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Duquesne University School of Law, Class of 2018

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FROM HEINRICH VON KLEIST’S MICHAEL KOHLHAAS TO FRANK MILLER’S DAREDEVIL: THE CONTEMPORARY LAW AND LITERATURE MOVEMENT IN GRAPHIC NOVELS AND COMIC BOOKS

Kirsten Hannah¹

I.	INTRODUCTION	1
II.	THE “CLASSIC” LAW AND LITERATURE MOVEMENT	5
III.	GRAPHIC NOVELS AND COMIC BOOKS AS LITERATURE	8
IV.	DAREDEVIL INTRODUCTION	15
V.	DAREDEVIL IN THE LAW AND LITERATURE MOVEMENT	18
A.	Daredevil Is a Relevant Text Absent Visual Storytelling	18
1.	“ <i>Justice is blind</i> ”	19
2.	<i>Daredevil, pursuer of vigilante justice</i>	23
B.	A “How-To” Guide for Graphic Novel Analysis	28
C.	Visual Metaphors in Daredevil Comics	30
VI.	CONCLUSION	35

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I. INTRODUCTION

After beginning my tenure as a law student, I worried that my love of literature and my appreciation for literary criticism and theory would be effectively snuffed out by the technical and rigorous study of law most perceive law school to represent. I was delightedly surprised that, not only did my institution offer a course in the interdisciplinary study of law and literature, but that this was a – relatively small – but powerful movement in interdisciplinary studies. This type of legal learning provided a way to combine my love of reading generally with the law and literature canon, which contains legal novels that are considered important “must-reads” for developing lawyers. One novel that has endured throughout the years in the “classic” law and literature canon, and a novel I explored in my law and literature course, *Advanced Legal Writing: Law as a Literary Profession*, is Heinrich von Kleist’s Michael Kohlhaas.²

Michael Kohlhaas is widely regarded as an important text in the law and literature movement and an enduring work of legal fiction, praised by many.³ Indeed, the Kohlhaas-esqe narrative has been explored numerous times and in a

² HEINRICH VON KLEIST, *MICHAEL KOHLHAAS* (Frances A. King trans., CreateSpace Independent Publishing Platform 2014). Use of the word “classic” does not come from a particular source that refers to a facet of the law and literature movement as such; rather, I am using this term to delineate between works that have classically been associated as important for the interdisciplinary study of law and literature and the works that I propose will modernize the movement.

³ Even Franz Kafka praised Kleist’s work in a rare public appearance wherein he merely read passages from the novella, stating that he could not even think of Michael Kohlhaas “without being moved to tears with enthusiasm.” RICHARD CLARK STERNE, *DARK MIRROR: THE SENSE OF INJUSTICE IN MODERN EUROPEAN AND AMERICAN LITERATURE* 180 (Fordham Univ. Press 1994).

number of variant mediums.⁴ In Kleist's novella, the narrative of the work mirrored other works I was familiar with: a man, wronged by the legal system, seeks out his own justice and retribution after his deliberately thwarted attempts through the proper legal channels ultimately fail.⁵ When going through the text, I was struck by the extreme feelings of déjà vu I experienced when reading of the protagonist's plight. Specifically, I was reminded of the narratives of graphic novels and comic books, at least those involving popular vigilante figures.⁶ Thinking further about this interesting connection, I realized that there is a potential gold mine of contemporary law and literature analyses in graphic novels and comic books. While revisiting classic and seemingly timeless law and literature works such as Michael

⁴ Among those other adaptations, there are a few film adaptations of the work, including one that premiered at the Cannes Film Festival as recently as 2013. See AGE OF UPRISING: THE LEGEND OF MICHAEL KOHLHAAS (Les films du Losange 2013); MICHAEL KOHLHAAS – DER REBELL (Houwer-Film 1969).

Furthermore, one famous literary adaptation that emphasizes the endurance of the Michael Kohlhaas narrative is Ragtime. E.L. DOCTOROW, RAGTIME (Random House Trade Paperbacks 2007). In Ragtime, the character of Coalhouse Walker has a narrative arc that emulates Michael Kohlhaas' in the original text. His story follows the familiar beats of the original novella: his Model T Ford is vandalized, his lover dies and he holds an extravagant funeral, he begins a quest for revenge after the justice system fails him, and he even has his own "Martin Luther" (Booker T. Washington) who helps Coalhouse reach a compromise with the police. The story culminates as the original does, with Coalhouse dying after surrendering to the authorities. Doctorow himself admits to the deliberate homage between Coalhouse Walker's character and storyline to the plight of Michael Kohlhaas in Kleist's novella. See CHRISTOPHER D. MORRIS, CONVERSATIONS WITH E.L. DOCTOROW 124 (Univ. Press of Miss. 1999).

⁵ KLEIST, supra n.2.

⁶ Admittedly, perhaps I was drawn to this story of vigilante justice because I am a fan of comic books and graphic novels in general. Michael Kohlhaas, to me, was simply a nineteenth-century version of a narrative I am quite familiar with.

Kohlhaas is important for contemporary legal scholars, I believe that the law and literature movement can expand to include a more in-depth look at contemporary literature mediums, like graphic novels and comic books.

Graphic novels and comic books have many different forms and narratives, but the most recognizable iteration of this format would be superhero comics. This Article will briefly address why superhero graphic novels and comic books are important to the modern law and literature movement generally, but my primary focus will be on one character and the literature involving him: Daredevil.⁷ The repeated narrative beats of this comic book hero and the protagonist of Kleist's novella are many. Not only is the central narrative similar in function – a man finds retribution through his own justice system – but Daredevil, or Matthew Murdock, his given name, is also a lawyer during the day. So, while Murdock the defense attorney works in tandem with the justice system professionally, he moonlights as a vigilante punishing those outside the law, thus adding an interesting layer to the strand of the law and literature movement that focuses on law “in” literature.⁸ As Matt Murdock is one of the most prominent lawyer figures currently in the comic book world,⁹ this is a natural entry point for legal scholars looking to explore visual narratives in the law and literature canon.

⁷ This brief description of the character of Daredevil will be expounded upon in further detail in Section IV. See Section IV, infra, at 15.

⁸ The study of law and literature is generally divided into the two broad areas of law “in” literature and law “as” literature. LAW AND LITERATURE: TEXT AND THEORY ix (Lenora Ledwon ed., 1996).

⁹ For a more complete guide on the history of attorneys, as well as other legal professionals, as characters in American comic books, see William A. Hilyerd, Hi

Analyzing one character that so heavily embodies the legacy of stories like Michael Kohlhaas, as well as encompassing many legal themes, is easier than attempting to analyze an entire subset of comic books. Ultimately, looking at a narrative that is persistent across multiple generations and various mediums in law and literature texts identifies Daredevil's relevancy in the contemporary law and literature movement, especially because a defense attorney features at the center of the narrative. Though presented differently, the themes and narratives in graphic novels are similar and therefore just as informative about how legal readers engage with the world as "classic" legal texts. And law students and law professors who want to participate in more interdisciplinary learning and teaching should engage with contemporary texts that prove to have staying power in today's popular culture.

This Article will explain and show how Daredevil¹⁰ graphic novels and comic books could be regarded as important texts in the law and literature movement for both contemporary law students and law professors. Studying these texts will not only actively engage readers through visual literacy and learning, but provide a contemporary title in the law and literature canon that could become as timeless as Michael Kohlhaas. Section II presents foundational information regarding the law

Superman, I'm A Lawyer: A Guide to Attorneys (and Other Legal Professionals) Portrayed in American Comic Books: 1910-2007, 15 WIDENER L. REV. 159, 160 (2009).

