BATMAN

AND

ETHICS

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Introduction

You've decided to become a costumed crimefighter. Congratulations! You've got your outfit, having made the critical decisions regarding colors, mask or cowl, and cape or no cape. You've got your secret lair, your cool car (unless you can fly), and all the equipment you need to confront the criminal element and protect the innocent citizens of your fair city.

But wait … that's just the easy part. What are you going to do now? Are you going to look for muggers and burglars, or tackle corruption in government and business? Are there already supervillains to fight—or will they instead be inspired by you? How far are you willing to go in your crusade for justice? What degree of violence are you comfortable using? Will you break bones, put thugs in the hospital—or will you "cross the line" and end them once and for all?

The questions don't stop there. Who else will you enlist in your mission? Will you bring in a sidekick, maybe even a young boy or girl to watch your back and train to become a full-fledged hero someday? Will you cooperate with other masked crimefighters? What relationship will you cultivate with the local authorities? How far will you go to protect your secret identity? How will you balance your superhero life with your personal life, including your love life? Will you let your friends and family know what you're doing?

It turns out there's a lot more to being a costumed crimefighter than gearing up and jumping into the fray. As with many things in life, being able to do something is not the same thing as knowing what to do with it or the best way to do it. As a wise sage once said, "with great power must come great responsibility": deciding what to do with your power is the hard part,

and the answer you choose separates the superheroes from the truly dangerous (if not villainous).

Being a superhero, then, opens a green hornet's nest of ethical conundrums—and if you're anything like me, you find those moral dilemmas just as interesting as the exciting, cataclysmic battles between good and evil. It turns out that stories about superheroes in comic books, TV shows, and movies are great ways to start discussions about ethics and morality. The difficult ethical spots that superheroes find themselves in may not always look like the ones you and I face, but they can be examined using the same basic schools of ethics that philosophers have developed over the last couple thousand years. Even better, they apply much more to our day-to-day moral issues than you might think.

That also happens to be why I wrote this book. But why did I choose Batman as my companion along the way? There are several reasons, but the simplest one is that he's incredibly cool! And I'm not alone in thinking that. Batman is one of the most popular and enduring superheroes all of time, appearing regularly in the comics since his introduction in 1939, becoming a TV star in the 1960s, and a movie star starting in the 1980s. He has appeared in many different forms, styles, and moods, yet there is an essential quality of "Batman-ness" that persists through all of them and continues to fascinate us.

One explanation commonly cited for Batman's enormous popularity is that he is "just" a regular person, a human being like you or me. He's not an alien visitor from another planet or an Amazon princess with powers granted from the gods, nor was he granted an all-powerful power ring, an enchanted hammer, or an ouchie from a radioactive spider. He's "just a guy"—well, a guy with a load of money and free time on his hands, but otherwise, a normal guy. Setting aside those small details, however, Batman stands as an example of what each of us could be if we wanted it badly enough and pushed ourselves hard enough. Ideally, we could hone our bodies to physical perfection, study criminology and forensic science until we've mastered it, and devote our entire lives to stamping out crime. In theory, each of us could be Batman—it's only our resolve (and our resources) that stand in the way.

Because he's human—despite the enormous wealth—we feel closer to his experiences, his adventures, and his moral struggles, than we do to those of his super friends. Furthermore, the moral struggles he faces as "merely a man" are more interesting because the choices he must make and the burdens he must bear are more familiar to us than those of Superman or

Wonder Woman, even as "normal" and down-to-earth as comics creators try to make these characters seem. Batman makes bad choices and he pays for them—and even worse, sometimes other people pay for them—and he regularly beats himself up over it. He constantly pushes himself to be better and do more, but there are limits to how much or how well he can do—limits he usually refuses to acknowledge, for reasons both pragmatic and principled.

In this book, we'll talk about a number of aspects of Batman's life and mission, his friends and colleagues, and his most dramatic and exciting adventures, and explore the ethics behind each of them. We'll see that Batman's moral code is not simple and does not fall neatly into any of the ethical schools we'll talk about—which is fine, because few of ours do either! Just like the rest of us, Batman's ethics are complicated and conflicting, different aspects of them being triggered by different circumstances, and Batman's moral choice in these situations may not be the same as you or I would make. Figuring out why … now *that's* the fun part!

Popular conceptions of moral philosophers have us knowing "the truth" about right and wrong and having "the answer" to any moral question. That is, frankly, ridiculous—neither part is accurate. What we moral philosophers do instead, especially when we teach, is highlight and explore different approaches to ethics, not to declare one of them "right" or the "best," but to emphasize different aspects of everyday moral thinking. (It would be very difficult to declare one approach to ethics "the best," anyway, because how you define "the best" depends on what ethical approach you take, and then you're assuming your answer, or what philosophers call "begging the question.") Sometimes people try to bring about the greatest amount of happiness; sometimes they try to follow rules and do the "right thing"; and sometimes they try to be the best people they can be. These three approaches correspond to the schools of moral philosophy known as utilitarianism, deontology, and virtue ethics, which we'll talk more about in the pages to come (especially the first two).

