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### Pop Philosophy: Examining Deontology and Utilitarianism Using Marvel's *Civil War*.

Deontology and Utilitarianism. Captain America and Iron Man. Two sides of the same coin. Deontology deals with one's sense of duty or moral obligation. There's no better embodiment of Deontology than the Star-Spangled Avenger, the Sentinel of Liberty: Captain America himself, Steve Rogers. You would think that his philosophical opposite would be a villain, like the Red Skull, his arch-nemesis. But his opposite is Ol' Shellhead, the Armored Avenger: Iron Man. Iron Man, the alias of Tony Stark, utilizes the philosophy of Utilitarianism, the belief that actions themselves are not inherently evil, but are weighted by the good and the bad those actions produce. From July 2006 to January 2007 Marvel Comics published *Civil War*, a story that divided Marvel's superhero community down the middle and against each other. After a battle in Stamford, CT which resulted in the deaths of several members of the New Warriors (a teenage group of superheroes) and the children that were in an elementary school close to the battle. The American Government decided that enough is enough and decided to enact the Superhero Registration Act (SRA). The SRA demands that all superhumans register their secret identities to the government so it can keep track of them even while they are in their secret identities. It also required the superhuman to fulfill certain legal requirements to be registered and obtain legal permission for them to continue to fight crime or just use their powers in a non-criminal manner. This type of legislation has been passed before in the Marvel Universe with the Mutant Registration Act (MRA), but while the MRA only focused on Mutants, the SRA went after everyone within the Superhuman community, regardless of if you were born with your powers or got them via external factors, like a radioactive spider, a

radioactive gamma bomb or radioactive waste. (Actually, this distinction brings up my major gripe with the X-Men and the greater Marvel Universe: Why does it matter if you were born with your powers or got them when a spider bit you? Should it matter? I know, as a reader, that they were created as an allegory for the Civil Rights movement of the 1960s. But plot-wise, it doesn't add up. But I digress...) The Canadian government of the Marvel Universe also passed a version of the SRA, to lesser fanfare. The ratification of the SRA led to a schism in the Marvel superhuman community, the Pro-Registration side was spearheaded by Stark and Reed Richards and the Anti-Registration Act by Captain America. In this paper I will prove how Kant's philosophy of Deontology is a better path to follow, rather than Mills' philosophy of Utilitarianism, and how Marvel Comics' 2006 *Civil War* demonstrates the fundamental differences between the two school of thoughts with Captain America representing Deontological arguments and Iron Man embodying Utilitarianism. Spider-Man represents the conflict that can come about when a person tries to live in both worlds.

Deontology deals with a person's moral obligation and duty to do what's right over what is good at all costs. People usually associate Captain America with strict Kantian deontology, who believes that a person under absolutely no circumstances can lie. Even if lying is the way to save your own life, or any life, you absolutely cannot lie. Other people have placed Captain America in this giant pedestal where he is the living embodiment of all that is good in the nation and in mankind, even Peter Parker asks Captain America, "How does the man that is the country react when the country goes a different way?" (Straczynski, 2007) in the context of the story Peter had already defected from the Pro-Registration side and was a wanted fugitive, being hunted by the government, Tony Stark, and his team of Avengers. In Peter's mind Captain America is the end all be all of goodness, and Captain America responds by quoting Mark

