

PART ONE

**WHAT WOULD AN
AVENGER DO?**

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SUPERHUMAN ETHICS CLASS WITH THE AVENGERS PRIME

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At Avengers Academy, where veterans like Hank Pym and Tigra teach younger heroes in the ways of Avengerdom, one of the required courses is Superhuman Ethics Class. In this class, superpupils are presented with ethical dilemmas that crop up in the day-to-day “routine” of an Avenger, and then they are asked how they would handle them and why. We may recoil at the thought of Hank Pym teaching this class—the poster child for “Do what I say, not as I’ve done myself time and time again”—but such a class is essential to teach young heroes how to exercise the great responsibility that comes with great power.¹

If you ask me, the most obvious teachers for Superhuman Ethics Class would be Captain America, Iron Man, and Thor, who were christened the “Avengers Prime” in a recent miniseries.² I’m not claiming that these three are necessarily the most

ethical Avengers, but they do serve as examples of the three most popular systems of ethics: utilitarianism, deontology, and virtue ethics. While each of these three classic heroes exemplifies his particular moral compass in his solo adventures, it is through their interactions—especially their conflicts—within the Avengers that they best illustrate their different ethical approaches. Let's start with Iron Man because his ethical framework is in many ways the simplest, and also because he sets the stage for introducing the other two in contrast.

The Utilitarian Iron Man

Tony Stark has long been an important figure in the Marvel Universe, but starting with the “Civil War” event in 2006, he became central to it. As soon as he realized that passage of the Superhuman Registration Act, a law requiring all superheroes to register and reveal their identities to the government, was inevitable, he got in front of it and made sure it was implemented *his* way. When Captain America started a superhero resistance against the law, Iron Man led the pro-registration forces against him, and after the war ended with Cap's surrender, Tony was granted control of S.H.I.E.L.D. and the Avengers. During that tenure, he had to deal with the death of Captain America (Steve Rogers) and the anointment of his successor (Bucky Barnes), the destruction of New York City by the same Hulk he had helped to exile to space years before, and a full-scale secret invasion by the Skrulls. The Skrull debacle led to the downfall of Tony Stark, the rise of Norman Osborn, and Tony's self-lobotomization to ensure that Osborn would not get the superhero registration information stored in his brain. Osborn's “Dark Reign” ended with the Siege of Asgard after Tony (with most of his mind restored), Steve Rogers (back from the dead), and Thor (now a proud Oklahoman) reunited to lead the assorted Avengers teams against him.³

Many people, in both the Marvel Universe and the real world, found Tony's decisions and actions during this period despicable, especially during the Civil War, when he enlisted the Thunderbolts, a team of known supervillains and psychopaths, to round up unregistered heroes, and helped build a prison in the Negative Zone to hold them. It's hard to doubt Tony's sincere motivation to make things better, though. And rarely can things be made better without breaking some rules or creating some negative consequences.

The issues of broken rules and negative consequences are familiar to moral philosophers because they also apply to *utilitarianism*, Tony Stark's basic ethical system. Utilitarianism judges actions by the goodness (or "utility") of their consequences. An action that creates more good than bad in the world is ethical, and the action that creates most good compared to bad is the most ethical (or required). The philosopher credited with introducing utilitarianism, Jeremy Bentham (1748–1832), equated "good" with pleasure and "bad" with pain. Other utilitarians have also proposed happiness, well-being, or preference satisfaction as ways to think of utility.⁴ However utility or goodness is measured, utilitarianism is based on the common-sense notion that outcomes matter. Furthermore, everyone's utility is equally important. This means that goodness can be added up to arrive at a sum total for each action, which can be used for comparisons of alternatives or maximization to arrive at the morally best plan of action.⁵

While the concept of utilitarianism is very simple, in practice it can become very complicated because measuring the utility of various options is incredibly difficult. In order to evaluate and compare the goodness of different courses of action, a person must trace out all the effects of each choice. Of course, Tony Stark regards himself as a futurist, uniquely able to see the results of any event. After defeating the Crimson Dynamo by stopping his heart and then immediately reviving him, Cap dresses Tony down, saying, "You could have stopped the

situation without stopping the man's heart. I can think of at least four—" but Tony interrupts with, "And I can think of seven. But this one was the most expedient."⁶ Even on this relatively small scale, however, the chain of events flowing from that choice can be hard to predict, especially when other people and random events intervene. (For instance, the Dynamo may have had a heart condition that prevented Tony from restarting it.)