Often, those three approaches to ethics point in the same direction. For example, all three would say that, in general, lying is unethical and helping others is ethical, although they might provide different reasons with different bits of nuance. Most of the "big" moral issues are like this: killing, stealing, and poisoning the Gotham City water supply with Joker venom are all forbidden by all major schools of ethics. (Whew.)

However, in other cases the three schools do come into conflict—especially utilitarianism and deontology—especially when doing "good" and

doing "right" point to different actions. You want to surprise your best friend on her birthday by taking her out to a show, but you promised another friend you'd watch his dog while he's away. Perhaps you have a chance to get a great job with health benefits to take care of your sick child, but you have to lie about your qualifications to get it. Or maybe you have a chance to stop your homicidal arch-nemesis from killing more innocent people, but only if you kill him, which you swore not to do.

The last case may not crop up in your life very often, but it is a recurring theme in Batman's stories and a constant question in every fan's mind: Why doesn't Batman kill the Joker? The Joker, easily the most deadly of Batman's colorful rogues' gallery, has killed countless citizens of Gotham City and elsewhere. He has also directly affected the Dark Knight himself: he killed Jason Todd, the second Robin; he shot and paralyzed Barbara Gordon, the original Batgirl and adopted daughter of his close friend, Jim Gordon; and he killed Sarah Essen, a Gotham City Police Department detective and commissioner (and wife of Jim Gordon). As we'll see later in this book, it's not only fans who wonder why Batman doesn't put a permanent end to the Joker's killing spree—many people in the DC Universe have confronted Batman about this, including Barbara Gordon and Jason Todd himself (after returning from the dead).

Here we see all three ethical approaches at play and in conflict. If Batman only wanted to do good, to save lives and protect innocent people, he likely would have killed the Joker a long time ago. But he also wants to do the right thing, and he feels strongly that killing is always wrong, even if it would save more deaths in the future. Finally, Batman does not want to be a killer; he does not want to become like the criminals he opposes and holds himself to a higher standard of character. The last two approaches speak to why he won't kill the Joker, reinforcing each other by emphasizing the lines Batman won't cross in his mission to protect the people of Gotham City, but that refusal to kill limits the success of that mission itself.

Does Batman make the right choice? We may assume *he* feels it's the right choice, but we may have our own opinion on the matter. The type of choice Batman finds himself in here is what philosophers call a *tragic dilemma*, a choice from which one cannot escape "with clean hands." Either Batman kills the Joker, sacrificing his moral principles and who he strives to be, or he accepts that the Joker will kill more innocent people, compromising Batman's core mission. He can't do both, but he must make a choice. Is there truly a "right" choice in such circumstances? What would *you* do, and why?

In the end, it comes down to *judgment*, which we use all the time to settle conflicts between important moral goals and principles. Most of us don't often encounter life-or-death conflicts like Batman does—unless you're a doctor or nurse, a police officer or firefighter, or in the military—but we can still appreciate the need for moral judgment to settle disputes between the good and the right, or even different types of one or the other. You want to donate money to a charity, but which one and how much? You accidentally make promises to different people and can't possibly keep them all, so which do you break? You have a chance to move to a better school district to give one child access to a better music program, while tearing your other child away from his friends—do you move?

None of these are clear-cut decisions that you can easily make with rules or formulae. These tools can help you clarify various aspects of an issue, but at the end these options are not easy to weigh against each other. It's not like comparing prices for an identical product, like a specific model of a new car or a washing machine—it's more like comparing different prices for different makes and models of cars of different ages with different features. You can analyze and compare and make lists until you're blue in the face, but at the end of the day you have to make a choice that feels right to you, and all you have at your disposal to make that choice is your judgment. Call it intuition, call it your gut, call it whatever you want—it's *you*, the real you, the person that has to make a choice that reflects and reinforces who you are.

Batman makes this choice every time he refuses to kill the Joker. He knows the arguments for and against doing it, and he sympathizes with those who want him to end the Clown of Crime once and for all. But there is no one right decision—only the one he feels is consistent with his values and the hero he wants to be.

With Batman, however, it's even more complicated than this, and this complication is the true motivation behind this book. It's not just that Batman has to make choices between the ethical ideas of doing good, doing right, and being a good person. Every superhero has to do this and, as I said, this is part of what makes superhero stories, whether in the comics, movies, or TV, fascinating as well as entertaining. With Batman more than most superheroes, the problem is that his conception of each of these moral principles is *inconsistent*. Sometimes his version of doing good is fighting crime and other times it's saving lives, two clearly good aims that are not the same thing and sometimes conflict. He refuses to kill because it's wrong, but is often extremely violent and sometimes engages in what can be called

torture—again, two clear wrongs but only one of which he steadfastly avoids. In the end, how does he reconcile these inconsistent visions of the good and the right—or does he at all?