¹⁰ Throughout the Article, I will use Daredevil without an underline to refer to the character in general, while Daredevil with an underline refers to the graphic novels and comic books.

and literature movement and how this interdisciplinary study functions.¹¹ Section III then discusses how the use of graphic novels and comic books in the law and literature movement facilitates greater visual learning and literacy among law students and practicing lawyers.¹² Section IV introduces the main subject of the Article, Daredevil, both in the context of comic book history and his individual origin story.¹³ Finally, Section V highlights how Daredevil graphic novels and comic books should be relevant titles in the modern law and literature movement even before the visual element is added, and how the visual element can only enhance the contemporary legal scholar's understanding of the work.¹⁴

II. THE “CLASSIC” LAW AND LITERATURE MOVEMENT

The link between reading literature and the study of legal concepts was highlighted most famously at the beginning of the twentieth century by prolific legal scholar John Wigmore.¹⁵ He suggested “A List of 100 Legal Novels” in 1922, that included works from such authors as James Fenimore Cooper, Charles Dickens, George Eliot, Robert Lewis Stevenson, Honoré de Balzac, Alexandre Dumas, and Leo Tolstoi.¹⁶ Wigmore proposed that legal novels as a genre were important for a lawyer to obtain certain professional goals on the road to creating

¹¹ See Section II, *infra*, at 5.

¹² See Section III, *infra*, at 8.

¹³ See Section IV, *infra*, at 15.

¹⁴ See Section V, *infra*, at 18.

¹⁵ The Honorable Kathleen O'Ferrall Friedman, History and Development of Law and Literature, 41 MD. B.J. 46, 48 (2008).

¹⁶ Richard H. Weisberg, Wigmore and the Law and Literature Movement, 21 L. & LIT. 129, 131 (2009) (referencing John Henry Wigmore, A List of Legal Novels, 2 ILL. L. REV. 574 (1908)).

better lawyers and a better legal system.¹⁷ Another giant in the beginnings of the law and literature movement, Judge Benjamin Cardozo, saw literature as the source of a “deeper self.”¹⁸ A judge, in order to perform well in writing and decision making, must “look within himself” and respect literature as a helpful aid.¹⁹ Though respected as prominent legal scholars, Wigmore’s and Cardozo’s thoughts on the link between law and literature was initially resisted by legal theorists.²⁰

The interdisciplinary study of law and literature gained momentum as a serious topic of study during the 1940’s when a group of scholars advocated that studying law and literature in tandem aids lawyer training.²¹ Shortly thereafter, Yale Law Professors Harold Lasswell and Myers Smith McDougal posed that literature provided a better resource for understanding the structure and functions of society.²² Though this began a more thoughtful discussion of the merger of law and literature, the pioneer of the study of law and literature as most know it today is James Boyd White, a professor of Law and English at the University of Michigan,

¹⁷ The goals that Wigmore – with a slight update by Richard Weisberg – proposed include: “(1) skepticism about authoritative rationales that seem intuitively wrong; (2) an ability to link ethics to one’s rhetorical performance; (3) excellence in listening and writing skills; and (4) an openness to the perspective of individuals whose way of seeing the world places them ‘outside’ the scheme of conventional legal understanding.” *Id.* at 140.

¹⁸ Friedman, *supra* n.15, at 48.

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² Laswell and McDougal stated that studying literature helps lawyers “[train] in goal-thinking and trend-thinking.” *Id.*

whose textbook The Legal Imagination: Studies in the Nature of Legal Thought and Expression became a popular and seminal text for professors in the mid-1980's.²³

Even after this formative text was published, the study of law and literature was still regarded as a lesser form of study to those law professors unmoved by the growing discussions regarding law and literature.²⁴ Those opposed to the integration of law and literature think legal training should be relegated to a serious and technical form of study, rather than the “fun” these detractors perceive this study to be.²⁵ However, there were legal scholars who understood the importance of integrating the study of literature into legal training; basically, reading classic writers who integrated legal themes would foster a greater understanding of human nature and would, in turn, create better lawyers.²⁶ Lenora Ledwon, a Professor of Law at St. Thomas University School of Law and the editor of Law and Literature: Text and Theory, offers three possible reasons for the growing interest in the study of law in literature: (1) the increasing acknowledgment of the importance of legal writing by faculty and students, with the idea that literature can foster good writing; (2) the expansion of a new tangible way of thinking about the law through literature; and (3) the fact that the human factor of literature draws legal scholars in because we desire to regain the “felt, lived experience of ourselves and others under systems of law.”²⁷

²³ Friedman, supra n.15, at 48.

²⁴ Id.

²⁵ Id. at 48-49.

²⁶ Id.

²⁷ LAW AND LITERATURE, supra n.8, at ix-x.

Law “in” literature is the lens through which I present my findings on Daredevil graphic novels. Studying law in literature involves the presentation of legal subject matter in literature and the understanding of those works.²⁸ This Article focuses on how the lawyer, Matt Murdock, is portrayed in the texts, which is a prevalent way of analyzing legal subject matter and themes in literature. The visualization of this text merely adds a layer to how legal scholars interact with texts in the law “in” literature movement.

III. GRAPHIC NOVELS AND COMIC BOOKS AS LITERATURE

One medium of literature that is rife with legal themes but has only minutely been explored in the law in literature context is the medium of graphic novels and comic books.²⁹ Though the literary merit is steadily growing for this medium, graphic novels and comic books in general are often seen as lesser than that of traditional literary prose because of the misconception that they are not sophisticated forms of reading material; rather, these works are made for weak readers who use the visual aids to understand the material instead of to enhance

²⁸ Id.

²⁹ Though comic books and graphic novels have recently been analyzed in the law and literature context, the character of Daredevil, and the subject of my Article, have not been analyzed with the same depth. Lenora Ledwon’s article on how graphic novels aid visual storytelling is vital to this Article in regards to the subject of graphic novels as literature generally, and to how legal scholars can analyze Daredevil in the same way. Lenora Ledwon, Understanding Visual Metaphors: What Graphic Novels Can Teach Lawyers About Visual Storytelling, 63 DRAKE L. REV. 193 (2015). Ledwon has provided a basis for my visual metaphor analysis, but I have chosen a character rich with legal meaning beyond the visual aspect.

the reading experience.³⁰ Some have stated derisively that comic books are but “a stepping stone to the realms of good literature – the literature that is the necessary and rightful heritage of the adolescent.”³¹ However, that view of these mediums has slowly and surely changed over time.

Graphic novels and comic books³² are important to literature studies because of the specific way in which they communicate the narrative to the reader: these works use visual storytelling, with the marriage of text and images, to create the narrative. The success of a visual narrative and its place as a work of literature relies on the use of both the language of the text and the visual mechanisms that surround the text.³³ In order to properly utilize its visual storytelling capabilities, the work needs to exploit the narrative possibilities of the images, meaning that the

³⁰ Sean P. Connors, “The Best of Both Worlds”: Rethinking the Literary Merit of Graphic Novels, 37.3 THE ALAN REVIEW 2 (Summer 2010), available at <https://scholar.lib.vt.edu/ejournals/ALAN/v37n3/connors.html>.

³¹ Id. at 3.