When it comes to monumental decisions like exiling the Hulk or supporting superhero registration, the countless and complex ramifications are impossible to know and therefore impossible to measure and compare. As we have seen, Tony did get a lot of things wrong—Cap died, the Hulk came back, and the Skrulls invaded. So even a self-styled futurist can make mistakes. And since his decisions are only as good as his predictions, Tony's inability to know the results of this action casts his decisions in doubt. This doubt, of course, applies to all utilitarian decision making.

Captain America: Duty above All Else

Iron Man and Captain America have long been depicted as seeing the world differently. The Civil War, though, brought this ethical conflict to the forefront of the Marvel Universe. While Tony exemplifies utilitarianism, Cap provides a shining example of *deontology*, which judges the morality of actions in and of themselves according to general principles or duties rather than consequences.⁷ In the case of Tony's stopping the Crimson Dynamo's heart, Cap presumably regarded this as a violation of the principle not to kill. As far as Cap is concerned, the "expediency" Tony cited does not work as a justification. The conflict between deontology and utilitarianism is often put in terms of the "right" and the "good," in which the good is a quantity to be maximized while the right is something to be adhered to. Stopping the Dynamo's heart may have

been the most expedient way to a good result, but to Cap it simply wasn't the right thing to do.

When deontologists (like Cap) criticize utilitarians (like Tony) for letting "the ends justify the means," they are implying that certain means to an end should never be taken, regardless of how good the consequences would be. No matter how worthy an end—even saving lives—some measures should not be taken as a matter of principle. In the real world, torturing terror suspects and placing wiretaps on phones are prime examples; in the Civil War, we see examples such as building the Negative Zone and enlisting the Thunderbolts. Such actions, considered intrinsically wrong, cannot be justified by their consequences, but rather taint those otherwise noble ends. To be sure, deontologists do not entirely dismiss the importance of consequences, but they do regard principles as important also.

One advantage that deontology seems to have over utilitarianism is that it doesn't require us to calculate and compare the good and bad consequences of every decision. Cap wouldn't have worked out the pros and cons of inviting the Thunderbolts to his cause. Rather, he just never would have considered it, because he would regard it as wrong to deal with confirmed killers. (He ultimately rejects the Punisher's offer to join the anti-registration movement for the same reason.)⁸ But this neglects the complexity of distinguishing right from wrong. When Cap says to Tony that "what's right is right," or tells Sharon Carter (regarding the pro-registration forces) that "what they're doing is wrong, plain and simple," his simple language obscures the fact that a tremendous amount of deliberation and judgment goes into determining what is right in any given situation.⁹ Instead of calculating positive and negative effects on utility, however, the deontologist weighs various principles and duties against each other (and even against consequences).

Furthermore, deontology avoids the contingent nature of utilitarian ethics, by which a change in circumstances can flip

a moral judgment one way or another. Tony was originally opposed to registration, citing the risks to heroes' loved ones, morale, and incentives to continue to serve as heroes.¹⁰ Once he was convinced that the registration act would pass, however, he signed on as its figurehead, telling Peter Parker, "I have to take the lead in making the other powers register. If I don't, someone else worse will. And frankly . . . I think it's the right thing to do at this point."¹¹ From a utilitarian point of view this is admirable: he adjusted to circumstances and did the best with the cards he was dealt as they changed. To a deontologist, though, right and wrong do not depend on circumstances but on principle. Cap was steadfast in opposing registration, not out of stubbornness, but out of a style of judgment that does not depend on the state of the world at any given time. Even when he surrendered at the end of *Civil War*, it was not because he changed his mind about registration, but because he realized his efforts had strayed from their original purpose: "We're not fighting for the people anymore . . . we're just fighting."¹² When Iron Man visits him in his cell at Ryker's, Cap tells him, "we maintained the principles we swore to defend and protect. You sold your principles."¹³ It would be more precise, though, to say that Tony and Cap simply had different overarching principles to begin with, representing the good and the right. Each fought for his principle to the end—and with conviction.

