

*Abstract*

*This paper examines how representations of criminal justice today are often framed by and narrated through a Gothic Imagination. Often this trend is considered a cultural support for Punitive Populism and demand for vindictive sanctions especially against 'sensational' offenders. Although such arguments have partial validity they do not fully account for the complexity of the contemporary, 'Late Modern' Gothic which is often invoked to actually justify criminal transgression. By discussing an episode from a recent popular TV drama series and how its narrative rhetoric plays upon audience sympathies, the paper argues that the contemporary Gothic Imagination is now often a source for subjective identification with rather than just against the ambiguous or that perceived as transcending cultural borders. This understanding questions the assumption of a uniformly punitive 'public mind' unable or unwilling to tolerate any form of criminal transgression and suggests that, in responding to popular demands, formal criminal justice interventions need not necessarily adopt a vindictive tone. The paper concludes that a Humanistic approach to understanding the Late Modern Gothic and other narrative modes for imagining criminal transgression can help reveal cultural complexities which are often overlooked by conventional models of criminological analysis.*

*We Live In Gothic Times – Angela Carter (1974)*

The Late Modern Gothic Virus

The Gothic flourishes in Late Modern Society. It is difficult, of course, to identify a period since the publication of Walpole's *Castle of Otranto* (1764) when it has not inspired the popular cultures of modern society. Count Dracula and his vampiric brethren, Frankenstein and similar abject mutations of scientific excess, the werewolf and ghost, witches, ghouls and, indeed, the whole panoply of classic Gothic stock characters have often made visits to the Movie Theatre, TV screen and pages of the best-selling novel. Various channels of cultural communication have periodically become the primary vehicles for this mode - the proliferation and commercial success of late 18<sup>th</sup> Century Gothic novels in Britain, for example, or the 'Golden Age' of Gothic Horror movies produced during the 1930s and 1940s – but at no time has its imagination become entirely absent. Yet, the Gothic would appear to have a particular resonance today (Spooner 2007). Gothicised narratives continually find large audiences and are the foundation for the commercial success of urban fantasy, steam punk, superhero franchises and the more conventional genres of horror. It regularly provides the setting for popular TV dramas, such as the British 'Ripper Street' and 'Whitechapel', depicting serial murder and its investigation, computer games and is the reference point of 'Goth' music and its associated accoutrements (a sub-cultural 'style' whose survival and longevity is almost unique in post-war history). It is an imagination, however, that today colours many cultural experiences with which it was not previously associated. As Spooner (*ibid*) in her introduction to *The Contemporary Gothic* suggests:

*In contemporary Western culture, the Gothic lurks in all sorts of unexpected corners. Like a malevolent virus, Gothic narratives have escaped the confines of literature and spread across disciplinary boundaries to infect all kinds of media, from fashion and advertising to the way contemporary events are constructed in mass culture (p8).*

This ‘virus’, it seems has now begun to increasingly shape our narrative comprehension of Late Modern reality. For the Gothic imagination forcefully applies to the visual framing (Hayward 2009) and, especially, the stories we tell (Presser & Sandberg 2014) of actual criminal transgression and justice. The Late Modern Gothic now refers to more than just fanciful creations, artistic endeavour or fashionable apparel but is also a mode by which transgressive behaviour is both directly and indirectly experienced and subsequently made sense of as story. Thus the macabre sensationalism of ‘Monk’ Lewis’s 18<sup>th</sup> century tale of depraved catholic priests has its contemporary counterpart in regular revelations of wrongdoing – of abuse, deception and corruption occurring in church, government and other institutions of ostensible moral authority. Modern day Mr Hydes shed their Dr Jeckyl guises in seemingly endless exposés of entertainers, sports stars, and assorted ‘celebrities’ exploiting their wealth and fame to conceal nefarious desires. We hungrily devour autobiographical confessions of the rich and famous searching for salacious details about abuse, addiction, moral failing and criminal violation and are disappointed if they are not delivered. ‘Houses of Horror’ are discovered in the midst of suburbia sheltering ghostly occupants or hidden cells wherein innocent girls are kept as slaves by residents formerly considered by neighbours as virtuous and decent. Vampires still stalk our streets and the computer screens of our children seducing them with the same beguiling charm that hid the blood-lust of Count Dracula. The Gothic regularly frames news reports of sensational crimes. Grainy CCTV images, for example, capture the moment when a young schoolgirl passes across a canal bridge shortly before her murder<sup>1</sup>. The same footage shows the chief suspect following on bike. Even after the culprit’s identification news reports obsessively repeat the surveillance sequence even though it serves no further investigatory purpose.

