Navigating the Looking Glass:

Severing the Lawyer's Head in *Arkham Asylum*

> I see now the virtue in madness, for this country knows no law nor any boundary. I pity the poor shades confined to the Euclidean prison that is sanity.[1]

Defying the Threshold

It is perhaps trite to observe, but no less evident, that law does not operate or exist in a vacuum. The manifold ways in which legality and culture intertwine can directly inform our understandings of law and its status in contemporary life.[2] Cultural legal studies is about exploring this world outside traditional law and doctrine: moving beyond the legal text and wallowing in the rich diversity of the worlds of human culture, narrative, and art. Indeed, it is asserted that it is only by crossing the threshold at law's traditional limits, by venturing through the looking glass into law's epistemological hinterland, that these important cultural dimensions can be encountered, reflected upon, and interrogated. But this is no simple interdisciplinarity; cultural legal studies does not just involve taking aspects or insights from other disciplines and applying them to law.[3] Rather, in crossing law's cultural threshold we are challenging the very existence of that threshold. When we reject the limits of traditional legal texts, we not only challenge law's limits but also the forms in which law can appear. And in this expanded world we find multiple forms of law beyond the dry texts of statutes, judgments and policy documents. We find what William MacNeil might call a '*lex populi*': a jurisprudential world of popular imagination and visual codes, diverse in its cultural

[1] Morrison and McKean (2004) np.
[2] See, for example, Goodrich (1990); MacNeil (2007); Manderson (2000); Sherwin (2000).
[3] On interdisciplinarity generally see Nissani (1997), and in law Vick (2004).

dynamism, seething with the traces and hallmarks of legality.[4] But this 'other world' is also one of rich humanity and aesthetic experience,[5] of the complex human realities that dwell beyond the limits of law's rational order.[6] In entering the looking glass of cultural legal studies, in tumbling down the legal rabbit hole, we are discovering that we have not crossed any boundaries at all. It turns out that, after all, law was always bigger than we had thought—and bigger than traditional legal study was able to think.

It is to this defiance of law's cultural threshold that this article is dedicated—to the crossing of the boundary and the discovery of its non-existence. In examining this boundary navigation, there are two tools that are of particular importance and that can help us not only understand what is happening when we partake in cultural legal studies, but also feel the benefits of an expanded legal horizon. Our first tool is psychoanalysis. There is a strong connection between the traditional boundaries of law and the limits of rationality; the black-letter orthodoxy of yesteryear may have receded significantly,[7] but the priorities of mainstream study and practice remain those allied with a particular rational order.[8] In crossing law's cultural threshold we are not only moving beyond orthodox legality, but are concomitantly transgressing outside reason: we are expanding law's remit and nature to include not only modern rational thought, but also the forces of the cultural, aesthetic, artistic, emotional, and irrational. Psychoanalysis involves the deep exploration of the unconscious order that flows beneath or outside conscious forms, informing, rupturing, challenging, and shaping them. And, when configured epistemologically, it models the division between

[4] See MacNeil (2007).
[5] Manderson (2000).
[6] See Wender (2009), who examines the processes by which the phenomenal experiences of criminality on the streets are translated into bureaucratic categories of criminal law, becoming 'problems' amenable to judicial 'solution'.
[7] Note seminal works such as Goodrich (1990); MacNeil (2007); Sherwin (2000); Twining (1997); Weisberg (1984); White (1985); Williams (2002).
[8] See, for example, Douzinas and Nead (1999) p 3; Ellsworth (2012); Gearey (2001) pp 1-23; Manderson (2000) pp 96-98. And cultural legal studies itself can be seen to be, if not silenced, then at least marginalised outside mainstream law: MacNeil (2007) p 1.

reason and unreason, bringing great insight to the legal project and the navigation of law's orthodox limits with its irrational 'beyond'.[9]

Our second tool is more instrumental. It is the medium of comics, or graphic fiction: that denigrated and dismissed art-form that has taken over huge regions of the popular imaginary[10] and extended its tendrils into all manner of human artefacts. Film, television, merchandise, clothing, political protest[11], violent crime[12]—all have been informed in some way by the comics aesthetic. But the real significance of comics for the exploration of law's cultural threshold lies not only in its global capital or impact, but in something much more profound: in its implications for the very nature of knowledge. Comics have been argued to function in the realm of 'hyperreading', with the complexities and multimodal dimensions of the page operating on multiple levels at once.[13] Text, image, page design and quality, printing formats and materials—all potentially feed into the meanings and interpretations available in the comics reading process. From the materiality of Spiegleman,[14] to the aesthetic quality of panel constructions, colour, and artistry in Mignola's *Hellboy* series,[15] the comics form is a complex layering of multiple visual, tactile and narrative resources.[16] Indeed, the comics form exists at an intersection, a meeting point between different orders of knowing: between the visual and verbal, rational and aesthetic; between picture and word, logic and irrationality; image and text, reason and unreason. This is not to conflate image with unreason or text with rationality; the comics medium engages all four aspects in its formal make-up

[9] See, for example, Aristodemou (2014); Goodrich (1995); Gurnham (2014).
[10] Just scratching the surface of the wealth of academic literature on comics that has emerged in recent years, but clearly demonstrating comics' increasing cultural and academic capital, see for example: Bramlett (2012); Carrier (2000); Hague (2014); McCloud (1993); McLaughlin (2005); Miller (2007); Nyberg (1998); Phillips and Strobl (2013); Sabin (1996, 2010).
[11] Comics inspired political protests include the 'Occupy' mask, and the use of superhero costumes by Fathers 4 Justice: see, respectively, Griffin (2014) and Groombridge (2015).
[12] James Holmes is the obvious example: see Sanchez, Hughes and Allen (2012).
[13] Orbán (2014) pp 169-172. Ironically, Orbán highlights, despite hyperreading being initially a phenomenon of the digital age, comics still retain this phenomenon within their primary status as printed books.
[14] See Orbán (2014).
[15] See Bukatman (2014).
[16] See also Hatfield (2005) pp 32-67 for detailed exploration of the various tensions at work in one's encounter with the comics page.

and epistemological positioning. And by doing this, by being so 'in-between', comics can help us navigate the traditionally textual and rational limits of law.[17]

It is not only the navigation of law's dominant limits that link psychoanalysis and comics; both are also embroiled in the cultural practice of storytelling. Comics and graphic fiction are, of course, a widespread narrative medium. Psychoanalysis, meanwhile, is about deep meaning, about interpretation and symbolic significance—all things important for constructing and understanding narratives.[18] And law, too, is caught up in stories. As Jerome Bruner observes, stories involve a challenge to the status quo, an attack on the current order and the mediation of that attack; like law, they are a way of dealing and coming to terms with the vicissitudes of life[19] and thus share law's cultural function of mediating between what *should* happen and what *does*.[20] In this way, law has a distinctly narrative function: it is storytelling that creates and sustains law, for law *is* storytelling, not just in the courtroom but in the very processes of encoding and applying the rules that govern society and culture. Moreover, as Desmond Manderson tells us, stories do not 'lay down laws', but rather 'lay down ways of being' for us:[21] they retell myths, producing codes of being that enable us to make sense of the uncertainties of existence, in turn shaping the emergence of civilisation.[22] Psychoanalysis is about uncovering and dealing with unconscious trauma and its effects for conscious life, about looking beyond the boundaries, beneath the surface, to see what influences lurk unknown; narrative can help us process trauma, can help us make sense of the world not-yet-encountered. Law encounters both of these activities.[23] Putting all this together with comics—a narrative medium that operates on the boundaries of rational knowledge and

[17] See Giddens (2012); Giddens (2015).
[18] On its application to specifically *legal* narration, see Gurnham (2014) 30-45.
[19] Bruner (2002).
[20] Bruner (2002) pp 92-93.
[21] Manderson (2002) p 90.
[22] Children's stories are particularly important in this regard, tapping into the deep myths of civilisation and instilling them in each successive generation: see Manderson (2002).
[23] Even beyond the epistemological connections, there are many connections between psychoanalytical and legal processes in terms of the attempt to construct 'truth' through engagement with human participants. See Schmeiser (2006).

textual language—we have a powerful cultural form through which we can examine what happens when we cross that legal threshold, when cultural legal studies emerges and we deny that law ever had anything other than imaginary limits.