Convicted Heroes

It's easy to point out the differences between utilitarianism and deontology, but we should also point out their similarities. (This will prove especially useful when we get to discussing virtue ethics and Thor.) We've already mentioned one similarity: both utilitarianism and deontology require judgment, albeit of different kinds. Utilitarianism demands the anticipation, evaluation, and comparison of every possible result of every option, while deontology requires the consideration and

balancing of every principle and duty involved in a situation. Neither process can be done perfectly—and waiting while a person tries can result in disaster. Choices have to be made, and sometimes a person has to use judgment to make them once the time for deliberation runs out. As Tony said during the battle with the Hulk, “Every day I choose between courses of action that could affect millions, even billions of lives. With stakes that high, how dare I decide? But at this point, doing nothing is a decision in and of itself.”¹⁴

Ethical decision making of either type, utilitarian or deontological, requires conviction to make it effective. Coming to the best decision is one thing, but it’s worthless if the person doesn’t follow through with it. Despite Iron Man and Captain America’s differences, they both share tremendous conviction. Talking to Cap’s corpse after his assassination on the courtroom steps, Tony confesses, “I knew that I would be put in the position of taking charge of this side of things. Because if not me, who? Who else was there? No one. So I sucked it up. I did what you do. I committed. . . . It was the right thing to do!”¹⁵

As usual, Cap gives a more eloquent speech to demonstrate his conviction, this time to Spider-Man as he considers abandoning Tony to side with Cap:

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. When the mob and the press and the whole world tell you to move, your job is to plant yourself like a tree beside the river of truth, and tell the whole world—“No, *you* move.”¹⁶

Of course, no one would ever doubt Captain America’s conviction, but my point is more general: that conviction does not

depend on one's moral philosophy. As Cap says, "If you believe it, you stand up for it."¹⁷

Understanding the importance of judgment and conviction can also help us see through the misconception that deontological ethics (such as Cap's) views the world as "black and white" with no "shades of gray," simply because it trucks in absolute terms like "right or wrong" instead of relative terms like "better or worse." For utilitarians, the only right decision is the "best" one, the one that results in the most net positive results—every other choice is wrong. When Sharon asks Cap, regarding the registration act, "If Captain America doesn't follow the law, then who does?" Cap replies, "The issue isn't black and white, and those are the only colors the law can see," as opposed to the broader deontological concepts of justice and liberty that he values.¹⁸ But once you see past the simple rules—what contemporary philosopher and economist Deirdre McCloskey mocks as doing ethics by "three-by-five-inch card"—and recognize the role of judgment in ethical decision making, then neither utilitarianism nor deontology is black and white.¹⁹ The only thing deserving of that term is conviction, the determination to stand by one's moral choices, which can often be confused with stubbornness. In fact, though, conviction is a virtue.

Verily, a Fine Segue!

Another thing utilitarianism and deontology have in common is their focus on action: determining the right thing to do in any particular situation. But our third school of ethics, *virtue ethics*, focuses on the actor instead, emphasizing enduring character traits that good (or virtuous) people possess, such as honesty, courage, and resolve—all of them hallmarks of a hero.²⁰ Iron Man and Captain America display these virtues, of course, but their virtues do not account for how they make moral decisions. For an example of virtue ethics, we turn to our third Avenger Prime, Thor.

The Odinson lives by a code of honor, adhering to the highest standards of bravery, loyalty, and honesty, and these ideals motivate his actions. He does not weigh the positive and negative effects of alternatives like Tony does, but rather lets his instincts guide him to the right action. In this way Thor resembles Cap, in that they both do the “right thing.” Of course, they do it for different reasons, though: Cap does the right thing because it represents his duties or principles, and Thor because it represents his character.

Because of his well-earned slumber after breaking the seemingly endless cycle of Ragnarok (the death of the gods), Thor missed out on the Civil War. When he returned to Earth, though, he discovered both Captain America’s death and Iron Man’s part in creating the clone of Thor (as well as his other questionable decisions). When Iron Man meets him to welcome him back to Earth as his friend and then to “urge” him to register, Thor recounts Tony’s deeds during the superhero battle, describing them as offenses against virtue:

You have hunted down those we once fought beside and called comrades. Killed or imprisoned those who opposed you, regardless of their previous loyalties. . . . You took my genetic code and, without my permission, without my knowledge, used it to create an abomination—an aberration—an insult—and this you told the world was me. You defiled my body, desecrated my trust, violated everything that I am. Is this how you define friendship?²¹

