Legal Personhood in Video Games, Canonical Media and Fandom

A Transmedial Mix Analysis of *Persona 4*

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Abstract

This thesis explores the intersections of law, popular culture and medium through a cultural legal reading of the transmedial universe of *Persona 4*, a Japanese video game. Seeking to mimic the journey of how an ideal consumeristic fan of *Persona 4* may move about the texts – not abandoning the franchise at the conclusion of the core game, but instead pursuing *Persona 4*'s many available official spin-offs, sequels and retellings – this thesis illustrates how cultural legal studies can be enriched by analysing a text beyond the initial point of contact. Synthesising methodologies from areas of video game studies, fan studies, psychoanalysis and cultural legal studies, this investigates the many multimodal texts of *Persona 4,* from video game to manga to stage play. In undertaking this investigation, this thesis tracks both how the change in medium can affect and/or alter a text's jurisprudential meaning and also demonstrates how a cultural legal reading can be enhanced, subverted or destabilised through this transmedial analysis.

Following a strain of cultural legal studies that reads popular culture texts as suggestive jurisprudential reimaginings of law, this thesis identifies *Persona 4* as a complex retelling of the relationship of the person to law. This articulation of personhood within *Persona 4* is considered on two levels: a metatextual level and a textual level. On a metatextual level, the thesis analogises the entwined relationship of player and digital avatar with the symbolic legal mask of personhood and the embodied individual experience that it covers. The familiar fragmentation between self and player conjures up juristic associations of personhood that mirror different occupiers of the legal persona. On a textual level, *Persona 4* questions of a split self are visible through game's narrative content, distinct realms of gameplay styles, and frequent references to notable psychoanalyst, Carl Jung. Regardless of *Persona 4's* attempt to craft a narrative of a singular, monadic self, *Persona 4* demonstrates the inability of the creators and players to let go of their fragmented identity even within a fictional setting. The persistent thematic of self and identity throughout the game opens up a space of critique that animates the tensions of the legal subject as a fictional, imaginary identity that law uses to construct and bind subjects to it. Beyond the core game, this thesis also examines how the narrative of legal personhood that

courses through each iteration and retelling of the *Persona 4* universe is changed by its medium, extended by new additions to the world, or challenged by canonical inconsistencies or redactions. Furthermore, the thematic of the fragmented self that undercuts the *Persona 4* universe resonates with fans who tailor this theme to their own narration of circumstance and self through their fan artefacts. Fan creations are examined as fan explorations of the uncertainty of their own identies, using romantic and sexually-oriented artefacts to transgress the limitations of their 'real' selves in a fictional way. Humorous fan works, on the other hand, play with the space between avatar and person, constantly seeking a concrete articulation of the self yet never being able to find one. The journey through *Persona 4* ultimately evinces a struggle for the consumer to experience themselves as anything but fractitious. The video game acts as a catalyst for people knowingly experiencing themselves as permanently divided – between player and avatar – and carrying this tension forward into other iterations of *Persona 4* as well as their own creations within the universe. Unable to achieve the singular, unified self that *Persona 4* allegedly promotes, consumers of *Persona 4*'s universe struggle with the revelation that legal personality is truly discordant with the self despite the illusions of unity they are sold.

Declaration of Originality

This work has not previously been submitted for a degree or diploma in any university. To the best of my knowledge and belief, the thesis contains no material previously published or written by another person except where due references is made in the thesis itself.

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Chapter 1

Every Day's Great At Your Junes

1.1 Introduction: Insert Coin

The window panes rattle and creak under the assault of the heavy rain. In a shadowy corner of the room, a clock ticks and ticks, edging toward midnight. Street lights outside cast a hazy light over half-unpacked boxes and a few modest items of furniture – a bed, a desk, a lounge. On top of a stand is a small, worn CRT. Opposite it stands Yu Narukami. His face is obscured by the deep shadows thrown from the street lights outside, but even darkened, his attention to the empty screen is unmistakable. The clock hits midnight – Yu glances up to the clock and back to the television. The screen remains black – Yu can see his face staring intently reflected back at him. He waits a moment: still nothing. His breath catches in his throat as the television flickers on with the soft hum of electric life.

The screen shows only static at first. Then, through the white noise, Yu catches glimpses of a young woman. The details of her face are lost in the pixelated image but her brown hair and the form of her twisting body can be seen dancing erratically across the monitor. The quick seconds for which she is onscreen are not enough to determine whether her rapid movement is voluntary or she is, perhaps, being chased. Yu isn't sure that he wants to know. Before he can think about it any further, a piercing pain in his head forces him to stagger backwards. His knees hit the floor. An unknown voice resonates inside his mind, saying, 'I am thou and thou art I. Thou art the one who will open the door.' With a click, the television set shuts off and leaves him alone in the dark once more.

Yu is stunned for a moment, rooted to the ground and unable to move. Eventually, he forces himself up. Yu reaches out a hand to touch the screen of the television set, as if to confirm that what he saw was only his imagination and nothing more. The town has been on edge since the body of Mayumi Yamano was discovered hanging from a TV

antenna the day before – maybe it was all a bad dream. Where his fingertips should meet the cold glass, they meet no resistance. The black screen ripples like water as Yu's fingertip dips into the oblivion beyond the edge of where the television's glass ought to be. He knows he should be panicking but he is oddly calm. Yu looks briefly at his finger, doubting, before hesitantly submerging his whole hand into the depths of the television. The screen undulates as Yu experimentally moves his hand around when suddenly something grabs at it and yanks him deeper into the television set. He is pulled in all the way to his shoulder before the rest of his body collides with the television set, too wide to fit through its narrow frame. Frantically, the boy braces himself against the television and wrenches his arm out of the its grasp. He topples backwards on the floor with a dull thud, panting in a futile effort to stop his racing heart. Sleep did not come easily that night.[1]

I save and exit out of *Persona 4 Golden.*[2] My bedroom is lit by the bright LCD menu screen of the handheld console. I can see my collection of books, games and figures from the comfort of my TARDIS-themed bed. I've whiled away a few hours playing *Persona 4 Golden* while I should have been sleeping (or even studying). But a mysterious world inside the television, a serial murder case, supernatural powers *and* romanceable companions – how could I stay away? The allure of this new world makes it difficult for the gamer in me to tear herself away; however, I'm tired and the drumming of the rain on the windows is making me drowsy. I turn off the PlayStation Vita and look at the clock. It's midnight. I do not dare touch the screen.

1.2 *Persona 4*

Persona 4 is a Japanese role-playing game (RPG) released in 2008 for the PlayStation 2 and later re-released with additional content as *Persona 4 Golden* on the PlayStation Vita.[3] The player takes control of the avatar of Yu Narukami, a transfer student who

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1 To watch the animated cutscene featured in *Persona 4* that shows this scene, see AtlusUSA (2012) '*Persona 4 Golden*: Midnight Channel #3', YouTube, https://www.youtube.com/watch?v=LY_lOl6ttFA (accessed 2 April 2019).

2 Atlus (2008).

3 Atlus (2012).

has recently moved to Inaba, a fictional rural town in Japan.[4] Shortly after Yu's arrival, corpses begin showing up around town, heralding the presence of a serial killer in Inaba. Separate from the murders, Yu is dared to investigate the rumour of the Midnight Channel, a local urban legend involving watching a switched-off television on a rainy night. The Midnight Channel turns out to be disturbingly real, and Yu soon discovers that each of the serial murder victims appeared on the Midnight Channel prior to their murder. Increasingly curious, Yu awakens to supernatural abilities that allow him to enter a parallel otherworld within the television set. The shape of the TV World reflects the unconscious mind, bringing to life the dreams, desires, and fears of those who have been thrown inside by the serial killer. With no way to escape back into the real world, the victims are inevitably killed by 'Shadows', which are made up of suppressed emotions and the darker, rejected side of oneself. Armed with the power to protect people within the TV World using the power of Persona, which can defeat the Shadows, Yu and his newfound friends resolve to capture the killer and bring them to justice.

Grounded in cultural legal studies, this thesis seeks to interrogate the account of the self, embodiment and legal personhood presented by the medium of video games generally and particularly the video game, *Persona 4.* This analysis is conducted on two levels: a metatextual level that examines the implications of the game avatar for legal personhood; and a textual level that directly interacts with the portrayal of avatars or characters, and their evolution throughout canonical and fan-based extensions to the series.

1.2.1 The Metatextual Level

On a *metatextual* level, this thesis analogises the symbolic legal mask that allows access to legal personhood and covers over embodied individual experience with the relationship observed between avatar and player. Video games are a medium of *actions* that require third-party input for the game to progress: 'the essence of a game

[4] The avatar is a silent male protagonist. The player is able to name the protagonist as they wish. Canonically, the protagonist is known as Yu Narukami. There are also occasional references to the protagonist's name as Souji Seta, which was the original name given to the protagonist in the *Persona 4* manga. See Sogabe (2008–19).

is rooted in its interactive nature, and there is no game without a player'.[5] Through immersion, agency and transformation of self, players *become* Link, the saviour of Hyrule, as much as they become Snake or Mario, as much as any other avatar.[6] Much in the same way that the legal persona masks the flesh and blood human with a legal personality and consciousness, the player – accustomed to (perhaps unknowingly) experiencing the self as permanently divided – easily slips between reality and the fiction portrayed onscreen. Bob Rehak explains that through understanding our 'bodies to be in some sense "escapable", then the magical projections of telephone line, movie screen, and computer-generated battlefield flower before us as spaces into which we can nimbly step'.[7] In this way, the video game avatar offers a form of popular cultural re-enactment of law's everyday fragmentations of self.

In a rudimentary fashion, the fragmentation of mind-to-avatar and body-to-controller mimics the separation of a legal persona – an embodied self with illusory power, control and influence within a constructed (game) space – and the flesh and blood, the physical self of the person behind the mask that is the impetus for the interaction.[8] Chapter 3 critically examines the functions of the avatar at different levels of interaction: the player, the gamer and the fan. The *player* examines the 'default' contours of the avatar as male and heterosexual, a conception that strongly reflects the traditional construction of legal personhood and subtly punishes non-conforming individuals. The elements of *gamer* and *fan* build upon this understanding of legal personhood and the player's avatar as a masculine enterprise. The *gamer* contextualises how competitive, accumulative expressions of avatars are rewarded through a cultural preference for competitive, hardcore games over cooperative, casual games that are often associated with the female gamer. Endlessly consuming and acquiring (digital) property, competing on a codified 'level playing field', the *gamer* is the ideal economic man. The *fan* explores the space of the female gamer that is necessitated by the rejection of those who do not conform to the 'default' male,

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5 Galloway (2006), p 2; Ermi and Mäyrä (2005), p 15.

6 For readability, only the latest of appearance of these characters will be referenced. Nintendo (2017a), Nintendo (2017b), Kojima Productions (2008).

7 Rehak (2003), p 124.

8 Rehak (2003), pp 123–4.

heterosexual avatar. Unable to fit the expectations of the avatar in both code and culture, the *fan* speaks to the reform of the covering mask to be more reflective of the 'real' self in various ways, be that through inclusivity of gender, sexuality, race or disability. Connal Parsley states that the real self is relegated to 'be utterly inaccessible since the mask comes to stand in for the totality of the social, the system, the public, and everything legitimate'.[9] Unwilling to accept a game avatar or a legal avatar that is not truly reflective of their experience, the marginalised fan seeks to thread the mask closer to the body so that its true contours are revealed.

1.2.2 The Textual Level

On a *textual* level, this thesis analyses the text of *Persona 4* in a ludological and narrative way – or, in plain terms, through analysis of the gameplay and story of *Persona 4*. While the metatextual angle of the thesis examines the medium and role of the avatar more broadly in law, gaming culture and fandom, Chapters 4 to 6 place their focus more explicitly on the inner content of *Persona 4.* Chapter 4 explores the thematic of the fragmented self that is present through the Jungian blush of the game, splitting each character into a shadow, ego and persona, all the while alluding to a unified, individuated whole. Yet the drastic tonal differences between the gameplay of the ordinary world – a romance-fuelled visual novel style game – and the TV World – a combat-driven RPG style game – compartmentalise the conceptualisations of the self of the façade and the self of the real. Within the ordinary world, the law enforcement struggles to catch the murder and the characters dutifully play their role of boring, law-abiding citizens who attend school, get jobs, and fall in love. Within the TV World, though, the characters draw on the strength of their unconscious selves, the persona, to become enforcers of justice. The flesh and blood self is ultimately revealed as a Lacanian being: fundamentally intertwined and interconnected with their legal personality as well as reliant on the social recognition from others to validate their ego. Seeking to mimic the journey of how an ideal consumeristic fan of *Persona 4* may move about the texts – not abandoning the franchise at the conclusion of the core game, but instead pursuing *Persona 4*'s many available official spin-offs, sequels and retellings – the thesis challenges a player's experience with the avatar of Yu Narukami,

[9] Parsley (2010), referencing Hollis (1985), p 26.

or other focus characters, beyond the initial point of contact. Spin-off video games such as *Persona 4 Arena* and *Persona 4 Dancing All Night*, alongside manga and light novels such as *Persona 4 The Magician* and *Persona x Detective Naoto*, extend or challenge the concepts of personhood set up in the main game.[10] By adding new characters, such as the sentient android, Labrys, or writing a character in an uncharacteristic manner, such as Naoto in her spin-off novel,[11] the franchise forces the consumer to continually revise their understanding of personhood as it is articulated within and through the game.

This thesis responds to the research question, 'What do the various official and unofficial iterations of *Persona 4* reveal about legal personhood?' In responding to this question, each chapter engages in a close reading of *Persona 4*'s iterations, contextualising the selected texts within the current literature and their pop culture framework, more broadly exploring the medium of the video game on a textual level. In addition, each chapter unpacks how *Persona 4*'s texts – both official and unofficial – alter and add to an emerging narrative of legal personhood by drawing on cultural legal studies, psychoanalysis, game studies and fan studies as appropriate. The thesis concludes that legal personality, as revealed through *Persona 4*, is truly discordant with the self, although they operate under a guise of unity.

1.3 Chapter Summaries

This chapter introduces the thesis argument and the focus text of the thesis: *Persona 4.* It provides a brief summary of the content of each of the chapter that follow, and an indication of how the chapters fit together thematically. Following the chapter summaries, the remainder of Chapter 1 situates the thesis in the field of cultural legal studies. Through surveying the history of cultural legal studies by tracing the field's progression from paper to picture, this chapter not only acknowledges cultural legal studies as the main methodological approach that will inform later analysis, but also critiques the field of cultural legal studies and identifies the theoretical gaps this thesis aims to fill.

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10 Atlus and Arc System Works (2012); Atlus (2015); Kugura (2012); Mamiya and Sogabe (2012).

11 Mamiya and Sogabe (2012).

Chapter 2, ‘Pages to Pixels’, expands upon the gaps within cultural legal studies identified in Chapter 1 by invoking a mix of game studies, fan studies and theories of Japanese popular culture. By bringing these disciplines into conversation with cultural legal studies, this chapter demonstrates how the analysis of video games and fandom, particularly from a non-Western perspective, is a progression of the movement between mediums previously seen within cultural legal studies. As a medium relatively uncharted in cultural legal studies, video games present a methodological challenge that must be resolved by borrowing from the literature within the developing field of game studies. In examining aspects of ludology and narratology – different perspectives within game studies that focus on game mechanics and narrative respectively – the thesis takes the position that the choice between ludology and narratology is a false dichotomy; consequently, both approaches are adopted for use in later chapters. The literature on fan studies will also be used to justify the importance of incorporating non-canonical texts into analysis. Further, the chapter will begin to define key terms such as ‘transmedia’ and ‘media mix’, which will appear throughout the thesis.

Chapter 3, ‘Players, Gamers, Fans’, begins to operationalise the conclusions from Chapter 2 by developing a metatextual thematic overview of the thesis. Chapter 3 demonstrates how each of the identities of ‘player’, ‘gamer’ and ‘fan’ can be related to a different occupier or function of the legal persona. The ‘player’ is linked to the formal empty slot of the legal mask that seeks to cover over all defining characteristics of the individual, operating as a device to grant legal rights and privileges to the occupant. By analysing literature on legal personhood and the ‘avatar’ used to interact with the game world, it is revealed that each of these devices – supposedly hollow vessels – in fact reflects an idealised male subject. This gendered nature of the ‘gamer’ comes from its manifestation as the liberal legal subject who seeks to earn and acquire in competition against other individuals. It is also evident in the way the gamer community, as well as the legal community, denies the potential of women due to the permeable, connected nature of their bodies. Finally, the ‘fan’ is linked to the advocate turn in legal personhood that champions inclusion and change to the dominant patriarchal hegemony. By using fiction to learn to narrate themselves and their

experiences, feminised fans are able to establish their identities beyond the restrictive mask proffered by video game companies and legal institutions.

Chapter 4, 'Legal Personhood in *Persona 4*', focuses on the textual content of *Persona 4* to discuss legal personhood within its fictive world. The choice to use *Persona 4* as the central text will be explained and justified in terms of its suitability for a canonical transmedial analysis and the potential of its fan-created artefacts. As the first release within the *Persona 4* franchise, *Persona 4* the PlayStation 2 video game (2008) and its later PlayStation Vita remake (2012) are designed as introductory texts to enable us to begin exploring the *Persona 4* franchise. With the widest exposure and the most narrative content, amounting to an impressive 60–100 hours of gameplay, the *Persona 4* game is the starting point for decoding an underlying legal meaning by drawing upon cultural legal studies. In this chapter, *Persona 4* reveals itself as a text that is fundamentally preoccupied with constructions of the self. Although the game pushes a Jungian thematic that posits the self as a monadic, unified individual, a close reading of the 'Social Link' game mechanic and some narrative events of *Persona 4* instead reveal Lacan's fractured and split self. This illusion of a fictitious whole self resonates with the legal fiction of personhood. As the game progresses, the protagonist of *Persona 4* and his friends demonstrate an extraordinary commitment to upholding Lacan's Imaginary and Symbolic selves, and consequently the normative legal order of the state, within a lawless, supernatural otherworld.