You could say that this is another aspect of Batman's inherent humanity: he is as inconsistently moral as any of us. But while having to balance the good against the right is a part of being a good person—doing it well can even be considered a sign of fine virtue—having conceptions of good and of the right that are inconsistent *within* themselves is not. It signals a lack of integrity in a formal sense, a sign that one's moral character is not as settled as it should be in order to be ethical in the world. In other words, Batman could be better, and so could we—and that's the real message of this book. It's wonderful to care about ethics and have many different thoughts about how to make the world better and more just while also being a good person, but if you can't reconcile those thoughts into a consistent code of ethics, your actions will reflect this sense of disorder. You may still be a good person and do ethical things, but not as much as you could or as reliably as you could.

In this book, we'll take a trip through the ethical landscape where Batman finds the various pieces that make up his moral code and consider the inconsistency in each one as well as how he balances them against each other. My intent is not to criticize him as a person or a hero—despite his imperfections he is a fine example of both. Instead, I use those imperfections to show how he can be better at both, and how we can all learn from his example to be better ourselves. (And talk about a lot of great comics in the process!)

Which Batman?

One question that naturally arises when you write about a massively popular multimedia character such as Batman is: which Batman are you referring to? There have been many versions of Batman over the years, not only in the comics but also on TV, including the campy, beloved live-action starring Adam West and Burt Ward and the more recent animated series, and in the movies, representing several distinct visions under different directors, screenwriters, and actors. Even if we focus only on the main Batman comics—excluding "imaginary" stories and those from alternate Earths—there have many different versions of him, from the original 1930s gun-wielding Batman and the goofy 1950s sci-fi version (Rainbow Batman!

Mermaid Batman!), through the Darknight Detective of the 1970s, the even Darker Knight of the 1980s, and beyond.

The brilliance of Batman, however, is that there are certain qualities of Batman-ness that carry through most all versions and make them identifiably the same character. The philosopher Ludwig Wittgenstein coined the term "family resemblance" to explain how various examples of a vague concept can be identified. For instance, he cited the difficulty with defining what a "game" is—every characteristic of a game you might suggest has a counterexample among something clearly called a game. But, Wittgenstein said, the various things we call games have enough in common, even if not among all games, to link them together, in the same way that blood relatives may share various similarities with other family members: the daughter may have the father's nose and the mother's eyes while the son has the father's mouth and the mother's hands. In the same way, the various iterations of Batman over the last 80 years share enough qualities with enough of the other versions that they are all recognizable as Batman.

If my purpose is to investigate the inconsistency in Batman's moral behavior, though, the best way to do that is to focus on one version of the character. It wouldn't be much to say, for instance, that Adam West's Batman from the 1960s TV show behaved differently than Ben Affleck's Batman in the film *Batman v Superman*, or that the goofy Batman of the 1950s comics behaved differently than the version in Frank Miller's 1980s classic *The Dark Knight Returns*, but it would be interesting to point out the same inconsistency in any one of these. Striking a balance between including too broad or narrow a range of material, in this book I will focus on a period in the comics of about 40 years, from the early 1970s through 2011, and will treat this version of Batman as a singular version of the character. Despite being written, drawn, and edited by hundreds of different people over these four decades, I feel Batman was portrayed as consistently during this period as ever—which makes the inconsistencies in his moral behavior that remain all the more apparent.

Why do I talk only about the version of Batman in the comics? It's not because the versions shown in the movies and television are any less valid or meaningful, to be sure. It's because I believe the comics are where his behavior and thought processes are best illustrated and explained—often they're stated explicitly, in copious dialogue, thought balloons, and exposition, which don't occur as often (or at all) in other media. This is not to say that the mainstream comics version of Batman is more legitimate or represents the "real" Batman—each version of Batman is the real Batman to

somebody. It's simply that the ethical aspects of Batman I find most interesting are found in the comics from this period, beginning with the modernization of the character in the early 1970s by writer Denny O'Neil and artist Neal Adams, continuing on through the 1980s in the work of creators such as Doug Moench, Mike Barr, Jim Aparo, and of course Frank Miller, into the 1990s with Alan Grant, Norm Breyfogle, and Chuck Dixon, and the 2000s with Ed Brubaker, Greg Rucka, Scott McDaniel, and Grant Morrison.

   (Why stop at 2011? I cut off my look at the comics there because this was the year that DC Comics rebooted their entire universe in the "New 52" initiative, which they only partially reversed in the 2016 with "DC Rebirth." The character of Batman was among the least affected by this change, and fantastic stories were told afterwards by Scott Snyder, Greg Capullo, Peter Tomasi, Tom King, and others, but the change was still significant enough to mark a break in continuity that provides a neat and tidy bow on the period I cover.)

