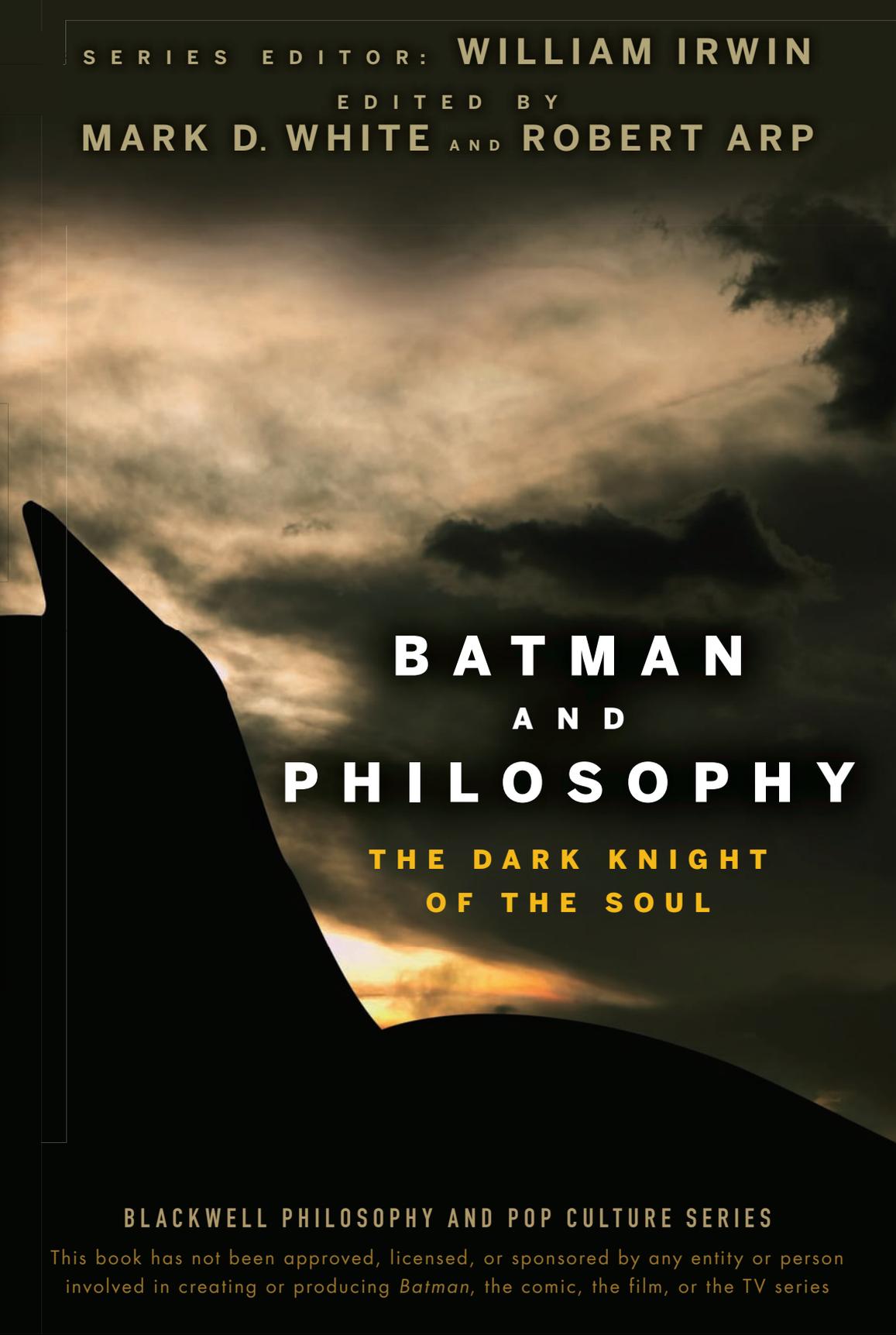


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EDITED BY

**MARK D. WHITE** AND **ROBERT ARP**



**BATMAN**  
AND  
**PHILOSOPHY**

**THE DARK KNIGHT  
OF THE SOUL**

**BLACKWELL PHILOSOPHY AND POP CULTURE SERIES**

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THE DARK KNIGHT  
OF THE SOUL

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and Robert Arp



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*To the memory of  
Heath Ledger (1979–2008)*

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The Oscar Speech George Clooney  
Never Got to Make

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## INTRODUCTION

# RIDDLE ME THIS . . .

We know what you're thinking (because we're smart—we're philosophers): "*Batman and Philosophy?* Seriously? Why?"