Thor does not address the motives or rationale for Tony’s actions, but instead his violation of the basic concepts of camaraderie, loyalty, integrity, respect, trust, and friendship. A good person does not act against these virtues, as Thor says to Tony with eloquent language—and devastating force. Instead, good people embody these virtues, which are an essential part of their character, and manifest themselves in their decisions, intentions, and actions (although not necessarily perfectly).²²

On the first anniversary of Captain America's death, Thor visits his gravesite and summons the spirit of his fallen comrade. After offering to avenge Cap's murder (an offer that is declined), Thor pays tribute, again in the language of virtue, specifically the virtues of honor and friendship:

I have lived many ages of men, Steven. Centuries without end. I have seen many great men, and known countless honors. But the greatest honor of this ancient and tired soul has been the privilege of fighting beside you, and calling you my friend.²³

Again, Thor does not care about Cap's dedication to duty or principle, but how well that leads him to live up to virtues that Thor regards as worthy of a hero, a warrior, and a friend.

Of course, it is not merely others whom Thor holds up to the standards of virtue, but first and foremost himself. He is unwavering in his fairness, as when he approached a demonic, rampaging Asgardian with an open hand before engaging and defeating him in battle, and then accepted exile from Asgard once it was revealed that his vanquished foe was none other than Bor, his grandfather and previous king.²⁴ He is unflinching in his courage, such as when he swears during the Siege of Asgard, after being beaten down by Norman Osborn and his Dark Avengers, "I will not run from you, Osborn, not your minions. I will not hide. I will defend my home and the home of my father . . . with my very last breath."²⁵ He has a profound sense of honor and justice, refusing to kill Bob Reynolds (the Sentry) at the end of the Siege—even when Reynolds begs him to—until Reynolds forces his hand by attacking the Avengers (after which Thor takes his burnt body, wrapped in his cape, and buries it in the sun).²⁶ And he is fiercely loyal, going so far as to revive his adopted brother Loki following his death during the destruction of Asgard (for which Loki was ultimately responsible but later repented).²⁷

Of course, many heroes exemplify these traits, including Iron Man and Captain America, but Thor acts this way for the sake of these virtues, rather than out of the expectation of good consequences or respect for duty or principle. Thor strives to be a good person, a virtuous person. For instance, at the end of *Avengers Prime*, Thor reclaims the Twilight Sword with which Hela (the goddess of death) had reshaped the nine realms, but he refuses to use it himself. He could have restored Asgard to its former glory, before it was destroyed in the last Ragnarok, then restored over Broxton, Oklahoma, and later destroyed again in the Siege.²⁸ But he tells Amora (the Enchantress), “To use this unholy power for my own ends would make me the same demon she is.”²⁹ And that “same demon”—someone who uses infinite power for his own ends, or even for what he predicts would be the best for everybody—isn’t who Thor strives to be.

Ethicists Assemble!

Can we conclude, therefore, that virtue ethics has nothing in common with utilitarianism and deontology? Absolutely not—all three ethical approaches can be seen as ways to determine the right thing to do or the right way to live, whether approached through action or character. And they often reach the same conclusions when it comes to very general topics such as murder and lying, though they may have different things to say on specific cases. For instance, utilitarianism might be more permissive of some well-meaning lies than deontology or virtue ethics.

Still, no matter which ethical framework you choose to adopt, you need to exercise judgment to apply it to specific circumstances. You also need conviction to stand by your decision in the face of criticism from others or doubts from within. As much as our *Avengers Prime* may differ in terms of their basic moral philosophy, they share the same capacity for sound

judgment and unshakable conviction. Ultimately they serve as examples to those of us who aspire to be heroes in our own lives—but can't afford the tuition at Avengers Academy!

NOTES

1. See, for example, *Avengers Academy* #10 (May 2011), reprinted in *Avengers Academy: When Will We Use This in the Real World?* (2011), and discussed here: <http://www.comicsprofessor.com/2011/03/superhuman-ethics-class-is-in-session-in-avengers-academy-10.html>.

2. *Avengers Prime* #1–5 (August 2010–March 2011), reprinted in *Avengers Prime* (2011).