   I left many names out, of course, and they're all listed in the references. In most of this book, though, as you'll notice, I will rarely make reference to any particular creators' version of Batman. Instead, I treat Batman as one coherent character, as I believe he was for these four decades (and for the most part continues to be). He naturally changed over the years, of course, as we all do; and even during this period he was not entirely consistent in his actions, motivations, or justifications, again just like the rest of us. I talk about him as if he were a real person, which is a useful fiction, but this is not to ignore the fact that who we call the Batman is the creation over many years of hundreds of talented creators, and it is to them that this book is dedicated. I believe that his characterization matured in the early 1970s and stayed fairly constant through the ensuing decades—enough that we can talk about one "Batman" while still exploring the inconsistencies of his ethical behavior and motivations, and use this to consider our own.

PART I

What Batman Tries to Do—and How He Might Do It Better

The story has been told many times, each as chilling as the last. After seeing a Zorro movie at the movie theater, Thomas and Martha Wayne and their young son Bruce walk down an alley, only to face a mugger who demands money and jewelry. Thomas resists, and the mugger shoots him and then his wife, leaving their son in shock as the killer runs into the night. As Bruce kneels sobbing over his parents' bodies, he swears an oath to prevent this tragedy from happening to anybody else—and, in many ways, Batman was born that night.

Of course, Bruce was still a young boy then, and the cape and cowl, not to mention the cave and car, were years away. The Waynes' loyal butler Alfred Pennyworth (with the help of Thomas' friend and colleague Dr. Leslie Thompkins) raised Bruce to be the man his parents would have wanted him to be, while in solitude he began the intensive training that would prepare him for the role and the life he chose for himself that fateful night—in other words, "the mission." It is this mission to which Batman dedicates his life, sacrificing his every waking moment, much of his fortune, and any prospect of an independent life with joy or love. It is this mission and Batman's super-human resolve to pursue it that inspire admiration among his fellow heroes in the DC Universe and his millions of fans in the real world—while at the same time they question his sanity for pursuing it with such single-minded devotion. And it is this mission, along with the steps he refuses to take in pursuit of it, that together define who Batman is in ethical terms.

In this part of the book, we'll explore the nature of that mission. We'll discuss various aspects of it, both positive and negative, and what each one implies about the priorities Batman puts on different sides of his overall

goal. We'll also see how Batman's mission can be described in terms of moral philosophy, specifically the school of ethics known as *utilitarianism*, which is focused on increasing and maximizing the amount of good in the world. We'll explore how Batman's mission falls short of the utilitarian ideal in important ways and try to explain why—and find out more about utilitarianism in the process. We'll even see that certain aspects of his mission are self-defeating, which shows how complicated ethical questions can be, even in the context of a very simple and straightforward goal. Most important, we'll discuss how Batman struggles with ethical dilemmas that, other than the cave, car, and cape, resemble ones we face every day, and as much as we can be inspired by his successes, we can learn from his failures. Batman isn't perfect, and neither are we—but we can all be better. Let's see how.

1

Utilitarianism and the Mission

One reason Batman is such a popular superhero (and fictional character in general) is that he has incredible devotion to his life's goal, or his *mission*. At the risk of seeming insensitive, given the tragic reason for his adopting that goal, many of us might be envious of Bruce Wayne's single-minded focus and belief in the purpose of his life. (I know I am!) What's more, that mission is altruistic, oriented toward making other people's lives better, and motivated by his own loss at a young age. We can of course argue that he goes too far in pursuing his mission, in that he sacrifices his own personal happiness and any chance at romantic love. Some would say that he doesn't go far enough, in that there are certain steps, such as killing his enemies, that he will not take even to further his mission. Yet others say that, if he really wants to help people, dressing up as a giant bat and beating up bad guys isn't the best way to go about it. Even though we may be critical of the mission itself or how he executes it—and we'll talk about that in later chapters—many of us admire Batman's devotion to it in general.

But what exactly *is* his mission? As with most things in the world of Batman—save for his famous, oft-quoted saying about criminals being a "cowardly and superstitious lot"—there is no definitive, canonical statement about his mission. However, there are several recurring elements of his mission which, although related and overlapping to some extent, reflect different aspects of it and shed light on its complexity as well as his devotion to it.