Twain, “If you alone of all the nation shall decide one way, and that way be the right way according to your convictions of the right, you have your duty by yourself and by your country. Hold up your head. You have nothing to be ashamed of. Doesn’t matter what the press says. Doesn’t matter what the politicians or the mobs say. Doesn’t matter if the whole country decides that something wrong is something right. This nation was founded on one principle above all else: The requirement that we stand up for what we believe, no matter the odds or the consequences.” (1962) That is straight up Kantian right there, stand up for what you believe is right, regardless if it’s a popular opinion or not. But Captain America has been around long enough (He’s looking damn good for 106) that strict Kantian Deontology isn’t convenient for a soldier, because as much as he runs around in spandex, flinging an indestructible frisbee at other people in spandex, at the end of the day Captain America is a soldier. While Cap falls within the deontological spectrum he’s more in line with W.D Ross’s idea of deontology where actions such as lying could be ok if it still leads to what is right over being good. And here Captain America is having to operate not only outside of the law, but a smidge outside of his own moral compass by having to lie and fight against the people he saw as comrades. This isn’t the first time Captain America has stood against the government he is supposed to represent. In the 1970s Steve Rogers abandoned the Captain America identity and became Nomad after a government figure heavily implied to be Richard Nixon was found to be in charge of the Secret Empire, a subsidiary of Hydra. Hydra is basically Nazis but instead of a diminutive guy with a weird moustache in charge, it’s a dude for a red skull for a face yelling orders at them. Steve Rogers returned to the role of Captain America, realizing that he can serve better as a hero and an icon in Captain America than just as The Nomad. Cap quit again in the 80s when he once again became disillusioned with the American government who decided that because he was frozen at the end

of World War II, Captain Rogers was still a technically an active member of the US Army and needed to operate as a regular soldier in the US Army. After the events that led to him adopting the Nomad identity, Rogers decided that he can no longer follow simple orders like a simple soldier and hands in the Captain America moniker and shield to John Walker and dons a black version of his costume with a matching shield and runs around as just the Captain. Eventually Rogers returns to the role again, having learned his lesson, again. This commitment to embodying the Captain America spirit falls in line with Ross's idea of Pluralistic Deontology, which states that there are "...seven prima facie duties which need to be taken into consideration when deciding which duty should be acted upon." (Mastlin, 2008) One of them is the Duty of Beneficence, which is to help others improve their character. Both times Rogers stepped away from the mantle, he realizes that he is more useful as Captain America, serving as the living embodiment of all the goodness America is supposed to embody itself. Across the interdimensional pond at DC Comics, Superman serves that same purpose. It's even in his (recently amended) catchphrase, "I fight for truth, justice and the American Way" (Reeve, 1978) Another superhero who has Kantian Deontology thrust upon them but does not behave in such a manner. Let's go back to a major staple of Kantian Deontology, and the most argumentative, a Deontologist cannot lie, under any circumstances. But both Captain America and Superman are inherent liars. Up until 2002, Steve Rogers was the secret identity of Captain America. A way for him to live the life he couldn't live if he was Captain America 24/7, he pursues an art career, something he loved before he became a Super Soldier and even works for Marvel Comics drawing Captain America comics (Comic Book logic isn't really all that logistical). When Superman isn't off bench-pressing planets or sneezing entire solar systems away, he's lounging around the Daily Planet newsroom as Clark Kent. If these two lived up to the deontological

standards the other have set up for them, then they would live full time as one identity. Superman constantly lies to everyone who is not aware about who is, about who he is. The constant rationale behind a secret identity is that it's necessary to protect who they are so the enemies don't attack their loved ones. The SRA takes away that option. The government says that they will not release the information to the public but in the Marvel Universe, you can probably throw a stone at a crowd and hit someone who can hack a government database. By the time the SRA was enacted, Steve Rogers had outed himself as Captain America in response to 9/11. But that doesn't stop him from rallying and fighting for those with secret identities. This fulfills the "Duty of Justice" which states that one has a duty to fight for what one deserves, and Captain America believes that masked heroes deserve the respite a secret identity provides, after all these are people who have saved the world multiple times over. They deserve a slice of life that isn't filled punching people/aliens/wizards in the face. It also fulfills the "Duty of Gratitude" he's fighting for the benefit of people who have benefited him before, a lot of the superhero community has come to the assistance of Captain America when he's needed them. It's been shown that fictional or not, sometimes the American government doesn't act in the best interest of the people. The Avengers fight crime all over the globe, they aren't like Daredevil who focuses on Hell's Kitchen, the Avengers aren't burdened by borders and even fight across dimensions and in outer space. In *Captain America: Civil War*, the theatrical adaptation of the *Civil War* arc, Captain America also refuses to go along with the Sokovia Accords, the movie version of the SRA. It states that the Avengers and any other superhumans, are to be registered with the United Nations and can only act when the UN deems it worthy for them to act. Captain America responds to Stark's suggestion to sign the accords with, "If we sign this, we surrender our right to choose. What if this panel sends us somewhere we don't think we should go? What if there's somewhere