Chapter 5, 'The Canonical Media of *Persona 4*', extends the reading of the *Persona 4* core game by exploring a selection of the canonical spin-off media from the *Persona 4* franchise. By 'canon', this section refers to those texts that are officially released by Atlus and considered a part of *Persona 4*'s narrative universe or timeline. This chapter explores the merits and difficulties of analysing transmedial franchises and delves into the growing prevalence of textual canons with multiple points of entry and contact with their consumers. The chapter begins with a differentiation of the terms 'transmedia' and 'multimodality', and a conversation about the place of video game genres within this context. Some of the multimodal adaptations of *Persona 4,* such as the manga, anime and stage play, are discussed briefly and their alterations to the core game noted. The main focus of this chapter is the use of prequels, and other official *Persona 4* media, to assert how these texts contribute to or challenge the construction

of personhood discussed in Chapter 3. While there is some analysis of the prequel manga *Persona 4 The Magician* (2012),[12] the prequel light novel *Persona x Detective Naoto* (2012),[13] and the sequel games *Persona 4 Dancing All Night* (2015),[14] *Persona Q: Shadow of the Labyrinth* (2014)[15] and *Persona Arena Ultimax* (2013),[16] the breadth of texts requires a narrower focus to achieve a sufficient depth of analysis of the canon media. To that end, *Persona 4 Arena* (2012), a 2D fighting game released on the PlayStation 3 and Xbox 360 platforms becomes the focus of the rest of the chapter.[17] *Persona 4 Arena* uses the newly introduced character of Labrys, a sentient android, to problematise questions of being, ownership and social recognition in reference to what it means to be a legal 'person'. Denied legal personhood by her creators, Labrys slowly comes to comport herself as a posthuman 'being' who seeks an authentic existence and challenges the anthropocentric view of legal personhood held by her creators. Ultimately, *Persona 4 Arena* imparts a message of social recognition that reinforces the communal requirements of legal personhood.

Chapter 6, 'The Fandom of *Persona 4'*, moves beyond the canonical texts to use fan-created material as a mode of critique of the official texts. Fan material for *Persona 4*, like most fandoms, is strongly transmedial, using a combination of stories, comics, video, music, costumes and games to pay homage to the franchise. This resistance to elaboration of and play with *Persona 4* by fans in an unauthorised way shows an attempt at control over the canon text. By exercising personal control over the characters and narrative world of *Persona 4*, fans generate commentary on the canon text itself, as well as the overarching legal thematic of personhood, avatar and identity that has been identified within previous chapters. Chapter 6 unpacks how fans can narrate their own experiences or actively construct alternate identities within the safety of the fictional world. Specifically, Chapter 6 focuses on two main genres of fandom: romance/sexuality and humour. Romantic and sexual content is used to

12 Kugura (2012).

13 Mamiya and Sogabe (2012).

14 Atlus (2015).

15 Atlus (2014).

16 Arc System Works and Atlus (2012).

17 Arc System Works and Atlus (2013).

perform moments of transgression – in which texts disregard legal or normative rules to achieve a pure moment of *jouissance*. Additionally, the comfort and care side of romance and sexuality is discussed in the context of vulnerability and pain to test whether one can be returned to a lawful self after a transgression or trauma. The second genre of fandom examined is humour. In this section, incongruity theory (among others) is used to explain how fans play with the disparities between the fictional avatar and the real-life mediating legal persona. Using humour, fans identify that the self is never entirely cohesive, but fragmented between flesh and blood, and symbolic, legal personhood.

Chapter 7, 'New Game Plus', concludes the thesis. An overall conclusion is made regarding the interaction between *Persona 4* canon and fandom texts, with an emphasis on how, through a close reading, legality can be drawn out of these fictional texts. The thesis ends with remarks about the significance of transmedial analysis in cultural legal scholarship, noting its challenges and practical limitations but also weighing the benefits of canonical context and completeness.

1.4 Cultural Legal Studies

This thesis is grounded within the field of cultural legal studies. As an interdisciplinary thesis, it borrows methodology and literature from other disciplines, most extensively game and fan studies, to properly traverse *Persona 4*'s rich multimodal universe.[18] Yet the primary analytical force of this thesis is a legal one.

Cultural legal studies takes the position that law and culture are inherently and complexly entangled, rather than diametrically opposed. In the past, law has been conceptualised as the 'articulated rules and rights set forth in constitutions, statutes, judicial opinions, the formality of dispute resolution, and the foundation of social order', with culture seen as the 'the unavoidable social context of an otherwise legal

[18] A detailed overview of game studies, fan studies and Japanese cultural studies, and their interrelation with cultural legal studies, is provided in Chapter 2.

question'.[19] The two realms were considered marginally connected, yet ultimately distinct from one another.[20]

In other words, cultural legal studies posits law as a fundamentally cultural enterprise. For example, Richard Ford gives the example of jurisdictional lines between states or countries to demonstrate law's cultural inheritance. The jurisdictional lines themselves are fiction: they do not actually exist – the only reason the laws on one side of the line are not effective on the other side is because these jurisdictional lines and laws are '*made* real' every day through the cultural practices of the people.[21] By respecting and enforcing the laws on either side of the line, people give life into law and its institutions. Law *is* cultural; it is 'not a pre-existing thing in which practices occur or to which practices relate'.[22]

The field of cultural studies attributes its origin story to the modern 'law and literature' movement that began in the 1970s.[23] The law and literature movement sought to interrogate the connections between law and culture in a way that recontextualises or otherwise reiterates the importance of culture to law. Robert Weisberg splits the discipline of law and literature 'crudely', in his own words, into two different streams or methods of pursuing these connections: 'law *in* literature' and 'law *as* literature.'[24] Jeanne Gaakeer adds a third axis to these two categorisations of law and literature to include the regulation of literature by law through mechanisms such as copyright, parody and fair use.[25]

Law *in* literature focuses on the fictional representations of the justice system, its participants and processes as well as the law's ability to respond to fictional transgressions – successfully or otherwise. By observing the portrayals of law, lawyers,

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19 Mezey (2001), p 35.

20 Gaakeer (2011), p 187.

21 Ford (1999), p 856 (author's emphasis).

22 Ford (1999), p 856.

23 *The Legal Imagination* by James Boyd White is often cited as a significant publication in the creation of the modern law and literature movement. See White (1985).

24 Weisberg (1989), pp 1–2.

25 Gaakeer (2012), pp 459–60; see also Posner (1988), Part 3.

judges, trials and victims within fiction, literature 'shows the way in which others look upon law and the legal profession in action'.[26] Reading literary constructions of fictive legal actors allows real legal actors to clearly see the expectations and understanding of law and legal actors that live within the popular imagination.[27]

Law *as* literature, on the other hand, connects law and fiction as interpretive exercises. With language as the primary tool of both the author and legal actor, hermeneutic approaches were adopted in the interpretation, criticism and analysis of legal documents.[28] Law operates through words, but more specifically, law operates on confliction stories – 'no set of legal institutions or prescriptions exists apart from the narratives that locate it and give it meaning'.[29] Robert Weisberg, following John Wigmore, argues that reading fiction can help to cultivate a well-rounded lawyer by opening them up to new subjectivities and acquainting them with perspectives and narratives they would not otherwise experience.[30] Through learning and adopting hermeneutic and narrative theories commonly associated with writing fiction, legal actors could improve their narration of facts and events, their interpretation of language within its appropriate sociocultural context and their persuasive argument tactics. The ability of literature to help tell alternate narratives within law encourages a healthy scepticism when considering the perceived objectivity or virtue of legal interpretation.[31]

Although some scholars have long understood law and culture as being inextricable from each other, for others the 'apparent chasm between authority of law and the free-play of literature' has jeopardised the legitimacy of the field of inquiry as a whole.[32] Although law and literature share a grounding in language and interpretation, Robin West takes issue with the argument that law and literature are the same

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26 Gaakeer (2012) p 460.

27 Weisberg (1988); Wigmore (1908), pp 574–93.

28 Suretsky (1979), p 728.

29 Cover (1983), p 468.

30 Weisberg (1988), pp 5–6.

31 Phelps (2008), p 142.

32 Gurnham (2009), p 8.

because of the requirements for their texts to be interpreted. She argues that the law and literature remain distinct due to the power one wields, which the other is denied – or, in her words:

> The legal text is a command; the literary text is a work of art. This difference implies others. Legal criticism – criticism of law – is the criticism of acts of power; literary criticism – criticism of literature – is the criticism of acts of expression.[33]

Nevertheless, West subscribes to the idea that the law and literature enterprise is successful in using literary and legal texts to 'define, generate, and preserve, as well as reflect, shared community values'.[34] Through critiquing shared literary texts that are constitutive of the community, the community and its values can be criticised and transformed, although the critic is unavoidably a product of their own community.[35] This interpretive strain of law and literature also resonates within the work of Robert Cover's notable article '*Nomos* and Narrative', and is a concept that seems to re-emerge later in the cultural legal studies field.[36]

Using a narrative methodology, law and literature scholars show how influential and widely read pieces of literature can be used to highlight fictional injustices in that sociocultural setting, as well as prejudices that may have been overcome in the past, persist in the present or be feared for the future. For with the celebrated death of the author, declared by Roland Barthes over 50 years ago, the author is no longer the definitive source of meaning for a text; instead, textual meaning can be produced by the reader.[37] Later scholars such as Michel Foucault and Umberto Eco suggest that the meaning of the text is not purely subjectivised by the reader, as the author's intention still

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33 West (1987), p 277.

34 West (1988), p 130.

35 West (1988), p 132; White (1973); James Boyd White (1988).

36 Cover (1983). For later cultural legal work on Cover's nomos in popular culture, see Adams (2016); Podlas (2006); Sherwin (2000).

37 Barthes (1968).

informs the construction of the text;[38] instead, the reader takes on a more prominent role in the construction of meaning within a text, in conjunction with the author.

The field of law and literature takes the hermeneutical adventure of decoding texts for legal interpretations that are supported by the text itself, even if the reading may not deliberately have been intended by the author. For example, *Pride and Prejudice* and *Sense and Sensibility* by Jane Austen, detail the 'plea for a recognition of a women's equal right to inherit'.[39] The *Adventures of Huckleberry Finn* and Harper Lee's *To Kill a Mockingbird* can be used to 'convey both explicit and implicit racism', demonstrating the exclusion of black people from society at large and the barely surmountable prejudice they had to overcome to receive any sort of justice and liberty.[40]

As the scholarship on law and literature expanded, the field gave way to multimodal subjects of inquiry, such as law and film, law and television, and law and comics, to name a few. In his introduction to a special issue of the *Yale Law Journal* on popular legal culture in 1989, Stewart MacAulay relayed the importance of law to popular culture more generally, writing that most people

> have little personal experience with law and lawyers. Few people ever read the text of appellate opinions or statutes. Few of us ride in a squad car, play any role in litigation or participate in administrative decisionmaking.[41]

Instead, most 'read mystery novels or watch films or television that deal with dramatic aspects of the legal system'.[42] Law and literature's initial departure from the world of written text – from the smooth texture of the page and the comforting smell of an old book, to the harsh, bright lights of the screen – while perhaps not pleasant for bibliophiles, was a logical next step in the interrogation of law in popular culture. This progression from page to screen, while seemingly natural to some scholars – such as

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38 Foucault (1980); Eco (1984).

39 Ward (1995), p 36.

40 Ward (1995), p 37.

41 MacAulay (1989), pp 1551–2.

42 MacAulay (1989), p 1551–2.

Richard Sherwin, who asked 'Where else can one go but the screen?'[43] – came as a struggle for others, who believed that the connection between law and the image was something of an illegitimate touching of disciplines.[44] According to Margaret Thornton, popular culture texts outside of literature suffer from a 'legal vertigo' that results in scholars treating these texts as irrational, low-brow, trivial activities that have a 'corrosive effect on the legitimacy of legal institutions'.[45] Shulamit Almog attributes the declining interest in literature within the law and literature project to the expansion of digital technology and digital ways of reading, navigating and optimising texts for an online environment.[46] With the rise of the digital changing the ways in which people consume and create text, the nature and substance of literature was unsettled and consequently people turned away from the page.[47] Julie Stone Peters noted in 2005 that law, 'embarrassed by too narrow an association with the strictly literary', had begun to shed its 'literature' nomenclature, replacing this lexicon with terms like 'culture' and 'humanities' that were more relevant to the amorphous nature of the field.[48] This move away from literature acknowledged that literary texts were not the only source of legal representation being consumed by the public, although some continued to claim that literature and law shared a 'productive friction' that could not be replicated in other mediums.[49]

Law and film scholarship, one of the most prominent sub-fields to grow out of the law and literature inquiry, focused on 'law in the image.' Austin Sarat, editor extraordinaire of many law and culture titles, notes that 'law lives in images that today saturate our

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43 Sherwin (1995–96), p 893.

44 Sherwin (2011), p 2.

45 Thornton (2002); Gies (2005), p 165.

46 Almog (2007), p 757.

47 Almog (2007), p 757.

48 Peters (2005), p 451.

49 Richard Weisberg, a key player in the law and literature field, argues that the narration of a film's content to the audience through the camera does not precisely include the verbal and textual interpretive techniques common to a lawyer or fiction writer, and as a result does not have the same 'productive fiction' that law and literature has. See Weisberg (2009), note 27; and see the introduction of Weisberg's piece by Sarat, Frank and Anderson (2011), p 4.

culture and that have a power all their own.'[50] Peter Goodrich also confirms this shift to the image, stating that, 'Netflix and YouTube are the new pre-law or more prosaically law as social bond, as imagined community, gets screened much more than it is written and is most likely to be viewed before it is ever read, indeed if it is ever read.'[51] Images of law in popular culture were becoming seen as a 'distinctive manner of imagining the real'.[52] Even though the portrayals of lawyers and legal proceedings are often highly exaggerated, inaccurate and mediated through various creators, those 'caricatures are always caricatures of something, and that something has to be real'.[53]

Inquiries into law and film/television ran in numerous directions. Phillip Meyer noted that a new style of lawyering that was 'remarkably influenced by the conventions of popular imagistic storytelling' emerged as jurors and lawyers adapted to new aural and visual ways of presenting evidence, a style that evokes the 'interpenetration' between popular culture narratives and the narratives told at trial.[54] Others explored the power of film to 'affect the popular legal consciousness' through the deliberately framed shots and well-timed emotive music that may conjure an emotional response in its audience, persuading audiences of a legality outside of the purely rational argument on which law supposedly relies.[55] Naomi Mezey traced the constant need for law in popular culture as a way to assuage the public's fear and anxieties about law's power and violence by regurgitating legal narratives, such those of as procedural crime shows, that due process will be followed and justice will be done.[56] In the same way that law and literature initially focused on representations of law and lawyers *in* literature, law's new focus on popular culture promised to hold insights into the way images of law were reflected in the popular imagination.[57]

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50 Sarat (2000), p 9.

51 Goodrich (2009), pp 3–4.

52 Geertz (1983), p 184.

53 Friedman (1989), pp 1600–01.

54 Meyer (1996).

55 Buchanan and Johnson (2009), p 35; Robson and Silbey (2012).

56 Mezey (2011), p 93.

57 One criticism of the law and literature, or cultural legal studies, movement has come from the social scientific mainstream. Cultural legal studies uses artefacts of culture to interpret animations

Law and film was not the end of this interrogation of law, image and popular culture. As the scope of cultural studies and law expanded and the importance of the image took hold, scholars like Thomas Giddens, Jason Bainbridge, Cassandra Sharp and Tim Peters turned towards the offerings that the medium of comics, or graphic novels, had to offer studies of law.[58] Giddens, in particular, advocates for the inclusion of comics in cultural legal studies, insisting that comics not only present a new world of narratives to interpret and interrogate, but also that the comic's 'specific form as an epistemological exploration of the boundaries between word and image, between rational and aesthetic ways of knowing' plays an important role.[59] By conceptualising narratives of law through the mode of text and image together, comics – properly analysed – allow a union of both traditional and modern forms of law.

As the study of law and popular culture forms continued its expansive trajectory – music, history, theatre, visual art, television and so on – there came a need to name the collective movement without reference to each individual sub-field. Cassandra Sharp and Marett Leiboff offer a clarification of the term 'cultural legal studies' in their notable 2015 edited collection on the same topic:

> To cut to the chase, cultural legal studies is concerned with animating law's popular cultures – the multivalenced forms and practices ranging from the humanities to video games and beyond – as a means through which to transform or animate questions of law and justice … Cultural legal studies is thus an active form of the dyadic of the 'law ands' – of literature, humanities, culture, film, visual and aesthetics. Its name denotes what it does, completing and enfolding myriad fields, binding the

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of law in culture, determining the 'real' or the images of law that are being represented and promulgated through cultural texts. Where social science expects citation of polling data or conduct social psychology experiments to 'know' what people think, Paul Kahn asserts that we can 'learn what people think by looking at the products of their imaginations – books, poetry, films, political rhetoric, judicial opinions, performances, and practices. See Kahn (2014), p 116. See also Weisberg (2016), pp 40–1.

58 See Bainbridge (2007); Giddens (2012, 2015, 2018); Peters (2017); Romero and Dahlman (2012); Sharp (2012).

59 Giddens (2012), p 87.

> aereall and spectral, with the grittiness of actualities (sand in its most minute form), with law.[60]

This broad spectrum of 'law ands' serves to illustrate how popular culture not only makes representations about law but is itself a 'domain in which law is practised, negotiated, legitimized, and embodied'; it is this domain that this thesis calls home.[61] More specifically, the thesis follows a unique method of 'reading jurisprudentially', a technique within the field of cultural legal studies championed by William MacNeil. The distinctive characteristics of MacNeil's method are that he goes beyond pop culture texts that are legally charged, instead embracing and drawing out legal meaning in diverse and fantastical titles such as *Harry Potter, Buffy the Vampire Slayer, Game of Thrones* and *The Hunger Games.*[62] Unlike early forays into cultural legal studies that focused on representations of law and legal actors, or that imposed legal analogies onto the text, MacNeil's method suggests that jurisprudential concepts such as authority, sovereignty, personhood and justice 'are examined in an alien context precisely because this context provides an opportunity to examine the "essence" of these concepts'.[63] With law imbued so deeply within not just courts and juries, lawyers and judges, but also within everyday action – the structure of our identity, our relationship with others, institutions and objects – creators inevitably and inescapably reproduce some mutation of legality within their fictional works.[64] Popular culture texts play host to the animation of core legal concepts, breathing life into their forms. Fictional worlds open up alternate visions of law and new spaces to 'imagine or re-imagine our concepts of law, legality and justice'.[65] These 'legal fictions' as William MacNeil puts it, offer a lens or a page into the realms of possibility for law: what is, what was, what could have been, what should have been, what it is hoped or feared will come. By deconstructing these texts, it is possible to draw out the legal truth of

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60 Leiboff and Sharp (2015), pp 4–6.