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<sup>1</sup> I refer here to the murder of Alice Gross by Arnis Zalkalns on August 28<sup>th</sup> 2014 in Brent, London

The killer, a Latvian we learn, had previously murdered his wife and now his victim is a young and innocent girl who had high hopes of becoming a pop star and was ‘loved by all’. It is as if the story, as told, has come straight from the pages of some 18<sup>th</sup> Century Radcliffian Gothic melodrama now played out in modern dress. Or again, Jihadist warriors haunt news reports and YouTube messages, enwrapped in dark clothing, eyes peering maliciously from beneath shrouds, as they enact macabre rituals of beheading and burning that recall executions from the Middle Ages. A soldier is slain on a London street with cleavers and knives<sup>2</sup>, his killers preaching to passers-by with blood-drenched hands and warnings that further barbarities will occur. The murders elicit waves of horror and repulsion expressed in the very Gothic language and visual references that the killers seem happy to embrace. Criminal transgression exuding an unmistakably Gothic ambience is seemingly everywhere. As another commentator on this Late Modern imagination writes:

*It is noteworthy, to be sure, that at century's end fear constitutes one of our most common forms of entertainment. But what is more arresting, and more in need of analysis, is the fact that the conventions of Gothic horror are making their way into, and decisively shaping, many apparently nonfictional forms. On broadcast news, in the most respected daily newspapers, on TV talk shows, in our modes of therapy (and America is becoming more and more a therapeutic society), in our medical and environmental discourses, and even in advanced brands of intellectual analysis, the Gothic mode is ascendant. Not only do the 90s media seem to seek out Gothic tales to bring to the centre of cultural consciousness, they also sometimes rework events until they assume the proper Gothic shape. (Edmundson 1997 p5/6)*

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<sup>2</sup> The murder of Gunner Lee Rigby on May 22<sup>nd</sup> 2013 by Michael Adebolajo and Michael Adebowale

Developing a Criminology of the *Late Modern Gothic*

Knowing how this flourishing Gothic imagination contributes to the ‘shadow’ assumptions and emotional framework (Arrigo 2008) of contemporary criminal justice initiatives would seem a useful criminological project. Indeed, such analysis has already begun (see Rafter & Ystehede 2010; Picart and Greek 2007) albeit sporadically and, as yet, only at an exploratory level. Valier (2006), notably describes how a punitive populism rests upon generative gothic tropes that are ‘...embedded in the practices of the institutions of crime control and punishment themselves.’(p320) As a consequence, she argues, the precepts of Moral Panic Theory, once at the core of critical criminology, no longer adequately explain today’s formal responses to ‘sensational’ crimes. Whereas previously, she argues, most people would experience such crime as occasional trauma committed by distinguishable groups or figures – imagining it as an extraordinary moral catastrophe that has disrupted normal affairs demanding, in turn, extraordinary recuperative formal responses – it is now considered as something more insidious and unavoidable. Today the Late Modern Gothic imagination ‘...attains its formidable effects through repetitive themes of haunting and dereliction’ from which many people sense ‘there is no possibility of rescue or escape.’(p323) The ‘Populism’ of today is not, therefore, moulded by authorities exploiting the unidirectional flow of mass mediated stories and images as a mechanism for re-establishing hegemonic consensus. Instead it reflects prevalent cultural anxieties, a yearning for categorical solidity amidst the turbulent conditions of Late Modernity, an accompanying suspicion of and arousal of horror for all that which abjectly ‘flows’ across borders, and the emergence of new technologies that permits a complex nexus of voices in the orchestration of criminal justice policy. As the maintenance of institutional borders between the public and private spheres, information and entertainment and the legal from extra-legal becomes steadily more difficult to achieve sentiments of Gothicised horror assume, she argues, greater influence in shaping policy. Thus conceptions of moral panic which concentrate upon campaigns for legislative change fail to account for today’s “vigilante avengers engaging in actions over which the authorities seem to exercise limited

control” (p326). A criminological examination of the Late Modern Gothic, she proposes, should have the purpose of disarming those “gothic seductions of contemporary punitive populism” (p323) that justify expressions of vindictive formal justice.

‘Disarming’ prevailing gothic seductions might appear a worthy enterprise if notions of ‘evil’ and the ‘monstrous’ are, indeed, taken seriously as reasons for policy change replacing the rationalistic discourses of remedial science and neo-classicism that long dominated criminal justice objectives. Although such Gothicised sentiments were always, no doubt, a common but officially ignored feature of popular opinion they are now, perhaps, considered sufficient reason for imposing whole life sentences upon notorious murderers, placing restrictions on the civil liberties of sex offenders, confinement without trial of suspected terrorists and so forth. Valier’s argument, however, assumes that the Gothic imagination amounts to a form of ‘Othering’ in which perceived monsters – those that abjectly transgress or ‘flow’ between conventional border categories – become objects of horror demanding popular justice and the severest sanctions. The Gothic, in this sense, is a form of catharsis, an imaginative device for expelling widespread fears and anxieties which now has real-world implications. It is a compelling argument and one that has partial validity but it does not, however, account for the full complexity of the Gothic Imagination in its Late Modern form and, as such, allows for a rather too casual acceptance of the public mind as uniformly punitive.

