilst any space in the legal profession would most likely be beyond her reach.²⁵ She is far removed from the formal expectations of White, male privilege and its forms of rationale argumentation that are tightly bound to normative expectations of legal discourse. Instead, this symbolic opening might be closer to registering a legal consciousness that is 'against the law' in Ewick and Selby's (1998) terms, where law is seen an irritant that is obstructive and here might get in the way of the reality show's 'telling it like it is'.

The title sequence of *Judge Geordie* comes with a warning to the audience that there may be strong language and sexual references: one of the cases deals with a gay partner's problem with pornography. The 'cases' on this show are not easily identified as having any legal basis, as they refer to relationship problems, bullying between friends, cheating partners and family fall-outs, which might also be the usual fodder of the talk show, and, as we know, 'law is experienced in everyday life outwith the terrain marked by formal legality' (Cowan, 2004, p. 929). Vicky appears, therefore, as a mediator who attempts to get people talking and help them to find a resolution through unleashing her own 'home truths'. Take, for instance, the case of Lewis and Mo (Episode 9)²⁶ where Vicky has been called in to mediate between two friends – one who is upset that the other has become disrespectful and rude over the course of their friendship, to the point that it has become embarrassing and is threatening their relationship. The conversation takes place in what looks like a bar (arguably the place many of these disputes may be resolved) and Mo, the accused, gets very aggressive. Vicky too is getting upset and says to camera: 'He's derogatory, rude and disrespectful ... I can't even make eye contact with Mo.' She directly challenges him: 'Is it your thing, that you're a bellend?!' Mo cannot take the criticism that is coming from Vicky and his friend and ultimately he throws his drink over Lewis and storms out, with his aggression checked by the waiting bouncers.

This scene has none of the legal language or reference to statute of *Judge Rinder*. There are no damages to award or final adjudication to make. Vicky's role here is in mediation – a step that takes place before a legal case might be brought. In this sense, Vicky's mediation is pre-legal, drawing on the everyday space that *might* lead to a legal situation (and, in the case of Lewis and Mo, this might be assault). Of course, the tone of *Judge Geordie* is one of heightened emotion and excess, as it builds on the youth audience's knowledge of the reality show *Geordie Shore*. Elsewhere, I have argued that *Geordie Shore* stages the hyper-emotion, hyper-glamour and hyper-sexuality of working-class youth as the turn to the camera lens affords new opportunities within reality celebrity culture, which needs to be understood in relation to the relative lack of opportunity elsewhere (Wood, 2017). As passions fly, and hurt and heartache get explored, mostly in the setting of bars and sometimes homes, Vicky steals in with the kind of colourful common sense that we have seen her give to camera so many times to the other participants on *Geordie Shore*. When responding to Skye and Tiffany Rose, one of whom is transgender, who are falling out over men, Vicky chimes in: 'What's pissing

²⁴I am grateful to one of the anonymous reviewers for pointing the importance of the naming in the show titles.

²⁵Available at <http://www.independent.co.uk/news/uk/crime/legal-profession-discriminates-against-working-class-students-431291.html> 8–7–2007 (accessed 23 July 2018); <https://www.thelawyer.com/issues/online/top-firms-reject-candidates-with-working-class-accents/> (accessed 20 September 2017).

²⁶First broadcast on 29 July 2015.

me off is that you both as women tear each other down ... build each other up. If you's two don't as best friends who the fuck is going to do it?' Vicky's reality-tuned form of excessive adjudication in personal disputes frames what has become so central to this broader sphere of judgment that is so common on our screens, where we are all as viewers and potential participants positioned as judges (Skeggs and Wood, 2012). What *Judge Geordie* acknowledges is the opening-out of this position (although not its power) to all, which is seen in her regular turning of the title of the show into a verb: 'I'm going to *Judge Geordie* the shit out of this.'

Like the realm of reality television that draws more on the narrative power of *reaction* rather than action, the drama of *Judge Geordie* is created through heightened emotion, cut through by the colourful common sense and the often raised anger of Vicky Patterson. *Judge Geordie* draws on the affective realm of reality television that is its central structuring device (Kavka, 2008; Skeggs and Wood, 2012). It is reality television's turning to affect that can make the genre more unpredictable and unstable, since one can never entirely predict just exactly how it will emerge or where precisely it will land (Deleuze and Deleuze, 1978). Reality television's engagement with television form's ability to evoke immediacy and intimacy means that it does not engage so much in a straightforward politics of 'meaning', but rather in a theory of 'mattering' (Kavka, 2008) where the emotional and rational are not unrelated, but constitutive of one another. The normative expectations of judges of objectivity, independence and impartiality might seem to be disposed of in *Judge Geordie*, because they are concealed by so much affective emotion, rather than the more sober recourse to statute that Rinder can so easily draw upon. Yet, as in the case above, as in other cases, Vicky is making a claim to some external rational argument about women (and here inclusively of *all* women) supporting each other. As we have deployed in an argument in relation to reality television, it is a mistake to dismiss emotion as the antithesis to reason, because emotion can often work as a cue to the key political dilemmas of our personal experience (Skeggs and Wood, 2012).²⁷

7 Conclusion

Lieve Gies (2008, p. 46) has argued that reality television's association with affect taps into law's 'deep structure', citing Milovanovic (1992, p. 114):

'Doing law can be seen as a highly rationalised (secondary process) enterprise whereby affectively and sensory charged data are stripped of their intensities as the phenomenal experience ('the what happened') undergoes translation into legal thought acceptable in the court of law Affect is repressed but remains a residual source of energy (excitations) seeking expression, more often becoming a basis of yet further highly abstract rational thought. In short a perpetual search for catharsis exists, but this endless and futile search for plenitude is precluded by the very internal dynamic by which thought is objectified into a verbal form acceptable by the courts. A reality is indeed constructed but one cleansed of Real world intensities.'

Clearly, in the examples from *Judge Rinder* and *Judge Geordie*, we can see that law's potential abstractions work at the interface of the everyday, the personal and the highly emotional, and they do so easily because of television as an intimate and emotional *form*. What these shows do, drawing on their relationship with the talk show and reality television genre, is enable real-world intensities to break through and even upturn legal frames via their televisual frames – whether that's through humour, emotion or anger. In this way, I would suggest that the key question about whether they offer a 'true' representation of a court is redundant. In any case, such a question must take into account the audiences' expectations of genre, or at the very least conduct audience research, before making

²⁷Much excellent work in feminist media studies has discussed the relationship of melodrama in this vein (e.g. Williams, 2001) and in the responses of audiences to fiction (Mankekar, 1999), whilst this has also been a key discussion in the literature in feminist legal studies (Thornton, 2002).

assumptions about a naive or duped audience. By thinking of television's multiple forms of enacting legality, we can ask how it is that these shows 'matter' in terms of a broader 'legal consciousness'. In the case of these reality court shows, the normative legal tension between the dynamics of reason and emotion are not forced apart, but are rather self-consciously performed and played out together. By *starting* with television, rather than law, we can see how these texts offer forms of 'television legal consciousness' that intervene within the broader cultural moment of prolific adjudication in advanced capitalism, but not always in the most predictable and prescriptive of ways.

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