61 Collis and Bainbridge (2005), p 162.

62 MacNeil (2002a, 2002b, 2015, 2017). See also his two books for more examples of 'reading jurisprudentially': MacNeil (2007, 2011).

63 Reichman (2008), p 496.

64 Manderson (2013), p 12.

65 Peters (2015), p 262.

these alternate narratives and glean an insight into the perceptions held of real-world law through the creation of a new intertext.

1.5 Conclusion

Building on the work of William MacNeil and the many other scholars who have followed this route of interpretation, this thesis will perform a jurisprudential reading of the video game *Persona 4.* Cultural legal studies has embraced a broad range of popular culture mediums such as literature, film and television, music, art and history as artefacts of legal meaning. As Desmond Manderson claims, law can be anything: 'law is synonymous with the symbolic order, it is produced in the dialogue and discourse all about us: in all the things that we read and say, in the music we listen to, and in the art we group up with'.[66] Accepting the open embrace of cultural legal studies to invite scholarship on new mediums that each underpin 'a new world and a changed form of law',[67] this thesis identifies three gaps within current cultural legal scholarship and works towards bridging them.

The first of these gaps is the lack of cultural legal scholarship on video games. Although there have been a few fleeting articles on articulations of law within gamified space – such as Robbie Sykes' article on *Final Fantasy VII* and earth jurisprudence;[68] Dale Mitchell's book chapter on *Pokemon Black and White* and the operation of *persona*;[69] Michael Barnett and Cassandra Sharp's discussion of morality and natural law in *inFamous*;[70] and Peter Mantello's article on *Battlefield* and witnessed violence[71] – overall, there has been a surprising lack of interest in video games as an artefact of law, given their immense popularity as a form of entertainment.[72] By making *Persona 4* and its spin-off games a focus, in Chapter 4 and Chapter 5, this thesis will add to this small canon of literature on cultural legal studies and video games.

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66 Manderson (2003) p 93.

67 Goodrich (2009), p 3.

68 Sykes (2017).

69 Mitchell (2018).

70 Barnett and Sharp (2015).

71 Mantello (2013).

72 See also Hourigan (2016); Pearson and Tranter (2015).

The second gap questions the legitimacy and authority of official, canon texts as opposed to unofficial, fan-created texts. While fan studies more generally is home to an explosion of interested scholarship on *yaoi* fangirls, cosplay, representations of characters in fan fiction, and etiquette gatekeeping within the fan community, cultural legal studies has dealt exclusively with 'official' works, without any consideration of fan work. Chapter 6 focuses on the fan works of *Persona 4*, drawing on the extensive literature of fan studies to legitimise and analyse fan work as a source of authoritative legal meaning. This chapter aims to employ fan studies as a way of evaluating how fans alter canonical texts to better represent their vision of the underlying legal issue.

The third gap in cultural legal studies addressed by this thesis is the Western textual focus of much of the scholarship. Scholarship in cultural legal studies varies between medium, country, publisher, infamy and aesthetic style, but one of the elements common to most publications in the field is that the vast majority concern themselves with Western fictional texts. There are notable exceptions to this statement: Marco Wan, for example, has written extensively on representations of law in Hong Kong cinema with titles such as 'Legal Consciousness and Hong Kong Cinema' and 'Law and Humour in Johnnie To's *Justice, My Foot!*'[73] Wan guest edited, with Janny Leung, a special issue of *Law Text Culture*, which focused on the cultural imaginary of East Asia in 2014, furthering a welcome dialogue of non-Western texts within cultural legal studies.[74] This thesis uses *Persona 4* as an example of a localised Japanese text that has gained popularity overseas and retains many of its Japanese elements. In addition, it takes into account the characteristic 'media mix' of *Persona 4*, which is typical among Japanese texts as a marketing technique that disperses pieces of story across multiple platforms.[75]

Persona 4 was selected as the source text for this thesis as it neatly encompassed and enabled commentary of each gap identified in cultural legal studies. *Persona 4,* more so than other video game franchises such as *Kingdom Hearts*, *Pokémon*, *Final Fantasy,* contains multiple genres and styles of video games allowing more than one ludological form to be examined within a single thesis. Although franchises such as *Super Mario*

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73 Wan (2010, 2016).

74 See Wan and Leung (2014).

75 For more on this topic, see Steinberg (2012).

arguably contain a wider variety of video game genres, the popularity of *Mario* in Western gaming culture somewhat diminishes its Japaneseness. As the lack of cultural legal critique on foreign, non-Western texts was identified as another gap, *Persona 4* uniquely straddled these two criteria. In addition, *Persona 4* contained elements of dating simulation which is a common game genre within Japan yet almost unheard of in Western games which resultantly made the game more appealing than other gaming franchises. Games similar to *Persona 4,* operating as hybrid dating simulator and role-playing game, such as *Conception II* or *Fire Emblem Fates* and *Fire Emblem Awakening* exist however they either do not have the appropriate Western fanbase to get sufficient fan material from the Western audience, or they don't have the appropriate transmedia content to satisfy the nexus of concepts that this thesis set out to accomplish.

The identification of these gaps within cultural legal studies guides the original and creative direction of this thesis, yet also sets out its challenges. As video games, fan work and non-Western texts have been lightly addressed within cultural legal studies, the methodology and integration of literature from each gap's respective field needs to be further defined and explained. Chapter 2 will perform this task.

Chapter 2

Pages to Pixels

2.1 Introduction

As cultural legal studies progresses through the mediums of literature, television, film and comic books, investigations into law and legality as they are represented within popular culture artefacts becomes steadily more comprehensive. Nevertheless, as the previous chapter identified, there exist certain gaps and cracks in cultural legal studies that have not yet received the full attention of scholars. These gaps – the medium of the video game, the legitimacy of fan work as a source text for cultural studies and a focus on non-Western texts – are well researched in their own fields, yet any contact with cultural legal studies has been fleeting.

This chapter will begin to bridge these gaps by bringing each of these fields of study into conversation with cultural legal studies as well as each other, identifying their methodologies, resolving potential problems within the field and outlining how their integration into cultural legal studies will further expand the number of cultural artefacts that can be read in a jurisprudential way. Although three disparate gaps in cultural legal studies have been identified, discussing them in a segregated way is something of a challenge considering the complex entanglements between each of their fields for *Persona 4*. As a result, this chapter has no specific section on the gap in Japanese texts within cultural legal studies; rather, this contextualisation is dispersed throughout the sections on transmedia (on media mix theory) and fandom (on Japanese fans or *otaku* and their artefacts).

Beginning with the huge popularity of video games, Section 2.2 establishes the worth of accepting video games as a meaning-bearing artefact capable of capturing the zeitgeist within cultural legal studies. In order to highlight how cultural legal studies takes methodological inspiration from the diverse modes it studies to provide a better understanding of its varied fields of cinema, literature, comic studies and music, an

overview is provided of the contentious arena of video game studies. The tension between ludology and narratology is explained and a hybrid methodology is settled on for the purposes of later analysis of the *Persona 4* video games in Chapters 4 and 5. Additionally, some challenges and acknowledgements are made in relation to the practical limitations on, or variations in, the study of video games as both researcher and player.

The second section, Section 2.3, moves on to the study of fandom. It draws on fan studies scholarship to establish how ways of 'doing fandom' can critique or transform the source text to bring it closer to meeting the subjective desires of the fan. The section additionally notes the differences of 'doing' in Japanese fandom, as well as the cyclic transcultural nature of Japanese and Western texts that are both simultaneously exotic and familiar. Furthermore, this section justifies how the inclusion of fan artefacts could be beneficial for cultural legal readings of popular culture by opening up interpretation of a text beyond the individual researcher to include perspectives of other interpreters of the text. Cultural legal scholars can use fan artefacts as examples of how the extension, alteration or inversion of a source text influences the inherent legality of the text, whether knowingly or not, and more truly makes popular culture a reflection of the populus.

Section 2.4 balances some of the brewing tension between transmedia, Japan's media mix and the categorisation of video games within this context. Initially differentiating between previous definitions of 'transmedia', 'multimodal' and 'media mix', the section eventually seeks to adopt a broader, hybrid approach that focuses more on the affordances made between texts. By adopting a broader position that foregrounds affordances and modes of interaction, the section considers video games within this new framework to demonstrate how video games may complicate traditional notions of genre and form in media.

2.2 Game Methodology: All Your Base are Belong to Us

The first gap identified in Chapter 1 is the relative absence of scholarship on video games from a cultural legal perspective. This gap persists despite the towering cultural presence of the video game industry worldwide. With approximately 67 per cent of the Australia population playing video games and 80 per cent of Australian households

containing more than one gaming device, video games are a billion-dollar industry, and their influence as produces of cultural artefacts can no longer be ignored.[1] The socially inept man-child that the term 'gamer' often conjures up, popularised by shows such as *The Big Bang Theory* and *The IT Crowd*, is far from the truth.[2] In Australia, 2017 statistics show that the average age of a gamer is 34 years old with roughly 13 years' experience gaming and the ratio of male to female gamers has almost broken even, with males leading 54 per cent to 46 per cent.[3]

The cultural preference for video games is prevalent to the point where video games can no longer be considered a niche pastime for the geeky minority, but must be recognised as a dominant cultural force of the interested majority. Gamers, whether 'hardcore' or 'casual',[4] are now spending less time engaging with other entertainment media, such as literature or movies, in favour of spending more of their time with controller in hand.[5]

The impact of video games can be monumental, even in a small amount of time. For example, Rockstar Games, the studio behind the *Grand Theft Auto* franchise, released *Red Dead Redemption* 2 on 26 October 2018.[6] The game achieved the biggest opening weekend in *entertainment history*, earning $725 million in its first three days of release.[7] Notably, the game outperformed *Avengers: Infinity War*, the highest grossing box office film ever, by a cool $85 million.[8] In its first eight days, *Red Dead Redemption 2* sold more copies than its predecessor, the original *Red Dead*

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1 Brand, Todhunter and Jervis (2017).

2 Lorre and Prady (2007–present); Linehan (2006–13).

3 Brand, Todhunter and Jervis (2017), pp 6, 12–13.

4 Differentiation between 'hardcore' and 'casual' gamers is a common binary employed to describe the dedication of players to gaming. Hardcore gamers spend much time and money on gaming, playing games more skilfully than their casual counterparts due to lengthy practice times. Casual gamers, on the other hand, play games for enjoyment rather than improvement. Erica Kubik (2010) writes on how constructions of players as 'hardcore' or 'casual' are impacted by gender.

5 Brand, Todhunter and Jervis (2017), p 11.

6 Rockstar North (2013); Rockstar Studios (2018).

7 Take-Two Interactive (2019).

8 Box Office Mojo (2019).

Redemption, sold in eight years of sales.[9] Despite its October release, *Red Dead Redemption 2* was also nominated for Game of the Year in 2018 (as well as in seven other categories at The Game Awards)[10] and received a praiseworthy 97/100 score on Metacritic.[11] *Red Dead Redemption 2* demonstrates how the video game industry is competitive beyond the confines of its own medium, challenging cinematic and literary giants for the time, loyalty and money of an entertainment-hungry consumer base.

The heavy saturation of video games within popular culture makes them a fertile subject for cultural legal studies. For the many who are 'immersed from cradle to grave' in a media driven society,[12] popular culture proffers the 'symbols, myths, and resources which help constitute a common culture for the majority of individuals'.[13] Video games are simply another point of exposure to the entertainment media that contribute to the social construction of reality by the masses, representing a waypoint that is long overdue for investigation.[14] That is not to say that law has neglected the presence of the video game in a broader sense; to the contrary, law has regarded the video game as a nexus of trouble to be thoroughly investigated under what Jeanne Gaakeer calls the third axis of law and literature: the regulation of literature by law.[15] In determining how this new cultural medium can be regulated through law and how real laws apply to virtual worlds, research has been conducted on the End User License Agreement (EULA) and how it affects players' power distribution;[16] how video games can be used for political propaganda;[17] the ethics of killing or assaulting simulated people;[18] virtual theft;[19] copyright and intellectual

9 Take-Two Interactive (2019).

10 The Game Awards (2018).

11 Metacritic (2018a); see also Metacritic (2018b).

12 Kellner (2000), p 2.

13 Kellner (2000), p 1.

14 Sayre and King (2010), pp 131–2.

15 Gaakeer (2012), pp 459–60.

16 Cifrino (2014); King (2017); Smith (2007); Zwart and Humphreys (2014).

17 Delwiche (2007); see also Grimmelmann (2006) for a discussion of virtual-world politics.

18 Sicart (2009); Beck, Boys, Rose and Beck (2012) write on whether video games that contain violence toward women result in players being more supportive of sexual violence.

19 Abramovitch and Cummings (2007); Lastowka and Hunter (2004); Rumbles (2011).

property concerns,[20] information privacy issues[21] and a host of other matters.[22] This step has been vital to ascertain how law should treat the video game in the wake of its surging popularity, but the preoccupation with law over practical concerns has resulted in an under-developed discourse on video games as a cultural text capable of producing legitimate legal meaning.

Interpreting popular culture texts through the lens of cultural legal studies is traditionally navigated by borrowing common interpretive methodologies or presuppositions from the relevant fields.[23] The mediation of law through cinematic texts, for example, may borrow analytic approaches from film studies to help capture how the medium constructs the reading of the film. In their analysis of iconic film scenes, Ruth Buchanan and Rebecca Johnson examine how the use of camera angles, tone, lighting and sound effects position the audience to receive legal messages through film.[24] By observing how visual and audio techniques can work together to direct the affective register of the audience, Buchanan and Johnson use traditional filmic methodology to explore embodied subjectivity and law.

One of the challenges for deriving cultural legal meaning from video games, at the textual level, is that there is no settled way to interpret video games, even within their own field of inquiry. The hodge-podge nature of the video game – the awkward combination of video cutscenes, textual narrative, artistic avatars and sound cues all

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20 Lastowka (2011). The World Intellectual Property Organisation reported on copyright issues in video games in different jurisdictions: see Ramos et al. (2013). Others explore how intellectual property protections for video games apply under the European Union regulations and case law: see Grosheide, Roerdink and Thomas (2014). Baldrica (2007) considers ownership of user-created game modifications.

21 Zarsky (2004–05).

22 Griffiths (2018) has examined whether microtransactions such as loot boxes could legally be considered gambling; see also Owens (2012) on gaming and gambling generally. Nelson (2002) investigates brand placements in video games.

23 Edward Eberle and Bernhard Grossfeld (2006), for example, draw on poetic understandings of language such as metaphor, rules of rhyme and syllable, and common images in poems to explore how law and poetry use language to shape the world. Sara Ramshaw (2013a, 2013b) incorporates aspects of musical improvisational theory, jazz and law to discuss the performativity of law.

24 Buchanan and Johnson (2015).

contained within a structured, coded environment and brought to life with the interaction of the player – makes it exceedingly difficult to pin down and interpret.[25] Early interest in analysing video games 'split' theorists into two different camps: ludologists, who privileged gameplay over all other aspects of the game, and narratologists (or narrativists), who focused on the narratives of the games without much consideration of gameplay mechanics.[26] As Jan Simons describes it, the viewpoint of ludologists is that 'a plot makes a story and rules make a game, and never the twain shall meet'.[27]

Mark J P Wolf, a prominent gaming theorist, uses examples of old Atari 2600 games, *Combat* and *Outlaw*,[28] to make the point that the narrative of the game has no impact on gameplay.[29] Identical in the way the games are played, *Combat* and *Outlaw* only differ through the stylised avatars of tanks in *Combat* in contrast to the cowboy avatars of *Outlaw*, undermining the importance of narrative within the game's structure. Jesper Juul and Espen Aarseth similarly use the example of chess, and how the different themed sets (*Lord of the Rings, Harry Potter* and so on)[30] make no difference to the core mechanics of the game.[31] David Clearwater rejects this purely ludological view on the basis that the examples used were highly abstract games, such as chess or pioneer video games, they were a consequence of the limited capacity earlier consoles or production, and they were not reflective of modern-day gaming.[32] Games such as *Tetris* or similar 'twitch' games like *Super Hexagon* come close to being

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25 Scholars such as Graeme Kirkpatrick (2007), James Paul Gee (2006) and Grant Tavinor (2011) have questioned whether video games can be considered art, and even whether individual playthroughs of a game could be considered a kind of performance art.

26 Some examples of scholars considered to be ludologists include Gonzalo Frasca (2003a), Markku Eskelinen (2001a) and Jesper Juul (2001). Examples of narratologists in game studies may include Henry Jenkins (2004), Janet Murray (1997) and Marie-Laure Ryan (2009). See also Căşvean (2016) for a brief summary of the debate.

27 Simons (2007), para 30.

28 Atari Inc (1977, 1976).

29 Wolf (2008), pp 259–60.

30 Eaglemoss Collections (2016); Noble Collection (2011).

31 Aarseth (2004), pp 47–8.

32 Clearwater (2011), p 32.

artefacts of pure gameplay;[33] however, the necessary use of art as the iconography of the avatar and frequent inclusion of music builds an aesthetic beyond the gameplay alone. Even abstract games such as *Tetris* that arguably do not offer up any narrative to the player may be narrativised according to the victory or losing conditions of gameplay. Janet Murray narrativises *Tetris*, stating that *Tetris* 'is a perfect enactment of the overtasked lives of Americas in the 1990s – of the constant bombardment of tasks that demand our attention and that we must somehow fit into our overcrowded schedules and clear off our desks in order to make room for the next onslaught.[34] Markku Eskelinen rejected Murray's view of *Tetris*, stating that her 'determination to find or forge a story at any cost' revealed Murray's narrativist roots and that her view that games could not just be games 'because if they were, they apparently couldn't be studied at all.'[35]

For video games, in particular, the technological capabilities of current hardware and software allows games to be far more complex and immersive than those of the past. Many modern video games take advantage of digital capabilities, striving to create rich storyworlds and a narrative architecture that compels the player onwards to complete the game. Yet a purely narratological approach to video games that only examined the story would be an incomplete method of analysis, as a video game cannot be reduced to narrative alone.[36] Excluding the element of interactivity and would be to excise a fundamental part of what makes games unique in contrast to passive media texts, such as literature or film.[37] Distinct from other mediums of fiction, video games contain composite levels of fictionality that reach beyond ordinary elements of world-building and extend to the dynamic model that overlays the game's universe and its occupants.[38] For example, the description (or observance) of an epic fight between a

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33 Pajitnov (1984); Cavanagh (2012). A twitch game is one that relies on the impulsive, reflexive 'twitches' of the player to continue gameplay, there is often no other objective of the game other than the continuation of play.