³² I use the terms “graphic novels” and “comic books” in tandem throughout this Article. Lenora Ledwon provides definitions to distinguish the terms, however. A “comic book” is a story that plays out through a series of pictures and words meant to be read in sequence. “Graphic novel” can be used as an all-encompassing term that covers a variety of comic-like forms, including trade paperback collections of comics, original graphic novels that were not first published as single issue comics, and Japanese manga (i.e., the Japanese strain of graphic novels, which operate like regular comic books, except the spines of the books are on the right and are read backwards, unlike the normal American style of comics). Generally, though, a graphic novel is a book length comic. Ledwon, supra n.29, at 212. Because the differences are minimal, and because Daredevil texts in particular are being published in both formats, I will use the term interchangeably to refer to the same texts.

³³ Jan Baetens, Graphic Novels: Literature Without Text?, 46.2 ENG. LANGUAGE NOTES 77, 82 (Fall/Winter 2008).

images should play their own creative role while simultaneously supporting the textual elements.³⁴

An image always provokes a response in the reader, adding an element to the narrative beyond what we read.³⁵ Graphic novels and comic books can thus communicate meaning and symbolism through “visual metaphor.” Visual metaphors function essentially the same way as verbal metaphors, whereby a “representation of a person, place, thing, or idea by way of a visual image” “suggests a particular association or point of similarity.”³⁶ “Reading” for visual metaphors requires that we pay attention to how the signs and symbols within the image carry meaning. In essence, a form of visual literacy is required, meaning that we must be capable of critically evaluating visual messages, much like we do with verbal metaphors.³⁷ Reading for visual metaphors – and, thus, reading through graphic novels and comic books – requires attentive reading not only to what the author was trying to say but “how” he was trying to say it.³⁸

³⁴ Jan Baetens – a literature professor employed at Belgium’s University of Leuven – presents three elements of visual storytelling in graphic novels that show how the image can aid the overall work while working independently. First, the image should make its own contribution to the overall story, such that the reader can infer from the internal structure of the images the same aspects they can infer from the textual portions. *Id.* at 81. Second, the image needs to “co-create” the story through montage and sequence, meaning the transitions from panel-to-panel and image-to-image should have an active function in creating the plot. *Id.* Finally, visual storytelling in graphic novels should take advantage of the serialized publishing beyond mere cliff-hangers and surprise so that the story can remain intact both when published by installment and in graphic novel form. *Id.*

³⁵ *Id.*

³⁶ Ledwon, *supra* n.29, at 199.

³⁷ *Id.* at 199-200.

³⁸ *Id.* at 215.

Graphic novels are full of visual metaphors, especially those involving superheroes.³⁹ Superhero comics provide “concrete examples of abstract ideas” that are more palatable for readers to understand, but are often overlooked in favor of the commercial properties of these heroes in popular culture.⁴⁰ Some notable examples of visual metaphors in comic books illustrating “abstract ideas” that are mentioned in Ledwon’s article include the Incredible Hulk as a metaphor for the “dehumanizing effects of rage” and Batman and Superman as two extremes of human perfection.⁴¹ While these are interesting ideas to analyze and contemplate, the fact is that graphic novels are not seen as complicated works that contain abstract ideas; rather, graphic novels are more recognizable as properties of multi-media corporations used for easy entertainment purposes.⁴² Furthermore, students are often aware of a “canon”⁴³ and the sense that some works are seemingly more

³⁹ Id. at 213.

⁴⁰ Id. at 213-214.

⁴¹ Ledwon, supra n.29, at 214. For a more extreme and obvious visual metaphor, Ledwon also mentions the award-winning graphic novel Maus by Art Spiegelman, which takes place during World War II and depicts the Nazis as cats and the Jewish people as mice. This “cat-and-mouse” visual metaphor works because we understand the common phrase “cat-and-mouse” and the historical background of the narrative. Id.

⁴² Not all people have this view of the “uncomplicated” graphic novel, and Ledwon even highlights two very well-known and influential superhero graphic novels that are praised critically, among scholars and the general populace: Alan Moore’s game-changing Watchmen and Frank Miller’s influential Batman: The Dark Knight Returns. Id. at 234.

⁴³ I refer here to my experience with English Literature teachers in high school and some English professors I encountered in my undergraduate career. These teachers taught strictly from those “classic” lists that tend to shun more contemporary works and mediums. Of course, what is considered literature is subjective.

important and literary than others,⁴⁴ and superhero comics may suffer in this regard from their mainstream popularity and their mass consumption in today's popular culture.

On the other hand, because storytelling in popular culture is currently extremely visual,⁴⁵ and graphic novels and comics are primarily a visual medium, these works should function beyond their mainstream popularity to aid current law students in visual representation and storytelling skills. In fact, visual storytelling in the practice of law already exists in certain aspects, allowing lawyers to practically visualize a case more thoroughly for themselves and to aid in conveying the information to others in an enhanced fashion.⁴⁶

In an article from 2006, Richard K. Sherwin, Neal Fergenson and Christina Spiegel, a trio of professors from New York Law School and Quinnipiac University School of Law, provided examples of how visual storytelling in the practice of law can aid attorneys in more effectively presenting their cases. First, attorneys tend to strategize their cases differently when thinking visually, as different relationships between various elements of a case emerge when looking at the evidence visually as

⁴⁴ Rocco Versaci, How Comic Books Can Change the Way Our Students See Literature: One Teacher's Perspective, 91.2 THE ENG. J. 61, 61 (Nov. 2001).

⁴⁵ "Digital pictures, conveyed through television, movies, videos, CD-ROMS, DVDs, the Internet, and traditional print media, have come to dominate our entertainments, our politics, our news, and our methods of education, and now they are infusing law practice as well." Richard K. Sherwin et al., Law in the Digital Age: How Visual Communication Technologies Are Transforming the Practice, Theory, and Teaching of Law, 12 B.U.J. SCI. & TECH. L. 227, 236 (2006).

⁴⁶ Id. at 235-36.

well as verbally, as opposed to just the latter.⁴⁷ Second, the process of creating visual counterparts shown during various proceedings forces lawyers to prepare more heavily for their cases and presentations, as the visual portions of their presentations must coincide correctly with their case theory and theme of the presentation.⁴⁸ Third, using pictures as well as words allows lawyers to effectively interact with the audiences' diverse styles of learning, as some people are more visual learners.⁴⁹

Furthermore, visualization and visual thinking is an entirely different way of processing communication and understanding underlying themes of a work. In graphic novels and comic books, the authors are literally putting a human face on serious subjects so that the reader develops a more understanding response to the human aspects of the work, and can “see” the subjects more clearly.⁵⁰ Comic books develop essential analytical and critical thinking skills to help students see beyond surface level information to answer the deeper meanings within the work; this is accomplished by working beyond the normal literary devices such as point of view, narration, setting, conflict, and characterization to integrate a more complex literary scheme that involves all of those categories on both the visual and textual level.⁵¹

⁴⁷ Id.

⁴⁸ Id.

⁴⁹ Id.

⁵⁰ Versaci, supra n.44, at 62.

⁵¹ Id. at 64.