The particular comics example this article will be turning to is Grant Morrison and Dave McKean's *Arkham Asylum*.[24] Immediately, it is important to note that *Arkham Asylum* is not a typical Batman comic. Originally published in 1989, in the wake of Tim Burton's *Batman* film, it represents part of a wave of darker and 'more mature' superhero comics being published around that time.[25] Although an exception within the wider Batman canon, it remains one of the bestselling graphic novels in comics history and is thus a very popular version of the Batman character. The Batman we witness in *Arkham Asylum* is not the strong, capable hero of other stories, but a man struggling with his own demons. It is a disturbingly rich tale of Batman's dark night of the soul; it represents the ultimate testing of his rationality in the face of his repressed madness within Gotham's infamous madhouse. It is, in many ways, a counter-point to the dominant versions of the heroic Batman, exposing the weakness and madness that fuels his wider fight for justice.

Read jurisprudentially,[26] *Arkham Asylum* is a story of the meeting of reason and unreason in the context of justice—of conscious law and its unconscious threat. The basic structure tells of Batman restoring order to the infamous 'Arkham Asylum for the Criminally Insane', which has been taken over by its troubled inmates. In this, Morrison and McKean ostensibly re-tell the traditional superhero story: evil disrupts the peaceful order, so the hero (Batman) steps in and defeats that evil (the inmates), restoring the world order.[27] This typical tale is

[24] Morrison and McKean (2004).
[25] Common examples include Miller, Janson and Varley (2002); Moore and Bolland (1988); Moore and Gibbons (1986).
[26] See MacNeil (2007) p 2.
[27] In this respect, superhero narratives are for the most part conservative, simply perpetuating the dominant order of justice-as-retribution. See Phillips and Strobl (2006; 2013). Bruner's conception of narrative as the rupture, and consequent restoration or alteration, of the world order can also be seen in this basic narrative movement: see Bruner (2002). For a more extensive examination of superhero genre, particularly its mythological qualities, see Reynolds (1992).

reconfigured in *Arkham Asylum* to be framed in terms of Batman's confrontation with his own inner madness: for Batman, 'good defeats evil' becomes 'reason defeats the irrational'. This antagonism between reason and irrationality is also a re-telling of the essential battle between Batman and his arch-nemesis Joker in a way that draws out its epistemological dimensions. The battle of Batman and Joker transcends *Arkham Asylum*, spilling across swathes of the transmedia Batman canon: in comics, television, cinema and computer games, Batman's fight with the Joker is arguably his most significant.[28] The Dark Knight faces criminality as a highly rational being, a great detective of huge ratiocentric capacity,[29] and Joker, in his penchant for irrationality and disorder, disrupts this. Whilst it may seem more prudent to explore rationality through his battles of logic with Riddler, the boundaries between reason and the irrational are more deeply crystallised in Batman's confrontations with Joker: his dangerous other, symbolic of that which is outside reason and rational order. Joker is the embodiment of madness, as Batman is the embodiment of rationality; Joker is chaos, whilst Batman is order; Joker lawlessness, Batman law. As he faces the inmates of the Asylum, Batman endures a relentless and profound encounter with Joker and the unconscious order of which he is symbolic.

To tell the jurisprudential story of reason meeting unreason in *Arkham Asylum*, this article first establishes the basic connection between Batman's exploration of the Asylum and of the legal unconscious, and then examines the processes of repression that can be seen in both law and Batman's encounters with the inmates. It then moves to examine the threat posed to legal objectivity by Two-Face and his reliance on a near-literal house of cards in passing judgment over his victims. The article then examines in more detail the threat posed to the rational legal order by that which is outside it. In this analysis, the legal unconscious that cultural legal studies explores is seen to be configured in *Arkham Asylum* as the lawyer's severed head

[28] Just a small number of examples: *Batman* (1989); *Batman: Arkham Asylum* (2009); *The Dark Knight* (2008); Moore and Bolland (1988); Miller, Janson and Varley (2002).
[29] See Giddens (2014) pp 7-11.

inside the house of law. Ultimately, Batman's journey through *Arkham Asylum* reminds law of the aesthetic and irrational contexts that it works to repress and from which it seeks to defend itself; it recalls the unreason outside law's logic, the chaos outside its order, the madness outside its sanity. The argument thus concludes by expounding the lesson of Batman's encounters in the Asylum: that we should remember the 'madness' outside the legal order and thus see that law is always already more than its conscious 'sanity' can contain.

Arkham Asylum as (Legal) Unconscious

In Morrison and McKean's *Arkham Asylum*, the Dark Knight symbolically encounters the legal unconscious as he navigates the looking glass of his own repressed madness. By tumbling down the rabbit hole into the Asylum of his own unconscious, and there facing the trauma and pain that grounds and fuels his quest for justice, Batman encounters the epistemological unconscious of law and mediates the threat it poses to rational order. This legal unconscious is made up of that which is outside dominant legal knowledge. The legal institution needs to have knowledge of the human subjects and conduct it seeks to regulate, and this 'legal knowledge' forms law's particular dominant approach to comprehending the complexities of life. In constructing this 'legal consciousness', there are inevitably elements that are omitted or pushed aside, aspects of existence that are left outside or remain uncaptured by the 'net' of legal knowledge.[30] What law's net cannot catch are the aesthetic dimensions of human living: the rich sensory aspects of embodied experience, emotionality, symbolism, and visuality. It is these 'leftovers', these excessive dimensions of life repressed outside law's consciousness, that form law's epistemological unconscious. It is law's '*other*

[30] The existence of such incompleteness is not unique to legal knowledge, as Nietzsche explained: 'The habits of our senses have woven us into lies and deception of sensation: these again are the basis of all our judgments and 'knowledge'—there is absolutely no escape, no backway or bypath into the *real world*! We sit within our net, we spiders, and whatever we may catch in it, we can catch nothing at all except that which allows itself to be caught in precisely *our* net': Nietzsche (1997) p 73.

side': 'the ideologies, fantasies and unconscious desires that support legal discourse from underneath'.[31] Aristodemou highlights this in law's social context, framing the conscious 'reality' of law as being surrounded by the visible secrets in the unspoken blind spot of both society and the legal institution (the paedophile public figure hiding in plain sight, the open secrets of governmental abuses like Abu Ghraib).[32] Similarly, Peter Goodrich argues that the legal unconscious is that which animates law beyond mere 'dead text' and gives it meaning: there is a legal 'beyond', an 'other scene', an 'imaginary source' that judicial interpreters and legislators 'find behind, between, or beyond the *literae* or words of law', and in doing so uncover legal meaning.[33] But law's unconscious also contains those cultural and aesthetic artefacts, rich with legality, with which cultural legal studies engages. This unconscious is a threat to law's rational order. And this threat can be understood in terms of law's capacity to know about, and thus regulate, the world:

> The threat of the repressed within the [legal] institution is in one significant sense the threat of the unknown or, more precisely, the intimation of that which has not yet been determined, which is not mapped in advance by law's *regula* or calculus.[34]

Law is built upon the denial of this otherness, through a demarcation of which forms are legitimate in conscious law, and which are not. This produces a 'negative image' of law as its other, an imaginary underside that is an inversion of law's rational consciousness.[35]

[31] Aristodemou (2014) p 3.
[32] See Aristodemou (2014) pp 1-6. Aristodemou has also highlighted on the linguistic nature of law's conscious forms—it is through language that we construct and make possible rational law and truth: see Aristodemou (2000) pp 1-28.
[33] Goodrich (1995) p 31.
[34] Goodrich (1995) p 13.
[35] Goodrich (1995) p 49.