34 Murray (1997), p 136.

35 Eskelinen (2001b).

36 Jenkins (2004), p 120.

37 Aarseth (2001).

38 Aarseth (2007a).

dragon and a knight is not easily comparable to the same situation within a video game. In a video game, the player must take an active role in learning the dragon's weaknesses, dodging damage-dealing fireballs and adapting their battle tactics until victory is won.[39] The overlaid simulated model behaviour makes the experience of a video game radically 'different from a fiction since we can get to know the simulation much more intimately than we come to know the fiction'.[40] Although story can be an important motivator for play,[41] without an element of interactivity or agency on the part of the player, a video game would be comparable to passive media that require little more of the audience than interpretation.[42] Instead, video games demand a greater contribution from their audience: the 'essence of a game is rooted in its interactive nature, and there is no game without a player'. As a result, Laura Ermi and Frans Mäyrä assert that a player's engagement with a video game becomes a crucial factor in analysis when interpreting video games.[43]

After years of consistent debate on the appropriate methodology to adopt in the analysis of video games, the field of game studies is slowly recognising the validity of both aspects of gameplay and narrative. Presenting at a Digital Games Research Association (DiGRA) conference in 2005, Janet Murray implored theorists to end the in-fighting between narratology and ludology, stating that analysts of games should not require an either/or choice: 'those interested in both games and stories see game elements in stories and story elements in games: interpenetrating sibling categories, neither of which completely subsumes the other'.[44] Gonzalo Frasca mused that the radicalised debate of 'ludology vs narratology' never actually took place, but instead involved a series of misunderstandings and misconceptions between the two differing approaches. Frasca explains that a preference for the ludological approach to understanding video games is perfectly acceptable and ludologists never claimed

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39 Aarseth (2007a), p 37.

40 Aarseth (2007a), p 37.

41 Kahn et al (2015), p 359.

42 James Newman (2002) views interactivity in video games as episodes of 'intense ergodic engagement' punctuated with pauses of non-interactivity.

43 Ermi and Mäyrä (2005).

44 Murray (2005), p 3.

gameplay and narrative to be mutually exclusive: 'the idea that ludologists want to discard narrative from game studies seems to be totally inaccurate'.[45] Mutual validation and respect for both ludological and narratological methodologies for analysing video games have led to a more welcoming attitude of hybrid approaches in the field. Video games theorists have moved towards a more blended approach, one that values the role of interactivity and immersion in video games without ignoring the narrative context that frames the game. Both levels of fiction – the simulated, coded behaviour of the world and its occupants *as well as* the driving force of the game's narrative frame – contribute to the composition of the text; accordingly, both gameplay and narrative should be considered when analysing a game and a gamer's experience. This thesis seeks to adopt this blended approach between narratology and ludology to analyse the *Persona 4* video games.

The use of hybrid approaches to read video games culturally – albeit not from a cultural legal perspective – has proven to be effective in exposing and interpreting societal demands or desires. By ascribing meaning to the forms of gameplay and narrative concerns of the game, video game scholars have uncovered insights that reflect the sociocultural context in which the video game was made. Drew Richardson, for example, has observed how monster narratives in games such as *Pokémon* and *Yokai Watch* in Japan[46] seek to suppress latent fears of the existence of these folklore fiends.[47] By cataloguing, quantifying and almost mummifying them in in-game encyclopaedias such as the Pokédex*,* these usually adorable sources of fear – Pokémon and Yokai alike – are stripped entirely of their mystery, their unknown nature, which is considered by Richardson to be the source of their horror.[48] Paul Martin has observed how *Touhou*

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45 Gonzalo Frasca's (2003b) paper includes a series of examples and quotes from so-called ludologists to this effect.

46 Game Freak (2019); Level-5 (2019).

47 Richardson (2015). Creature collection as a game trope in the context of the *Shin Megami Tensei* series (*Persona 4's* parent franchise) has been examined by Sonja C Sapach (2017), pp 62–4.

48 The encyclopaedia entries for some of the Pokémon are casually terrifying. By archiving their history, their power is removed. Some examples of creepy Pokédex entries include those of Cubone, Haunter and Drifloon: Cubone wears the skull of its dead mother as a hat; a lick from a

Project and the narrative of excess in 'bullet hell' games can be linked to a 'fantasy of abundance' and the false economy of post-bubble Japan.[49] The gameplay, in which the player must survive a high-speed barrage of patterned bullets filling the screen by carefully avoiding them by moving their avatar, employs a visual motif of excess through the bullets. In conjunction, the storyline follows a group of shrine maidens concerned about the end of a supposedly unending spring.[50] By drawing on practical examples of how video game scholars have academically used both gameplay and narrative elements to support their analysis, cultural legal scholars can follow their analytical lead.

Scholars studying video games also need to account for the play that occurs beyond the ordinary forms of play intended by the game developers and communicated to the players through internally coded rules and instructions. Yet players consistently do unexpected things within the confines of the game.[51] Emergent gameplay such as speedrunning,[52] glitching[53] and changing the game objective[54] are not uncommon occurrences, and those games with more creative freedom have seen greater

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Haunter's ghostly tongue will kill you; children who hold onto the balloon-like Drifloon are carried away and end up missing.

49 Team Shanghai Alice (2018).

50 Martin (2015).

51 Smith (2007), p 22.

52 Speedrunning refers to attempts to complete sections of a game, or even the entire game, as fast as possible. This is frequently done by skipping entire sections, abusing glitches, and carefully planning out optimal routes through the game. *Super Mario 64* typically requires the player to obtain 70 stars before challenging the game's main boss, Bowser. Through the use of various glitches, players are technically able to challenge him without collecting a single star and, with Bowser's defeat, complete the game. See Nintendo EAD (1996).

53 Glitches are used to do an action unintended by the game's developer, whether it be duplicating items or money, using items such as rocket launchers to propel an avatar large distances, or passing through invisible walls to access undeveloped parts of the map. Wilma and William Bainbridge (2007), p 74 point out that glitches are commonly exploited by players once discovered.

54 Players may add self-imposed rules to make games more challenging or interesting for themselves and other players. A common changed game objective is the 'Nuzlocke Challenge' that can be completed in any *Pokémon* game. The Nuzlocke Challenge requires the player to only catch one Pokémon in each area, and any time that Pokémon faints throughout the course of the game it is to be considered 'dead' and released back into the wild. See Nuzlocke (2010).

deviation. The inexplicable gaming hit *Minecraft* has a hugely inventive fanbase.[55] *Minecraft* fans have used the game to create a basic scientific calculator,[56] a game of *Snake*,[57] numerous themed rollercoasters[58] and recreations of highly detailed real or fictional landscapes. While activities such as these are not part of the intended narrative, without explicit prevention by the code (or by modding the existing code),[59] subversive uses of games are fervently explored by players and remain a unique characteristic of the video game. Game scholars often draw upon these unexpected uses of game objects or rules to explore how players are using the game's software in inventive ways as an alternate, corrupting technique of approaching narrative or gameplay.[60] At other times, the glitches may be interpreted as a deliberate design choice that enhances the systematic brokenness of the narrative world, as discussed by David Chandler on the post-apocalyptic hit *Fallout 3*.[61]

Additional concerns that need to be taken into account when cultural legal scholars approach the study of video games include their ability and capacity to play the games that they are studying.[62] In order for a researcher to interpret a chosen video game

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55 Mojang (2011).

56 SgtGodswordBerserker (2012) '*Minecraft* Scientific/Graphing Calculator – Sin Cos Tan Log Square Root' YouTube, https://www.youtube.com/watch?v=wgJfVRhotIQ (accessed April 2019)

57 The game *Snake* is a well-known video game where players grow the length of the snake through the consumption of on-screen targets, with the game becoming more and more difficult as the line grows longer. *Snake* has gone by a number of names including *Blockade*, *Checkmate, Worm, and Nibbler.* The game was popularised by the inclusion of the game on Nokia mobile phones in 1998. Nokia (1998). See SethBling (2013) 'Snake in *Minecraft*' YouTube, https://www.youtube.com/watch?v=-UC9teaucEg (accessed April 2019)

58 Nuropsych1 (2013) 'Beetle Juice – A Minecraft Roller Coaster' YouTube, https://www.youtube.com/watch?v=afcudstM9zA (accessed April 2019).

59 Modding refers to the modification of a game's code to perform a function that was not initially intended by the designer. Common modifications include creating new levels, new game mechanics, new aesthetic skins for the characters, NPCs and the environment, as well as helpful modifications that add features that make the game easier to play. Olli Sotamaa (2010) examines the potential motivations for players to modify a video game.

60 Mia Consalvo (2007), for example, has written a book on cheating in video games.

61 Chandler (2015), pp 61–3.

62 Richards (2015).

text, they must have the requisite standard of skill or ability to move the game forward. Failure to adapt to the game mechanics, or to adopt gameplay strategies successfully, may result in an inability to further the game itself.[63] Equally, adeptness at the game may hinder the exploratory actions often necessary to uncover a game's many secrets. There is a need for researchers to not only understand the game content, but to play cautiously and even meta-textually in multi-linear narratives to experience the game in its entirety. In diverging texts – that is, for games that adapt to a player's choices, actions or inactions – 'gameplay rarely occurs without players considering possible alternatives in actions and storylines'.[64] Multiple save slots in video games are provided for this exact reason: to sustain different versions of the game at one time. *Persona 4*, for example, has multiple storylines, and required me to actively play through many of these endings in order to determine the differences and their significance in the overall game. In conducting video game research, Richards suggests that participant-researchers explicitly acknowledge factors such as their gameplay style, ability, experience, consumption and any other pertinent information relevant to the analysis of the game so that readers are able to easily replicate results, or understand the researcher's subjective experience of playing.[65] Richard Bartle provides a taxonomy on player types: although writing on Multi-User Dungeons (MUDs) rather than video games, his four-category taxonomy (Achievers, Explorers, Socialisers, Killers) is widely acknowledged in gaming literature.[66] This taxonomy was later adapted by Nick Yee to better reflect digital gaming, writing with a focus on Massively Multiplayer Online Role-Playing Games (MMORPGs), by identifying three main components and 10 sub-categories:

- Achievement: Advancement, Mechanics, Competition

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63 Aarseth (2003).

64 Perron and Wolf (2008), p 11. Visual novels may fit into Espen Aarseth's understanding of 'ergodic literature' which examines the interaction between reader and (cyber)text. The potentiality of visual novels to move in many directions and cut off potential paths for the player stimulates a different pleasure in which by choosing one path, gambling to shape the narrative in the most satisfying way. See Aarseth (1997).

65 Richards (2015).

66 Bartle (1996).

- Social: Socialising, Relationship, Teamwork
- Immersion: Discovery, Role-Playing, Customisation and Escapism[67]

2.2.1 Gameplay Style

While personal play motivations differ from game to game, for *Persona 4,* I would categorise my playstyle as falling within the Immersion component, with a focus on Discovery and Escapism. The structure and gameplay style of *Persona 4*, as a hybrid visual novel and role-playing game (RPG), does restrict many of Yee's Social components on the basis that the gamespace only consists of NPCs with no meaningful interaction with other players.[68]

2.2.2 Ability

In terms of gaming ability, *Persona 4 Golden* was completed on the Hard level of difficulty, which was certainly challenging but did not prevent completion. The fighting games, on the other hand, were played on Standard difficulty, as I have less experience with fighting games and wanted to ensure I would be able to access all the content.

2.2.3 Experience

My primary experience with *Persona 4* was with the game's re-released version, *Persona 4 Golden,* played on the PlayStation Vita on Hard Mode in English. The initial playthrough of *Persona 4 Golden* followed the True Ending path, achieved without walkthrough, and Rise was the chosen romantic interest. The game was also replayed from a later save point to pursue alternate endings, such as the Accomplice Ending, in which you assist the murderer, and a Bad End that includes the untimely death of the protagonist's cousin, Nanako. It was impractical to romance each character due to the time demands of the game; however, the social link progression of each character was watched online through various Let's Play videos, or read about through *Persona 4*

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67 Yee (2006).

68 Technically, *Persona 4 Golden* does have some interaction with other players, but it is in a highly limited form. During periods of free time, players are able to push a button that catalogues how other players spent their free time on that particular day. Beyond playing through the actual choice itself, players have no ability to communicate with other players freely.

walkthroughs. Outside of *Persona 4 Golden* (2008), each of the spin-off games was played through fully at least once. *Persona 4 Arena* (2012) was played with Japanese audio and English subtitles, *Persona 4 Arena Ultimax* (2013) was played in English (no dual audio was included in the game), *Persona 4 Dancing All Night* (2015) was played in Japanese and *Persona Q: Shadow of the Labyrinth* (2014) was played in English.

2.2.4 Consumption

In addition to the games itself, I also concurrently consumed much of the *Persona 4* spin-off media, including watching the *Persona 4* anime, reading the *Persona 4* manga and purchasing merchandise such as the *Persona 4* artbook and soundtrack.

2.2.5 Other Difficulties

Other difficulties associated with researching video games – particularly for cultural legal scholars – may be an inability to play a particular text due to the mundane reason of not having the right piece of hardware. The *Persona 4* series alone has released video games on PlayStation 2, PlayStation 3, PlayStation Vita and Nintendo 3DS, and optionally a PlayStation 4 (for the *Persona 4 Dancing All Night* port). Without owning all of these consoles, no matter how fervently one wishes, a 3DS cartridge will not play in a Vita and will bar access to these games.[69] As an enthusiastic gamer who has a moderate collection of consoles and games, no additional hardware needed to be acquired for the purpose of playing through each incarnation of *Persona 4*.

Using a blended approach of both narratology and ludology, this thesis will conduct a cultural legal reading of the canonical *Persona 4* video games with reference to both the modes and affordances required by the gameplay, as well as the narrative that drives the murder mystery that is at the core of the game forward. Chapter 4 will focus on the core text of *Persona 4* and *Persona 4 Golden*, the later remake of *Persona 4*, in depth. The thesis will continue to draw on this blended methodology in Chapter 5 in its

[69] The player's physical location, or the locale of their console, can also prevent access to certain DLC. Each region has its own virtual store that may sell content exclusive to a region.

analysis of the *Persona 4* spin-off games that span multiple genres, including fighting games, a rhythm game and a role-playing game.[70]

2.3 Fan Studies: 'I Can't Even!'

The second gap identified by this thesis is the lack of critical scholarship on the consideration of fan texts as legitimate sources of cultural legal meaning. As cultural legal studies slowly embraces emerging popular culture forms that hold the potential for a dialogue between culture and law, it must be asked whether this opening of arms intends to continue past the realm of 'official' canonical texts. It is indisputable that official popular culture texts present an abundance of source material to be analysed, which will occupy the time and interest of cultural legal scholars for decades to come; nevertheless, official canonical media is not the only form of popular culture. Canon content is routinely dwarfed by the enthusiastic creation of fan-made material on any given popular culture text. A quick search of *Archive of Our Own*, a notable fanfiction website,[71] shows nearly 4000 results for works about *Persona 4.* If these works are sorted by word count, then the first page alone (results 1–20) shows over 4.5 million words worth of content based on the *Persona 4* series.[72]

This thesis was written with the love of a fan, and follows a fan's path through canon to fandom, consuming everything and anything with delight along the way.[73] While lacking the legitimacy or authority of authorship that official texts boast, fandom is a cultural phenomenon that celebrates and supplements a chosen source text with

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70 For a discussion of the term 'transmedial mix', see section 2.3.

71 *Archive of Our Own,* https://archiveofourown.org.

72 To repeat the search, follow this link and sort by word count: https://archiveofourown.org/tags/Persona%204/works.

73 There is a widespread debate around the role of the 'aca-fan'. For those who identify as both academics and fans, there may be concerns around objectivity between analyst and subject. See Hills (2002a) and Jenkins (2011). The role of the interaction between player, gamer, fan and consumption is articulated more expressly in Chapter 3 but it is worthwhile to note that fans typically must be consumers to engage with the text on a rudimentary level. However, it is not assumed here that all fans consume all aspects of a canon but rather discover their own journey through the texts, as is elaborated on further in Chapter 3.

original content for one's own enjoyment and that of other fans, a transformative act that ought not to be dismissed quickly. This is neatly summarised by Henry Jenkins:

> Participatory culture is emerging as the culture absorbs and responds to the explosion of new media technologies that make it possible for average consumers to archive, annotate, appropriate, and recirculate media content in powerful new ways.[74]

Fandom has become a source of interplay between creators and fans that is only strengthening as technology, networking and social media sites easily facilitate information and artistic exchange between consumers and producers of media, with the gap narrowing all the time.[75] Cultural legal studies, as a touching of culture and law, produces new understandings of law from culture based on the legal resonances within these texts. It seems remiss of cultural legal studies to ignore the rich opportunity that fandom offers the field: tangible artefacts of interaction and engagement with a source text that evidence transformation, validation and rejection through the way these fan artefacts alter the original text within the context of their particular fandoms.[76]

In the cultural examination of fan practices, there is a danger of fandom scholarship to present fans as being something 'other' or 'reinforcing a binary distinction between fans and "normal audiences"'.[77] The use of such a binary in constructing fans and fan communities as objects of study, in opposition to normalcy, is deceptive as fan interaction can never be judged as representative of that fan community as a whole.

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74 Jenkins (2009), p 8.