3. See . . . well, most all Marvel comics since 2006, but especially *Civil War* (2007), *World War Hulk* (2008), *Secret Invasion* (2009), and *Siege* (2010), plus dozens (if not hundreds) of tie-in comics. (Go ahead, read them, I'll wait.)

4. See Bentham's *An Introduction to the Principles of Morals and Legislation* (1781), available at <http://www.utilitarianism.com/jeremy-bentham/index.html>.

5. Utilitarianism is a specific form of *consequentialism*, which judges the morality of actions by some aspect of their consequences, such as goodness (as in utilitarianism) or equality (as in egalitarianism). For a thorough discussion, see Walter Sinnott-Armstrong, "Consequentialism," *Stanford Encyclopedia of Philosophy*, <http://plato.stanford.edu/entries/consequentialism>.

6. *Iron Man*, vol. 4, #7 (June 2006), reprinted in *Iron Man: Execute Program* (2007). At the end of the story line (#12, November 2006), to avoid being forced to kill Cap by mental control, Tony stops his own heart, trusting that he would be revived as he did for the Dynamo.

7. See Larry Alexander and Michael Moore, "Deontological Ethics," *Stanford Encyclopedia of Philosophy*, <http://plato.stanford.edu/entries/ethics-deontological>.

8. *Civil War* #6 (December 2006). On the other hand, he allowed Wolverine into the Avengers despite telling Tony, "He's a murderer" (*New Avengers*, vol. 1, #6, June 2005, reprinted in *New Avengers: Breakout*, 2006). I would like to think that a soldier like Cap knows the difference between someone who kills in the heat of battle and someone who does the same for personal gain (like the Thunderbolts) or vengeance (like the Punisher); for more on this theme, see the chapter "The Avengers and S.H.I.E.L.D.: The Problem with Proactive Superheroics" by Arno Bogaerts in this volume.

9. *Iron Man/Captain America: Casualties of War* (February 2007), reprinted in *Civil War: Iron Man* (2007); *Captain America*, vol. 5, #22 (November 2006), reprinted in *Civil War: Captain America* (2007).

10. See *Amazing Spider-Man* #529–531 (April–June 2006), reprinted in *Civil War: The Road to Civil War* (2007).

11. *Amazing Spider-Man* #532, reprinted in *Civil War: Amazing Spider-Man* (2007).

12. *Civil War* #7 (January 2007).

13. *Civil War: The Confession* (May 2007), reprinted in *Civil War: Iron Man* (2007).

14. *World War Hulk* #4 (November 2007).

15. *Civil War: The Confession*.
16. *Amazing Spider-Man* #537 (December 2006), reprinted in *Civil War: Amazing Spider-Man*.
17. Captain America to Iron Man, from *Iron Man/Captain America: Casualties of War*.
18. *Captain America*, vol. 5, #22.
19. Deirdre McCloskey, *The Bourgeois Virtues: Ethics for an Age of Commerce* (Chicago: University of Chicago Press, 2006), 263.
20. See Rosalind Hursthouse, "Virtue Ethics," *Stanford Encyclopedia of Philosophy*, <http://plato.stanford.edu/entries/ethics-virtue>.
21. *Thor*, vol. 3, #3 (November 2007), reprinted in *Thor by J. Michael Straczynski Vol. 1* (2008).
22. For more on virtue and imperfection, see the chapter titled "Cap's Kooky Quartet: Is Rehabilitation Possible?" by Andrew Terjesen in this volume.
23. *Thor*, vol. 3, #11 (November 2008), reprinted in *Thor by J. Michael Straczynski Vol. 2* (2009). For more on the ancient Greek meaning of friendship, see the chapter titled "Gods, Beasts, and Political Animals: Why the Avengers Assemble" by Tony Spanakos in this volume.
24. *Thor*, vol. 3, #600 (April 2009), reprinted in *Thor by J. Michael Straczynski Vol. 2*. (After issue #12, the series was renumbered at #600 to commemorate the anniversary of the title.)
25. *Siege* #2 (April 2010).
26. *Siege* #4 (June 2010).
27. *Thor*, vol. 3, #617 (January 2011), reprinted in *Thor: The World Eaters* (2011).
28. He could have also erased the *Twilight* books and movies from existence. You know, for the irony.
29. *Avengers Prime* #5 (March 2011).