Conscious law pushes aside that which it is not, and the nature of the irrational beyond can be seen as a threat, as 'what nature, reason, and law must be defended against'.[36]

Encountering this 'other scene' within Batman's fight for justice, the central narrative of *Arkham Asylum* can be read as a navigation between conscious and unconscious law, framed in terms of confronting the 'madness' of unreason within the self and the threat this poses to rational understanding. Within the walls of Arkham Asylum, and between the covers of *Arkham Asylum*, Batman navigates the complex uncertainties of that which is outside rational order. Read in the context of the justice[37] that Batman is forever seeking, this encounter with unreason symbolically encounters the boundaries between conscious and unconscious law. What Batman faces is that which is outside reason, the disorder represented by the Joker and the other inmates who are complex symbols of the harm and criminality he seeks to quell; but they are also, *qua* representations of 'madness', symbolic of the dynamic sensuality of unstructured experience that exceeds rational attempts at order. Like life, Joker and the irrational forces he commands cannot be contained in reasoned explanations and structures of logic. From this epistemological perspective, the madness of the Asylum becomes symbolic of that which is pushed aside in the construction of law's conscious order. Law seeks to repress the madness of life, just as Batman seeks to repress the Joker and the chaos he represents. In exploring the Asylum, the Dark Knight can be seen at the same time to explore the unconscious of law.

Batman the Repressed

In Batman's encounters with the Asylum's residents, law's processes of repression can be identified. In psychoanalysis, the unconscious is generally understood to be made up of

[36] Goodrich (1995) p 54.
[37] Although typically retributive, Batman's justice can also be seen to be one of protection: see Giddens (2014) p 5.

repressed memories, things hidden in the past that return in the present. This 'return' can occur in various ways.[38] Freud, for example, argued that many expressions of disgust or dislike are actually the return of repressed *desires* in a reversed form; thus, widespread condemnation of salacious crimes can be read as a way for members of society to enjoy a 'morally safe' release from their repression of taboo desires.[39] But the idea of the legal unconscious can tell us much more than this notion of condemnation-as-repressed-desire. It can tell us about the limits of rational legality.

The narrative movement beyond the confines of rationality can be seen from the very moment Batman enters the Asylum. As Morrison states in his original script: 'This is Alice-down-the-rabbit-hole territory. We are now outside logic. The recognisable Batman world of Gotham City and Commissioner Gordon and Bat Signals is behind us now.'[40] While navigating Arkham, Batman encounters the Asylum's inhabitants, each of whom threaten his rational order in different ways. Some of these encounters are more incidental than others, such as that with Tweedledee and Tweedledum,[41] who, beyond solidifying the idea of the Asylum as a Carroll-esque rabbit hole, suggest removing Batman's mask—a suggestion Joker dismisses as failing to go deep enough into the dark, unconscious corners of Batman's psyche.[42] Similarly, the bizarre merging of divinity, myth and electricity in the god-like form of Maxie Zeus,[43] who flings his own faeces at Batman in some kind of scatological fertility ritual, serves primarily to reinforce the madness and ritual horror of Batman's journey.

[38] Gurnham (2014) pp 15-23.
[39] Gurnham (2014) pp 20-21.
[40] Morrison (2004) p 13.
[41] For a brief introduction to these 'minor' Batman villains, see http://www.comicvine.com/tweedledee/4005-13455/ and http://www.comicvine.com/tweedledum/4005-13454/ respectively.
[42] As Joker admonishes, 'Oh, don't be so *predictable* for Christ's sake! That *is* his real face.' See Morrison and McKean (2004) np.
[43] Again, see http://www.comicvine.com/maxie-zeus/4005-11343/ for an outline of this character's major appearances.

Clayface, meanwhile, poses a more visceral threat to Batman, and symbolically to the legal order, in his alliance with bodily disease.[44] Clayface is portrayed in *Arkham Asylum* as a wasting and sickly green creature, creeping in the shadows of Arkham, trying to pass his illness onto Batman: 'My skin is *sick*, Batman. It's rotten and seeping. Only you can help me.'[45] Clayface leers towards the reader as he reaches out to touch Batman, his ailing skin horrific in the shadows. 'I just want to *share* my disease,' he says as he gets uncomfortably close.[46] Batman's response to this threat is one of horror and immediate panic. He screams for Clayface not to touch him, swiftly breaking the weak man's leg with a well-aimed kick.

What we see in this encounter is an example of Batman's repression of that which threatens him as a force for justice: Clayface represents the pain and trauma of sickness and disease that threatens the healthy body of Batman, and thus his physical capacity to fight criminality; Clayface is 'an avatar of filth and corruption, the personification of pestilence and infection'.[47] Read in a Foucaultian light, disease can be understood as the human body operating in a way that deviates from the 'normal' functioning prescribed by the structures of biology and medicine; illness resists the normalising power of disciplinary knowledge.[48] Knowledge and control of the body is deeply political: across the twentieth century, medical technologies, for example, became more precise as life itself moved into the political sphere, with the health of the individual (rather than the wider population) justifying a new form of eugenics.[49] Beyond concerns of public health, illness thus becomes a political issue—a threat to the normal operation of a body that can fuel society through labour and consumption (disease thus needs not only to be cured, but to be labelled, categorised, reduced into

[44] Clayface is a name that has been attached to a variety of different villains in Batman history, but many are allied in some way with disease. For a brief overview of the different incarnations, see http://www.comicvine.com/clayface-karlo/4005-9589/.
[45] Morrison and McKean (2004) np.
[46] Morrison and McKean (2004) np.
[47] Morrison (2004) p 16.
[48] For more on Foucault's notions of the disciplinisation of life through the complex interplay of knowledge and power, see in particular Foucault (1977).
[49] Rose (2001).

reason—made amenable to control). In this way, Clayface's ravaged body becomes a threat to the social order. Batman's response of terrified violence keeps that threat outside consciousness: Batman does not engage with Clayface, does not try to heal him or share or understand his disease, but as a force for *justice*—for law and order—simply suppresses him and turns away to preserve his own strength.

Similarly, in order to maintain itself as a logical system of reason—in order to preserve its own strength—law represses its unconscious dimensions: those aesthetic aspects of law that dress it up and make it spectacular[50]—its institutional adornments and presentation, its ornaments and aesthetic trappings—are pushed aside to allow an image of objective rationality and unbiased truth to prevail.[51] In this process of reification, it is law's human dimension that is denied as our deeply subjective constructs of justice become separated from us as creators and are raised up as idealised and objective, without origin or bias.[52] This movement of repression—of 'antirrhesis'[53]—can again be seen in Batman's brief encounter with Scarecrow.[54] Scarecrow is deeply associated with fear, his primary activities involving the use of his own fear gas to strike terror into the innocent citizens of Gotham.[55] Batman's response to this symbolic encounter with pure fear is one of avoidance and denial. Batman does not face fear at this point, but hides behind a door and waits as Scarecrow makes his way down the dark corridor and continues off through the bowels of the Asylum. In this we see the fear symbolised by Scarecrow avoided, pushed aside, hidden, not encountered. It remains in the unconscious, unchallenged and unfaced. Just as Batman defensively represses the diseased threat of Clayface, so he does the pure fear of Scarecrow. Batman's capacity to bring his particular justice is thus secured and preserved through a denial of the disorder and