75 For example, in 2013 the director of NBC's *Hannibal*, Bryan Fuller, asked Fannibals on Twitter to submit name suggestions for Alana Bloom's new dog. Hundreds replied, but Fuller searched through them and chose the submission 'Applesauce'; a few weeks later Applesauce was introduced on screen and in canon. See Fuller (2013), Twitter, https://twitter.com/bryanfuller/status/321115598912372736. (accessed April 2019).

76 Henry Jenkins (1992a), p 214 notes that fan production usually reflects the 'particular demands and expectations of a subcultural community', which may differ from dominant reading practice. Thus readings of the fandom can only ever be representative of that sect of fandom and not of the public at large.

77 Sandvoss, Gray, and Harrington (2017), pp 9–10.

There is no single, unified fan community, although fan communities do exist and have their own unique subcultures. As a result, there is a clear academic inability to catalogue fandom in its totality as aspects of fandom remain 'fractious, fractionated and in some cases merely disconnected from one another'.[78] As Matt Hills points out, the choice of a fan to participate in one articulation of fandom can prevent participation in other forms of fan practice.[79] Rather than looking for aspects and interactions of a fan 'community', researchers should be looking at ways in which fandom can be done.[80]

The various ways of 'doing fandom' include, but are by no means limited to, fan fiction, fan art, fan videos, fan games, prop replication, cosplay communities, attending conventions, role-playing communities, sports (such as Quidditch and Tri-Dimensional Chess), and arts and crafts.[81] These derivative fan works encompass many genres, mediums and participants, with each fan potentially tapping into a different need, desire, frustration or replication of the text, in order to better immerse themselves in the fictional world in which they have invested their time and interest. Adding to the complexity of fans studies, some gamers do not identify as fans of a text even when they appear to engage in the use of specialised forums, reading walkthroughs or watching videos of the gameplay – actions that would typically be characterised as those of a fan. Hanna Wirram argues that it is difficult to differentiate power gamers who access these resources for the purpose of navigating through the game world and its requirements as efficiently as possible from fans who use these resources for pleasure or other reasons.[82] Likewise, Taylor notes that a power gamer's obsession with efficiency – doing whatever is needed to level up, get rare gear drops and grinding to collect certain items or experience – has corrupted the principle of play

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78 Hills (2017), p 875.

79 Hills (2017), pp 877–8.

80 Hills (2017), pp 877–8.

81 Tri-Dimensional Chess is from the *Star Trek* franchise. It first appeared in Season 1, Episode 3 'Where No Man Has Gone Before' in Roddenberry (1966–69). Tournament rules have been developed by Jens Meder (2014). Quidditch has many associations around the world. Rules for the sport are set out in a 187-page booklet at https://www.usquidditch.org/files/USQ_Rulebook_12.pdf.

82 Wirman (2007), p 379; Wirman (2009).

for these gamers.[83] Citing Roger Caillois, TL Taylor clarifies that play is 'an activity that is free, separate, uncertain, unproductive, regulated, and fictive'.[84] Although this seems to remain true for fans of the game who use online communities, the gaming universe at large and other creative mediums to express themselves freely, power gamers who are only interested in game progression have converted their hobby to something that no longer offers them unrestrained fun: 'what was a pastime is now a passion, compulsion, and source of anxiety'.[85]

Where power gamers may not identify with the moniker of 'fan' despite participating in ways of 'doing fandom', those who do not actively contribute to the fandom or conform to subcultural expectations may have the authenticity of their fan status doubted. One person's experience of fandom (or even the majority experience) is not the experiences of all fans, and it is imperative to remain open to different fan practices and the different ways in which and reasons why people use fandom. While we know that fans are always consumers,[86] they exist on a spectrum of involvement and choose to contribute to fandom in varying ways – small or large.[87] Alternatively, fans may not participate in fan communities at all, but still derive a sense of self and social identity from their fan consumption.[88] This has led some academic fan studies to analyse the produced fan texts themselves, as they are tangible artefacts capable of study rather than a fan's disembodied feelings of enthusiasm about and appreciation of a work.[89] Although the discussion of fandom is centred upon the creation of and reaction to fan texts, this should not exclude more passive fans from their fan status.

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83 Taylor (2003), p 310.

84 Taylor (2003), p 310, citing Caillois (1969), p 43.

85 Taylor (2003), p 310 citing Caillois (1969), p 45.

86 Hills (2002a), p 5.

87 Abercrombie and Longhurst (1998), p 141.

88 Sandvoss (2005), p 30. Garry Crawford also contends that fan culture does not accurately encapsulate video game culture in discussing 'gamers' and 'fans', see Crawford (2011), p 102-106.

89 Wirman (2009), para 1.2 referencing Hellekson and Busse (2006). It should be noted that Paul Booth and Henry Jenkins, among others, value the direct input of fans in fan research and seek to provide a place for the fan voice through ethnographic studies. See Booth and Kelly (2013); Jenkins (1992b).

One such example of a marginalised fan practice is mimesis, a practice that recreates images, props or characters from the source text through replication. Fandom studies tend to favour discussions of transformative fan works – those works that actively alter the text in some way – as opposed to examining mimetic practices that focus on imitation only and appear to have no real call for examination.[90] While mimetic practices seek affirmational authenticity in replicating artefacts from the source text, it is possible that specific choices made in the design process, such as individual or stylistic changes, can act as a mode of critique based on the canon text. Matt Hills uses the example of Dalek Storm, a Dalek built by *Doctor Who* fan Alan Clark that was based on a lost dalek sketch by a BBC artist in the 1980s that never made its way onto the show or into official canon. Clark hoped that his replica build would garner enough attention from *Doctor Who* show runners to revive the design in the canon.[91] In this way, Clark used his build as a critique of the current static Dalek designs through his non-canonical mimetic fan practices. The act of recreating items from the show through replicas, or even in the manufactured merchandising for a pop culture text, 'creates not the object (the merchandise) but the world where the object exists'.[92] Even mimetic fan practices that simply seek to replicate an artefact as truly as possible do have transformative potential; in changing the object, they effect a change to the fictional world.

Fan studies, the academic study of fandom, has undergone many iterations in its quest to determine how to interpret these acts of fans in the creation, manipulation or critique of popular culture texts, uncovering many paths along the way. Henry Jenkins has proposed that fans 'textually poach' from a text in order to 'extend new meanings to the "canon" text that better approximate their subjective reading'.[93] Abigail Derecho posits that fans fill in the gaps in 'canon' works by supplementing them with resistant, alternative or additional readings of the source text, with the drive to 'always produce more archive, to enlarge itself'.[94] The expansion of the archive encourages

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90 Hills (2014), paras [2.2]–[2.5]

91 Hills (2014), para [2.9].

92 Steinberg (2012), p 183.

93 Madeline Ashby (2009), p 21 in reference to Henry Jenkins.

94 Derecho (2006), p 64.

'multiple readings of the same text in the context of other archontic readings', which reciprocally grows the archive further.[95] Rhiannon Bury argues that fandom's status as subordinate to the canon text empowers fans to 'subvert' normative expectations,[96] a power able to indulged due to the judgement-free safe havens of online fan communities that give fans the opportunity to 'defy many of the social taboos that have inhibited self-exploration and self-expression' in the real world.[97] Regardless of the wild variations in method, the message stays rather constant. Fan works are transformative cultural productions that allows fans to expand, alter or subvert the text in some way to bring it closer to the subjective truth of the individual fan and the preferences of the subcultural fan community.

By drawing on a variety of fan artefacts and fan studies methodology, cultural legal scholars can enhance their understanding of the source text by broadening their interpretive proclivities. Lieve Gies has remarked that one of the dangers of reading of popular culture texts through the lens of law is that the subjective, affective nature of interpreting a text may lead to an unacceptable assumption 'that audiences produce a uniform reading of media texts'.[98] Fan studies has long defended against a singular interpretation of a text through the understanding 'that alternative and competing readings' – readings that are discoverable within artefacts of fandom – 'can and must coexist' with the source text.[99] The interpretive methods of William MacNeil, which constitute the strain of cultural legal studies that informs this thesis, use the 'text's modes of storytelling, its tropes, stylistic turns and plot devices' to provide an insight about law.[100] By reimagining fundamental ideas about law through the cypher of popular culture, MacNeil uses cultural legal studies to understand what lessons the intermingling of law and fiction can produce, or what anxieties or desire a pop culture text is seeking to espouse. Scholars who have taken up MacNeil's jurisprudential call have focused exclusively on official popular culture work, detecting and drawing out legality from both

95 Derecho (2006), pp 64–5.

96 Bury (2005).

97 Cumberland (2000).

98 Gies, p 170.

99 Busse and Hellekson (2006), p 8.

100 Peters (2015), pp 260–2.

overtly legal texts and those that do not advertise their legal signifiers.[101] The use of fan artefacts in conjunction with official popular culture texts in cultural legal studies allows scholars to expand their inquiry from the official narratives of law to also encapsulate the deconstruction and reconstruction of these narratives by the populus. Interpretation of a source text within the context of a fan subculture, or with reference to certain fan texts, enables cultural legal studies to see how fans grapple with jurisprudential issues – even unwittingly. By taking fan artefacts seriously as a legitimate carrier of legal meaning, fan works provide an insight not only on why the pop culture text may resonate with audiences, but how active consumers change these texts to better fit their own understandings. Naturally, dissemination of fan works barely rivals that of the source text, but these works are nevertheless created deliberately and with love, and their budget should not bar them from being vessels of legal meaning.

Fan material is abundant, manifesting as digital comics, fan-made movies, themed music playlists, physical *doujinshi,* stickers, pins, posters and far more. Online practices of fandom flourish, allowing like-minded fans to communicate, create and learn while offline practices of fandom, such as cosplay, replica creation, traditional artwork and *doujinshi* continue to thrive.[102] Snapshots of digital fandom can be captured but must continually be revised and adapted as social media, or new ways of doing fandom online, come to light.[103] Websites such as Tumblr,[104] Deviantart,[105] Pixiv,[106] NicoNico[107] or Archive of Our Own,[108] along with specialised sites for specific fandoms, are common visiting spots for online popular culture fans. Offline, fan practices in Japan have a strong cultural presence that emphasises physical, material goods and their rare, collectible nature. In Japan, one common form of 'doing fandom' that is a rarity in Western practices is the creation of *doujinshi*, or fan-created comics. Physical shops to

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101 MacNeil (2007), pp 1–10.

102 Bennett (2014), p 7.

103 Bennett (2014), p 12.

104 Tumblr (2007–present) https://www.tumblr.com.

105 DeviantArt (2000–present), https://www.deviantart.com.

106 Pixiv (2007–present), https://www.pixiv.net.

107 NicoNico (2006–present), https://www.nicovideo.jp.

108 Archive of Our Own (2008-present), https://archiveofourown.org.

purchase fan goods are open all year, and sell combinations of official and unofficial merchandise. Melonbooks, for example, one of the bigger *doujinshi* shops, has approximately 25 locations around Japan.[109] The commercialisation and monetisation of fan goods – even those that are not well drawn or well-made – lend credence to fandom as a serious enterprise within Japan.

While the majority of fan art is created by fans, some professional artists do continue to participate in the fan community, even going so far as to create fan work of their own commercial series. Restricted under the watchful eye of their publishers, some manga authors have expressed discontent with their inability to pursue possible romantic paths within the canon series and sought to explore these within unofficial derivative works. Maki Murakami, author of *Gravitation*,[110] and Fumi Yoshinaga, author of *Antique Bakery*,[111] have both authored sexually explicit works detailing the relationships of the characters throughout the official series.[112] The premise of the official author creating unofficial works, while not unheard of, is still something of a rarity, and leads to some interesting questions concerning canon and the source of a text's legitimacy. In fact, as the ouroboros in motion, vast numbers of professional manga artists are discovered through their fan work. International powerhouses such as CLAMP, creators of popular anime *CardCaptor Sakura* and *Chobits*,[113] Yana Toboso, author of *Black Butler*,[114] and the creator of *Azumanga Daioh* and *Yotsuba,*[115] Kiyohiko Azuma, among many others all began their careers as *doujinshi* artists. Their commercial successes have spurred on future generations of fan creators, whose works will likely spur on the next. The motion completes itself neatly, but reality is never as clean cut as this. The paper-thin divide between creator and consumer in Japan tends to encourage fan-creation as a more legitimate enterprise. Despite the direct infringement on companies' intellectual properties and Japan's restrictive

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109 Melonbooks: Comic, Dojin & Goods Total Shop (1998-present), https://www.melonbooks.co.jp.

110 Murakami (1996–2002).

111 Yoshinaga (1999–2002).

112 Cha (2007).

113 Clamp (1996–2002, 2000–02).

114 Toboso (2006–present).

115 Azuma (1999–2002); Kiyohiko Azuma (2003–present).

copyright laws, surprisingly little is done to prevent *doujins* from being created and sold at fan conventions. Fan art and merchandise aren't a small business either. Japan's largest comic market (Comiket) is held biannually in Tokyo, with more than half a million visitors over its three-day period.[116] The anime industry largely turns a blind eye to the deeds of fan artists, given that there are limited opportunities to profit from their work. Creators further mitigate against potential lawsuits by producing *doujinshi* in comparatively small numbers; it is virtually impossible to obtain outside of physically going to the conventions in Japan.

One rationalisation for this legal leniency for *doujinshi* and other unofficial fan works is that Japan relies heavily upon its pop culture power, or 'soft power', to retain its place on the global scene.[117] Defeated by war and recession, Japan has struggled to maintain the same economic and political influence in the global sphere that it previously enjoyed. The downfall of the country's 'hard power' – its military power – and more recently the constant loss of industry as it endeavoured to overcome the global financial crisis prompted Japan to turn to other strategies to maintain its influence on the international stage. Nye and a few other scholars began writing on the possibilities of 'soft power',[118] described neatly as power that 'derives mostly from intangible resources such as culture and ideology rather than from military action or economic incentives'.[119] Japan took the idea of soft power to heart, and in 2002 began a government campaign to renew its pop culture image overseas by promoting an eclectic mash of fashion, anime, manga and games, under the 'Cool Japan' brand.[120] This strategy achieved some success, as popular culture source materials and related figures and merchandise, became noticeably popular overseas.[121] Many theorists have attributed the success of Japan's refreshed pop culture image partly to the breakdown

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116 Lam (2010), p. 232.

117 While Lawrence Lessig (2004) does not articulate this argument directly, he acknowledges that *doujinshi* is widely tolerated due to the reciprocal nature of the manga and *doujinshi* markets that allow both to flourish.

118 McGray (2002); Nye (1990, 2004); Shiraishi (1997); Takenaka (2001.

119 Daliot-Bul (2009), p 248.

120 Cool Japan Strategy (2012–present), https://www.cao.go.jp/cool_japan/english/index-e.html.

121 Machiyama (2004), p 15.

of traditional power structures.[122] The ability of anime to be a form of soft power – a leading cultural import – is restricted if the 'viewers do not see anything Japanese in anime'.[123] Yet the localisation of Japanese pop culture artefacts for an international audience frequently involves the removal of Japanese characteristics in an attempt to make the material more digestible internationally. As Nick Desideri points out, the marketing of manga as uniquely Japanese risks weakening 'the universal appeal of cultural products', as foreign audiences may not see any reflections of themselves in the content. Translations into English, or other languages, to make Japanese popular culture more palatable to audiences outside of Japan does necessarily erase the most overtly 'Japanese' aspect of the text: the language itself. There are those who are steadfast in their dedication to watching anime in the original Japanese, made understandable by subtitles – usually in order to enjoy the performances of the talented voice actors, or to otherwise avoid the constant poor dubs in their own language. Even with language altered for accessibility purposes and some of the more obscure cultural references edited out, however, the little things like sliding doors to the classrooms, celebration of cultural holidays like *tanabata*, or hanging *teru teru boozu* (small, ghostly charms made with tissues to keep away the rain) tend to worm their way into the background, leaving a cultural odour on the product appeals to associations with the origin country in a positive way.[124] These hints of Japan in such popular culture texts captivate foreign audiences, and this then doubles back to charm Japan.

As a transcultural text, *Persona 4* walks a delicate line in acknowledging its Japanese roots and redacting references that would be culturally confusing to a non-Japanese audience. In embracing its Japaneseness, features of the game's architecture, names, background signage and cultural events such as celebrating New Year's Day at the local shrine or participating in the school's cultural festival are common cultural tropes that are often seen in Japanese popular cultural texts. One of the game's first images, that of Inaba Station as the protagonist arrives in Inaba, is modelled on a real-life rural

122 Daliot-Bul (2009), p 248.

123 Fennell et al (2012).

124 Iwabuchi (2002), pp 26–9.

station in Japan. *Persona 4* is certainly not a text that is afraid of its Japanese heritage.[125]

On the other hand, in the localisation of the series, the localisation team did make many small changes to accommodate obscure Japanese cultural references, linguistic puns[126] or anything that would feel out of place in a non-Japanese translation. The character of Teddie, for example, is named 'Kuma' – meaning bear – in the Japanese versions of *Persona 4*. His name was changed to maintain the relationship between his character, as essentially a stuffed teddy bear, and the bear-y (very) many bear-related puns he makes on a regular basis. There is also a strong nod towards the international community with a number of *Persona 4*'s featured songs being sung in English, including the game's opening song and its ordinary battle theme.[127]

While Anne Allison argues that the pleasure a fan derives from an imaginary world is 'disconnected from literal place in the sense that where these products come from … matters little in the pleasures of consumption', Matt Hills questions whether such an assertion can be made.[128] Drawing on Jonathan Clements, Hills notes that much of the overseas success of Japanese popular culture is a result of the 'exoticizing' role of Japan on familiar fantasy and science-fiction tropes, that interplay between the 'other' and the 'familiar' drawing audiences in. Using what he calls 'transcultural homology', Hills explores how fans in the West and Japan use the term '*otaku*' (a somewhat disparaging Japanese term for a fan of Japanese subcultures) to connect with others, prioritising their experience as fans over their national identity.[129] As Douglas McGray states, 'Hello Kitty is Western, so she will sell in Japan. She is Japanese, so she will sell

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125 For example, see the comparison image located at Ashcraft (2014) 'Persona 4's Train Station is Real (And It's Closing)', *Kotaku*, https://www.kotaku.com.au/2014/02/persona-4s-train-station-is-real-and-its-closing/.