Her argument certainly fits conventional interpretations of the Gothic imagination. Its continual popularity since the 18<sup>th</sup> century is usually considered to rest upon its capacity to address an audience’s prevailing concerns. The cause of such anxiety might change over time, generating new themes and motifs, yet the Gothic will always speak to feelings of uncertainty, insecurity and doubt. As one leading historian of the Gothic suggests:

*The longevity and power of Gothic fiction unquestionably stem from the way it helps us address and disguise some of the most important desires, quandaries and sources of anxiety, from the most internal and mental to the widely social and cultural, throughout the history of western culture since the eighteenth century (Punter 2000 p4).*

He continues to argue that by projecting these anxieties into forms that appear archaic and fantastical the Gothic succeeds in temporarily displacing contradictory feelings regarding the often alienating experiences of modernity. It has, in other words, the cathartic function that is implicit within Valier's argument. Thus, various discussions describe the 18<sup>th</sup> century gothic as an attempt to resolve feelings of guilt arising from a paradoxical yearning for the splendours and nobility of pre-modern Europe dominated by the Catholic Church with simultaneous celebrations of its decline through the modernising impetus of ascetic Protestantism (Miles 2002); or as a register of 19<sup>th</sup> century unease regarding the rapid urbanisation of society or with newly experienced fears, following the emergence of Darwinian science, for the possibility of human evolutionary regression (Kelley 2002, see also Rafter and Ystehede 2010); or to anxieties wrought by changing gender relations and the cultural shock of 19<sup>th</sup> century colonial encounters with other 'races' (Punter 2000). The Late Modern Gothic imagination, therefore, is easily read as an extension of this trend, a projection of contemporary anxieties concerning, cultural miscegenation, employment insecurities, globalised conflict and a host of other Late Modern troubles onto new Gothicised objects such as the 'terrorist' and 'paedophile'. The only difference today, we might conclude, is that such projections now have a greater impact upon criminal justice interventions than was ever previously apparent.

Yet the contemporary Gothic imagination may exhibit profound differences from its previous utterances, the recognition of which might allow us to further expand the criminological project begun by Valier and others. Rather than just a projection of anxiety that strives to reinforce cultural boundaries, we might also appreciate how the Gothic today is often subjectively embraced as a means to disrupt these very same boundaries and to

expose their fragility. The seductive pleasures of the Gothic imagination are increasingly pursued, as Valier points out, as a viable and permanent way of experiencing the Late Modern world but perhaps in more complex ways than she recognises. What is new, to put this point simply, is that today many people want to identify *with* and not just *against* the Gothic – to become its subject rather than project their fears with it as the object. Acceptance of this ‘new’ imagination has received some attention in ‘Gothic Studies’ but, hitherto, it has not attracted much criminological attention. Warwick (2007), for example, in an important article suggests that contemporary analysis should better understand why so many people today are inclined towards ‘Feeling Gothicky’.

*Here, I think, is the difference between eighteenth-century or Victorian, or even early twentieth century, Gothic and the contemporary, and it lies in the possibility of articulation – ‘speakableness’ – and its connection with trauma. What is unspoken or spoken of as unspeakable in those earlier texts is the anxiety of the fragmented subject, of the loss of certainty. Earlier Gothic texts register repeated and obsessive concerns with threat and loss and the impossibility of coming to terms with them. By contrast, I think that contemporary Gothic is the manifestation of the desire for trauma, not the trauma of desire that finds itself prohibited, but something of a sense that trauma itself is the lost object, that the experience of trauma, and not the healing of it, is that which will make us whole..... It seems that contemporary culture wants to have trauma, it is induced, predicted and enacted, persistently rehearsed even when it is not actually present. Far from fearing trauma or experiencing it involuntarily, it is now almost not permissible to be without trauma (Warwick 2007 p11).*

Later she concludes that the:

*...contemporary cultural Gothic is a staging of the desire for trauma, the desire to be haunted, because we do not feel complete without it. It is a paradoxical reversion of*



*that which is arguably at the core of eighteenth-century Gothic, the anxiety of fragmentation that threatens the fantasy of the integrated Enlightenment subject. In the contemporary experience the anxiety is not of fragmentation, but of wholeness, the sense that subjectivity is in fact not complete unless it has been in some way damaged...[The] contemporary cultural Gothic is a staging of the desire for trauma, the desire to be haunted, because we do not feel complete without it. It is a paradoxical reversion of that which is arguably at the core of eighteenth-century Gothic, the anxiety of fragmentation that threatens the fantasy of the integrated Enlightenment subject. In the contemporary experience the anxiety is not of fragmentation, but of wholeness, the sense that subjectivity is in fact not complete unless it has been in some way damaged (ibid p 12/13).*