Of course, law students will not be the only ones challenged by the addition of comic books and visual storytelling to the law and literature canon; law professors will also need to modernize their teaching methods to foster in-depth discussions and to treat these texts with the same respect as the other, “classic” texts. Law and literature professors might struggle initially with how to integrate visual learning and visual metaphors into the classroom. Ledwon has devised an exercise in her Legal Storytelling seminar that integrates these concepts in her coursework and allows her law students a practical way to dive into extended analysis of graphic novels.⁵² After reading and studying a graphic novel, she assigns a two-part exercise where the students create their own visual metaphors.⁵³ The first part involves a randomly assigned topic that the students must represent via a visual metaphor.⁵⁴ The second part of the exercise involves assigning a closing argument from a famous historical trial and then prompting the students to create an additional visual element.⁵⁵ After a presentation of that closing argument with the added visual metaphor, the students then engage in discussions of those arguments to determine the quality of the visual storytelling.⁵⁶ Here, Ledwon presents an

⁵² Ledwon, supra n.29, at 236.

⁵³ Id.

⁵⁴ Examples of topics that Ledwon provides are teenagers, a favorite pair of jeans, the government healthcare system, and the Middle East, among others. Id.

⁵⁵ Id. at 237.

⁵⁶ As Ledwon explains: “The students present their closing arguments to the class, complete with visuals, and the class [then]: (1) analyzes the visuals by discussing not only what an image means, but *how* it means what it means; (2) decides whether the visual is likely to be admissible or if it crosses the line into irrelevancy or has too much potential for unfair prejudice; and (3) evaluates the effectiveness of the image as a piece of visual storytelling.” Id.

exercise that is both helpful to a legal scholar's practical lawyering skills and stems from studying the visual storytelling techniques in graphic novels.

IV. DAREDEVIL INTRODUCTION⁵⁷

The first iteration of Daredevil as a character premiered in 1964 during the Silver Age⁵⁸ of comics, and he was the first physically disabled practicing attorney in the comic book world.⁵⁹ Created by Stan Lee and Bill Everett of Marvel Comics, Matt Murdock – the man who will one day be known as Daredevil – was first conceived as a young kid growing up in the area of Manhattan known as Hell's Kitchen, which is historically a crime-ridden, working class Irish-Catholic neighborhood. In the original origin story⁶⁰, Matt is blinded by a radioactive substance after he selflessly pushes a man to safety from an oncoming vehicle. While he no longer can see, the radioactive exposure heightens Matt's remaining senses beyond normal human ability, giving him an alternative to "seeing" beyond the use of his eyes. His father, a boxer named Jack Murdock, supports him as he

⁵⁷ The comic books and graphic novels I discuss in the remainder of this Article will be cited as books because they are contained in book compilations.

⁵⁸ The Silver Age of comic books kicked off in 1956 with the merger of Detective Comic, Inc. and National Allied Publications, to create the company National Comics Publications. The company decided that it would be better to reinvent certain comic book characters and develop new alter egos and superpowers in lieu of keeping them the same following the merger. Hilyerd, supra n.9, at 171.

⁵⁹ Id. at 173.

⁶⁰ Origin stories are often nebulous and take on many variations depending on who was writing on the title at a given moment. As some comic book characters have been around for decades, the writers of these works have changed over time, and a change in writer often means a change in tone and narrative, depending on the writer's vision.

grows up⁶¹, though Jack is later killed by gangsters after refusing to throw a fight.⁶² Matt seeks revenge for his father's murder by becoming Daredevil, fighting his enemies as a vigilante; paradoxically, Matt chooses to also pursue a career as a lawyer, attending Columbia University.⁶³

Though, like most long-running comic book characters, Daredevil has gone through some changes in terms of story variations and physical appearances, Matt Murdock has always been the alter ego of "The Man Without Fear."⁶⁴ Because of the character's longevity and popularity, multiple versions of the character have appeared throughout popular culture with fluctuating degrees of achievement across multiple mediums.⁶⁵

⁶¹ In Frank Miller's re-take on Matt Murdock's childhood, his father is an alcoholic whose failures cause Matt great personal pain, but also motivate him to succeed in his studies to escape his upbringing. Jesse Allen, Marvel Comics and New York Stories: Anti-Heroes and Street Level Vigilantes Daredevil and The Punisher, CUNY ACADEMIC WORKS 59 (2014).

⁶² FRANK MILLER AND JOHN ROMITA, JR., DAREDEVIL: THE MAN WITHOUT FEAR 33 (Marvel Worldwide Inc. 2010).

⁶³ Id. at 50.

⁶⁴ Often during a character's "lifetime" many different people can take over the identity of a particular superhero. For example, the mantle of the well-known DC superhero "The Flash" has been taken up by many characters over the years, such as Jay Garrick, Barry Allen, and Wally West. But, so far, Daredevil has always been portrayed as Matt Murdock.

⁶⁵ DAREDEVIL (20th Century Fox 2003), the first filmed attempt to adapt Daredevil comics, starred Ben Affleck in the titular role and was not well-received by critics and audiences alike. Daredevil (2003), ROTTEN TOMATOES (last visited April 28, 2017), <https://www.rottentomatoes.com/m/daredevil>. On the other hand, Daredevil (Netflix television broadcast April 10, 2015), Netflix's take on Marvel's popular character, was better received among critics and viewers. Marvel's Daredevil (2015-2016), ROTTEN TOMATOES (last visited April 28, 2017), <https://www.rottentomatoes.com/tv/daredevil>.

Though the character has had varying success from his conception in 1964, the comic book series reached new heights in its popularity with the inclusion of writer Frank Miller⁶⁶, who introduced a darker tone to the series when he debuted on the title in 1979. Miller's take on the character – as a blatant anti-hero – proved to be the most popular iteration of Daredevil.⁶⁷ In the early 1990s, Miller officially took on a rewrite of Matt Murdock's origin story and the creation of the Daredevil figure in the five-volume graphic novel compilation entitled The Man Without Fear.⁶⁸

Though graphic novels and comic books are being more consistently recognized as serious literature, and while Daredevil has been explored in some capacity as a proper literary subject, the role Daredevil has played in the law and literature canon is (so far) minimal and has yet to be fully discovered.⁶⁹ Daredevil

⁶⁶ Frank Miller began his tenure on this popular character as a penciller on Daredevil #158 before taking over as writer with Daredevil #168. MARVEL CHRONICLE: A YEAR BY YEAR HISTORY 189 (Catherine Saunders, Heather Scott, Julia March & Alastair Dougall, eds., 2008). In the ground-breaking Daredevil #168, Miller forever changed the dynamic of Matt Murdock's ability to distinguish between right and wrong by introducing the character of Elektra, a now well-known antihero and love interest in the Daredevil canon. Id. at 201.

⁶⁷ When Miller killed off the notorious and massively popular Elektra in Daredevil #181 in 1982, the issue sold out immediately in comic book stores. Id. at 207. One concrete example of Daredevil's popularity as a darker title came in 1986 with Miller's Born Again, a storyline told over eight volumes that chronicles Matt Murdock's fall from grace, as his nemesis the Kingpin learns his secret identity and proceeds to ruin his life. However, throughout the volumes, Matt – and Daredevil – is essentially “born again” and continues to fight the forces of corruption that threaten him and society at large. FRANK MILLER AND DAVID MAZZUCHELLI, DAREDEVIL: BORN AGAIN (Marvel Worldwide Inc. 2010).

⁶⁸ MILLER AND ROMITA, supra n.62.