[50] See Gearey (2001) p 17, and generally pp 1-23.
[51] See Goodrich (1995) pp 12-13 and generally.
[52] See Manderson (2000) pp 158-162.
[53] See Goodrich (1995).
[54] Morrison and McKean (2004) np.
[55] See, for example, *Batman Begins* (2005). Indeed, he is known as the 'Master of Fear': see http://www.comicvine.com/scarecrow/4005-3726/ for a character overview.

threat posed by that outside his fight for rational justice, just as law's apparent coherence and order is arranged against the disorder beyond its boundary.[56]

In these early encounters in *Arkham Asylum*, we see a Batman filled with this defensive attitude of repression, a Batman that shares the antirrhesis of the legal order. As Morrison describes him in his script, Batman is 'constantly on the defensive, constantly expecting attack from some quarter . . . [he] is a frightened, threatened boy who has made himself terrible at the cost of his own humanity.'[57] And law, by pushing aside the rich aesthetic dimensions of life in order to construct its dominant order, similarly pays the cost of humanity, constituting the legal subject via 'a cold and enduring reason, a science, which forbids all images and so denies the power of all other laws'[58]—including those worlds of law that populate the cultural dimensions of life.

A House of Cards

Perhaps one of the most famous residents housed in Arkham Asylum is Harvey Dent, and beyond the duality of good and bad lawyering he may represent[59] we can see a critical reflection of the reification of legal knowledge. Harvey Dent was the District Attorney of Gotham before he became the villain Two-Face: one side of his face horribly scarred, one side of his personality horribly evil, obsessed with duality and relying on a two-faced coin—one side of it scarred—to decide whether his victims live or die. With his connections to the legal profession, and his penchant for passing judgments on his victims, Dent's significance as a critical vision of dominant law is overt. The judgments and decisions Dent makes, like those of law, are based on ostensibly objective criteria, for what could be more objective than the toss of a coin? The result of a coin toss is disconnected from any contextual or prejudicial

[56] See Goodrich (1995) 220-221.
[57] Morrison (2004) p 5.
[58] Goodrich (1995) 67. See also Naffine (2009) pp 31-43, who describes the orthodox view of legal personhood as one of abstract, technical capacities that pushes aside disruptive philosophical and spiritual concerns.
[59] Rendleman (2009).

factors; it is blind to age, sex, race, ethnicity, religion, biography, history, politics, consequences, facts, circumstances, evidence, opinion, regulations... morality, guilt, innocence... And in this radical objectivity there is embedded a deep parody of law's consciousness of unbiased rationality. For the coin toss, in being so blind, produces outcomes that do not take into account the moral 'reality' of human conduct. From this starting point of 'true' or 'complete' objectivity,[60] the journey towards the kind of objectivity enacted by legal processes becomes one of determining which factors, which elements of context, history and biography and so on, should be taken into account and how. The objectivity of law is thus exposed to be a product of multiple choices or assumptions about what is and is not relevant when trying to achieve moral truth.[61]

But on the pages of *Arkham Asylum*, this critical parody is taken further. As part of Dent's 'treatment', the psychiatrist Adams explains, he has been weaned off the duality-obsessed coin and onto the more complex, yet similarly 'objective', six-sided die. This, Adams claims, has enabled Dent to increase the sophistication and complexity of his decisions. From the die he has then been weaned onto a 78-card Tarot deck, thus supposedly enabling even more sophisticated decisions.[62] But in the increasing quantity of options, their objective quality is not altered, nor is Dent's ability to make his own decisions without relying on this objective guide. His decisions remain disconnected from influential factors beyond that which can change the physical order of the cards, including Dent's own preferences, personality, moral beliefs, and conscience. Dent's decision-making process becomes a near-literal house of

[60] Note, of course, that not even the coin toss is completely objective, being subject to the various physical effects that influence the movement of objects through space, such as temperature, humidity, the force of the flip, the weight of the coin, the force of gravity, and so on—not to mention how we conceptualise and measure such phenomena, or, for that matter, how we define a 'coin' or what we mean by 'toss'.

[61] Similar things can be said of (social) scientific objectivity, where inductive statistical correlation is unable to give an explanation for a result without first assuming what is and is not relevant to that result: see Crewe (2013) pp 30-32.

[62] See Morrison and McKean (2004) np. The use of the Tarot is not insignificant, as Morrison's deployment of references to cards such as The Moon (see note 69) throughout *Arkham Asylum* indicate; and see discussion below.

cards, built on a tentative connection with living reality, increasingly complex yet in no way increasingly meaningful.

Similarly law, when framed as something objectively separate from human bias, is disconnected from the social and cultural values that feed and shape it.[63] But even taking notions of social construction into account, although 'real' law may not be abstractly 'out there', divorced from our perception of it, it can still be argued to adhere to a particular model of objectivity through its reliance on the assumed existence of shared understandings or communal norms,[64] to which we can refer as pre-existing 'objective' sources of moral value. Indeed, there is arguably a more general shift towards an authoritative role for positive scientific objectivity in determining value-free morality, with other forms of moral pronouncements being seen as mere subjective opinion.[65] In its satire, Dent's coin-toss cuts through such hopes of objectivity, exposing the particular and limited set of forces that law (consciously) accepts as being able to legitimately influence a decision. The idea of law and justice as some fully objective 'truth' is shown up as deeply problematic, falling foul of everything antirrhesis implies.

[**FIGURE 1 HERE**]

Adams can be seen starting to explain Dent's 'weaning' process in Figure 1. In Batman's visual representation as a flowing shadow with no clear boundaries or definite presence is seen the complex fluidity of the world outside reason.[66] The world of the Asylum is depicted as similarly uncertain and suggestive, with McKean's artwork indicative of the madness against which Batman operates. The formal structure of Figure 1 also represents Adams's

[63] See, for example, Fagelson (2002).
[64] See Fagelson (2002).
[65] Davis (2013).
[66] Despite his representation as fluid, the justice he fights for is still one of order. This has interesting connotations for the process of law's repression, as is discussed in the final section below.

rationalisations (*qua* text) amidst the uncertain environment of the Asylum; and, in the reference to Dent's duality, law's problematic rational order is invoked, presented in a radically fluid context, symbolic of the fluidity of life. Although still wedded to an abstract objectivity, Adams's discourse on Dent's rehabilitation—his weaning from dual-sided coin to six-sided die to 78-sided Tarot deck—begins to map a journey beyond law's rational opposition to chaos,[67] presenting a movement towards judgment as being made up of infinite possibilities. As she states, 'Soon he'll have a completely functional judgmental facility that doesn't rely so much on black and white absolutes'.[68] But as Dent is given an increasing number of options he becomes unable to make even the simplest of decisions. The practical benefits of binary decision-making are lost when a more complex or sophisticated moral schema is introduced. As a force that needs to know who is 'good' and who is 'criminal', although using a rich aesthetics to gain and display his power, Batman himself relies on the same binary logic as Dent. But in Dent we see a condensation and hyperbolic critique of law's (and Batman's) adherence to objectivity. His reliance on a radically 'objective' coin-toss ridicules as it mimics law's quest for true objectivity in its decisions; but, to move into an arguably more sophisticated mode of moral determination, where things are not as simple as innocent/guilty or good/evil, undermines and potentially destroys law's practical capacity as a moral decision-maker.