126 See Legends of Localization (2018), https://legendsoflocalization.com/how-persona-4-goldens-sub-buttle-joke-works-in-japanese for a great example of how pun translation/replacement works in *Persona 4*.

127 These songs include 'Pursuing My True Self', 'Signs of Love', 'Your Affection' and 'Reach Out to the Truth'. See Meguro (2008a, 2008b, 2008c, 2008d).

128 Hills (2002b), pp 8–11.

129 Hills (2002b), pp 11–12.

in the West. It is a marketing boomerang that firms like Sanrio, Sony, and Nintendo manage effortlessly.'[130]

While official texts still thrive on the exotic cultural allure of the 'other', such as a Japanese text playing to its 'Japanese-ness', the unofficial fan texts are increasingly closing ranks as the dispersal of fan texts fan cultural contexts are narrowing and converging. This is occurring as terminology, translation and methods of distribution of fan texts become more transcultural, independent of their 'native' origins.[131] Nevertheless, cultural tropes and cultural expectations of fandom still subtly contour texts. For example, while the *Harry Potter* fandom has a strong English-speaking fanbase as well as a formidable Japanese fanbase, in the Japanese context, Japanese *doujinshi* of *Harry Potter* draw upon seminal works of *yaoi* manga, influencing the style, expression and tropes within fan works.[132] Despite the increasing global distribution of fan works and interconnected communities across cultures, both the cultural context of the official text and the context that informs the production of a fan artefact may be visible in the actual expression of the fan work itself.

Using fan works as articulations of discontent and resistance with an official media text can expand the forays of cultural legal studies into the unofficial, where questions of legitimacy and authorship open a space of critique within fandom. Japanese works in particular attract global fans due to their unique 'Japaneseness', consisting of elements that are often visible, despite efforts to make the texts odourless. By synthesising fan works of *Persona 4* with a greater analysis of the canon, the official and unofficial can co-construct a more thorough understanding of *Persona 4*'s articulation of law by both the creator and its audience.

2.4 Transmedia, Japan's Media Mix and Genre Troubles

The subtitle of this thesis is 'A Transmedial Mix Analysis of *Persona 4*'. The term 'transmedial mix' is an invented term that will be used for the duration of this thesis to describe a combination of the traditional Western principles of 'transmedia' that focus on

130 McGray (2002), p 50.

131 Chin and Hitchcock Morimoto (2013), pp 103–4.

132 Chin and Hitchcock Morimoto (2013), pp 102–4.

additive stories across different kinds of media, in combination with the Japanese term 'media mix', which is used to describe the connections that characters create across franchises. These two terms are being employed together to acknowledge *Persona 4*'s contextual position within both the Japanese media mix and Western transmedial scholarship. As this thesis seeks to analyse not only the source text of *Persona 4* but also related canonical texts, it becomes necessary to classify how these texts fit together. This section outlines some of the fundamental theories from both transmedia and media mix theory, and ultimately settles on the use of the term 'transmedial mix' to convey a particular mesh of theories and ideas from each of these fields.

The terms 'transmedia' and 'multimodal' storytelling are easily conflated; however, with proper attention to the semantic discussions of media scholars, some clear definitions and differences between the two terms can be categorised. Media scholar Henry Jenkins offers one definition of transmedial storytelling:

> A transmedia story unfolds across multiple media platforms with each new text making a distinctive and valuable contribution to the whole. In the ideal form of transmedia storytelling, each medium does what it does best – so that a story might be introduced in a film, expanded through television, novels, and comics; its world might be explored through game play or experienced as an amusement park attraction.[133]

Similarly, Carlos Alberto Scolari tells us that:

> TS (transmedia storytelling) is not just an adaptation from one media to another. The story that the comics tell is not the same as that told on television or in cinema; the different media and languages participate and contribute to the construction of the transmedia narrative world.[134]

In short, a transmedia narrative is one that is dispersed across many mediums, with each new mode contributing a new element to the overall narrative canon – be it a backstory, a new chapter in the main narrative or an old story told from a different character's perspective. Using *Harry Potter* as an example, Lemke tells us that

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133 Jenkins (2006), pp 95–6; Harvey (2015).

134 Scolari (2009), p 587.

transmedia allows the consumer to accumulate information about the narrative universe that can be linked to our identification with the text's characters (such as Harry, Ron or Hermione), 'a sense of place (Hogwarts Castle), a sense of action (wielding a magic wand) and a sense of bodily experience (playing the aerial soccer, Quidditch, of Harry's world)'.[135] Transmedial storytelling operating across various mediums has the benefit, from both a production and consumer viewpoint, of attracting a wider audience and offering fresh experiences told in new and exhilarating ways that may better flesh out fictional universes through the stimulation of multiple senses and styles.[136] By using different media to narrate or create various stories, artefacts, experiences or locations within the fictional universe, fans may navigate the canon transmedially in a way that takes advantage of the multiple points of contact with the source text. Yet, at the same time, transmedial texts also must perform as self-contained narratives to accommodate those consumers who only consume in a single media fashion, such as someone who *only* reads the books and never watches the movies or *only* plays the games but never listens to the podcast.[137]

Transmediality is not simply the aspect of presenting stories in different mediums. The feature that differentiates a transmedial narrative from one that is cross-media or multimodal is an element of what Jenkins terms 'additive comprehension.'[138] As Jenkins explains it, the term 'additive comprehension' means that any new instalment of the franchise must add, expand or in some way contribute towards the consumer's comprehension of the narrative universe, rather than merely adapting the same story from one medium to another. This narrow definition of transmedia therefore excludes adaptation of the same story to another medium as qualifying as transmedia storytelling. For example, the adaptation of the *Harry Potter* book to the film franchise would be considered multimodal but not transmedial because the films were fundamentally adaptations from the source texts.[139] However, the recent app game

135 Lemke (2009), p 145.

136 Jenkins (2003).

137 Scolari (2009), p 587; Jenkins (2006) pp 95–6.

138 Jenkins (2011), para 10.

139 Rowling (1997, 1998, 1999, 2000, 2003, 2005, 2007).

Harry Potter: Hogwarts Mystery would be considered a transmedial text as it expands on the world with new characters and experiences for the consumer.[140]

More recently, some transmedia scholars have begun to broaden their definition of transmedia to include adapted texts. Linda Hutcheon, author of *A Theory of Adaptation*, writes that adaptation always involves 'interpreting and creating something new'.[141] Wells-Lassagne also writes that defining adaptation as '"retelling" seems unnecessary limiting'.[142] By incorporating adaptation as part of the definition of transmedia, the limitations and possibilities held within the materiality of different mediums are recognised regardless of whether their stories are original or transmutations of old ones. An example of the subtle changes occurring between mediums when texts are adapted can be traced through the evolution of *Persona 4*'s protagonist, Yu, as he journeys from game to manga to anime. Initially, for the purpose of *Persona 4* (2008) and *Persona 4 Golden* (2012), the protagonist is designed to be a generic, *tabula rasa* character onto whom the player is able to project their personality through the given choices. This is a frequently done within gaming at large, especially in Japanese games with dating elements – in some games, the player is even given the choice to turn off the eyes of the protagonist in all physical representations to assist in this process.[143] While the model of the blank character works perfectly in a gaming setting that relies on a human element to mould 'Yu' into 'You', the silent archetype threatens to bore in any other medium. The manga adaptation that followed the original release of *Persona 4* named the protagonist Souji Seta, and gave him a friendly, congenial personality. Following the success of *Persona 4 Golden* (2012), the animation series *Persona 4 The Animation* (2011–12) was broadcast across Japan with the protagonist definitively named Yu Narukami; he had a clear, cool personality with a dry sense of humour that existed outside of any player input. Further progression of Yu's characterisation can be seen in the games *Persona Arena* (2012) and *Persona 4*

140 Jam City (2018).

141 Hutcheon (2006), p 20.

142 Well-Lassagne (2017), pp 89–90; see also Dena (2018) for excellent article that explores the history of adaptation and transmedia as well as advocates for a reconsideration of its place within transmedia studies.

143 Honeybee (2009).

Dancing All Night (2015), where the protagonist is no longer capable of being named and the player is able to play as multiple characters, effectually cutting their link to the Yu as the embodiment of the player in the *Persona* universe. One point of frustration for Western fans is that *Persona Q: Shadow of the Labyrinth* (2014) once again allows the player to name the character; however, due to short-sighted programming, first and last names are limited to six characters each. The name Yu Narukami, easily written in Japanese within this limit as 鳴上悠 (Narukami Yuu), cannot be written in its romanised version within the character limit, ending up as 'Yu Naruka'. While perhaps a seemingly superficial and unimportant detail to some, the inability to name a character using their 'canon' name in the Western version only serves to alienate the player and reinforce that they are not the original, intended audience.[144]

Another key selling point of *Persona 4* as a video game is that the text allows the player to make choices that substantially impact the experience of the game and the ending they receive, be it good or bad. For example, making the wrong choices at one vital part of the game can result in the death of Yu's six-year-old cousin. If the player befriends Tohru Adachi, the murderer, they are given the option to destroy the evidence against him and help him escape culpability for his actions. However, if the player fails to cultivate their relationship with Adachi throughout the course of the game, this choice to assist him is denied and the remaining endings allow Adachi to be caught and imprisoned, or the mystery is left unsolved if the player is unable to identify Adachi as the culprit. Although the deep saturation of choices works fantastically in a video game format, adaptation to another medium such as a manga, anime or novel often requires commitment to one specific ending, eschewing the narrative content of the others.[145]

Under the varying definitions of transmedia, it becomes difficult to isolate exactly what pieces of text make up *Persona 4*'s transmedial canon. Each of the source texts,

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144 For more game localisation, see Mangiron and O'Hagan (2006).

145 There are anime adaptations of visual novels that provide for different endings by releasing separate episodes for the pursual of each different ending: see Hiraike (2010). *Persona 4 Golden The Animation* explores the Accomplice Ending in animated form through the addition of an OVA titled 'Thank You, Mr Accomplice': see A-1 Pictures, OVA.

Persona 4 (2008) and *Persona 4 Golden* (2012), has an anime adaptation (2011–12, 2014), manga adaptation (2008–19, 2012), live-action adaptation (2012, 2012) and live-action stage show adapted from the *Persona 4* fighting games (2014), *Persona 4 Arena* (2012) and *Arena Ultimax* (2013). While these adaptations certainly add new elements through virtue of the limitations of the specified medium, they do not have this element of 'additive comprehension' that many transmedial scholars follow.[146] Nevertheless, the many adaptations of *Persona 4* will be discussed briefly in Chapter 5 to acknowledge the potential place of adaptations within transmedial theory.

Within the definition of 'additive comprehension', only three pieces of *Persona 4* media can be categorised as transmedial storytelling that builds on the initial video games:

1. *Persona 4 The Magician* (2012): a one-shot manga story that details Yosuke's initial move to Inaba from the city and the friends he left behind[147]
2. *Persona x Detective Naoto* (2012): a light novel with some manga illustrations by original *Persona 4* artist Shigenori Soejima that follows Naoto as she solves a disappearance case one year after the end of *Persona 4*[148]
3. *Persona 4 Drama CD Volumes 1–3* (2009, 2009, 2010)*:* three audio drama CDs that tell three different mini side-stories that take place during the timeline of *Persona 4.* Volume 1 follows Teddie as he tries to save the TV set that leads to his home in the TV World. Volume 2 is about teaching Nanako the meaning of Valentine's Day and Dojima's failings as a father. Volume 3 focuses on a sports festival, improving test grades, and a general theme of trying your best in life.[149]

Although these three texts are examples of transmedial storytelling through the way they flesh out the narrative universe, characters or events that have taken place, they are somewhat problematised because they were never made available to the Western audience. Each of the above texts was created, written, performed and sold in Japanese only with no English (or non-Japanese) version made available to the public. Nevertheless,

146 Jenkins (2011), para 10. For more on transmedia storytelling and how additive comprehension is often unbalanced in transmedia franchises, see Delwiche (2016).

147 Kugura (2012).

148 Mamiya and Sogabe (2012).

149 Frontier Works (2009a, 2009b, 2010).

each of these texts has received an unofficial translation by fans of *Persona 4*, who wish to share the authentic experience of all that the canon has to offer by making these texts accessible to English-speaking audiences – however illegitimately. Even though these texts were never officially translated, resulting in many non-Japanese fans being forced to draw from these unofficial sources to experience more of the *Persona 4* universe (or simply never consuming them at all), Picard reminds us that the Japanese video game industry 'is both a global and local phenomenon'.'[150] Ignoring the local Japanese transmedia artefacts would prioritise the Western experience of the *Persona 4* universe without taking the Japanese experience fully into account.

If one were to consider the texts released only in the West, under the standard definition of transmedia that requires additive comprehension and disallows narrative adaptation, *Persona 4* would not qualify as a transmedial storyworld, but rather as a cross-genre or trans-generic one, due to its heavy reliance on the medium of the video game to articulate its story instalments. The Western notion of transmediality has a strong focus on format, stories and worlds when determining whether a text is an adaptation or a transmedial addition to the textual canon.[151] When considering the application of the term 'transmedia' to *Persona 4*, a Japanese text or *gêmu* (the romanisation of 'game' as pronounced in Japanese: ゲーム: *geemu*), Navarro-Remesal and Loriguillo-López emphasise the need for Japanese games to be considered in their own cultural contexts as well as for the contemplation of how local markets impact the creation of the text.[152] In Japan, the term 'media mix' is more commonly used than 'transmedia' in academic scholarship, the industry and popular discourse to describe the notion of transmediality and the 'creation of serial connections between and across media texts' within Japan.[153] While 'media mix' and 'transmedia' share similar ideas of multimodal storytelling, Japan's media mix focuses more on the iconography of the character than any additive comprehension that stories may add to the text's storyworld. In response to the oft-cited Jenkins quote on transmedia, the quote cited in the first chapter in this section ('a story

150 Picard (2013).

151 Delwiche (2006).

152 Navarro-Remesal and Loriguillo-López (2015), pp 2–3.

153 Steinberg (2009), p 116.

might be introduced in a film, expanded through television, novels, and comics; its world might be explored through game play or experienced as an amusement park attraction'), Ian Condry tells us that 'in the case of anime, it is seldom narrative coherence – the story – that provides the link across media. Rather, it is the characters.'[154] Marc Steinberg, a notable theorist on Japan's media mix, also confirms the importance of character to the development of a media mix in Japan, writing that the character acts as a technology of communication that connects various mediums together.[155] Ito Go uses the word *kyara* – short for the Japanese pronunciation of 'character': キャラ – to denote those characters that are capable of sustaining their existence outside of a specific narrative universe, becoming icons or symbols of culture on their own that are abstracted and mobile as they move freely between manga, games, anime and more.[156] According to Go, characters are believable with emotional depth and growth as a story progresses. *Kyara*, on the other hand, are believable archetypes in fiction; they do not have an intimate relationship with the story and can easily be parodied in outside works.[157] One oft-cited example of Go's concept of *kyara* is Kitty White, better known by her brand name Hello Kitty. Hello Kitty, a simply drawn white cat, has little background story, and what she does have is rarely known by purchasers; instead her absence, her blankness, is a sign of potential. The strength of Hello Kitty is that she has no substance and therefore she can be and can market *anything*.

While the main game instalments, *Persona 4* (2008) and *Persona 4 Golden*(2012), certainly create deep and complex characters, and the narrative imbues them with 'a realistic impression of a human personality' (what Ito would term *kyarakutaa:* キャラクター, or 'character'), the successive games, anime and other affiliated media begin to play with this distinction of character and *kyara* as the characters move from medium to medium.[158] The *kyara* become 'a constellation of mere characteristics: fragments of personality traits, physical attributes, tendencies, mannerisms, idiosyncrasies, and

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154 Jenkins (2006), pp 95–6.; Condry (2009), p 143.

155 Steinberg (2009), pp 128–9.

156 Ito (2005).

157 Ito (2005).

158 Azuma (2007), pp 133–4.

beloved quirks'.[159] Successive *Persona 4* games, such as *Persona 4 Arena* (2012)*, Persona 4 Ultimax* (2013*)* and *Persona 4 Dancing All Night* (2015), have both a story mode (done in a similar style to the original *Persona 4* games via visual novel style dialogue) and a free play mode, either for fighting or dancing. The inclusion of a free play mode that allows the player to immediately begin using the characters without any background context (if they are new to the franchise), which seems to indicate a divorcing of the characters from the narrative and the desire to convert what have been solid, engaging characters into shadows of what they once were: *kyara.* Drawn characters are not only well suited to movement across manga, anime and games as mediums that share a similar artistic flatness; they can also easily be converted into 3D objects for the purposes of merchandising, such as in toys and figurines.[160] For the Japanese media mix, it is this element of *kyara*, or the movable, abstracted character, that provides the link across media – more so than stories or the world.

In initial discussions of the Japanese media mix, theorists such as Thomas Lamarre and Marc Steinberg refer to anime as being the main ambassador of the Japanese media mix story. Lamarre tells us that anime or film may be 'thought of as the nodal point in a *transmedia network* that entails proliferating series of narrative and non-narrative forms across media interfaces and platforms'.[161] Steinberg, on the other hand, initially identified anime as a frequent 'tipping point' of popularity and impact as opposed to other texts because an anime adaptation often marked the beginning of a franchise's media mix.[162] Drawing on Go Sasakibara, Steinberg notes that the original medium of a work should not be considered the '*defining* medium'; rather, the media mix emerges when the original work is indeterminate or 'nonlocalizable' or where the primacy of

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159 Lunning (2015), p 88.

160 Steinberg (2009), p 128. In his book, Marc Steinberg remarks that an actor's image is less able to be easily translated into drawn mediums such as video games or comics, as they must have a representation of themselves drawn or created. Drawn characters retain their 'visual consistency', and therefore are more portable in their drawn form. See Steinberg (2012), p 69.

161 Lamarre (2009), p xiv

162 Steinberg (2012); Steinberg (2015), pp 40–1.

the original text is lost.[163] While the recontextualisation of 'transmedia' to 'media mix' broadens the definition of what is considered part of the transmedial mix as it applies to *Persona 4*, the lack of scholarship regarding how these concepts interplay with video games leaves a considerable gap in the field that needs to be addressed.