⁶⁹ See Andrew E. Taslitz, Daredevil and the Death Penalty, 1 OHIO ST. J. CRIM. L. 699 (2004) (exploring how reviewing the message of the vigilante story in the 2003

comics specifically are relevant in the law “in” literature part of the interdisciplinary study because Matt Murdock’s role as a lawyer is so central to his character.⁷⁰ Furthermore, Daredevil comics are useful because they “explore both the role of the lawyer and the tensions that arise between the vigilante and the legal professional.”⁷¹ The following section of this Article explores how Daredevil should be studied as an integral law and literature text in regards to the importance of visual storytelling as described in Section III above.⁷²

V. DAREDEVIL IN THE LAW AND LITERATURE MOVEMENT

A. Daredevil Is a Relevant Text Absent Visual Storytelling

Foregoing the visual aspect of the Daredevil graphic novels and comic books for a moment, Daredevil remains a relevant text for legal scholars, as the visualization of the narrative merely enhances its already prevalent legal themes and motifs. First, the characterization of Matt Murdock as a blind defense attorney adds an interesting wrinkle to the well-known adage “justice is blind.” Though he is literally blind and therefore cannot judge potential clients by sight, Matt uses his superhuman abilities to hear heartbeats to tell if a client is telling the truth, thereby complicating the “blind” nature of the justice system. Furthermore, this

film adaptation Daredevil can be an effective strategy for bringing about the end of the death penalty). Furthermore, Section V will cite another Daredevil centric text, Graham Ferris and Cleo Lunt, Devil’s Advocate: Representation in Heroic Fiction, Daredevil and the Law, in GRAPHIC JUSTICE: INTERSECTIONS OF COMICS AND LAW 45 (Thomas Gibbens, ed. 2015).

⁷⁰ Id. at 46-47.

⁷¹ Id.

⁷² See Section III, supra, at 8.

defense attorney moonlights as the vigilante Daredevil, which seems antithetical to how he is supposed to work in tandem with the justice system to catch criminals through the proper criminal procedure.

1. *“Justice is blind”*

To understand the intricacies of the situation that Matt Murdock’s blindness presents, it is imperative to understand what the well-known saying “justice is blind” implies in terms of the justice system. This phrase and the imagery of Lady Justice have been prevalent throughout the centuries in relation to the complex idea of justice.⁷³ Justice originally derived from imagery of goddesses in Egyptian, Grecian and Roman mythologies.⁷⁴ Then, Justice appeared during medieval times in Christian imagery as a personification of one of the first ancient, cardinal virtues.⁷⁵ Currently, figures and images of Lady Justice remain relevant, with statues still standing on the Old Bailey in London and at City Hall in New York.⁷⁶ The traditional imagery of Justice is that of a large female figure, sometimes carrying props such as scales (so often associated with legal imagery), swords, or a cornucopia, and she is often depicted as blindfolded, which explains the beginnings

⁷³ Justice imagery has persisted throughout history and has held many meanings. “The image of Justice herself is one of remarkable longevity. For more than 2000 years, people have looked at images of Justice, drawn meanings from them, and written about them. More than simply an artifact of Western culture, Justice stands as a quasi-religious, quasi-political icon.” Dennis E. Curtis & Judith Resnik, *Images of Justice*, 96 YALE L.J. 1727, 1729 (1987).

⁷⁴ *Id.*

⁷⁵ *Id.* at 1729-1730.

⁷⁶ *Id.* at 1730-1731.

of the phrase “justice is blind.”⁷⁷ Though the other cardinal and theological virtues (Prudence, Temperance, Fortitude, Faith, Hope, and Charity) have had their own imagery and iconography, the others are not as immediately recognizable as Justice.⁷⁸

The blindfold imagery has many possible meanings, both positive and negative. On the positive side, Justice is said to be blindfolded to avoid the “misleading evidence of the senses.”⁷⁹ Being blindfolded means having better judgement, as Justice is literally blindfolded to information that could weaken her judgements.⁸⁰ Furthermore, she cannot see the person standing before her, so she cannot be impressed or intimidated by that person or anyone associated with that person.⁸¹ But being blindfolded has an obvious negative consequence, as the blindfolded entity stands apart from “the cares, pleasures, and complexities of

⁷⁷ Id. at 1741-1742.

⁷⁸ Curtis & Resnik, supra n.73, at 1730, 1733. Furthermore, the way people recognize Justice as this symbol echoes how visual metaphors work in graphic novels:

The symbolic import was connected to, and to some extent merged with, reality. In other words, the viewer would have experienced a correspondence between the picture and the abstract idea depicted. . . . [T]he onlooker would perceive the concept directly rather than by a pattern of interpretation dependent upon sequential thought. Thus, the visual symbol not only represented but somehow became interchangeable with what it represented.

Id. at 1746-1747.

⁷⁹ Id. at 1755.

⁸⁰ Id.

⁸¹ Id. at 1758.

humanity, but also to signify a failure to see the truth.”⁸² A blindfolded Justice may suggest the “problematic relationship between judgement and knowledge,” while simultaneously raise the issue of judges possibly being “apart,” or distant from either the justice system or those going through the system.⁸³ Though the various ideas behind the Justice imagery are complex and many, heroic images can aid how we understand this abstract concept.⁸⁴

Matt Murdock is a blind defense attorney, and therefore his sense of justice can be compared to that of the blind Lady Justice. As stated above, his blindness may echo the positive sentiment of avoiding the “misleading evidence of the senses.”⁸⁵ He cannot “judge a book by its cover,” to pilfer another well-known saying, and therefore can see the truth beneath facades people often put on. An early example in Daredevil: The Man Without Fear comes when a female classmate at Columbia says she is a “little confused on [the] Stoelting vs. West decision” and seemingly seeks Matt’s help for an exam.⁸⁶ However, Matt quickly rebuffs her statement in his inner monologue, “She isn’t confused. She doesn’t need help in her studies – And he can’t allow himself to respond to her. He can’t allow himself emotion.”⁸⁷ Because of his abilities he is able to overcome the misleading evidence of

⁸² Curtis & Resnick, supra n.73, at 1756. Additional examples of negative aspects of blindness, from icons that are not depicting Justice, are images of romance that use blindfolded cupids, implying the “foolishness and confusion generated by love.” Id.

⁸³ Id. at 1764.

⁸⁴ Id. at 1771.

⁸⁵ See supra n.79 and accompanying text.

⁸⁶ MILLER AND ROMITA, supra n.62, at 53.

⁸⁷ Id.

her words to determine what she is truly seeking, thereby simplifying the process of learning the truth. Here, this was a simple example of a woman angling for a romantic entanglement; however, Matt's blindness and all that it entails becomes a more complicated entity in the realm of the law and in his role as an attorney.

Matt's role as a blind attorney with super-human abilities has the opposite effect of Lady Justice's probable "failure to see the truth."⁸⁸ Matt uses his abilities to discern truth in the absence of his eyesight. This creates a dilemma, however, in his role as a criminal defense attorney. Matt has the ability to choose his clients, and he does not represent the guilty.⁸⁹ He does this through the use of his "in-built lie detector"⁹⁰ which mostly refers to his ability to hear heartbeats. An example of this power from the Kevin Smith Daredevil narrative, Daredevil: Guardian Devil,⁹¹ can be seen in one scene being used for two different purposes. First, Matt can tell through a heartbeat that his law partner's client is attracted to him and not to Matt, and second, he detects two heartbeat signatures from the street outside of a woman with her baby whose testimony he wants to secure.⁹² Here, we can begin to see how incredibly unethical Matt's power can be. The woman presumably would not want someone to know whether she is attracted to someone if she did not let

⁸⁸ See supra n.82.

⁸⁹ Ferris and Lunt, supra n.69, at 54-55.

⁹⁰ Id. at 55-56.