Whereas Adams's attempts to cure Dent seek to enable a more sophisticated and capable engagement with moral life, his 'judgmental facility' remains trapped within a structure of radical objectivity, abstracted from experience. This 'treatment' constructs a fragile house of cards that is unable to comprehend the rich complexity and ineffability of human life. Dent becomes lost in a maze of abstraction, unable to make the simplest of decisions. The fact Dent's cards are from the Tarot is not without significance: Tarot cards are rich with meaning

[67] On rational law's oppositional relationship with chaos, see Manderson (2002) pp 177-183.
[68] Morrison and McKean (2004) np.

beyond their rational or physical form—symbolic, metaphorical, mystical, emotional, cultural—and so are populated with unconscious dimensions beyond their logic as a system of objective choice. In this can be seen a metaphor for the rational structure of law and the threat of its repressed other: the legal unconscious flows around the rational legal order, producing drafts of air that threaten to topple the objectivity of the lawyer's house of cards. Shying away from the move towards abstract chaos that the weaning onto the 78-sided deck signifies, and after having his coin returned to him in the final pages of *Arkham Asylum*, Dent realises the Tarot deck is just a pack of cards and knocks down the (literal) house of cards he has built, returning to the certain, simple objectivity of his coin. The denial of the Tarot deck as being anything more than just a pack of cards is again a repression of the aesthetic world of symbolic power and excessive life that law reifies itself from in order to maintain its objectivity.

The (Lawyer's) Head in the House (of Law)

In his journey through the Asylum, on one level Batman can be read as walking a path of radical introspection: he enters not a building, populated with the otherness of civilisation (madness, criminality), but his own mind.[69] As he explores the halls of the Asylum, it becomes abundantly clear that it is the halls of his own unconscious that Batman travels. *Arkham Asylum* is not just a story about Batman quelling the disruption at the infamous psychiatric institution, but is a multifaceted metaphor, an alchemical ritual, for the quelling of the unreason in the human heart—and in the heart of law and justice. Batman's journey through the Asylum is a journey through the secrets of his own mind, his dark night of the

[69] Indeed, it may be that 'madness' is always part of us as humans, but a part that becomes alienated from us (repressed) as we emerge as 'rational beings' in modernity: see Foucault (2001).

soul.[70] His various encounters with the inmates represent different qualities and dimensions of his own madness, his own animating traumas and desires. On the pages of *Arkham Asylum*, Batman is no longer the strong, swooping *deus ex justitia* of Gotham's streets, but (as we saw with his repressive attitude) becomes a neurotic mess struggling amidst all the things he strives to live against. Batman's journey is one into his own inner weakness and madness, the horrors and neuroses that live beneath the surface of his conscious mind and challenge his façade of stability and rational order—and symbolically the order of law.

[**FIGURE 2 HERE**]

Morrison and McKean thus transfigure the world of Arkham into the inner world of Batman's psyche. The Asylum itself becomes Batman's mind. It is through Batman's encounter with Mad Hatter that this is made most explicit; as the Hatter explains, 'Sometimes I think the Asylum is a *head*. We're inside a huge head that dreams us all into being. Perhaps it's *your* head, Batman. Arkham is a *looking glass*. And *we* are *you*.'[71] In Figure 2 can be seen the visual representation of this idea: Batman looks towards the Mad Hatter, who is gradually replaced with a mirror image of Batman; the Hatter's otherness literally becoming Batman himself, a reflected image of the Dark Knight emerging from the swirling mess of the Hatter's room, a dream crystallising out of unconscious fluidity. In the looking glass, quite literally, the Hatter is Batman—all the inhabitants of the Asylum are parts of Batman. The world of *Arkham Asylum* is a skewed and fluid reflection of Batman's waking mind, a 'negative image' of law's consciousness: a complex mess of repressed madness and irrationality, of unstructured sensuality and embodied, ineffable life.

[70] *Arkham Asylum* opens with an image of the Moon card from the Tarot, symbolic of this journey: 'The Moon card basically represents the darkness through which we must pass to reach the dawn . . . [it] represents trial and initiation—the supreme testing of the soul, where we must face our deepest fears, confront them and survive or be broken. In this single image are encoded all the themes of our entire story': Morrison (2004) pp 1-2.
[71] Morrison and McKean (2004) np.

The Hatter's notion of the Asylum as a living being dreaming its population into existence is echoed by Amadeus Arkham, the troubled founder of the institution. As he observes, Arkham Asylum 'is an organism, hungry for madness. It is the maze that dreams'.[72] With Amadeus's facing of trauma—an encounter that mirrors, and is mirrored by, Batman's—the connection between Asylum and legal unconscious is solidified. The trauma faced by Amadeus was, like Batman's, the murder of his family. Where Bruce Wayne witnessed his parents' death by a mugger, Amadeus came home to discover the bodies of Constance and Harriet Arkham, his wife and daughter, horribly dismembered and 'indescribably violated'.[73] The key feature of this trauma, which eventually leads to the fracturing of Amadeus's mind and his own communion with madness,[74] is the discovery that the person who had attacked his family had placed his daughter's dismembered head inside a dollhouse.

[**FIGURE 3 HERE**]

As can be seen in Figure 3, Harriet Arkham's face peers vacantly out through the dollhouse window. In this image are encoded many of the themes related to the transfiguring of Batman's narrative into an introspective journey through his own unconscious mind—and the configuring of Arkham itself as the unconscious of law. As Morrison reminds us, the dollhouse is symbolic of the Arkham house,[75] here containing the very core of Amadeus's trauma: the dismemberment of his beloved daughter. The dollhouse, then, contains Amadeus's own personal demons. But by specifically placing Harriet's *head* inside the house, that which fills the Asylum becomes more than just a symbol of Amadeus's trauma,

[72] Morrison and McKean (2004) np.
[73] Morrison and McKean (2004) np.
[74] This event, as seen in Figure 2, is presented as the point at which Amadeus's mind starts its descent into insanity through the interjection of the 'cuckoo' clock, invoking that popular terminology for mental illness.
[75] Morrison (2004) p 35.

but also suggestive of that which dwells inside the head—dreams and madness. In Figure 3, the Asylum comes to be inhabited by the head in the house, thus setting up a complex layering: madness within trauma within Asylum/house. The madness enfolded in the trauma is contained and locked away, repressed and controlled—Arkham Asylum comes to house the unconscious itself. The unconscious nature of this trauma is reinforced in the comics form. The background to the panels in Figure 3 contain the excesses of blood that flowed from Harriet's and Constance's murder—the root of Amadeus's trauma. This blood acts as a background or sea upon which the conscious forms of Amadeus's experience (of the head in the house, of his linguistic speech) float. The Asylum's contents are thus configured as madness and dreams—the unconscious symbolised by the head in the house—but the complexity is layered further when we recall, as Hatter announced above, that the Arkham house can be understood as a head dreaming its contents: the Asylum *is* the head in the house, dreaming itself.

Despite this symbolically complex butchering of his family, Amadeus still pursues his goal of establishing Arkham Asylum. Above the institution, Amadeus places a towering statue of St Michael who, as Amadeus tells us, is 'an image of the triumph of *reason* over the irrational'.[76] The Asylum is thus loaded with a borderline status, a site upon which (like the comics medium that articulates it) reason and unreason meet. After successfully setting up the Asylum, Amadeus eventually finds the fiend who murdered his family, takes him into his 'care', and on the anniversary of his family's death[77] uses the Asylum's ECT machine to '*burn* the filthy bastard'.[78] After this cathartic retribution, Amadeus finds himself doomed to wander the Asylum, attempting to use routine and formalised order to stave off his encroaching madness:

[76] Morrison and McKean (2004) np.
[77] True to the dark humour associated with the Joker, this anniversary falls on April 1st.
[78] Morrison and McKean (2004) np.