Marc Steinberg has put forth the question of the relationship of games to transmedia, asking, 'How might the study of games require a reorientation of game scholarship on the one hand, and media mix or transmedia scholarship on the other?'[164] Although this question has been asked, it unfortunately remains largely unanswered by academic communities. The challenge for *Persona 4* and the subtitle of this thesis as 'transmedial' is that even when incorporating notions of 'media mix' into the definition of 'transmedia' to include the Japanese emphasis on characters over stories, there is still no clear explanation of how different types of video games fit within this context.

2.4.1 Analysing *Persona 4*'s Transmedial Mix

Persona 4 is highly diverse in its selection of video game genres. Game genres in the *Persona 4* franchise include two fighting games (*Persona 4 Arena* (2012) and *Persona 4 Arena Ultimax* (2013)), two Etryian Odyssey style RPGs (*Persona Q: Shadow of the Labyrinth* (2014) and *Persona Q2: New Cinema Labyrinth* (2018)) and a rhythmic dancing game (*Persona 4 Dancing All Night* (2015)).[165] However, the concept of transmedia rejects video game genres as being different types of media and thus, even though the stories have the element of 'additive comprehension' that Jenkins desires,

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163 Steinberg (2012), pp 160–1; Sasakibara and Otsuka (2001); Steinberg (2015), note 1 (author's emphasis).

164 Steinberg (2015), p 41.

165 The *Persona 4* fighting games are a hybrid of a traditional 2D fighting game, where the player's character must defeat the other character through a combination of fighting moves, dodges and jumps, and a visual novel style story mode. An RPG is a role-playing game that allows the player to customise their party, fight enemies and upgrade their weapons and skills to strengthen their team. One of the unique markers of Etrian Odyssey games is that the players must map the dungeon themselves through exploration, a characteristic that is included in *Persona Q. Persona 4 Dancing All Night* is a rhythm game featuring the characters and music of *Persona 4*. Players must press buttons in sequence with the beat or rhythm to achieve high scores and in-game currency, which can be spent on unlocking costumes for the characters who dance to the music in each song.

they cannot be transmedia if they are not multimodal.[166] The concept of the media mix, on the other hand, plausibly opens up more space for different forms of video games to be counted among the transmedial due to the emphasis of these texts on *kyara* as the connecting technology. Yet the place of video game genres within the media mix has never been addressed explicitly.

Media scholars and video game scholars alike have adopted the term 'genre' to discuss different types of video games that exist. Rune Klevjer posits that genre is the establishment of a 'special vocabulary, grammar, and style' across 'comparable situations' that create a genre and tell the player what to expect from a gaming experience.[167] It is the type of interactivity is an 'essential part of every game's structure' and that the 'style of gameplay on offer is of fundamental significance'.[168] Geoff King and Tanya Krzywinska offer a model of video game genre that layers multiple categories upon a single text, allowing it to belong to more than one genre at once. It examines genre (the type of interactivity); platform (the hardware requirements or how the game is played/experienced); mode (environmental or experiential factors such as online multiplayer or LAN options); and milieu (the visual aesthetic of the game and narrative factors).[169] However, Espen Aarseth warns against this systematic adoption of the term for use in the field of gaming:

> Computer games are not one medium, but many different media … The extensive media differences within the field of computer games makes a traditional medium perspective almost useless. We end up with what media theorist Liv Hausken has termed media blindness: how a failure to see the specific media differences leads to a 'media-neutral' media theory that is anything but neutral. This is clearly a danger when looking at games as cinema or stories, but also when making general claims about

166 Jenkins (2011).

167 Klevjer (2006). Klevjer is quoting Bitzer (1968) in reference to genre and video games.

168 Wolf (2002), p 114; Carr et al (2006).

169 King and Krzywinska (2002b), p 26.

> games, as though they all belonged to the same media format and shared the same characteristics.[170]

Video game genres frequently are predicated on the different types of interactivity for which they allow, forming categories such as first-person shooter, puzzle games, 2D platforming games or bullet hell games. There have been many attempts to outline what genres of games exist, or even what essential characteristics games share – their 'gameness' – but what makes games the same may be less 'interesting or important than the ways in which they differ'.[171] Jenkins points toward forms of multimodality by virtue of the affordances that one must take into account when interacting with different mediums. He says:

> The key point here is that different media involve different kinds of representation – so what Green Lantern looks like differs from a comic book, a live action movie, a game, or an animated television series. Each medium has different kinds of affordances – the game facilitates different ways of interacting with the content than a book or a feature film.[172]

While obviously Jenkins does not advocate that different video game genres should be considered as different media, the emphasis placed on the kinds of interaction between modal forms may potentially ground an argument of video game types expanding the traditional definitions of transmedia and media mix. Susana Tosca tells us that 'experiencing more is not only just about representation' of texts across media:[173] 'It can also be about illuminating aspects of the story that were not entirely fleshed out in the original fiction.'[174]

Games such as *The Stanley Parable*, *The Beginner's Guide*, *Proteus* and *Gone Home*, among many others, have sneeringly been called 'walking simulators' due to their minimal player interaction, and have been subjected to debates (read: angry internet posts) as to whether they are video games at all, or whether they are better suited to being called interactive

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170 Aarseth (2001).

171 Buckingham (2006), pp 6–7. Juul (2003), pp. 30–45 tries to identify the characteristics of 'gameness'.

172 Jenkins (2011).

173 Tosca (2015), p 39.

174 Tosca (2015), p 39.

art. This issue prompted Brian Upton, in his talk at the 2015 Game Developers Conference (GDC), to include a slide that proclaimed 'Interactivity is a thing that games can DO. It is not what games ARE.' His concerns noted that the narrow construal of interactivity being a fundamental aspect of video games may negatively impact the creativity and experiential desires of game developers.[175] The criticism levelled at 'walking simulator' games, or even questions as to whether visual novels are truly 'games', arises from the conflation between interactivity and the games themselves. The player cannot be removed from the game without consequence, as games are a medium of action: they 'are both object and process' simultaneously.[176]

Although alternate types of interaction between game genres may not be considered transmedial, video games themselves often have elements of intertextual transmediality and multimodality – that is, 'in transmedia story worlds digital games can take on functions that until recently were reserved for other media', such as the incorporation of radio broadcasts, paintings, animated or filmic cutscenes, that require the player to switch 'between the physical interaction of game play and the decoding mechanisms required of cinema', or any other media encountered within its digital form.[177] Video games occupy a unique position because they use a multiplicity of formats to capture a player's attention: 'video games become exemplar multimodal texts, aligning word, image, and sound with the rules and operations constrained by computer technologies but composed by teams of writers, designers, and artists to persuade and entertain'.[178] Not only do video games have the opportunity to be a primary node of transmedial storytelling as contributing texts, but the medium of the video game itself is also bound up in a transmedial context that relies on visual art, music, movement, cinematography and language to work together to create an immersive game experience for the player. As digital media has the ability to simulate or represent other mediums, the differences in affordance between each type of consumption

175 Upton (2015).

176 Aarseth (2001), p 1.

177 Cheng (2007), p 20; Freyermuth (2017). Games can also be said to 'remediate' cinema and other modal forms. More than intertextuality, intermediality or remediality refers to the interaction that occurs between media, transposing media side-by-side. See Zourgani, Lalu and Weisser (2016), p 54-69; and Rajewsky (2005).

178 Colby, Johnson and Shultz Colby (2013), p 4.

is minimalised. For example, reading a newspaper, watching a movie, reading a comic or playing a game can all now be completed on a smartphone if you have the right applications. As a result, Domingo Sanchez-Mesa and colleagues suggest that the dematerialisation of mediums by digital devices means that 'neither "media" nor "transmedia" are useful categories anymore'.[179] Instead, they hypothesise that 'cross-genre' may be a more precise term. Christy Dena, on the other hand, puts forth that the 'consequences of this levelling of the status of a medium is, ironically, a heightened awareness of the affordances of each medium' in determining the unique characteristics of each medium.[180]

In the same way that the Japanese media mix reorients its scholarship around character rather than notions of medium, the increasing frequency of video games at the centre of these mixes may potentially require another major shift in the field that further incorporates not only forms of interactivity or genre but also the contributions these texts make to a varied experiential canon beyond strict understandings of medium and adaptation. Susana Tosca's perspective on transmedia is specifically influential on the perspective this thesis takes, as she has already moved to incorporate a broader understanding of transmedia: 'transmedial desires are not media specific, but that they ultimately refer to the essence of fictions and our engagement with them as audiences'.[181] Although Tosca has no articulated opinion on how different genres of video games would play into this wide conceptualisation of transmedia, her words suggest that games succeed in fulfilling our transmedia desire, allowing us to inhabit the narrative universe; thus that is sufficient to meet a fan's transmedial desire.[182] While the focus of this thesis is not about redefining or broadening the terms 'transmedia' or 'media mix', nor is it to create a framework to approach video games within the existing transmedia scholarship, it does need to be named *something*; therefore, for the purposes of this thesis, discussions around transmedia and the media mix will use the term 'transmedia mix', incorporating elements of Tosca's broad categories of modal representation and elements of Ito's *kyara* when examining the spin-off texts.

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179 Sánchez-Mesa et al. (2016), p 10.

180 Dena (2009), p 77.

181 Tosca (2015), p 42.

182 Tosca (2015), pp 39-42.

2.5 Conclusion

This chapter has demonstrated how the move from page to pixels is a logical next step within the field of cultural legal studies. Through a close examination of the arguments for a narrativist and ludological approach to video games, this chapter has staked a claim to drawing on both narrative and gameplay as part of cultural legal analysis of video games and their construction of meaning. This nuanced approach to the cultural legal study of video games was linked to the way in which the actual status of the medium of the video game – which itself is arguably multimodal – challenges the idea of transmedia textual analysis with which this thesis is engaging. Through discussion of the interactivity and affordances required by various video game 'genres', it was argued that varied methods of interaction within video games could constitute transmedial texts. I proposed that the term 'transmedia mix' to be used throughout the thesis; this is divergence from Henry Jenkins' prolific characteristics, instead adopting a more fluid approach to transmedia that includes adaptations and a focus on affordance theory. This was followed by a critical consideration of fan studies, which rejected an approach that studies individual fans, instead proposing the study of ways of 'doing' fandom and the artefacts that 'doing' fandom produces, much as one would analyse a canonical text within cultural legal studies. This chapter has therefore provided the basis for analysis of both the canonical 'transmedia mix' of *Persona 4* and its extension within the *Persona 4* fandom, which will be carried out in Chapters 4, 5, and 6.

The focus of this chapter has been to synthesise the fields of gaming studies and fan studies, as well as to provide contextual information on the prevalence and scope of Japanese popular culture. Through the clarification of a hybrid narratology and ludological approach for video games as well as a broad definition of 'transmedia', this thesis is now well situated to address the textual issues of personhood within the canon and fandom of *Persona 4* itself. While *Persona 4* holds engaging commentary on the nature of the avatar – the person – within its coded walls, the avatar is a dual being, not just of import inside the game, but also constantly connected to a player, who is both controlling the avatar and simultaneously being limited by the restrictions of the coded world.

Before diving into the TV World of *Persona 4*, though, this thesis first pauses to look more deeply at the function of the avatar in conjunction with the real-life player.

Chapter 3 explores how conceptualisations of the avatar's controller as a player, gamer and fan may inscribe personhood on the real-world body.

Chapter 3

Players, Gamers, Fans

3.1 Introduction

The cultural legal reading that this thesis will undertake, in the next three chapters, of *Persona 4*, its canonical media and its fan works focuses on concepts of legal personhood, identity and being. While each subsequent chapter uses different mediums and theorists ranging from Lacan to Heidegger to Bataille to articulate how personhood is being constructed by each text in a detailed way, this chapter serves to contextualise legal personhood within the thesis more generally. It marks the way in which the movement of this thesis from player to gamer to fan through its chapters draws out a secondary, metatextual thematic of personhood.

The metatextual macro thematic interrogates the distinctions between identities of 'players', 'gamers' and 'fans' – a difference that goes beyond a squabble over semantics and instead posits that each iteration of player, gamer and fan is a different occupier of the legal persona. Firstly, the player avatar is the empty mask, as first envisioned by positive law, the persona as a device for citizens to play their intended role on the legal stage and an abstract bundle of rights that can be accessed as needed. The avatar is intended to be a blank slate, to conjure the objective, abstract person, yet it reveals underlying characteristics that serve the interests of the white, heterosexual, middle-class, male population. Secondly, the masculine gamer identity that has risen up around the use of the avatar occupies the profit-earning capacity and consumer potential of the legal avatar and the engagement of personhood in the economic world. The economic aspect of the legal avatar privileges what men value and do, and denigrates female work, resulting in a normalised market of male labour and relation to property that is less accessible to women.[1] This notion is reflected in the way that male gamers dominate professional gaming spaces, with the hardcore

[1] Mellor (1997), p 132.

competitive games characterised as male and easier casual games being targeted towards women. Thirdly, the fan seeks to reform the legal mask by changing the way legal rights are narrated. By humanising and giving voice to those without the protection of the legal persona or restructuring the world to be more reflective of themselves or a non-heteronormative paradigm, fans are able to envision alternate worlds of legality that are brought to life. This chapter questions whether it is possible to reconcile the 'gamer' as an icon of male identity, and the feminised 'fan' who creates art, fiction and costumes about games, yet holds no expertise as a 'gamer' or knowledgeable player of the game. This interrogation of gamer/fan identity discourse is undertaken knowingly, because it is through these forms of textual engagement that the self is presented to the world but is also brought back to the self. This external–internal dynamic that occurs through consuming and creating in the world mirrors the operations and functions of the legal persona that becomes critical to a cultural legal studies account of *Persona 4* in Chapter 4.

3.2 Players: The Contoured Avatar

The first occupier of the legal persona discussed in this chapter draws comparisons between the abstract mask of legal personhood, which is designed as an idealised empty vessel that allows beings to access their legal rights and obligations, and the blank avatar that allows players to interact with a game world. From a legal standpoint, personhood has a specific constitutive function that ascribes legal personality to natural persons, corporations, states and other entities. A legal person has the ability to contract, possess property, sue and be sued, and has a unique bundle of rights accessible to them by law.[2] Conflation of legal personality with terms such as 'person' and 'human being' has led to a mistaken belief that legal personality is the right of natural persons – or, even more dangerously, inherent to them. Simon Deakin clarifies that 'it is no more a "fiction" to assign legal personality to organizational structures than it is to grant it to natural persons'.[3] While the constitutive function of legal personality feasibly grants anything legal rights at law, the interpretations of

[2] Gindis (2016), p 499.

[3] Deakin (2012), pp 115–16.

personhood that has spread is predominantly that of the natural person, and more specifically the heterosexual, white, male ideal. Legal personhood considers the person not to be 'an entity, a norm, a pre-existing individual, a subject that the law simply recognises … but rather a distinct legal *operation* with a definite juristic function.'[4] Personhood is an operation, a process, rather than an innate quality inherent within people. Yet, while the legal mask is supposedly available to any and all, critical legal scholarship has identified the invisible characteristics of rationality and the mind that silently mark the legal mask as male, a point that is reflected in the preferential characterisation of the gaming avatar as male.

Legal personhood in its purest abstract form describes the ability of something or someone to bear legal rights and participate in legal relations. The legal mask is a deliberate construct, an empty slot that beings must occupy in order to access and wield their inventory of legal rights. Ngaire Naffine refers to this construction of legal personhood as 'Personality 1' (P1) or the 'Cheshire Cat' because it 'does not depend on metaphysical claims about what it is to be a person'; instead, 'anything can be a legal person because legal persons are stipulated as such or defined into existence'.[5] While Richard Tur asserts that the empty slot of personhood does not have 'any particular contour and so can (and perhaps implicitly does) fit anyone',[6] Naffine notes that the legal resistance to any attempts to fit non-human entities, such as animals, into this slot suggests that the slot is only designed for human beings, not other entities.[7] This category of personhood has seen some development in recent years, with the recognition of places, such as the Whanganui River, as legal persons in New Zealand; however, the centrality of humanity to personhood is still largely maintained.[8] The device of the legal persona has become so central to modern law that this fictional

4 Mussawir and Parsley (2017), p 47.

5 Naffine (2003), pp 350–1. The second quote is attributed to Natalie Stoljar by Naffine in personal correspondence: see Naffine (2003), note 20.

6 Naffine (2003), p 355 referencing Richard Tur's position.

7 Naffine (2003), p 356.

8 Hutchinson (2014).

invention is now tethered to the naturalised concept of the human as legal person and, in time, forgets that that it is there to serve all. [9]

If we envisage the legal persona as a slot or mask that must be occupied or worn for beings to be recognised as legal persons, allowing them to be recognised as a legal subjects and to access their legal rights in the real world, then the avatar of a video game can be envisioned with a similar function in the digital world. The avatar is the vehicle through which a player interacts with a game world, its objects and characters in order to achieve the game's objective. The shape, perspective, abilities, art style and controls of this avatar will undoubtedly vary widely from Mario to Pac Man to a humble Tetromino.[10] The avatar covers over any defining characteristics of the individual player in favour of pure input, and in doing so the player normalises this interaction due to aspects of immersion and a flow state of time.[11] Over time, the player adapts to the avatar's in-game abilities and restrictions (such as being able to double jump, but not being able to triple jump) and they become ingrained as if invisible to the player as the avatar and player merge into a lived, embodied experience.[12] As the avatar and player merge, so too does the flesh and bone human and the masked legal persona merge into one, naturalising the interaction between the two until the difference – the gap between them – can no longer be seen. The acquisition of a video game, for example, is an exercised right to contract with another, entailing requirements of capacity, intention and agreement that expect the legal subject to be a reasonable person who is able to act in their own best interests. In practice – particularly with regard to commercial vendors – the act of entering into a

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9 Mussawir and Parsley (2017), p 45.