Warwick, in terms very similar to Seltzer's (1998) depiction of American society as a 'Wound Culture' indicates that Late Modernity is a condition in which "normality is Gothic and Gothic is normal, both in criticism and contemporary culture" (op cit p14). This is, after all, a Gothic style which refuses to reduce the transgressive, the deviant, the ambiguous to the cultural margins but one that often narrates them as heroic figures worthy of emulation. We observe, for example, this new imagination in the numerous Urban Fantasy novels and dramas<sup>3</sup> in which the Gothic object is no longer the villain or monster but the chief protagonist in pursuit of moral virtue<sup>4</sup>. The vampire and werewolf are no longer just monsters that civilised society must destroy for they are now often the bastions of virtue struggling against a society which has, itself, become monstrous. These are narratives expressing the 'trauma' of Late Modern experience which Young (2007)

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<sup>3</sup> Examples are too numerous to fully reference but I refer to the genre first popularised by *Buffy the Vampire Slayer* and its spin-offs, subsequent TV series such as *True Blood* and the novels by Charlaine Harris upon which it is based or Laurell K. Hamilton's Anita Blake series, Kim Harrison's Rachel Morgan novels and Jim Butcher's Dresden Files series. A common theme to all of these is the pursuit and defeat of supernatural forces engaged in 'crime' by characters who themselves have supernatural powers derived from stock Gothic types – the vampire, werewolf or witch. These texts are often derided as 'Candy Gothic' (Botting 1996) but, nevertheless exemplify the continuing popularity and transformations of the Late Modern Gothic imagination.

<sup>4</sup> The hugely successful 'Twilight' novels and movies, for example, show that today's vampire is no longer necessarily depicted as the amoral killer. Instead he attends High School, falls in love and sparkles!

describes as ‘vertiginous’ reflecting an often confused search for identity and ontological security in a world where formerly solid ‘Fordist’ borders have become increasingly obscure, old certainties grown ambiguous and criminal transgression a matter of everyday life. It is a narrative Gothic imagination which, to liberally apply Young’s own words, addresses:

*...borders steadfastly erected like some Weberian iron cage and about borders transgressed and broken. It is about borders which intimate difference and borders which facilitate vindictiveness. It is about borders which seem solid and secure, but which blur and hybridise, and dissolve. It is about cultural borders which have long lost their fixed spatial moorings, where culture and place no longer have constancy. It is about borders whose normative bases seem at first glance firm, and yet are riven with contradiction and incoherence (ibid).*

This is a Late Modern World in which lack of confidence in cultural borders and institutional efficacy often arouses Gothic horrors and demands for vindictive justice but also an embrace of Gothic subjectivity as reason for transgression or, at other times, a meaningful response to feelings of injustice, humiliation and uncertainty. An analysis of a single episode from a highly popular TV drama series which clearly narrates this Late Modern imagination might help illustrate this point and reveal its fuller implications for criminological discussion.

#### *Gotham and the Late Modern Urban Gothic*

Returning to Gotham the young Oswald Cobblepot disembarks from a bus in the heart of the city and surveys the scene about him. He observes two children, one dressed ghoulishly in Halloween costume, deliberately bumping into a pedestrian and stealing his wallet. A

policeman receives illegal payment from a street vendor. Two hookers proposition a driver in his car. A woman's bag is snatched. Cobblepot breathes deeply and with a wry smile declares this city his 'home'. So begins 'Balloon Man', the third episode of *Gotham*<sup>5</sup>, a popular TV series that traces the childhood years of Batman and the back stories of the infamous villains he will combat in adulthood and of others – especially James Gordon, Gotham's future police commissioner – who will assist him in his fight against crime.

The episode has especial significance for it is here that the series begins fully addressing a moral dilemma perhaps central to the whole Batman canon: how to morally justify the hero's extra-legal vigilantism? Indeed we might read the narrative arc of the series as an extended discussion about the need for extra-legality in policing the modern city. Its success depends upon securing the sympathy of an audience which it achieves through invoking the Gothic imagination and thereby appealing to wider public sympathies for at least some forms of vigilantism. The Gothic imagination serves this purpose well for it always assumes a morally ambiguous position – one that is both appalled by transgression yet simultaneously attracted to it. In part it depicts some forms of criminal transgression as an object of fear and horror committed by creatures of evil whose very existence threatens the physical and ontological security of the up-standing citizen. But it also depicts criminal transgression as morally justifiable even desirable; a necessary and emotionally satisfying response to overpowering objective structures that are themselves experienced or imagined as having Gothic proportions. In a society turned Gothic, the series seems to suggest, criminal transgression becomes *the* only viable means for overcoming other criminal transgression. The object of Gothic horror is only fought by adopting a subjectivities that have them selves become Gothic.