> Routine is important, I think. A good routine diverts the mind from morbid imaginings . . . . My movements through the house have become as formalized as *ballet* and I feel that I have become an essential part of some incomprehensible biological process. The house is an organism, hungry for madness. It is the maze that dreams. And I am *lost*.[79]

Amadeus's routines are not able to suppress the madness and disorder of life. He follows his 'ritual perambulations'[80] but does not gain meaning or solace by doing so, cannot secure his demons within their ordered structure, and ends up, like Dent above, becoming lost in the abstract maze of reason.

In a moment of dramatic (drug-fuelled) introspection, the narration of which is laid over the images of Batman fighting his own inner demons (the comics form thus making the profound connection between Amadeus's and Batman's stories), Amadeus comes to face the madness that rents his psyche and suffers a complete breakdown. He then dresses himself in his dead mother's wedding dress, and walks the halls of the Asylum, vowing to keep the world safe from the mad demons he has housed inside Arkham's walls: 'I shall *contain* the presences that roam these rooms and narrow stairways . . . and pray they never break free'.[81] He is ultimately imprisoned within the Asylum he created, locked away with the madness he has sworn to contain. In his final moments, old and alone in the darkness of the institution, he uses his fingers to scratch into the floor his appreciation for being on the mad side of the veil, free from the shackles of rationality:

> I see now the virtue in madness, for this country knows no law nor any boundary. I pity the poor shades confined to the Euclidean prison that is sanity. All things are possible

[79] Morrison and McKean (2004) np.
[80] Morrison and McKean (2004) np.
[81] Morrison and McKean (2004) np.

> here, and I am what madness has made me. Whole. And complete. And free at last... I'm *Arkham*. I'm *home*. Where I belong.

This movement from imprisonment to freedom is a complex one, and one that feeds off the limits of rationality. The Asylum houses madness, it contains irrationality; although ostensibly a 'prison', it holds an infinite space. It is the space beyond rational order, outside of reason; a space of unstructured life, of phenomenal excess and infinite potential. It is the world beyond rational order, beyond textual signification and the limited concepts of reason and categories of law; an infinite, analogue variation of unstructured life outside the digital frame of reason.[82] This realm is not a void or an emptiness; its chaos does not imply nihilism and nothingness—nor even anarchy—but, as Manderson reminds us, is a realm of generative potential.[83] And, in the same way that the coastline has a fractal quality (becoming increasingly detailed and thus increasing in length depending upon how closely one measures its contours), so law can be 'mapped' from different perspectives and levels: 'there are many maps [of law], each of which draws attention to various features, scales, relationships, and values to the utter exclusion of others'.[84] Recognising this pluralism requires recognising that law, like the coastline, is fractal: it is 'an infinite line nested in a finite space'.[85] The unstructured 'madness' of irrationality is similarly held within the finite space of the Asylum, embedding infinite variation within the finite walls of the institution.

It is in this infinite world that Arkham becomes 'trapped', free from structure and order. Arkham faces his madness, he steps beyond the limits of rationality but fails to survive. His unreason is not controlled, his rational structure collapses; but in failing to find his way back to the sanctuary of reason Arkham discovers ultimate freedom. He is free from the strictures

[82] See Tranter (2012) on the 'analogue' spaces that remain excessive to the 'digital' structures of rational law.
[83] See Manderson (2000) pp 180-183.
[84] Manderson (2000) pp 177-179, quotation at 178.
[85] Manderson (2000) p 179.

of rational logic, the limited shades of orthodox knowledge; the 'prison of sanity' does not limit his imagination or understanding. He remains lost in this other-world, outside law, outside order. In Arkham's failure to 'escape' this world, in his inability to return from madness to the structures of reason, we find the fear of what facing law's unconscious might mean: that order and structure, and meaning, are lost. He represents the dark threat of irrationality: the fear that by opening up to the irrational we will lose all the certainty, order, understanding and truth that conscious law relies upon to function—too high the price of freedom.

Indeed, it is this unstructured world that exists as law's unconscious, the threat it carries with it. This 'freedom' is locked away (in Arkham Asylum, in law's unconscious, outside the rational order), repressed and feared. As the parallel between Batman and Arkham suggests, in his fight against the chaos of disorder and madness, Batman carries the threat of his failure with him. The infinite space of madness, of disorder and analogue potential, is nested—repressed—within the physically finite form of the Dark Knight.

In such processes of repression it can be seen that law is already more than the rational consciousness it presents itself as being. Law is more than its logical pronouncements, more than its reasoned judgments and rational rules. It is also constituted of rich dimensions of symbolic power and aesthetic adornment, of meaning and sensory experience, of metaphor and art. Law's unconscious, traditionally kept repressed, outside the rational order of justice, still remains part of law. As Kieran Tranter's reading of the *Serenity* comics demonstrates (in a digital rather than psychoanalytical frame), even where the technology of binary, logical legality becomes a living totality, there will always be 'gaps' or analogue spaces that escape the totalising code of law.[86] The legal order can never fully capture the 'madness' of life; its unconscious 'demons' always remain.

[86] Tranter (2012).

Law's demons (the threat of disorder and loss of meaning, of the de-structuring of life) are contained in the Arkham house. And this house, in its repressive function, becomes the house of reason—the house of law. Law gives structure to life, it is the house of reason in the lawyer's head—but this house is full of demons, of madness, of that which exceeds its structure, that which is not captured or contained in law's net. The house in the lawyer's head has a severed head inside it: a repressed terror of chaotic disorder, irresolvable harm, and unstructured life. Framed jurisprudentially, the severed head in the house becomes the lawyer's head—dismembered, removed, the capacity to structure and order gone with it. The decapitated figure of Harriet Arkham, staring out to us in death, beyond the visceral trauma she represents for Amadeus, symbolises the threat of the legal unconscious: the lawyer's head in the house of law, the threat of chaos underlying the rational order.

Remember Madness

Ultimately, *Arkham Asylum*'s relationship to law's process of reification or antirrhesis—the attempted encoding of excessive life into a rational consciousness of legality and the concomitant denial of that excess, and of the encoding processes itself—is one of remembrance. The repression of law's aesthetic dimensions can be framed as a 'forgetting', whereby conscious legality loses awareness of those elements outside its rational order. Indeed, Peter Goodrich traces the historical shifts whereby law's previously acknowledged aesthetic dimensions were repressed as the unconscious of modern law.[87] Through Batman's symbolic navigation of his own unconscious in *Arkham Asylum*, this 'forgetting' of law's epistemological unconscious is undone.

Batman's encounter with the threat of unreason crystallises in the form of Killer Croc, who is symbolic of the forces of chaos and irrationality, the atavistic lizard brain of our

[87] See Goodrich (1995).

evolutionary past,[88] the Old Dragon of Revelations: the dragon of unreason, Satan himself.[89] Croc is the condensed form of all those others to Batman's rational justice and the ordered world he strives for and defends. In his fight against Croc, and in his broader fight against the forces of unreason that populate the Asylum of his unconscious, Batman is allied with the figure of St Michael, the warrior angel of Heaven, leading the charge against the armies of Satan and evil.[90] But this subduing of the forces of evil symbolised by St Michael is configured in *Arkham Asylum* not just as the triumph of goodness, of heaven over hell, but (as Amadeus's description of his statue explained above) of reason over the irrational.[91]

In this encounter, Batman not only faces the dragon of his own unconscious, but also of law's unconscious. As Satan, Croc represents everything that is other to rational order, and thus everything that is other to legal knowledge: chaos, disorder, irrationality, the aesthetic, that which exceeds the rational encoding of life—the lawyer's head in the house of law. Batman's encounter is mediated via St Michael's spear, which he removes from the statue and uses to defeat Croc: the spear of reason, a shaft of solid metal that at the climax connects Batman to his dragon, skewering them both together, self and other, reason and madness, Jesus and Satan, order and chaos, law and threat. The linking via the spear is a visceral emanation of the broader epistemological process that is happening throughout *Arkham Asylum*: the meeting of law with its denied dimensions, of reason with madness. In the subsequent snapping of that spear so that Croc falls to his defeat and Batman survives,[92] both Batman and law emerge from the other side of this dark night having faced and survived their