⁹¹ KEVIN SMITH, ET AL., DAREDEVIL: GUARDIAN DEVIL (Marvel Worldwide, Inc. 2015).

⁹² Id. at 14.

that person know on her own. And the fact that Matt can detect a singular heartbeat from a person he is pursuing is incredibly invasive.

Notably, Matt is a talented attorney, and he presumably does not want to use those talents to service criminals; rather, because he can “identify the innocent” this unique ability allows him to choose his clients and avoid the tension inherent in the real-life role of a criminal defense attorney.⁹³ Unfortunately, this undermines the essence of the system of criminal justice in which those who seem, or plead, guilty have just as much of a right to counsel as those who are innocent.⁹⁴ His ability to pick and choose who he represents and to predetermine a person’s guilt completely undermines the positive aspects of the phrase “justice is blind” because – even though in the most literal sense, Matt *is* blind – Matt determines guilt at the outset, not giving that person his day in court, so to speak. While, on the one hand, this can alleviate any personal struggles Matt might feel defending a criminal because he never has to question any “what if” scenarios over the guilt of his client and whether or not he is doing the right thing, on the other hand, he is skipping key steps in our criminal justice system.

2. *Daredevil, pursuer of vigilante justice*

Another negative Lady Justice interpretation states that she is “apart” from the justice system,⁹⁵ which can be reflected in Matt Murdock’s choice to become the vigilante Daredevil, setting him apart from other criminal defense attorneys in that

⁹³ Ferris and Lunt, *supra* n.69, at 54-56.

⁹⁴ *Id.* at 58-59.

⁹⁵ *See supra* n.83 and accompanying text.

he chooses to operate above the law. A “vigilante” refers to a member of an organized volunteer committee whose purpose is to suppress crime.⁹⁶ Colloquially, the term refers to a person who is not an agent of the law but still pursues justice.⁹⁷ There are six proposed elements attributed to vigilantism in order to determine whether a participant is a vigilante.⁹⁸ The six elements are: (1) organization and premeditation, (2) the participants are not agents of the states, (3) the participants are working autonomously without the permission of the states, (4) the participants use, or threaten to use, force or violence, (5) the vigilantism is a reaction to an actual or perceived breach of institutional values, and (6) the vigilantism aims to control crime or “non-criminal but still deviant acts.”⁹⁹ These vigilantism elements provide an opportunity to further a legal scholar’s practical abilities with a Daredevil text, as we can apply these elements to the character of Daredevil as one would an element or a rule in traditional law school courses.

To determine if Daredevil is a true vigilante, we first need to look at whether his actions are organized and premeditated. Using what can be considered his first vigilante act – revenging the death of his father – as an example, it is obvious that the first element is met. Matt states that he would often spy on his father, and he knew how his father sacrificed to protect and provide for Matt.¹⁰⁰ Therefore, he was

⁹⁶ BJÖRN SAEMAN, VIGILANTE JUSTICE IN AMERICAN CULTURE AND GRAPHIC NOVELS – ANALYSING FRANK MILLER’S “BATMAN: THE DARK KNIGHT RETURNS” 10 (GRIN Verlag, Open Publishing GmbH 2009).

⁹⁷ Id.

⁹⁸ Id.

⁹⁹ Id. at 10-11.

¹⁰⁰ MILLER AND ROMITA, supra n.62, at 36.

able to identify his father’s killers and knowingly attacked one of the perpetrators at the boxing ring where his father had trained.¹⁰¹ Matt organized his actions around the death of his father and calculated his attack in the gym in a premediated fashion. Therefore, the first vigilantism element is met.

The second element, that the actor is not an agent of the state, becomes muddled, because Matt Murdock is a criminal defense attorney, making him very much a part of the system that a vigilante is supposed to be separate from. So, at the surface level, it appears that Matt would not meet this element. However, considering his constant undermining of the legal system through the use of his super-human abilities,¹⁰² plus the use of an alter-ego, Daredevil is not an agent of the state. It stands to reason, also, that there is a distinct divide between Matt Murdock, the attorney, and Daredevil, the vigilante. Looking again at Matt’s first vigilante act, Matt clearly is releasing something primal that was suppressed when he was merely the tortured, depressed blind kid, Matt Murdock.¹⁰³ He states during that altercation at the gym that “the rage of years becomes a lightning bolt that travels from shoulder to hip to foot – and he releases it.”¹⁰⁴ Therefore, if we consider Daredevil as a separate entity from Matt, then this element is met as well.

The third element is easily met as well, as the actor must be working without the permission of the state. If the actions that Matt was taking when acting as

¹⁰¹ Id. at 39.

¹⁰² See Section V.A.1., supra, at 19.

¹⁰³ MILLER AND ROMITA, supra n.62, at 40.

¹⁰⁴ Id.

Daredevil were legal, it stands to reason that Matt – as a criminal defense attorney working within that system – would have no need of his alter-ego.

Daredevil constantly engages in force or violence, or threat of force or violence, when pursuing justice, so the fourth element of vigilantism is also present. Again, looking to his first vigilante act, Matt beats a man until he “[turns] his ribs into broken, jagged things” and then pursues another perpetrator of his father’s murder across the rooftops, finally landing on his vehicle and shoving a baseball bat through the windshield.¹⁰⁵ Later, while studying at Columbia, Matt threatens a classmate who is bullying his friend and future law partner by “[carrying] him across campus rooftops” and holding him “by the ankle, dangling high above cruel pavement” before leaving him bound and gagged outside in the cold, and also in a state of undress.¹⁰⁶

The fifth element states that the actions of the participant must be in reaction to an actual or perceived breach of institutional values. The first incident that sets Matt on his vigilante pursuits is the death of his father at the hands of a man called “The Fixer,” who wants Jack to throw a boxing match in order to collect a ton of money that has been bet against Jack.¹⁰⁷ Jack refuses to throw the match because Matt is in the audience that night, and he wants to show his son that “he’s no quitter” and to never give up. Because of this, Jack is murdered by The Fixer and

¹⁰⁵ Id. at 42-44.

¹⁰⁶ Id. at 51.

¹⁰⁷ Id. at 30.

his goons for disobeying orders and winning the fight.¹⁰⁸ Matt perceives the death of his father as a breach of institutional values – which it actually is, as it is a murder that is very personal to Matt, as his father is his only known living family member – and pursues justice on his own. So, the fifth vigilantism element is met.

Finally, the last element involves controlling criminal or deviant acts. The point of Miller’s Daredevil: The Man Without Fear is to show the origin story of how Matt decides to control criminal activity in Hell’s Kitchen. This is evidenced in the last moments of the graphic novel, when Matt effectively gives a pseudo “purpose statement” of Daredevil: “Let all the bullies know – all of them – the kind that use knives and guns and the kind that use money – they have an enemy. Daredevil.”¹⁰⁹ Here, he is stating that his aim in becoming Daredevil is to control and combat all types of criminal and deviant acts, therefore fulfilling the final element of the vigilantism criteria.

And thus, Daredevil *is* a vigilante, as evidenced by the well-known procedure that legal scholars should be familiar with – applying these elements to the facts to produce a solid conclusion. Because Matt operates as a vigilante, he is operating above the law and apart from it, which can be better understood when adding in the visual element of Daredevil texts.

¹⁰⁸ MILLER AND ROMITA, supra n.62, at 31-33.

¹⁰⁹ Id. at 155.