Well, since you asked. . . . Because we believe that Batman is the most complex character ever to appear in comic books and graphic novels. Because the stories featuring him over the last seventy years, not only in the comics but also on animated and live-action TV shows and in movies, have provided us with a wealth of philosophical material to discuss. And because we had the chance, along with about twenty other fans, to combine our passion for the character with our love for philosophical mumbling, all to create the book you now hold in your hands. (No need to thank us—we're happy to do it.)

One reason Batman appeals to so many people around the world is that he is "just" a human being, even though he is *nothing* like the rest of us. He has devoted his entire life to avenging the death of his parents and all other victims of crime by risking life and limb to protect his city of Gotham and beyond. He has spent years and sacrificed everything to train

his body and his mind to the point of perfection. He is wealthy beyond measure, but denies himself all luxuries (except a butler) in pursuit of a goal that will never be attained. And he does all this dressed like a giant bat. (Well, that we can do, but that's about it!)

What makes a person go to such extremes? Is what Batman does good, or right, or virtuous? And what does his obsession, his devotion to "the mission," say about who he is? How does he treat his partners, his friends, and his enemies? What is it like to actually be Batman? These are all genuine philosophical questions, and when we read Batman stories, we can't help but think about this stuff (and then write down our thoughts). The twenty chapters in this book explore issues of ethics, identity, friendship, politics, and more, using examples drawn from famous Batman stories such as *The Dark Knight Returns*, *Batman: Year One*, *No Man's Land*, *A Death in the Family*, and *The Killing Joke*, as well as the various movies, animated series, and yes, old chum, even the 1960s TV series with Adam West and Burt Ward.

So whether you know every detail of Jason Todd's recent resurrection, or whether you can recite all of Jack Nicholson's lines from Tim Burton's first *Batman* movie, or if you just have fond recollections of Halloweens past wearing the blue cowl and cape, there's something in this book for you. The Bat-signal's shining—let's go!

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**PART ONE**

**DOES THE DARK KNIGHT  
ALWAYS DO RIGHT?**



---



# **WHY DOESN'T BATMAN KILL THE JOKER?**

*Mark D. White*

## **Meet the Joker**

In the last several decades, the Joker has transformed himself from the Clown Prince of Crime to a heinous murderer without rival. Most notoriously, he killed the second Robin, Jason Todd, beating him to a bloody pulp before blowing him up. He shot and killed Lieutenant Sarah Essen, Commissioner Jim Gordon's second wife—in front of dozens of infants, no less, whom he threatened to kill in order to lure Essen to him. Years earlier, the Joker shot Barbara Gordon—Jim Gordon's adopted daughter and the former Batgirl—in the spine, paralyzing her from the waist down, and then tormented Jim with pictures of her lying prone, naked and bleeding. And let us not forget countless ordinary citizens of Gotham City—the Joker even wiped out all of his own henchmen recently!<sup>1</sup>

Every time the Joker breaks out of Arkham Asylum, he commits depraved crimes—the type that philosopher Joel

Feinberg (1926–2004) calls “sick! sick! sick!” or “triple-sick.”<sup>2</sup> Of course Batman inevitably catches the Joker and puts him back through the “revolving door” at Arkham.<sup>3</sup> Batman knows that the Joker will escape, and that he will likely kill again unless the Caped Crusader can prevent it—which, obviously, he can’t always do.

So why doesn’t Batman just kill the Joker? Think of all the lives it would save! Better yet, think of all the lives it would have saved had he done the deed years ago, just among Batman’s closest friends and partners. Commissioner Gordon has contemplated killing the Joker himself on several occasions, and Batman is usually the one to stop him.<sup>4</sup> In a terrifically revealing scene during the *Hush* storyline, Batman is *this* close to offing the Joker, and it is Jim who stops him. Batman asks Jim, “How many more lives are we going to let him ruin?” to which Jim replies, “I don’t care. I won’t let him ruin yours.”<sup>5</sup>

So though he may have considered it on many occasions, Batman has never killed the Joker, decidedly his most homicidal enemy. Of course, with the exception of his very earliest cases, Batman has refused to kill at all, usually saying that if he kills, it would make him as bad as the criminals he is sworn to fight. But that seems almost selfish—someone could very well say, “Hey—it’s not about you, Bats!” Or . . . is it? Should it be? Usually we think a person is obligated to do something that would benefit many people, but what if that “something” is committing murder? Which is more important, doing good—or not doing wrong? (Ugh—Alfred, we need some aspirin here.)

In this chapter, we’ll consider the ethics of killing to prevent future killings, exactly the problem Batman faces when he balances his personal moral code against the countless lives that he could save. In fact, this issue has been raised many times, very recently by both the villain Hush and Jason Todd himself (returned from the dead), and earlier by Jean-Paul Valley (the “Knightfall” Batman), none of whom have the strict moral code that Batman adheres to.<sup>6</sup> I’ll do this by introducing some

famous philosophical thought experiments that let us trace through the ethics of a situation by whittling it down to its most basic elements, just like Batman solving a cleverly plotted crime. (Well, not quite, but you have to let a guy dream!)