The most immediate one, which gets to the heart of what he does more than why he does it, is his never-ending war against crime in Gotham City and elsewhere: as the narration to one story reads, "it's what his life is about."[1]

As Batman once said, "I made a promise. To honor my parents. Someday to rid Gotham City of the crime that took their lives."[2] Simply put, Batman is driven not only to fight crime but to *end* it, despite the futility of this goal, which he admits: as the narration to an overview of his early life and motivation reads, "he knows he's set himself an impossible goal. No man can ever eliminate crime. All he can do is try."[3] And this he does, in full awareness of this impossibility. "I've dedicated my life to eradicating crime," he thought to himself while combatting gangs in Gotham's Chinatown. "At best a hopeless cause. Sometimes all we can do is maintain the balance of power."[4]

Furthermore, Batman does not limit himself to major crimes or the antics of his colorfully costumed foes. On his way to catch Kite Man—yes, *Kite Man*—Batman heard a burglar alarm coming from a jewelry shop and considers driving by, but then thought, "a crime is a crime is a crime! It's isn't my job to judge them—just to stop them!"[5] Even these crimes must be confronted, even though he knows he can never deal with them all, even on a night of "casual crimes and momentary madnesses … the same thousand sins of any normal night, anonymous evil I can never stop."[6] We'll come to the way Batman sets priorities later, but for now the point is that, in theory, he doesn't exclude any crime, no matter how small, from his mission—even if, in practice, he finds he must prioritize them somehow.

Although avenging the deaths of his parents played a clear and important role in driving his mission to eradicate crime—"turning a boy of bright hope into a man of dark vengeance," which we'll unpack later—Batman does not endure a constant battle against crime in Gotham City simply to make up for not saving his parents as a young boy.[7] Neither is fighting crime an end in itself; there is deeper purpose behind it, namely to help, protect, and save people, especially the residents of Gotham. Inspired by his father's devotion to medicine, Batman goes to extraordinary lengths to save innocent lives. As he dove off a cliff to catch a vial of deadly Ebola virus, the narration reads: "Millions of lives are at stake. Maybe all humanity. He doesn't hesitate for an instant."[8] He famously lets criminals escape if he needs to save a life. After doing just that, a person he saved asked, "But why did you bother? I thought you only cared about catching criminals!" to which Batman replied, "You're not alone in thinking that! I wish you were!"[9] And it is not only the lives of the innocent that he tries to save, but all lives, even those of the most heinous and evil. We see this in the numerous times he saves the Joker, even at the expense of the countless people the Crown Prince of Crime will surely kill later—a central moral dilemma in the Batman canon that we will talk about often in this book.

Utilitarianism: Bentham, Mill, and … Wayne?

These two simple goals—fighting crime and saving lives—cover most all of Batman's actions as the Dark Knight, but each is more complicated than it seems, in terms of how each must be implemented in itself as well as when they conflict with or contradict each other. We'll discuss those nuances soon enough, but in general they both reflect Batman's overall motivation to help people, which corresponds to a school of moral philosophy that grounds the first part of this book.

Whatever their method or motivation, most superheroes try to help people. When Superman diverts an asteroid hurtling toward the Earth, Wonder Woman prevents one of the Olympian gods from enslaving humanity, or the Flash stops a bank robbery before most people realized it had begun, they are protecting people from harm, including the loss of property, freedom, and life. They are also serving the cause of justice and preventing wrong from being done—very important considerations, especially when they conflict with helping people—but most of what superheroes do can be summed up as helping, protecting, and saving.

In other words, superheroes use their fantastic powers and abilities to make people better off, just as real-world heroes such as doctors, soldiers, and firefighters do with their skills, training, and courage. Implicitly, they regard people's well-being as something of moral importance, and they use their gifts to enhance that well-being (or prevent it from being lessened).

This way of choosing how to express heroism closely resembles the school of moral philosophy known as *utilitarianism*. Although the basic idea dates to antiquity, utilitarianism was introduced in its current form by Jeremy Bentham and John Stuart Mill, who were philosophers as well as social reformers who wanted to improve the lives of all people. Utilitarianism is a specific type of *consequentialism*, the general view that the outcome or result of an act is what matters as far as ethics is concerned. In other words, consequentialism judges actions by their consequences rather than the intention behind them or their correspondence with abstract rules or principles, considerations belonging to other ethical systems we'll talk about later.[10]

Utilitarianism is narrower than consequentialism because only one aspect of consequences is morally relevant: the total amount of *utility* they have. The word "utility" can mean benefit, happiness, or satisfaction, depending on which utilitarian you ask, but for our purposes, we can understand utility to mean whatever people regard as good to them.[11] Each

person gets their own individual utility from choices they make (as well as things that happen to them), and the total utility of a group of people is computed simply by adding up the individual utilities of every person. Although this summing up may seem obvious, it can also be considered the most radical aspect of utilitarianism, in that it implies that the utility of *each and every person*, regardless of class, race, gender, or religion, counts equally in the total. This idea was heretical in the eighteenth and nineteenth centuries, when most societies were more formally stratified into classes, and would not be welcomed even today within some segments of even the most liberal democracies. It also represents an ideal of moral equality that gives utilitarianism much of its nobility, while at the same time generating problems when people with different capacities for utility, or "utility monsters," twist the sums in their favor by dominating the utilitarian calculus.[12] For example, if the Penguin derives twice as much utility from fresh halibut than anyone else, a goal of increasing total utility would imply that he should get more fish than other people would, even if they needed it more but enjoyed it less. This also points out the importance and difficulty of defining exactly what "utility" means, whether based on want or need, as well as the possibility of lessening the utility of some people to increase the utility of others if that will lead to a higher total—the controversial "ends justify the means" reasoning that we'll see later.