B. A “How-to” Guide for Graphic Novel Analysis

In order to add another wrinkle to how Matt Murdock functions as both a lawyer and as Daredevil, the legal scholar must understand how Daredevil texts are meant to be read. As stated in Section III, the readers of these works need to utilize the text and the images both separately and together.¹¹⁰ Therefore, it stands to reason that a legal scholar needs to understand and analyze the text and the images in the graphic novel individually and together. When reading for visual metaphors, readers must pay attention to how the signs and symbols within the imagery carry meaning, essentially looking to “how” the author was trying to communicate information through the images on the page.¹¹¹ Looking at an example from Daredevil: A Man Without Fear, we can see how the images on the page in combination with the text gives a more complete understanding of the information Miller is trying to communicate, though we can understand each piece individually. The excerpts I have chosen for purposes of this “How-to” demonstration are from Miller’s Daredevil origin story in the moments after Matt Murdock has saved the older gentleman from an oncoming truck, thereby coming into contact with a radioactive substance that gets into his eyes.¹¹²

¹¹⁰ See Section III, supra, at 8.

¹¹¹ Id.

¹¹² MILLER AND ROMITA, supra n.62, at 16.

Figure 1¹¹³ below shows Matt's journey from the scene of the accident to the hospital.¹¹⁴ Here, the text that appears on the black portions of the page is meant to be Matt's internal monologue, which reveals his inner thoughts and feelings as he attempts to sort through the pain he is feeling and the events that are happening. The pictures on the page show his journey to the hospital, which are the events Matt is desperately attempting to discover, but have forever been hampered by his new disability. He can no longer rely on his sight, which is reflected in the blank space in Figure 1.

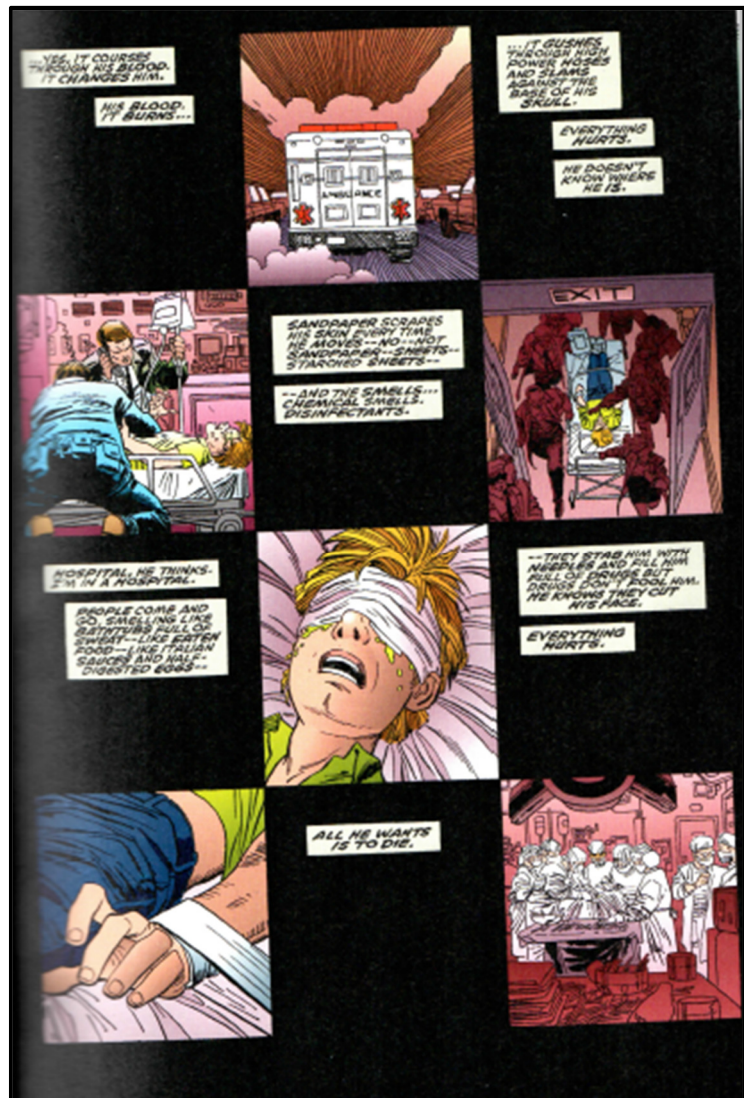


Figure 1.

Looking at just the text, the reader understands what Matt is feeling about the situation, while looking at just the visuals communicates the literal narrative taking place. Though the reader

¹¹³ These images come directly from the source materials cited in this Article. To integrate these images, I scanned the page of the original graphic novel, and cropped the page to isolate the specific image needed for my discussion.

¹¹⁴ MILLER AND ROMITA, *supra* n.62, at 17.

understands each piece separately, merging the textual and the visual together reveals a deeper meaning. In the case of Daredevil's origin story, Miller's words combined with the omission of images highlights Matt's blindness. That, along with the checkered pattern of the black images with the hospital images, creates a fuller picture of Matt's emotional journey *and* physical journey to the hospital. Separately, the story is told either way, but here "how" the story is arranged on the page becomes important as Matt starts his new life as a blind man. Even isolating the bottom left image that shows Matt's hand tied down to the hospital bed and twisted in pain combined with the text directly to the right that reads "All he wants is to die" gives the reader a complete understanding of what is being communicated: Matt is in agony because of this accident that has tragically left him blind.

Here, "how" the information was communicated is equally as important as the words on the page. While reading and analyzing Daredevil graphic novels and comic books (as well as when reading any comic material used in law and literature studies), the legal scholar must keep in mind the whole picture, and not isolate the text from the image and vice versa, for fear of missing critical meaning and insight.

C. Visual Metaphors in Daredevil Comics

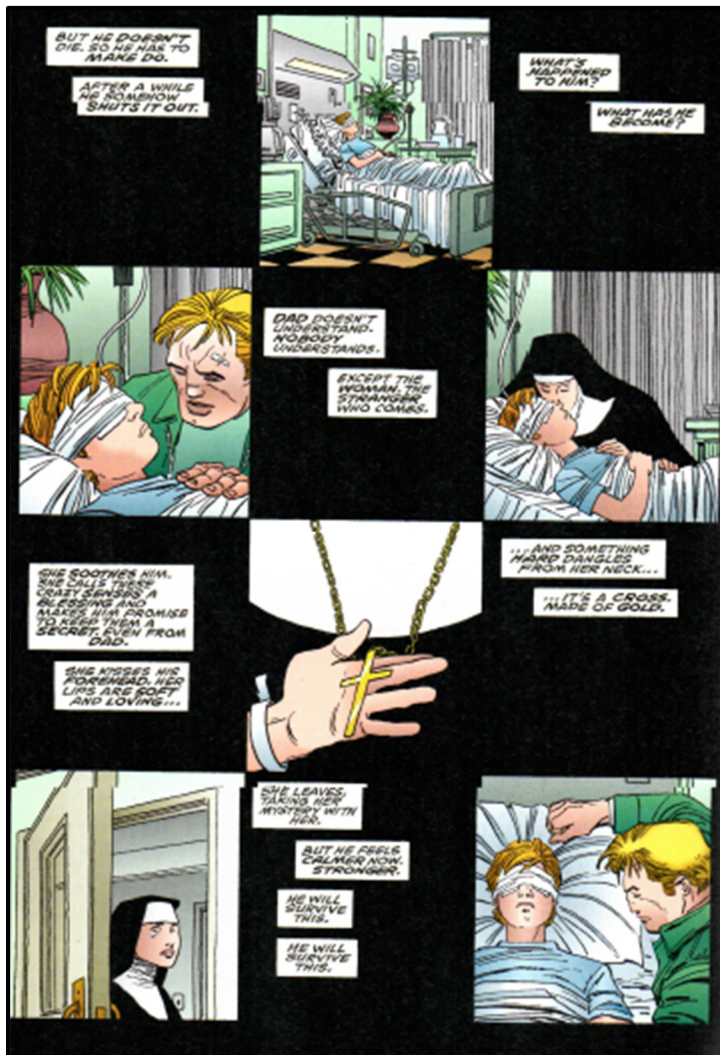
Legal scholars should identify important visual metaphors within Daredevil comics, as the visual metaphors are thematically important to legal analysis.