### **Is Batman a Utilitarian or Deontologist? (Or None of the Above?)**

The argument in favor of killing the Joker is fairly straightforward—if Batman kills the Joker, he would prevent all the murders the Joker would otherwise commit in the future. This rationale is typical of *utilitarianism*, a system of ethics that requires us to maximize the total happiness or well-being resulting from our actions.<sup>7</sup> Saving many lives at the cost of just one would represent a net increase in well-being or utility, and while it would certainly be a tragic choice, utilitarians would generally endorse it. (We could add more considerations, such as satisfying the quest for vengeance on the part of the families of his past victims, or the unhappiness it brings to some people when *anyone* is killed, but let's keep things simple—for now.)

Superheroes, however, generally are not utilitarians. Sure, they like happiness and well-being as much as the ordinary person, but there are certain things they will not do to achieve them. Of course, criminals know this and use it to their advantage: after all, why do you think criminals take innocent people as hostages? Superheroes—just like police in the real world—normally won't risk innocent lives to apprehend a villain, even if it means preventing the villain from killing more people later. More generally, most superheroes will not kill, even to save many other lives.<sup>8</sup>

But why do they refuse to kill in these instances? The utilitarian would not understand such talk. "You're allowing many more people to die because *you* don't want to kill one?" In fact, that's almost exactly what Jason Todd and Hush recently said to Batman. Hush asked, "How many lives do you think you've

cost, how many families have you ruined, by allowing the Joker to live? . . . And why? Because of your duty? Your sense of justice?” Jason Todd put a more personal spin on it (of course): “Bruce, I forgive you for not saving me. But why . . . why on God’s Earth—is he still alive? . . . Ignoring what he’s done in the past. Blindly, stupidly, disregarding the entire graveyards he’s filled, the thousands who have suffered, . . . the friends he’s crippled, . . . I thought . . . I thought killing me—that I’d be the last person you’d ever let him hurt.”<sup>9</sup> Batman’s standard response has always been that if he ever kills, it will make him as bad as the criminals he fights, or that he will be crossing a line from which he would never return—though he is very open about his strong desire to kill the Joker.<sup>10</sup>

While utilitarians would generally endorse killing one person to prevent killing more, members of the school of ethics known as *deontology* would not.<sup>11</sup> Deontologists judge the morality of an act based on features intrinsic to the act itself, regardless of the consequences stemming from the act. To deontologists, the ends never justify the means, but rather the means must be justifiable on their own merits. So the fact that the killing would prevent future killings is irrelevant—the only relevant factor is that killing is wrong, period. But even for the strictest deontologist, there are exceptions—for instance, killing in self-defense would generally be allowed by deontologists. So killing is fine, but only for the right reasons? Might killing a homicidal maniac be just one of those reasons? We’ll see, but first we have to take a ride on a trolley. . . .

### **To the Bat-Trolley, Professor Thomson!**

One of many classic moral dilemmas debated by philosophers is the “trolley problem,” introduced by Philippa Foot and elaborated upon by Judith Jarvis Thomson.<sup>12</sup> Imagine that a trolley car is going down a track. Further down the track are five people who do not hear the trolley and who will not be

able to get out of the way. Unfortunately, there isn't enough time to stop the trolley before it hits and kills them. The only way to avoid killing these five people is to switch the trolley to another track. But, unfortunately, there is one person standing on that track, also too close for the trolley to stop before killing him. Now imagine that there is a bystander standing by the track switch who must make a choice: do nothing, which leads to the death of the five people on the current track, or act to divert the trolley to the other track, which leads to the death of the single person.

Let's call the person in control Bruce. Is Bruce morally allowed to divert the trolley to the second track or not? If he is, can we also say that in fact he is *required* to do it? Thomson takes the middle road here, concluding that Bruce is permitted—but not required—to divert the trolley. A typical utilitarian would require Bruce to throw the switch and save more lives, while a deontologist would have problems with Bruce's acting to take a life (rather than allowing five to die through inaction). Thomson's answer seems to combine the concerns of both utilitarianism and deontology. Bruce is allowed (maybe even encouraged) to divert the train and kill one person rather than five, but it's valid also for Bruce to have problems with doing this himself.

One way to state the difference between the utilitarian and the deontological approaches is to look at the types of rules they both prescribe. Utilitarianism results in *agent-neutral* rules, such as "Maximize well-being," and utilitarians couldn't care less who it is that will be following the rule. Everybody has to act so as to maximize well-being, and there is no reason or excuse for any one person to say "I don't want to." By contrast, deontology deals with *agent-specific* rules—when deontologists say "Do not kill," they mean "*You* do not kill," even if there are other reasons that make it look like a good idea. This is simply a different way of contrasting the utilitarian's emphasis on good outcomes with the deontologist's focus on right action.