[88] Although not directly concerned with law's unconscious, Manderson shows how modern law is based on the emergence of a civilised order, produced through the repression or suppression of the 'wildness' of our evolutionary past. Myth and storytelling encodes civility in us, privatising 'wild' aspects of humanity such as emotionality, friendship, and passion, with public government accordingly emerging as rational. See Manderson (2002).
[89] Morrison (2004) p 51.
[90] See also Holweck (1911) for description of St Michael's various ecclesiastical offices, including that of the warrior angel who defeats Satan.
[91] Morrison and McKean (2004) np.
[92] See Morrison and McKean (2004) np.

other. As Morrison explains in his original script, 'Batman has embraced the unconscious. As in the case of [Amadeus] Arkham, Dragon and Man are now one'.[93] But by embracing the unconscious, both Batman and law are altered: in confronting its epistemological outside, legal rationality reaches its limits, snaps, and emerges more aware of those limits and its epistemological grounding. Where Amadeus falls into madness and is 'lost', the legality represented by Batman emerges 'stronger and more sane'.

This embracing of their other is something that both Batman and law already do. Recall Batman's visual appearance in Figure 1, which is not one of stable certainty, but instead the uncertainty of flowing shadow, cape and cowl. Batman uses his visual terror as a way of approaching his other, a way of striking fear into the heart of criminality; his own visual darkness is a means of empowerment against the dark forces he battles.[94] It is precisely through our senses—precisely as an aesthetic phenomenon—that Batman is encountered, and that he encounters criminality. Similarly, the rational structures of legal consciousness are also experienced and encountered aesthetically.[95] This signals a deep irony in the processes of reification and repression that law undertakes: it is not only that we experience rational law aesthetically, but that it is precisely these repressed dimensions that give law its power and meaning and that enable it to be recognised as powerful.[96] It is that which remains beyond the legal text—the conceptual and symbolic richness, the irreducible excess uncaptured by rationality—that represents the 'poetics repressed within institutional prose'.[97] Indeed, it is the aesthetic, and the visual in particular, that 'is reckoned as being the ultimate means of persuasion and conversion, of communication, knowledge and power'.[98] In law, this can be

[93] Morrison (2004) p 63.
[94] See the first telling of Batman's decision to become a bat in *Detective Comics Vol 1 #33*: 'Criminals are a superstitious cowardly lot. So my disguise must be able to strike terror into their hearts. I must be a creature of the night, black, terrible... a . a... a bat! That's it! It's an omen. I shall become a bat!'
[95] See Manderson (2000) pp 23-24.
[96] Goodrich (1995) pp 30-32.
[97] Goodrich (1995) p 30.
[98] Goodrich (1995) p 56. As Goodrich observes, this is why there was such a forceful 'war of images' during the reformation.

configured in terms of the tricks and presentations—metaphor, rhetoric,[99] body language, architecture,[100] dress,[101] and so forth—that law uses to display and articulate itself in its particular (rational) way,[102] but also the broad spectrum of cultural forms that are imbued with legality and that cultural legal studies revels in. Batman's mask, his whole flowing costume, is more than just a means of hiding his 'real' identity as Bruce Wayne, or even a way of masking his weak humanity in order to present himself as an endless symbol of justice: it is, like the unconscious elements in law's presentation, precisely a deployment of the aesthetic as a means of approaching rational, ordered justice. Batman ultimately retains his status of rationality, thus preserving the dominant legal order—but in a form that is more sensitive to its aesthetics and its unconscious dimensions.

Arkham Asylum's narrative takes a simple superhero premise (hero defeats evil and restores order) configured to take place within Gotham's Arkham Asylum (Batman defeats inmates and restores order), and turns it into a metaphor for Batman's general project (Batman defeats evil and achieves justice) but pushes it further into a symbolic catharsis for Batman's own personal struggles (Bruce Wayne faces his personal demons and emerges stronger). At the same time, the story becomes symbolic of something much larger: of law's structural opposition to unreason and of the need to break down that opposition (law remembers its antirrhesis and emerges stronger). The lawyer's head is severed, freeing law from the confines of reason and plunging it into a world of madness and dreams. *Arkham Asylum* is not just Batman fighting baddies, or Batman's journey into his own unconscious, but also law's remembering of the unreason outside, but that exists within and beneath, and animates, the conscious surface of its reified rational order.

[99] Goodrich (1990) pp 111-148.
[100] Haldar (1999); Mulcahy (2011).
[101] McQueen (1999); Watt (2013).
[102] See Goodrich (1995) p 187.

[**FIGURE 4 HERE**]

Through his experience in the Asylum, Batman comes to understand that it is not only our conscious rational minds that make us what we are: we are also the products of the unknowable forces of unreason that flow through the unconscious. We see this in Figure 4, where Batman explains the lesson he has learnt whilst holding Dent's coin, that symbol of abstract, truly blind rationality. And the same is true for law: it is not just the rational order of law that makes it what it is, but also those dimensions that are pushed aside through processes of antirrhesis, that law is reified away from, that lurk in its unconscious. By forgetting these aspects, ostensibly in order to protect its authority and thus make itself stronger, legal knowledge ironically becomes weaker and disconnected from the vast and complex human world it attempts to regulate. It concomitantly forgets its limits and fails to appreciate where its rational order ends, and that there may be legitimate legal meaning and justice to be found beyond its borders. And, importantly, that these dimensions may not necessarily be a threat, but rather a resource in the legal project.

It is the crossing of these borders that cultural legal studies undertakes, a movement into law's unconscious with an understanding and acceptance that law is always already more than its rational surface. Batman navigates these boundaries, between the rational order of law and the unreason that 'threatens' it, via his encounter with his own unconscious madness. Through this encounter, he ultimately emerges stronger; he transgresses the rational order of law in his dark night of the soul and thereby exposes that order to its (unconscious) outside, but in a way that does not descend into 'madness' and disorder. *Arkham Asylum* thus models a positive vision of cultural legal studies: it recognises a whole world of law outside the reason of the lawyer's head. It is the navigation of law's limits, and the concomitant

recognition that a whole world of legality exists beyond those limits, and hence that they are not limits at all.

References

Secondary Sources

Maria Aristodemou (2000) *Law and Literature: Journeys from Her to Eternity*, Oxford University Press.

Maria Aristodemou (2014) *Law, Psychoanalysis, Society*, Routledge.

Frank Bramlett (ed) (2012) *Linguistics and the Study of Comics*, Palgrave.

Jerome Bruner (2002) *Making Stories: Law, Literature, Life*, Harvard University Press.

Scott Bukatman (2014) 'Sculpture, Stasis, the Comics, and Hellboy' 40 *Critical Inquiry* 3.

David Carrier (2000) *The Aesthetics of Comics*, Penn State University Press.

Don Crewe (2013) *Becoming Criminal: The Socio-Cultural Origins of Law, Transgression, and Deviance*, Palgrave.

Joseph E Davis (2013) 'Social Science, Objectivity, and Moral Life' 50 *Society* 6.

Costas Douzinas and Lynda Nead (1999) 'Introduction' in C Douzinas and L Nead (eds) *Law and the Image: The Authority of Art and the Aesthetics of Law*, University of Chicago Press.

Phoebe C Ellsworth (2012) 'Legal Reasoning and Scientific Reasoning' 63 *Alabama Law Review* 4.

David Fagelson (2002) 'Justice as Integrity: Objectivity and Social Meaning in Legal Theory' 11 *Social and Legal Studies* 4.