we need to go, and they don't let us? We may not be perfect, but the safest hands are still our own.” (Evans, 2016) In both version of *Civil War*, Captain America is worried more about what is right, more than what is good. He’s willing to overlook how the idea of Captain America might be perceived by the rest of the population and to his peers that side with Stark. In the original event, Captain America waivers after he sees the destruction the battles have caused. Fulfilling the “Duty of Reparation”, he surrenders to Stark and the American government. Even here Captain America still believes that what he is doing is correct, but he is standing down to protect the lives of the citizens who are being caught in the reckless crossfire of those who swore to protect them. He is essentially standing down in the name of “Duty of Non-Maleficence” At the end of the day, Captain America yielded in the face of the greatest duty a soldier can have, protection of the innocent. On the footsteps of the courthouse where he was to be arraigned, he was shot and murdered.

Tony Stark’s role in the *Civil War* conflict is pure utilitarianism. It makes perfect sense for someone who is a walking utility belt when he’s wearing the Iron Man armor. Utilitarianism, is essentially, “The ends justify the means.” Stark prides himself on being a futurist and a pragmatist and decides to accept the SRA on behalf the superhuman community, without consulting anyone else besides the likeminded Richards about this. Stark’s justification is that the SRA was a natural evolution of the rampant increase in vigilantism since the formation of the Avengers and the sudden boom of superheroes that happened around that same time. Prior to the *Civil War* event, Peter Parker moved into Avengers Towers with his aunt May and his wife Mary-Jane and because of his aptitude for science, he quickly becomes friends with Stark and Stark offers him a job as a personal assistant. At the same time Peter is constantly in awe because of the previously discussed pedal he holds Captain America in. Stark convinces Peter to go on

live TV and reveal himself to be Spider-Man. Utilitarianism believe that no action has an intrinsic value of good or bad, but rather the good it brings to the overall population. John Stewart Mills argues in his text *Utilitarianism*, that the rights of an individuals are only to be infringed upon when they become a threat to the safety of the greater population. Stark starts to see his comrades as things powerful enough to level cities on a bad day and sees the benefits of having them registered and be held accountable. This is rather hypocritical from Stark himself, as just one of his Iron Man armors are formidable against a team of Avengers, not to mention all the different incarnations that he keeps in his closet. Stark has vehemently argued against handing over his armors to the American government but now he is doing the same to other living, breathing people. People who have laid their lives on the line for Stark time and time again. Stark's utilitarianism pushes him so far against his fellow superheroes that he and Richards build a prison in the Negative Zone, a hellish dimension that is inhabitable to all but the nightmarish creatures that live there. Stark, no matter how much he tries to be a hero, has an inherit narcissistic streak inside of him that refuses to die. That narcissistic streak is what prohibits him from seeing the enactment from a perspective that is not his, because Tony Stark can never be wrong. In the film *Avengers: Age of Ultron*, Stark believes that building an Artificial Intelligence would be beneficial for the larger population than the Avengers could ever be and develops Ultron in secret from the rest of the Avengers. He only lets Bruce Banner into the project near its completion, by the time Ultron goes online it's too late and the sentient AI goes insane and destroys the country of Sokovia in its final battle against the Avengers, leading to the Sokovia Accords in *Captain America: Civil War*.