Returning to the discussion of Figure 1 above,¹¹⁵ the most obvious visual metaphor is that of the absence of images to represent Matt's physical disability. It was

¹¹⁵ See Section V.B, supra, at 29-30.

especially crucial in Miller’s take on this already well-known origin story to leave an impression in terms of representing Matt’s blindness and to convey to the reader how Matt is processing his new reality.

The story of Matt recovering in the hospital continues in Figure 2.¹¹⁶ Again,



we see the marriage of the text depicted on black panels with images of Matt recovering in the hospital. The visual metaphor is prevalent throughout; the absence of image represents his blindness. In Figure 2, however, another visual metaphor appears: in the middle of the page, we see a nun’s cross being held in Matt’s hand. As discussed in Section IV, Matt had grown up in a traditionally Irish-Catholic neighborhood, and he himself is

Figure 2. traditionally religious.¹¹⁷ The cross is one of many well-known and

¹¹⁶ MILLER AND ROMITA, *supra* n.62, at 18.

¹¹⁷ The Netflix series offers a more in-depth look at the role of religion and faith in Daredevil’s tale, with the addition of scenes between Matt Murdock and his priest at his church in Hells’ Kitchen. *Daredevil: Into the Ring* (Netflix television broadcast April 10, 2015).

physical representations of faith, and the visual metaphor here works to communicate to the readers Matt's faith. After the visit from the nun and the

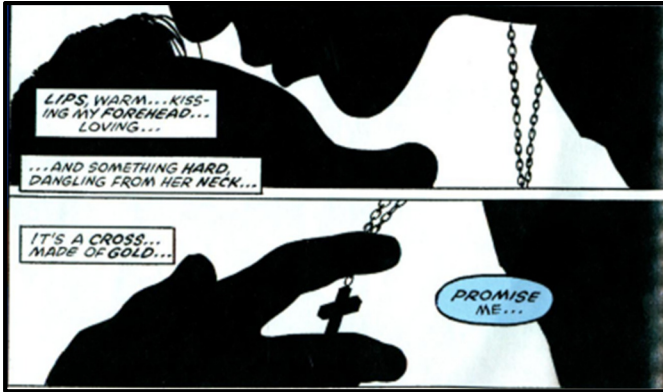


Figure 3.

contact with the cross, Matt's feelings on his situation adapt. The phrase "He will survive this" is repeated twice to demonstrate his faith and the strength he draws from it.

The visual metaphor of faith

reoccurs in another Miller Daredevil story, Daredevil: Born Again.¹¹⁸ In

Figure 3¹¹⁹ we see the reoccurrence of a nun¹²⁰ with her cross necklace giving faith to a despondent Matt. Again, we see how after coming into contact with the cross, Matt gains faith and strength. The visual metaphor of the cross again appears to personify Matt's personal faith and his ability to find inner strength despite impossible situations and his own physical impairment.

Another visual metaphor prevalent in Daredevil narratives is the continued image of Matt Murdock, and his alter-ego Daredevil, on the rooftops above Hell's

Figure 4.



¹¹⁸ MILLER AND MAZZUCHELLI, supra n.67.

¹¹⁹ Id. at 58.

¹²⁰ It is theorized among Daredevil fans that this nun is the same as the one depicted in The Man Without Fear and, interestingly, Matt's absent mother, but this is merely implied.

Kitchen, as in Figures 4¹²¹ and 5.¹²² Figures 4 and 5 depict Matt Murdock, the mere man and lawyer, above the city. This is a physical representation of how Matt operates “above the law,” instead of merely in tandem with it, as is his duty as a criminal defense lawyer. But in these photos he is dressed as the lawyer, implying not only the “above the law” aspect as applied to his vigilantism, but perhaps to imply how he is “above the law” in his methods as a lawyer as well. As stated in the previous section, Matt manipulates the system using his “in-built” lie detector, passing over actual criminals to defend only the innocent.¹²³ In this way, he is



“above” and apart from normal criminal procedure practices.

In Figure 4, the text bubble reads “There’s nobody who can help us” with Matt looking down above Hell’s Kitchen, aiming to be the one who can help.¹²⁴

Figure 5.

Here, the visual metaphor works to make the reader understand that Matt is looking down upon the city as a positive force of justice, as it implies that he is going to help the people below who despair that no one can help them. Figure 5

¹²¹ MILLER AND ROMITA, *supra* n.62, at 118.

¹²² *Id.* at 153.

¹²³ *See* Section V.A.1 *supra*, at 19.

¹²⁴ MILLER AND ROMITA, *supra* n.62, at 118.



Figure 6.

shows Matt above the city again, and once more he is dressed as Matt

Murdock the lawyer, and not yet as Daredevil.¹²⁵ Interestingly, in this panel, Matt has just been informed by his boss at his Boston law firm that he has been fired, but he does not despair because he has unfinished business as Daredevil in Hell's Kitchen.¹²⁶ While he sets up a new law firm (Nelson and Murdock) with his old law school roommate in New York, he marvels at his new purpose as Daredevil, and we finally get an image of the iconic Daredevil costume.¹²⁷ Figure 6¹²⁸ shows the last panel of Daredevil: The Man Without Fear which portrays Matt – now as Daredevil – once again above the city, but this time as a full-blown, self-acknowledged

¹²⁵ Id. at 153.

¹²⁶ Id.

¹²⁷ Id. at 153-155.

¹²⁸ Id. at 156-157.

vigilante.¹²⁹ Here, the visual metaphor once again represents being “above the law,” only this time the image reflects that both metaphorically *and* literally, as this is his vigilante persona, which truly operates outside the legal system.

VI. CONCLUSION

Daredevil stories such as Daredevil: The Man Without Fear should be included in the contemporary law and literature canon. As the visual mediums of popular culture become and remain relevant, and as the visual aspects of legal practice and storytelling continue to expand, so should works included as part of the interdisciplinary study of law and literature. And superhero comic books and graphic novels specifically continue to expand with rich, thematic content that a legal scholar can recognize and identify with. Daredevil is an obvious choice for exploration in the law “in” literature movement through graphic novels, as the main character is a lawyer, with complex motivations and a skewed sense of the justice system. The duality of Matt Murdock the blind defense attorney with Daredevil the vigilante creates a dynamic subject for legal scholars to study through the law and literature movement, even before visualization enters the equation. The visual aspects of Daredevil narratives simply add another layer to the already rich literary analysis, and could aid legal scholars in understanding visual metaphors and in creating their own visual storytelling, which will prove useful as modern legal practitioners.

¹²⁹ The text on the last panel reads, “God only knows what it looks like” as a sort of self-deprecating nod to the fact that he is still blind and has no idea how his costume actually looks. MILLER AND ROMITA, supra n.62, at 157.