Getting back to the main point, utilitarians maintain that we should choose actions that give people *more* utility (or make them better off), and if we have several such options, we should choose the one that gives them the *most* utility. For example, if Bruce Wayne decides to give ten million dollars to his favorite country club, that is an ethical and generous act, but it would probably be better to give it to a homeless shelter club because it is likely to do more good for people who need it. (Indeed, many have wondered if it would be better for Bruce to give away his fortune rather than spending it on Batmobiles and batarangs … we'll get to that!) When an elderly and poor man asked Batman why he bothered to prevent him from being mugged rather than chasing "international criminals," the Caped Crusader told him, "Crime is crime … and to you, the loss of a dollar is more important than the loss of thousands to a banker!"[13] Batman's statement is based on *diminishing marginal utility*, a fancy term for the simple idea that, after a point, extra amounts of things bring a person less happiness, so an extra dollar means more to someone who has few of them than to someone who has many. Although giving is generally good regardless of the recipient, it can do more good by steering it to people who have less.

Not as Simple as It Seems

While utilitarianism sounds simple in theory, it is actually surprisingly difficult to implement well in practice, at least if you always aim for the one decision that will increase utility the most (or maximize it). One reason is that utility can be very difficult to measure. I loaded the deck a bit in the last paragraph when I gave Wayne the stark choice between giving money to a homeless shelter or a ritzy country club. But what if his choice were between two reputable charities? Wayne believes that each would do a lot of good with the money, but how is he supposed to compare the "lot of good" each would do? It would be hard enough to compare how much good it would do to donate money to one person or another: the money would certainly raise each person's utility, but how do you compare them to know which person would get more utility from it? Philosophers call this the problem of *interpersonal comparisons of utility*, and it has proven a thorny issue precisely because a person's feelings of happiness or utility are typically considered internal and therefore subjective, and there is no way for one person to express how happy they are in units that another person can also use. This isn't a fatal problem, though: Utilitarians can acknowledge it and still make their best estimate, because doing some good is better than nothing even if you're not sure you're doing the best you can.

Another problem with implementing utilitarianism, and indeed any type of consequentialism, is that most outcomes or results happen in the future and are therefore uncertain. Bruce can't be sure what the charity he donates to will do with the money or how much they will use it to help people versus padding their executives' bank accounts. As Batman, he can't know for certain which patrol route will lead to more criminals he can fight or people he can save. He doesn't know which heroes to invite onto teams like the Justice League or the Outsiders who will best aid him in his mission. And he definitely doesn't know how long it will take for the villains he puts away in Blackgate Prison or Arkham Asylum to escape and wreak more havoc. All he can do is make the best decision he can based on the information he has. Because he's Batman, he has as much information as anyone can have, and the experience to know how to craft it into a decision, but he must still make informed guesses before making a decision how to best further his mission in specific circumstances. All utilitarianism can ask is that we make the best decision we can, even if we can't hope to make a perfect decision, but this is still a very tough task—especially for someone who has sworn to do the impossible.[14]

The difficulties with putting utilitarianism into practice point to the importance of using *judgment* to fill the gaps in the information that is needed to do it perfectly. On the surface, utilitarianism may seem easily reduced to numbers, comparing the benefits and costs of various options, but we have seen that the numbers themselves are rarely obvious or clear. Even in the context of business investment, which is literally a numbers game in which people choose between opportunities with various rates of return and levels of risk, investors need to use judgment to decide which combinations of risk and return are most attractive. Also, the numbers themselves are based on estimates that someone arrived at using judgment, because they are all predictions about an uncertain future. But when the choices involved in a utilitarian decision are not so easily put into numbers—such as when they involve human lives—judgment is all the more important.

But the vague and indeterminate nature of these hard decisions also makes them more subject to being questioned or challenged. Superheroes often face hard moral choices in the comics, and other heroes, colleagues, and (of course) the readers all debate their decisions. Judgment is based in part on one's experiences and way of understanding ethics, beyond formulas and rules, and as a result each person's judgment is unique. Think of the nine justices on the United States Supreme Court, all brilliant and experienced legal minds, but each with a unique way of looking at the law and the hard cases they encounter. Even when they arrive at a unanimous 9–0 decision, each justice may justify her or his decision in a different way, as often expressed in their separate opinions and concurrences.