Utilitarianism is used to justify the greatest good of the people over the good of the individual, or a small section of the population. That is what led to all the horrendous decisions that Stark makes during the original *Civil War*, starting with the creation of Ragnarok, a clone of Thor (who was away in Asgard and did not participate in the event). Because Asgardian DNA is unstable, Ragnarok goes berserk during a clash between the Pro-Registration and Anti-Registration, he causes the death of Goliath, a member of Captain America's team. The first major casualty on either side of the conflict. This visibly rattles both sides of the argument and causes an exodus on Stark's side. Most notably is Spider-Man, who flees Avengers Towers with his aunt May and Mary-Jane in tow. Up until this point, Peter had been struggling with his place in the grander scheme of the conflict but after seeing the death of Goliath he knew that Captain America had been right all along. Even in one of the initial skirmishes between Team Cap and Team Stark, Peter has doubts about everything he is doing with Stark, "For the first time, I'm accepted. I'm out, I'm on the side of the law, and the law's on my side. May is proud of me. MJ is proud of me, I'm on the right side of everything. So how come something so just feels so wrong?" (Straczynski, 2006) This is the Utilitarianism and the Deontologist in Peter Parker struggling in a situation where both sides are at odds. The part of him that wants to be a hero, that idolizes Captain America, that is essentially Spider-Man, wants to fight with Captain America, but there's also scientist Peter Parker, who admires all that Tony Stark and Stark Industries has accomplished in the name of science. Once he sees the murder of Goliath, he defects. The Kingpin uses this opportunity to place a hit on Peter and his family. The hitman succeeds on shooting his aunt May. This leads to Peter breaking into the prison where Kingpin is being held at and proceeds to beat him to within an inch of life, promising that if May Parker dies, the Kingpin dies. This breaks away from both Utilitarianism and Deontology. A



Deontologist would not kill, and an utilitarianist would not bother breaking into the prison when he is a wanted criminal, since motive is not utilizing one's maximum potential. But after the prison break, Peter makes a Faustian pact with Mephistopheles. For his aunt to live, Peter must give up his marriage to Mary Jane Watson-Parker. They must live like they were never married, and the world will never remember the marriage and the fact that Peter Parker ever went public as Spider-Man. After much consternation, Peter accepts the offer. That is Peter's utilitarianism at work because the ends (the resurrection of May) justified the means (A deal with the devil).

However, one can also argue that it was Deontology at work because of Ross's Pluralistic Deontology, which included "Duty of Gratitude", May Parker took Peter in after his parents died at the age of five, as far as Peter Parker is concerned May is his mom and bringing her back to life would be a token of appreciation for all the love and support she's placed in him over the years, even when she found out he was Spider-Man, after years of initially voicing disdain for Spider-Man she became Spidey's #1 fan because that was her boy under the mask. But all of this could have been avoided if Tony had had a little more respect for his superhero peers. If Tony had approached Captain America and others that shared a different prerogative, they could have worked towards a more peaceful resolution that did not end in death and the altering of reality.

In conclusion, if Stark had followed a more Deontological approach to the SRA, then the events of *Civil War* could have been avoided. After the events of *Civil War*, Marvel published a story named *What if Iron Man Lost the Civil War?* where instead of continuing their conflict, Stark puts aside his ego and utilitarianism and approached Captain America peacefully instead of antagonizing him, the fight stops, and the Anti-Registration side accepts the SRA because they trust Captain America with their secret identities. Deontology is the way to go as opposed to Utilitarianism, because Utilitarianism is morally loose and if it's based on the need of the overall

pleasure or need of the population that means everyone's pleasure is equal. Meaning Charles Manson deserved the same pleasures as Mother Teresa, or to keep it in our analogue, Doctor Doom deserves the same pleasure as Daredevil. But that's preposterous, Doom and Manson are homicidal psychopaths. Yet, Utilitarianism places them on equal footing as those who strive to make the world a better place. That's not to say that Deontology is not without its fault, especially with the Kantian Principle of Permissible Harm that states you cannot harm a person no matter what. Captain America couldn't punch Nazis in the face even if said Nazi was Hitler. However, Deontology places more value on what is right, rather than what makes the population happy and if we kept the population happy, then revolutions would never happen, and revolutions make the world go 'round.

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