Originally posted here, in response to the question, whose side would I be on in Marvel Civil War?

I am on the Reader's side.

The problem with Marvel Civil War and "taking sides" is that the story was based upon a strange inversion of absolute nonsense. As a story, Civil War failed not because it was nonsensical but because it was too sensible.

It boils down to the fact that the concept of registering and training superheroes breaks the basic conceit of the superhero story, which is that they are free to act without hindrance but are guided by an unbreakable morality. The comic book narrative, for many years, relied upon the idea that superheroes only ever took action if a) they encountered a crime in progress, or b) they faced a threat that was, or had the capacity to be, global in nature and extreme in origin, which could not otherwise be solved.

Captain America and Spider-man are good examples. In the old comics from the seventies, Spider-man doesn't usually investigate crimes that have happened – he patrols for crimes that are happening. Cap did the same in the seventies, to the extent that he was occasionally homeless and frequently jobless because patrolling took up all of his time.

If you see a mugger attacking someone, or if Doctor Doom is riding a chaos machine through downtown, you have a clear mandate to intervene, costumed hero or not. It's different when you have a hero breaking into a private home (or more often, a privately-owned warehouse down by the docks) to gather evidence of a crime. That's unconstitutional, for a start, and it puts people with no official training and no written code of ethics in a position to act without accountability.

But you can't acknowledge that, because it destroys the fantasy that mainstream superhero comics are trying to build. There are stories that have acknowledged it – *The Incredibles* is predicated on it, and *Powers* is centralised around it – but then you have to write a very different kind of story. The kind of story that Marvel was not interested in writing but somehow had to incorporate for Civil War.

In the real world, the SuperHuman Registration Act would be an absolute necessity. I would support it, because it is legislation that attempts to hold superheroes accountable for their actions. We know the names of the police officers we encounter in life. It's written right on their chests, most of the time, and we have a legal right to see their badge. We know (in theory) that they are trained to a certain standard and can be punished for failing to uphold it. (Reality may differ, of course, but the idea, the ethos, is there.) Regardless of the fact that SHRA was violently manipulated into being, it was the real-world right thing to do. Cap's aligning it with the treatment of Jews in Nazi Germany was ludicrous, and Cap came off like a cop who doesn't want to be recorded beating someone down during a protest.

But nobody arguing for SHRA in the comics ever brought up how *insanely unconstitutional* it is to allow superheroes to do what they do. They couldn't without violating the basic foundation of the superhero comic. So instead they mouthed weak, watered-down things about proper training, mainly, and never went for the throat. Because you can't.

You can’t apply the real world to superhero comic books in that way, because if you do, they’re no longer superheroes. It’s a legal drama dressed funny; Law & Order in spandex. And that’s not nearly as interesting.

So I am for the readers. I hope if we do have a new Marvel Civil War it will be more well-constructed, and more based directly in the fun nonsense that is the stuff of superheroes.