One of the issues we'll address throughout the first part of this book is whether Bruce Wayne is doing the most good he can as Batman, both in terms of being Batman at all and the way he conducts himself as Batman. Because there are so many factors involved in this determination, ultimately this is a judgment call. There is no simple ethical rule or formula that can definitely answer any of these questions, and as such there will inevitably be disagreement. For instance, Henri Ducard, a detective who helped train a young Bruce Wayne, disagreed with Batman's focus (even as Ducard starts to realize the two men are one and the same):

> While Batman busies himself with petty thieves and gaudy madmen, an abyss of rot yawns ever wider at his feet. He's a band-aid of a cancer patient. I am of course no moralist, but this Batman has a very poor understanding of the world.[15]

I guess we should be thankful he's not a moralist!

Many have questioned Batman's focus and methods, both within the context of his particular brand of utilitarianism and also how he integrates other moral perspectives to moderate and modify it. Although we can certainly question the decisions he makes and how he makes them, in particular situations as well as how he generally chooses to live his life, we must be generous enough to acknowledge that Bruce Wayne is trying to do good with the cards that life has dealt him, both the good and the bad. By examining his moral decisions, we can start to appreciate how difficult they are, and also how difficult our own moral decisions are—and by criticizing the way he makes them, we can begin to see how we can make better ones, especially through a better integration of the various aspects of our moral personalities or characters. We begin that task in the next chapter as we look at ways in which Batman limits his own utilitarianism by how he defines his mission.

Notes

1   *Batman: Shadow of the Bat* #0 (October 1994).
2   *Batman: Ghosts—A Legend of the Dark Knight Special* (1995). See also *Batman* #608 (December 2002), where his origin is retold: after his parents were killed, Bruce made "a vow to rid the city of the evil that had taken their lives."
3   *Batman: Shadow of the Bat* #0.
4   *Batman* #467 (Late August 1991).
5   *Batman* #315 (September 1979). Naturally, after I first wrote this, Kite Man was made relevant in the DC Rebirth era of Batman. (I could never have predicted this.)
6   *Batman* #525 (December 1995).
7   *Batman* #558 (September 1998).
8   *Batman: Shadow of the Bat* #54 (September 1996).
9   *Detective Comics* #486 (November 1979), "Murder by Thunderbolt."
10 The essential work in utilitarianism includes Bentham's *The Principles of Morals and Legislation* (1781), available at https://www.utilitarianism.com/jeremy-bentham/, and Mill's *Utilitarianism* (1863), available at https://www.utilitarianism.com/mill1.htm. As for consequentialism in general as well as its relationship to utilitarianism, see Walter Sinnott-Armstrong's 2015 entry in the *Stanford Encyclopedia of Philosophy* at https://plato.stanford.edu/entries/consequentialism/.
11 This is problematic if you think people don't know what's good for them. (I'm looking at you, Mr. Pennyworth.)

12   Utility monsters were introduced by Robert Nozick in his classic book *Anarchy, State, and Utopia* (New York: Basic Books, 1974), p. 41.
13   *Detective Comics* #457 (March 1976), "There Is No Hope in Crime Alley!"
14   We have only scratched the surface of utilitarianism here. For more on the complications and controversies with what is, to many, the most intuitively plausible and attractive school of ethics, see J.J.C. Smart and Bernard Williams, *Utilitarianism: For and Against* (Cambridge: Cambridge University Press, 1973), Amartya Sen and Bernard Williams (eds.), *Utilitarianism and Beyond* (Cambridge: Cambridge University Press, 1982), and Samuel Scheffler (ed.), *Consequentialism and Its Critics* (Oxford: Oxford University Press, 1988),
15   *Detective Comics* #600 (May 1989).

Limitations of the Mission

Even though Batman is at the simplest level a utilitarian, in that his mission is broadly oriented toward making people better off, it would be more accurate to call him a *limited utilitarian*. Although he uses his skills, abilities, and resources to increase total well-being, he does so in a way that is deliberately limited in a number of different ways. I'm not talking about moral influences from outside his utilitarianism that interfere with his ability to increase people's well-being, such as his refusal to kill murderous villains like the Joker even if it might save many more lives in the future. We'll ride that particular trolley in the second part of this book; in this chapter we're going to focus on ways in which Batman limits his pursuit of his utilitarian mission by narrowing its scope—and by going negative.