Michel Foucault (1977) *Discipline and Punish: The Birth of the Prison*, Penguin.

Michel Foucault (2001) *Madness and Civilization: A History of Insanity in the Age of Reason*, Routledge.

Adam Gearey (2001) *Law and Aesthetics*, Hart.

Thomas Giddens (2012) 'Comics, Law, and Aesthetics: Towards the use of Graphic Fiction in Legal Studies' 6 *Law and Humanities* 1.

Thomas Giddens (2014) 'Natural Law and Vengeance: Jurisprudence on the Streets of Gotham' *International Journal for the Semiotics of Law*, DOI: 10.1007/s11196-014-9392-7.

Thomas Giddens (2015) 'Lex Comica: On Comics and Legal Theory' in T Giddens (ed) *Graphic Justice: Intersections of Comics and Law*, Routledge.

Peter Goodrich (1990) *Languages of Law: From Logics of Memory to Nomadic Masks*, Weidenfeld & Nicolson.

Peter Goodrich (1995) *Oedipus Lex: Psychoanalysis, History, Law*, University of California Press.

Nic Groombridge (2015) 'Stepping off the Page: "British Batman" as Legal Superhero' in T Giddens (ed) *Graphic Justice: Intersections of Comics and Law*, Routledge.

David Gurnham (2014) *Crime, Desire and Law's Unconscious: Law, Literature and Culture*, Routledge.

Angus Griffin (2014) 'A History of the Anonymous Mask', http://www.dazeddigital.com/artsandculture/article/16360/1/a-history-of-the-anonymous-mask.

Ian Hague (2014) *Comics and the Senses: A Multisensory Approach to Comics and Graphic Novels*, Routledge.

Piyel Haldar (1999) ‘The Function of the Ornament in Quintilian, Alberti, and Court Architecture’ in C Douzinas and L Nead (eds) *Law and the Image: The Authority of Art and the Aesthetics of Law*, University of Chicago Press.

Charles Hatfield (2005) *Alternative Comics: An Emerging Literature*, University Press of Mississippi.

Frederick Holweck (1911) ‘St Michael the Archangel’ in CG Herbermann, EA Pace and TJ Shahan (eds) *The Catholic Encyclopedia*, Robert Appleton.

William P MacNeil (2007) *Lex Populi: The Jurisprudence of Popular Culture*, Stanford University Press.

Desmond Manderson (2000) *Songs without Music: Aesthetic Dimensions of Law and Justice*, University of California Press.

Desmond Manderson (2002) ‘From Hunger to Love: Myths of the Source, Interpretation and Constitution of Law in Children’s Literature’ 15 *Law and Literature* 1.

Scott McCloud (1993) *Understanding Comics: The Invisible Art*, Harper.

Jeff McLaughlin (ed) (2005) *Comics as Philosophy*, University Press of Mississippi.

Rob McQueen (1999) ‘Of Wigs and Gowns: A Short History of Judicial Dress in Australia’ 16 *Law in Context* 1.

Ann Miller (2007) *Reading Bande Desinèe: Critical Approaches to French-Language Comic Strip*, University of Chicago Press.

Linda Mulcahy (2011) *Legal Architecture: Justice, Due Process and the Place of Law*, Routledge.

Ngaire Naffine (2009) *Law’s Meaning of Life: Philosophy, Religion, Darwin and the Legal Person*, Hart.

Sallie Nichols (1980) *Jung and Tarot: An Archetypal Journey*, Red Wheel.

Friedrich Nietzsche (1997) *Daybreak: Thoughts on the Prejudices of Morality*, Cambridge University Press.

Moti Nissani (1997) 'Ten Cheers for Interdisciplinarity: The Case for Interdisciplinary Knowledge and Research' 34 *The Social Science Journal* 2.

Amy Nyberg (1998) *Seal of Approval: History of the Comics Code*, University Press of Mississippi.

Katalin Orbán (2014) 'A Language of Scratches and Stitches: The Graphic Novel between Hyperreading and Print' 40 *Critical Inquiry* 3.

Nickie D Phillips and Staci Strobl (2006) 'Cultural Criminology and Kryptonite: Apocalyptic and Retributive Constructions of Crime and Justice in Comic Books' 2 *Crime Media Culture* 3.

Nickie D Phillips and Staci Strobl (2013) *Comic Book Crime: Truth, Justice and the American Way*, New York University Press.

Dennis A Rendleman (2009) 'Two Faces of Criminal Prosecution: Harvey Dent, Mike Nifong, Craig Watkins' 9 *The Journal of the Institute of Justice and International Studies* 1.

Richard Reynolds (1992) *Superheroes: A Modern Mythology*, BT Batsford.

Nikolas Rose (2001) 'The Politics of Life Itself' 18 *Theory, Culture and Society* 6.

Roger Sabin (1996) *Comics, Comix and Graphic Novels: A History of Comic Art*, Phaidon Press.

Roger Sabin (2010) *Adult Comics*, Routledge.

Raf Sanchez, Mark Hughes and Nick Allen (2012) 'Batman Cinema Shooting: James Holmes "Told Police he was The Joker"', http://www.telegraph.co.uk/news/worldnews/northamerica/usa/9416529/Batman-cinema-shooting-James-Holmes-told-police-he-was-The-Joker.html.

Susan Schmeiser (2006) '"No Truth Machine": Law, Psychoanalysis, Uncertainty' 2 *Law, Culture and the Humanities* 2.

Richard K Sherwin (2000) *When Law Goes Pop: The Vanishing Line between Law and Popular Culture*, University of Chicago Press.

Kieran Tranter (2012) '"Come a Day there Won't be Room for Naughty Men Like Us to Slip About at All": The Multi-Media Outlaws of *Serenity* and the Possibilities of Post-Literate Justice' 16 *Law Text Culture* 1.

William Twining (1997) *Law in Context: Enlarging a Discipline*, Clarendon.

Douglas W Vick (2004) 'Interdisciplinarity and the Discipline of Law' 31 *Journal of Law and Society* 2.

Gary Watt (2013) *Dress, Law and Naked Truth: A Cultural Study of Fashion and Form*, Bloomsbury.

Richard H Weisberg (1984) *The Failure of the Word: The Protagonist as Lawyer in Modern Fiction*, Yale University Press.

Jonathan M Wender (2009) *Policing and the Poetics of Everyday Life*, University of Illinois Press.

James Boyd White (1985) *The Legal Imagination*, University of Chicago Press.

Melanie Williams (2002) *Empty Justice: One Hundred Years of Law, Literature, and Philosophy*, Routledge-Cavendish.

Films, Comics and Scripts

Batman: Arkham Asylum (2009) developed by Rocksteady Games, Eidos Interactive.

Batman Begins (2005) directed by Christopher Nolan, Warner Bros.

The Dark Knight (2008) directed by Christopher Nolan, Warner Bros.

Batman (1989) directed by Tim Burton, Warner Bros.

Detective Comics Vol 1 #33, DC Comics 1939

Frank Miller, Klaus Janson and Lynn Varley (2002) *Batman: The Dark Knight Returns*, Titan Books.

Alan Moore and Brian Bolland (1988) *Batman: The Killing Joke*, Titan Books.

Alan Moore and Dave Gibbons (1986) *Watchmen*, Titan Books.

Grant Morrison and Dave McKean (2004) *Arkham Asylum: A Serious House on Serious Earth*, Titan Books.

Grant Morrison (2004) 'Full Script and Notes' in G Morrison and D McKean, *Arkham Asylum: A Serious House on Serious Earth*, Titan Books.

Figure Captions

Figure 1: From: *Batman: Arkham Asylum – A Serious House on Serious Earth* © DC Comics

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