Gotham is presented throughout the series as a Gothic cityscape in which crime and corruption abound both on the street and at an institutional level. The episode centres upon

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<sup>5</sup> First released 6<sup>th</sup> October 2014 by Primrose Hill Productions, DC Comics, Warner Bros. Television

the murder of various public figures or agents of authority by the 'Balloon Man'. His victims, a corrupt businessman who defrauds pensioners to fund a lavish lifestyle, a police lieutenant who exploits his position to promote drug-dealing and a church cardinal suspected of child abuse, are attached to helium weather balloons and lifted to their deaths by a man initially shown wearing the mask of a pig. Each victim's 'official' appearance belies their engagement with the city's criminal underworld. Institutions of power and moral authority are riddled with corruption and official agencies responsible for maintaining social order are patently unreliable. Gotham is shown, therefore, as a world where justice is unachievable through legitimate channels. After examining the scene of the first killing James Gordon, portrayed as a stalwart defender of moral virtue and champion of 'Just' Policing, asks his colleague, Harvey Bullock, if it is murder. "Call this public service" replies Bullock "[The victim] was a bum: he got what he deserved". It eventually transpires that the 'Balloon Man' is a former youth worker disgusted at the mayor's compliance in selling young offenders to process them as food thereby physically ridding the city of an on-going problem. He has committed these murders, he declares, as a form of vengeful justice against the supposed moral guardians of the city and law enforcement agents who choose to exploit their authority for self-gain. "What good" he asks of Gordon upon capture, "are laws when they require men like your Lieutenant Cranston to implement them? The people running this city feed off the weak and the law protects them". The storyline repeats a theme common to both earlier and later episodes: a horrific series of crimes occurs in reaction to the city's deep corruption and unfairness. It is a theme that deliberately blurs the boundary between offender and victim, justice and injustice, law enforcers and the enforced: it questions where the source of Gotham's horror really lies.

This blurring of boundaries evident in *Balloon Man* is a common device by which the modern city is imagined through a Gothic lens – an Urban Gothic. It is a tradition that emphasises the urban experience itself as profoundly ambiguous: an awareness of the city as both place of terror, anxiety and fear and simultaneously a place of adventure and

opportunity. The urban environment itself is shown to have two ‘aspects’: an official, city of bureaucratised administration, legal governance and social control paralleled by a ‘hidden’ and un-administered city of unlimited freedoms in which a person’s identity is unknown and always malleable. This was the urban imagination that often beguiled and terrified the Victorian mind in equal measure. Rapidly growing 19<sup>th</sup> century cities were considered places devoid of the restraints common to the village where everyone knew everybody else - places of opportunity where a person might grow, explore new possibilities and become somebody else. But the Victorian mind was also aware that, within the city, where social distance between people was in inverse proportion to their physical proximity, opportunities for transgression were bound to increase. The freedoms found in the city were considered also responsible for deteriorating mechanisms of informal social control once considered the glue of social morality. The modern city might be regarded as ‘free’ but it was also a place menaced by grotesque villains considered creations of the urban environment itself: a ‘species’ of human nourished by the city’s ‘hidden’ aspect and well adapted to exploit its criminal potential. Hence London was often depicted as the jewel in the crown of British modernity but also the residence of such fictional Gothic characters as Fagin or Sweeney Todd or their real life counterparts like Jack the Ripper – characters that terrify the imagination as inevitable by-products of urban growth.

As its name implies, Gotham City is also imagined as a place of Gothic ambiguity: it is a setting for utmost terror but also one of great potential for personal advancement. “Gotham is the city of opportunity” announces an ambitious Mafia boss to Cobblepot after recalling his lowly origins. “Yes sir” replies Cobblepot. “I believe that too”. It is, as he is earlier reminded, his ‘home. The object of this Gothic imagination is the city itself, which, as frequent cut-shots between scenes reinforce, is depicted as if it were a living entity. Aerial images of densely packed buildings, steam billowing from their tops, dimly lit streets and deserted left-over spaces suggest that the city breathes and grows independent of human will. The forest or jungle metaphor is frequently used to describe such modern urban

environments and it is here used to enhance the narrative's Gothic atmosphere. For it is within such strange urban forests that peculiar mutations are found between man and beast. Again, this continues a Gothic theme begun in 19<sup>th</sup> century responses to the city. Consider, for example, the words of the once Poet Laureate, Robert Southey, describing the 'problem' of the 'new' urban criminal:

*...perhaps it will be found that the evil [of criminals] is at this time more wildly extended, more intimately connected with the constitution of society, like a chronic or organic disease, and therefore more difficult of cure. Like other vermin they are numerous in proportion as they find shelter; and for this species of noxious beast large towns and manufacturing districts afford better cover than the forest or the waste. The fault lies in your institutions, which in the time of the Saxons were better adapted to maintain security and order than they are now...Every person had his place. There was a system of superintendence everywhere, civil as well as religious...None were wild, unless they ran wild wilfully, and in defiance of control. None were beneath the notice of the priest, nor placed out of the possible reach of his instruction and his care.*

For him urban criminals are considered as wild beasts, a distinct and malevolent species unknown to smaller settlements but drawn to cities and its opportunities for mischief. Had he written about rats and not criminals his words would make similar sense. Criminals like rats, in such Gothicised imaginings, are considered 'vermin', impure creatures compelled by wild forces. And it is the provision of ample cover in the hidden city and the rich pickings it offers that allows both rat and criminal to thrive. The 'hidden city' is understood as an untamed and uncontrollable wilderness existing alongside and often merging with the official city of legal authority.

In the city, our urban mythologists repeatedly inform us, you are always within six feet of a rat. As a statement of scientific fact this claim probably applies to few if any cities and is, no doubt, something almost impossible to verify. But as a piece of urban lore the science behind the claim matters not. Instead, it serves as a reminder of the peculiarity and inevitable uncertainty of the urban experience: the foundation for the urban gothic imagination. When told this ‘fact’ we scan our immediate environs searching for evidence. Where, we ask, are these supposedly ubiquitous rodents hidden? We see walls and buildings around us, pavements and the usual furniture of city streets but very seldom a rat. And it often seems unlikely that they can possibly move about us unseen. Yet, lack of evidence or difficulty in knowing where to search it out does not prevent us believing the claim behind the myth, or, at least, the insidious truth it seemingly implies. Instead we become aware of the ‘hidden’ city: a shadow realm of constant and perpetual risk and danger, a home for the likes of Cobblepot or similar Dickensian villains, requiring particular opportunistic skills to master. *Rattus Norvegicus*, the Brown Rat, mankind’s constant urban companion, carrier of disease, aggressively cunning, quick to exploit weakness and vulnerability – verminous but elusive pest and adept to life within the hidden city.

Cobblepot returns to the city maimed and shuffling. His appearance is unsavoury, his skin pallid suggesting poor health. He has become the man/beast corruption wrought by his urban surroundings – he is now The Penguin. But the gleam in his eye reveals intelligence and cunning. His satisfaction with the disorder he observes about him, however, connotes as much of the rodent than the sea-bird from which he is to acquire his villainous name. He has survived the city that sought to exterminate him and despite his physical weakness intends to become its master. “Gotham is my home” he announces once again after a hoodlum threatens to expose his identity. “It is my destiny. You don’t see what’s coming. It needs me. I’m its future”.

But the transformation of Cobblepot into a man-beast portrayed ambiguously. The audience is led to admire his qualities of survival and his ability to exploit the city's opportunities with rat-like cunning but he is always considered verminous – a predatory parasite. He embodies, primarily although not entirely, an object against which the Gothic imagination reviles. Yet, Cobblepot's development into the arch-criminal is not shown as a simple fruition of innate wickedness but rather as an outcome of circumstances. Here *Gotham* continues a trend notably introduced in Alan Moore's highly influential short graphic novel, *Batman: The Killing Joke* (1988) in which Gothic villainy, although not condoned, is regarded as something more ambiguous and nuanced. It offers a non-positivistic understanding of criminality as complex subjective response to objective structures that is here comprehended in narrative form.

A similar transmogrification of human into beast is also touched upon within the episode and it is one that begins to reveal the fuller moral complexity of the Late Modern Gothic imagination upon which *Gotham's* narrative rhetoric depends. It concerns the character of Selina Kyle who will, as she grows, become 'Cat Woman'. She also is portrayed as having an animalistic criminal guile learnt through engagement with the hidden city. Just as the Balloon Man and Bullock (whose name suggests yet another bestial mutation) are shown as champions of 'natural' justice despite the illegality of their methods, Selina is shown as a figure of fundamental moral integrity led astray by the iniquities of the city in which she lives – as much its victim as predator. Her understanding of the city is considered 'realistic' and her frequent forays into criminality a necessary means of survival. Her acceptance of unlawfulness and her feline prowess (she may inhabit the city's underworld but she is no rat) are considered virtuous or at least prankish and her victims are rarely shown. Selina Kyle represents the subject who embraces the Gothic and refuses to become its object. Her character will have considerable influence upon the transformation of the young Bruce Wayne, whom she will soon befriend, as he begins to assume his own Gothic subjectivity.