The Dark Utilitarian

The most important aspect of Batman's mission as it relates to utilitarianism is that it's mainly a negative conception: Batman doesn't often take actions to increase well-being, but rather those that prevent it from decreasing. As Bruce Wayne, he engages in a great deal of charitable activities, such as donating money and appearing at celebrity fundraisers, which have a positive effect on the total utility of people in Gotham City. As Batman, however, he primarily saves those same people from *losing* utility, by either preventing crime or saving lives. When Robin suggested that Batman wanted to "save the world," the older hero clarified, "My life is sworn to fighting crime … and protecting the people from its ravages, not 'saving the

world.'"[1] In other words, if you live in Gotham City, Bruce Wayne may make your life better, but Batman will see that it doesn't get worse, by working "towards an end to unnecessary loss and suffering."[2]

To emphasize this distinction, we can present utilitarianism in a different way. Although, as we saw in the last chapter, the goal of utilitarianism is to maximize total utility, we could be more precise. Well-being, happiness, or utility is not simply a unitary "substance" that starts at zero and increases from there, a number that ethical actions then try to make as large as possible. Instead, a person's utility can be better thought of as the sum of many different influences, both positive and negative. Some things in our lives make us happier and some make us sadder, and our utility is the balance between the two—our "net" utility, or what's left of the positive effects after the negatives are subtracted. (This may, of course, be negative.)

Once we see utility this way, there are two ways to increase this net utility: raise the positive effects or lower the negative ones. Either of these—or both together—will increase the difference between good and bad and in turn increase total utility. As Jeremy Bentham wrote in his classic work on utilitarianism, *An Introduction to the Principles of Morals and Legislation*, "nature has placed mankind under the governance of two sovereign masters, *pain* and *pleasure*," and a person's interests are advanced by an action "when it tends to add to the sum total of his pleasures: or, what comes to the same thing, to diminish the sum total of his pains."[3] John Stuart Mill agrees, writing in his much more Gladwellian-titled *Utilitarianism* that "actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness."[4] If you think of your happiness as the sum total of your positive and negative experiences, then you will be happier if you have more positive things in your life, such as Batman comics, or fewer negative ones, such as Wolverine comics. (Just kidding: Wolverine comics are great for cushioning the ends of your longboxes so your Batman comics don't get damaged.)

Understood this way, Martha Wayne's little boy does good in both his civilian and masked identities, but in different ways. On the one hand, Bruce Wayne has a "direct" influence on utility as a philanthropist and public figure (as we'll discuss later), enhancing the positive experiences of the citizens of Gotham City by providing aid and jobs, or "adding to the sum total of pleasures." On the other hand, Batman has an "indirect" influence on utility by preventing people from being hurt by criminals, accidents, and natural disasters, or "diminishing the sum total of their pains." As he said to his parents' grave after the earthquake known as the Cataclysm killed

almost a million residents of Gotham City, "I vowed to protect the inno-
cent. I promised that no one would suffer if I could do anything to stop it."[5]
Of course, Batman can do little to prevent earthquakes, or even most of the
crime that plagues Gotham, but that does not stop him from feeling remorse
that he cannot do more (as we'll see later).

Of course, Bruce is also Thomas Wayne's little boy, and both aspects of
the younger Wayne's utilitarianism show the influence of his father.
Although Thomas was a pillar of the Gotham community and an active
philanthropist, it is his role as a doctor that parallels Bruce's role as Batman
most strongly. Although it is increasingly common today for doctors to
practice "positive medicine" and try to improve the lives of their generally
healthy patients, traditionally doctors tended mostly to the sick and
injured, helping them get closer to their original level of health (or at least
a tolerable one).

Batman has often compared his mission to that of his father, citing his
medical work as the basis of Bruce's own dedication to protecting life: "Like
my father before me, I'm a surgeon … and Gotham is my patient. I will
breathe life into her again."[6] While crouched atop one of his favorite Gotham
gargoyles on a stormy night, Batman wondered to himself, "It's odd … that
on a night like this … I remember my father. The phone would ring. There
was a medical emergency somewhere. He had to go. He was needed. There
was no choice. Is that why I'm here …?"[7] As a young boy, Bruce told his
father, "I want to be just like you! You're a doctor—you help people!"
Thomas replied, "That's what life is all about, Bruce—helping people! Our
love—our compassion—are the only things that set us apart from the beasts
in the fields!"[8]

The word "compassionate" may not be one that immediately springs to
mind when thinking of the Dark Knight, but as we'll see throughout this
book, Batman's mission is driven as much by the compassion he learned
from his parents as by the tragedy of their deaths. When a young doctor
named Lynn Eagles helped a mysterious stranger—actually Bruce Wayne,
whom she called "Lazarus," with wounds suffered at the hands of the
Joker—she happened to tell him about the time she encountered Batman
when he saved her from an assault. After he "made short work" of the
attacker, she explained, she should have been afraid of him,

> a crazy man in a Halloween costume. But he comforted me, Lazarus. He held
> me, weeping in his arms till the police came. And I knew then, with all my
> heart, that this wasn't a crazy-man. He was decent. Compassionate. In his