While throwing the switch to kill the one rather than five may be good, it may not be right (because of what that specific person has to do).<sup>13</sup>

### **Hush Will Love This Next Story . . .**

Thomson likes to compare the trolley situation with a story involving a surgeon with five patients, each of whom is dying from failure of a different organ and could be saved by a transplant. Since there are no organs available through normal channels, the surgeon considers drugging one of his (healthy) colleagues and removing his organs to use for the transplants.<sup>14</sup> By doing so, he would kill his colleague, but he would save his five patients.

With the possible exception of our bandaged and demented Dr. Hush, few people would endorse such a drastic plan (least of all Dr. Thomas Wayne, bless his soul). You can see where I'm going with this (Batman fans are so smart)—“What is the difference between the bystander in the trolley case and the surgeon in the transplant case?” In both cases a person can do nothing, and let five people die, or take an action that kills one but saves the five. Thomson, and many philosophers after her, have struggled with these questions, and there is no definitive answer. Most people will agree that throwing the trolley switch is justified, and also that the surgeon's actions are not, but we have a very difficult time saying precisely *why* we feel that way—and that includes philosophers!

### **Top Ten Reasons the Batmobile Is Not a Trolley . . .**

How does Batman's situation compare to the trolley story (or the transplant story)? What factors relevant to Batman and the Joker are missing from the two classic philosophical dilemmas? And what does Batman's refusal to “do the deed” say about him?

One obvious difference between the two cases described by Thomson and the case of Batman and the Joker is that in Thomson's cases, the five people who will be killed if the trolley is not diverted, and the one person who will be killed if it is, are assumed to be morally equivalent. In other words, there is no moral difference between any of these people in terms of how they should be treated, what rights they have, and so on. All the people on the tracks in the trolley case are moral "innocents," as are the patients and the colleague in the transplant case.

Does this matter? Thomson introduces several modifications to suggest that it does. What if the five people on the main track collapsed there drunk early that morning, and the one person on the other track is a repairman performing track maintenance for the railroad? The repairman has a right to be there, while the five drunkards do not. Would this make us more comfortable about pulling the switch? What if the five transplant patients were in their desperate condition because of their own negligence regarding their health, and the colleague was very careful to take care of himself? We might say that in both of these cases the five persons are in their predicament due to their own (bad) choices, and they must take full responsibility for the consequences. And furthermore, their lives should not be saved at the expense of the one person in both situations who has taken responsibility for himself.

But the Joker case is precisely the opposite: he is the single man on the alternate track or the operating table, and his victims (presumably innocent) are the other five people. So following the logic above, there would be a presumption in *favor* of killing the Joker. After all, why should his victims sacrifice their lives so that *he* should live—especially if he lives to kill innocent people?

This case is different from the original philosophical cases in another way that involves moral differences between the parties. Unlike the classic trolley and transplant cases, the Joker actually *puts* the others in danger. In terms of the trolley case, it

would be as if the Joker tied the five people to the main track, then stood on the other track to see what Batman would do! (Talk about a game of chicken!) If we were inclined to kill one to save five, that inclination would only be strengthened by knowing that the five were in danger *because* of the one!

We might say that the one person on the alternate track has the *right* not to be killed, even to save the other five. While it would be noble for him to make this sacrifice, most philosophers (aside from utilitarians) would deny that he has such an obligation. This is even clearer in the transplant case. The surgeon could certainly ask his colleague if he would be willing to give up his organs (and his life) to save the five patients, but we could hardly tell him that he *had* to. Once again, the difference with the Joker is that he put the others in danger, and it would be absurd—in other words, appropriate for one such as the Joker—to say, “Sure I’m going to kill these people, but *I* should not be killed to save *them*!”

The recognition of the Joker’s role in creating the situation also casts light on the responsibility Batman faces. If we said to the Caped Crusader, as many have, “If you don’t kill the Joker, the deaths of all his future victims will be on your hands,” he could very well answer, “No, the deaths that the Joker causes are his responsibility and his responsibility alone. I am responsible only for the deaths I cause.”<sup>15</sup> This is another way to look at the agent-centered rule we discussed earlier: the bystander in the trolley example could very well say, “I did not cause the trolley to endanger the five lives, but I would be causing the death of one if I diverted the trolley.”<sup>16</sup>

### **“I Want My Lawyer! Oh, That’s Right, I Killed Him Too”**

What the surgeon does in the transplant case is clearly illegal. However, if the bystander switches the trolley from its track, knowingly causing one person’s death to save five others, the

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