Each of the central characters presented in ‘Balloon Man’ exemplify Warwick’s traumatised identity: individuals whose acceptance of damage paradoxically allows them to become subjectively complete. The Balloon Man, a person once described as ‘thoughtful, dedicated, sweet’ becomes the twisted killer in pursuit of the good; the once derisory figure of Cobblepot begins the process of becoming a ‘someone’ through exploiting the city’s opportunities for crime; Selina Kyle, abandoned orphan, sheds all hope of a ‘normal’ childhood and survives through her criminal wits; James Gordon grudgingly accepts what his bovine colleague has always known, that it is often impossible to fight crime according ‘to the book’ and that the attainment of justice often depends upon extra-legal means – a realisation<sup>6</sup> shared by Bruce Wayne, also orphaned and traumatised witness to his parent’s murder, who discovers his true identity and mission in life by becoming the vigilante Bat. Each, in their own ways, is a Gothicised character exploring the ambiguous borders between the official and hidden cities, together providing a complex moral picture of modern urban society in contrast to the relatively simple moral assumptions of crime governance that so often inform official doctrines of urban control. *Gotham* is fiction – an exaggerated and fantastical tale - but its narrative rhetoric subtly plays upon a complex, ambiguous and often contradictory imagination of the real world to achieve its effect.

#### A Humanistic Criminology of Late Modern Gothic Ambiguity

Exploring the Late Modern Gothic imagination as reflected in such examples as *Gotham*, I propose, offers a way of understanding the moral complexity and cultural significance of popular contemporary attitudes towards justice, criminal transgression and its control. It is not the only Late Modern narrative imagination of transgression –a similar understanding of contemporary ‘noirish’ attitudes, for example, is possible - but it is sufficiently

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<sup>6</sup> A further example in the Batman Canon and introduced in a later episode (9) is the character of Harvey Dent who begins as an ambitious attorney driven to rid his city of vice and immorality through legal means but, after an acid attack becomes the schizophrenic villain ‘Two-Face’.

prevalent to reveal key aspects of the emotional framework and webs of significance currently narrating and even shaping attitudes towards criminal justice policy. Given the often made claim that Late Modern society is characterised by an increasing merger of fiction and reality in which, to quote a foundational phrase of Cultural Criminology, "...the street scripts the screen and the screen scripts the street" (Hayward and Young 2004), such an exploration might appear even more imperative. Such an exploration, however, must remain faithful to the Gothic imagination, and thereby accept its fundamental ambiguities. It might offer an understanding that refuses simplistic notions that all crime is bad and nothing else and that all agencies for its control and eradication are, therefore, always essentially and ultimately good. The Gothic imagination demands a Humanistic Criminology comfortable with such narrative ambiguity in contrast to conventional criminological models that will always find it deplorable – a 'sceptical criminology' (Wilson 2014), or 'Popular Criminology' (Rafter 2007) or one that is sufficiently 'postmodern' to doubt the solid categorisations and boundary markers upon which many criminal justice models and 'scientific' modes of theorisation rely. Even the short discussion of a single episode of *Gotham* reveals that what constitutes a 'crime', the possibilities of its interpretation, its moral significance and cultural value are often ambiguous and can make a different 'sense' if read through a Gothic lens.

Ambiguity suffuses the Gothic narrative and has done almost since the term was first used to describe a particular mode of cultural experience. Originally employed as a derogatory reference to medieval barbarianism it first appeared in the 18th century to warn against anything deemed regressive. But it soon acquired more favour with those who had grown sceptical about Modernity's supposed progressiveness and who looked upon the Middle Ages as a time of romance, freedom and nobility of spirit. The meaning of Gothic rapidly became ambiguous connoting both the disruptiveness of relics from the past that haunt the present and a romantic escape from the disenchantments of the modern age. Gothic narratives were produced and consumed to both invoke terror, unease and anxiety but also and simultaneously to arouse passion and mystery. They are, therefore, lured by the

liminal, the in-between and that defying easy categorisation and finds fascination in themes and motifs that are neither one thing nor the other: in twilight which is neither day nor night, in gloomy spaces that exude both darkness and light, with inhuman creatures that retain some semblance of humanity. They also, inevitably, assume an ambiguous attitude towards transgression as something that is often frightening and repulsive but also strangely seductive.

Narrative understanding is a naturalistic way for comprehending reality. It is how people ordinarily make sense of the world and what occurs within it. We understand the world according to the stories we tell ourselves about it. As such narratives advance implicit understandings of why something has happened, a causal chain of events leading to a particular outcome. Conventionally, a narrative has a beginning, middle and end – a sequential process leading to a conclusion. Usually the narrative is considered complete when the plot satisfactorily accounts for an inevitable conclusion but often this ending is left ambiguous. This is true for narrative understandings that are deliberately Gothic. We might, for example, narrate the chain of events leading to a sensational crime as tragedy in which the principle actors were compelled by forces beyond their control. They are considered victims of circumstance fated towards an inevitable conclusion that will ultimately destroy them. Or we might narrate the same chain of events as a sequence in which a wicked player freely commits harm against an innocent. Justice is served if the narrative concludes with capture and punishment or left wanting if the perpetrator ‘gets away with it’. Yet we might also read the same narrative as something Gothic in which the sensational crime is considered ambiguously as both a terrifying incident committed by some incomprehensible force of evil and an outcome of structural factors to which anyone might succumb. Thus Cobblepot’s narrative is Gothic because it traces his trajectory towards super-villainy as something demanding justice but also how Gotham’s urban environment, its pervasive corruption and his own ‘wounded’ experiences, led him towards his villainous ways as something with which we might sympathise. Similarly, the narrative arc of Batman is Gothic for it accounts for his vigilantism as an outcome of his

own traumatised identity within a city where official means for attaining justice have broken down.

Acknowledging the essential narrative ambiguity of the Late Modern Gothic is not deny the manifest and seemingly unambiguous suggestions of ‘evil’ by which many crimes today are imagined which, as Valier correctly notes, may sometimes support a populist trend towards vindictive and punitive justice. The Gothic object does, in part, conjure such attributions and in a world in which formerly trusted institutions of justice are increasingly regarded with unease and suspicions of inadequacy and in which alternative voices other than those of ‘authority’ can drive policy change, fears of the monstrous paedophile, wicked terrorist, defamed moral guardian and so forth will have greater impact. But it does suggest that the understanding of Gothic transgression as subjective experience, an embrace of trauma and the wound in story-form, also appeals to the popular mind. After all, just as the ‘evil’ fictional vampire killer is also an eroticised figure of desire, the ‘monstrous’ and Gothicised serial killer captures the popular imagination as an ambiguity – a figure of subhuman depravity but superhuman powers, a person who transcends ordinary moral standards but is also a perverse hero of our times<sup>7</sup>. It would seem that criminological analysis, if only as a pedagogical tool, should, therefore, avoid making monolithic claims regarding Late Modern attitudes towards crime and criminal justice.

A Humanistic criminology of the Gothic can trace such narrative ambiguities and help explain why a popular vindictiveness against the criminal and disgust for crime can sometimes encourage responses (both legal and extra-legal) that are themselves unlawful (Valier 2008), but also why the perpetrator is so often considered both a figure of evil and a victim of circumstance or as both simultaneous villain and hero. Assuming, therefore,

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<sup>7</sup> Contemporary depictions of the serial killer are invariably ambiguous. The popularity of another TV series, *Dexter*, whose lead character and ‘hero’ uses his own transgressive skills as a serial killer to investigate and capture others, provides another example of the Gothic theme discussed in this paper. The cultural complexity by which the Gothic serial killer is imagined in contemporary culture is, however, a topic requiring its own discussion.

that contemporary invocations of the Gothic imagination simply translates into or informs support for punitive populism as a form of cathartic projection is not sufficient. This is not to dismiss the expansion since the late 1970s of the prison population within most western states, or the apparent impulse to lengthen prison sentences, the gradual re-introduction of measures meant to demean and humiliate offenders, or even the vindictive tone accompanying much political discussion of ‘appropriate’ punishments (see the various contributions in Pratt *et al* 2005). Certainly, these trends suggest a shift away from post-Enlightenment ideals of proportionality, instrumentality and penal stoicism. Late Modern justifications for punishment are, indeed, becoming increasingly emotional and indifferent to consequentialist criteria and policy is often no longer guided by the ministrations of experts or ‘level-headed reasoning’. But this shift does not necessarily imply a ‘public mind’ that is uniformly vindictive or always eager to expel its Gothic fears. While every ‘sensational’ crime attracting national news coverage seemingly arouses a clamour of outrage often expressed in highly vindictive even ‘Gothicised’ language (“Cage These Beasts”) some research (see, for example, Hutton 2005) suggests a more complex spread of public opinion that includes expressions of tolerance: an ambiguity that is reflected in the Late Modern Gothic itself. ‘Disarming’ the Gothic seductions of punitive populism, as Valier urges, is not, perhaps, the best purpose of a Humanistic criminology: recognising how it complicates otherwise straightforward conceptions of crime and criminal justice is surely a more appropriate ambition.

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Compliance With Ethical Standards

- Disclosure of potential conflicts of interest – The author declares there are no conflicts of interest
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- Informed consent – Not Applicable