10 Namco (1980); Nintendo (2017a); Pajitnov (1984).

11 Csikszentmihályi (1992); Juul (2001); Murray (1997), Chapter 4; Pearson and Tranter (2015).

12 Using a similar platform to play or consume media can also assist with this immersion and the invisibility of the coded structures for progression. This disconnect can be obvious when moving between consoles or platforms for play. For example, take the controllers of the Nintendo Switch and the PlayStation 4. On the Nintendo Switch, the (A) right-hand side button is the submit button (such as to move to the next screen or move the dialogue along) and the bottom (B) button is to return or go back. However, on the PlayStation 4, these actions are swapped, which can add an additional layer of meta-textual separation between game and player – reminding us that the player is merely the operator of an interface and not truly Yu, Link or Mario.

contract and exercising that aspect of one's own legal personality has become so naturalised that is no longer felt as an act separate from the self. The avatar may be a fiction, but it is not fictitious: the legal construct is artificial but very much real in the way that it is necessary for all legal subjects to interact. Both legal personhood and the avatar are designed to assist interfacing with a system beyond the biological, to preserve the autonomy and integrity of individuals, or as a way of solving problems rather than constructing and guaranteeing the identity of a concrete human subject.[13]

Anyone can be a player of a game – it does not require any special skills or knowledge, and it does not require one to even be able to finish the tutorial. My mum can play *Candy Crush*,[14] my five-year-old nephew can play *Pokémon Go*,[15] even my dog, Gidget, can play simple app games where she hits bugs that scurry across the screen with her paw or her nose to squash them. To be a 'player' of a game is not a high threshold to meet, it only requires capacity to interact with the game and respond to the game environment.[16] Jan Grooten and Rachel Kowert explain that a player is 'a temporary, functional status as the role of an interactor one obtains while playing a digital game. This means that a person who has never played a digital game would be considered a player the moment they interact with a game.'[17] It would be onerous, however, for players to expect that the game world was capable of understanding the capabilities and preferences of each player and to adapt the avatar to suit each player's needs. Instead, the avatar is a blank slate that the player must occupy in order to become part of that world, regardless of how skilled or rational that input is. Mario jumps to his doom regardless of whether the player is an experienced player of platform games or a noob,[18] or because the jump button was depressed when the controller was dropped on the floor.

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13 Mussawir and Parsley (2017), p 51.

14 King (2012).

15 Niantic (2016).

16 Juul (2010), p 9.

17 Grooten and Kowert (2015), pp 72–3.

18 A noob is common gaming slang for someone who is bad at the game; it is also written n00b. It is derived from 'newbie' or 'newb', which refers to someone inexperienced at playing the game, or

Unlike the human subject in real life who is constantly covered by their legal mask, the limitations of technology and immersion makes the gaps between in-game avatar and person easily detectable. In particular, awkward control schemes can make the in-game avatar difficult to use or prevent the player from fully exerting their will on the world, revealing the gap between player and avatar. Frustrating gameplay has itself been used as a gameplay mechanic in games such as *Octodad: Dadliest Catch* and *QWOP*, relishing the difficulty players have in skilfully controlling their avatar.[19] However, most games desire smooth controls in order to assist player immersion into the game's universe and design with that intention in mind. As technology advances, video games have turned to hardware such as virtual reality headsets and controllers that literally map the controller to the body for an immersive embodied experience.[20]

Persona 4, much like any other game, provides an avatar and a world for the player to explore, fight, love and die in. The game is preoccupied with questions of identity and acceptance, and while the questions themselves may be more sincere, the answers given within the game are ultimately fixed for players due to the nature of the game. There is little true agency in video games as the medium requires players to be the ideal player who presses all of the right buttons to proceed through the gameplay and story.[21] This is the coded reality of video games, although arguably true agency can be achieved by cheating,[22] or authentic play that uses the game for a purpose other than the intended gameplay.[23] Aside from these moments of transgressive play, in which the player may indulge in a 'symbolic gesture of rebellion against the tyranny of the game' as a way to briefly regain a sense of self outside the avatar, players are largely confined to the expected, intended actions of the implied player in order to advance

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participating in an activity – particularly online. It is considered a derogative term in gaming circles. For more, see KnowYourMeme (2016b).

19 Bennett Foddy (2008); Young Horses (2014).

20 Murray (2017).

21 Sandbox games have little direction and allow great creativity within their coded worlds. Although such games allow for greater freedom than linear games, the player's abilities are still limited to those the developers sought to include.

22 Consalvo (2007).

23 Leino and Möring (2015).

the game.[24] Although the player retains some freedom to move about the virtual space provided they follow the rules and intent of the system, there is little opportunity for true authenticity beyond the avatar. Sebastian Möring and Olli Leino consider the authentic player as one who is negatively free – that is, free from fulfilling the requirements of the game.[25] This idea is grounded in Johann Huizinga's proclamation that the first characteristic of play is 'freedom': play must be a 'voluntary activity'. Yet, no matter how immersive the game may be, coded restrictions that prevent the player from being 'free' in the game world only apply while the player continues to play. A player can always abandon their avatar and cease playing, yet such an option is not available to occupiers of a legal avatar of the real world. In the real world, 'opting out' is not an option. Criminals may have their legal rights reduced as a result of their wrongdoings, but they are never removed entirely, as such an act would render them as 'bare life' or homo sacer – unpoliticised life.[26]

The intent of P1 legal personhood is to be a 'wholly formal and empty slot',[27] an abstract, impartial concept that rejects any individuality and is only brought into existence when this existence is given by posited law. Yet, as Ngaire Naffine has shown with the legal resistance to animals, this seemingly empty slot has contours and ridges, preconceived notions about what and who can be the perfect abstracted legal person. This notion of abstract legal personhood separated from the physical body is difficult to sustain when we live surrounded by sexed beings and cannot think of a person unsexed.[28] Naffine points to this subjectivity and history to explain the cultural conflation with man and personhood: 'when the person materialises, it seems that he is already sexed male'.[29] Not only does the law sex us at birth, it both denies the presence of sex or gender to uphold the idea of neutrality and enforces law in regards to the sex of a person, beyond the legal mask afforded to them. Anna Grear explains that the masculine nature of the abstract legal persona has become the norm through

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24 Aarseth (2007b), p 132.

25 Möring and Leino (2016), pp 3–5.

26 See Agamben (1998), p 77 for the yoking of citizen rights to the human body at birth.

27 Richard Tur (1987), p 121.

28 Naffine (2004), pp 624, 632–6; Naffine (2003).

29 Naffine (2004), p 638.

the disembodiment and naturalisation of the male perspective. In envisioning a body to be masked by law's paradigmatic legal actor, the law almost inevitably is one of a bounded heterosexual male.[30] The male body is one that is 'so comfortable we needn't know it is there, a body that is simply a home for the mind, and doesn't interrupt it, confuse it, deceive it with irrationalism, or bleeding, or pregnancy'.[31] Grear points towards the operation of Western binaries and the associated characteristics as attributing towards the disembodiment of the male subject. Men, who have no such threats to their bodily integrity, become the perfect liberal legal subject, autonomous and independent of others, able to use rational thought to transcend the body and become associated with the mind and reason.[32] With their bodies rendered self-contained and invisible, the law's ideal person – the 'self-possessed and self-reliant, will-driven, clinically rational and individualistic' – is able to emerge from the male body.[33] In opposition to the binary association of males to the mind, women are associated with the body. The boundaries of the female body are permeable and penetrable; their interconnectedness with other bodies through reproduction, sex or breastfeeding makes women a threat to the bodily integrity of the legal person imagined by law.[34]

Through the connection between the rational, autonomous legal person outlined by the legal avatar and the male person who is able to affect this rationality through transcending their body, men become the *subjects who know*, while women remain associated with the body and *objects that can be known.* The in-game avatar is, essentially, a symbolic body that is transcended and manipulated by a rational actor who holds the controller. The body of the avatar is designed to be controlled in a way that will ultimately advance the protagonist through the game world, and successfully

30 Grear (2011), p 43.

31 Ahmed (1995), p 56.

32 Naffine (2003), p 362 describes the Personality 3 (P3) legal person as a responsible legal subject who knows and asserts his rights, and has full legal capacity and understanding.

33 Naffine (2003), p 365.

34 Dworkin (1987), pp 122–3.

complete any challenges or 'bosses' that present themselves along the way.[35] It is an object controlled by a knowing, (usually) intelligent subject. This naturalisation of the disembodiment of men and their legal avatar in the real world may facilitate the 'natural' aspect of men as gamers – as rational subjects who are able to control a fictional, digitised body. On the other hand, women are excluded from rationality through their identification with the body itself. Unable to be acknowledged as a knowing subject (instead of an object to be known) may be a cause of a female gamer struggling to establish their competency within the gaming culture. By invoking notions of a body controlling a body, rather than a rational mind controlling the body, female players struggle with their legitimate claims to the avatar's body, as well as their claims to personhood.

Strangely, the avatarial body is one that is permeable, penetrable and connects the player of the real world to the world of the digital – characteristics that are connected to the female. Yet the prominence of the male avatar or presumed masculinity of default character avatars has also been remarked upon by gaming scholars, game developers and fans alike. Salter and Blodgett point out that a

> disproportionate amount of attention in game studies and culture is focused on minority and marginalized game characters and players (including women) while the 'default' identity of gaming goes relatively unremarked. This attentiveness to representations of the other is valuable, but it also allows the assumptions of white male identity as telegraphed in games to become invisible. The default becomes normal, unmarked, and thus difficult to challenge or contest.[36]

The practical application of this invisible male default can be seen through *Minecraft*'s default avatar of 'Steve'.[37] In developing *Minecraft,* Notch designed the default avatar

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35 A 'boss' refers to enemies of special significance and strength in a video game. They are usually more challenging to battle than ordinary enemies. A boss fight often signifies the end of a level or area of the game.

36 Salter and Blodgett (2017), p 75.

37 Notch was once asked by a fan the name of the avatar character and jokingly replied 'Steve', after that much of the merchandising around *Minecraft* used this name and was adopted canonically.

as a genderless playable character that could be skinned as desired. Following many requests to include a female player character model rather than the standard blocky model, he justified his refusal of including a feminine model on his development blog:

> The human model is intended to represent a Human Being. Not a male Human Being or a female Human Being, but simply a Human Being. The blocky shape gives it a bit of a traditional masculine look, but adding a separate female mesh would just make it worse by having one specific model for female Human Beings and male ones. That would force players to make a decision [sic] about gender in a game where gender doesn't even exist.[38]

Persona 4 does not deviate from the pattern of the male 'default' avatar. The player-subject of *Persona 4* must inhabit the prescribed avatar of Yu, a heterosexual male, in order to engage with the game world in even a liminal sense. Any mediation of the player and content of the game is done through Yu, an avatar intended to be a hollow vessel for the player to inhabit and control as their manifestation of autonomy and input in the digital world. In actuality, though, the avatar is not hollow at all. Instead, it implies a heterosexual, male world-view onto the player through the ability to date any one of your female friends, who will always fall in love with Yu (even if he cheats on them with the other girls) and with no possibility of a homosexual romance. The player does have the option to not pursue a romance, but the game encourages romance through statistical rewards that make progression through the game easier and more rewarding.

In the world of digital media that de-emphasises the human form, gender is more easily alienable from the person than is experienced in day-to-day life.[39] Selecting an avatar (when a choice is given) to represent oneself in a video game allows for performance of gender identity through avatar, or can additionally allow escape from the confines of physical gender in a virtual setting. When given a choice, it has been

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38 See https://notch.tumblr.com/post/28188312756/gender-in-minecraft?is_related_post=1 (accessed April 2019. For more on this topic see Bull (2014), pp 89–90.

39 Adkins (2005), p 121.

found that men are more likely to gender-bend and choose a female avatar for the purpose of the aesthetics rather than any attempt to perform the gender in a safe space.[40] In simpler terms, male players may choose female avatars in order to look at their butts when they play in games with a third person perspective. Even when the 'blank slate' avatar is sexed female, it is still viewed to cater for the needs of men as the default players – which is unsurprising when the majority of game developers are men.[41]

The hollow avatar in both gaming and law is represented as an abstract device that can be operated to achieve a certain result yet still hold implicit masculine markers. These entrenched and privileged characteristics of masculinity obstruct the true utility of the legal persona as being truly representative and inhabitable by anyone without consequence.

3.3 Gamers: Those Who Belong

The second occupier of the legal persona is the economic consumer, who is self-defined in relation to the objects they have acquired. This occupier is also categorised as masculine, the liberal legal ideal of autonomy and bodily independence that allows them to engage fully in the game of acquisitive capitalism. The 'gamer' identity mirrors this consuming ideal, with the subject priding themselves on having the best and latest hardware and the amount of time they spend with these objects, and ultimately turning the consumptive tendency of play into a way to accumulate further.

A gamer is 'a concept that comprises longtime aspects of self-construction and self-perception, as well as individual societal and cultural positioning'.[42] In short, while anyone can be the player of a game in a world full of accessible, quick and easy-to-play games, not all will incorporate this hobby into the construction of their identity. A gamer is an identity that is defined by its consumption of video game media and,

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40 Martey et al (2014); Yee (2014).

41 The latest Australian Bureau of Statistics (ABS, 2017) information on gender ratios in game development put the percentage of women working within the Australian gaming industry at 15 per cent at the end of June 2016.

42 Grooten and Kowert (2015), pp 72–3.

moreover, is an identity that one chooses for oneself as opposed to those identities written on the body, such as gender or race.[43] Nevertheless, the gamer label has become associated with the male gender, in part due to the early push from commercial video game companies to target early adopters of new media. As a result, games pandered to the market of white, middle-class, educated users in order to attract their continued interest and consumption of the technology that the companies produced and sustain their financial success.[44] This initial focus of video games on a male audience has continued onwards, exported by pop culture media such as *The Big Bang Theory, The IT Crowd* and *King of the Nerds*.[45] As a result, the stereotype of the male gamer identity – both those who identify as gamers and those who game developers may target as their gaming audience – is believed to be more male than female.[46]

With males as the ideal controllers of the avatar – both ludic and legal – through their associations with rationality, autonomy and the mind, it follows naturally that their participation in the gamer identity would be more prevalent than for the female population. For West, the intended legal liberal subject is the man, because of the immutable characteristics and permanence of the male body that can seek his own ends without interference or connection to the other through pregnancy or sex.[47] As such, the individual lives of men are fundamentally unconnected in opposition to the connected female; therefore, men exude vital characteristics of autonomous choice and freedom – they are the people legislated in law. For the autonomous being, the only thing that threatens their autonomy is the destructive exercise of autonomy by (an)other: the 'other' can destroy a subject's autonomy through violence, and at the

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43 Shaw (2013), para 1.

44 Jenkins (2006), p 23.

45 Lorre and Prady (2007-Present); Linehan (2006-2013); Electus and 5x5 Media (2013-2015).

46 The actual figures of gender in gaming shows female and male gamers at almost an equal 50/50 split with 46% of gamers female and 54% of gamers as male. Brand, Todhunter and Jervis (2017), pp 6, 12-13. Nevertheless, a strong stereotype of the male gamer remains in popular culture and the dominant presence of males in game development positions often results in games catering toward male interests.

47 Robin West (1988b), pp 2-3.

same time the 'other' fears annihilation of their own personhood in the same way.[48] Law seeks to protect the joint investment in autonomy by legal subjects through rights that value equality, and with all male legal subjects on equal footing, they are competitors and become acquisitive in nature: 'The legal subject, especially after the emergence of capitalism, emerges as a highly acquisitive individual whose most fundamental characteristic is the ability to choose.'[49]

The gaming identity is contained by its precondition of consumption. Before they can identify as a gamer, a person must first purchase or otherwise acquire access to the consoles, cartridges and controllers required to play. The accumulation of property for personal use and enjoyment is part of one's rights as a legal person. To achieve proper self-development as a person, an individual needs control over resources in the external environment.[50] Personhood goes beyond abstract rationality and responsibility attributed to an individual; it also includes a sense of connection with the external world through the acquisition and control of property and personal items that assist in constituting the self. Locke posits that property can assist in establishing one's own continuity as a person through an object's relation to its past as well as the projection of that property into future versions of oneself.[51] Sentimental property such as one's house, car, dog, wedding rings, antiques and memorabilia strongly resonate with one's memories of one's self and one's life, and are not easily replaced.[52] Being bound up with such sentimental objects has been normalised to a degree, yet 'at the extreme, anyone who lives only for material objects is considered not to be a well-developed person but rather to be lacking some important attribute of humanity'.[53] When people fetishise these commodities, becoming subordinate to their property relations to the point where they cannot express themselves without reference to the property under their control, then that property is not constitutive but instead destructive of their identity as a person.[54] Being a 'gamer', in a

48 West (1988b), pp 7–9.

49 Anna Grear (2007), p 524.

50 Radin (1982).

51 Radin (1982), pp 967–8.

52 Radin (1982), p 957.

53 Radin (1982) p 967.

54 Radin (1982), p 969.

sense, is an identity that constitutes the self purely through the person's relationship to game-related property, yet is not entirely shunned as being destructive of a player's personhood. The economic market has responded to the valuation of gaming as property and gamer as an identity by men and responded to its potential for profit rather than its fetishistic properties.[55] If anything, the fetishisation of video games has become valorised through the growing e-sports scene that rewards skilled players with millions of dollars in prizes.[56] Those who do not commit obscene amounts of time and money into playing games to hone their skills or for enjoyment are frequently ostracised by other gamers from using video games as a property that is constructive of their identity.

While Robin West points to the autonomy and independence of individuals as the legal ideal, she also points towards a gap between the official values of liberalism (autonomy and its annihilation by the other) and an unofficial narrative of the self that lies underneath. This alternate narrative explains that people wish to re-establish a connection with the other despite the possibility that it could frustrate one's legal intentions, threaten one's autonomy or ultimately kill him, because what the individual truly dreads is not annihilation, but isolation from the 'other'.[57] In creating a gamer identity, there is a potential tension between the official and unofficial narratives of legal personhood – with people wishing to both connect with the 'other' and belong in a social world against the pronouncement that the ideal legal persona remains separated and owns its own actions. In carving out 'gamer' as an identity rather than as a hobby, Erica Kubik writes that 'in order to belong, there have to be people who don't belong'.[58] She suggests that in constructing the normative identity of what it means to be a gamer, the masculine space of the gamer has won out over the

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55 The economic system prioritises what men value and do, and denigrates and under-values female work, including economic and non-economic activities. See Mellor (1997), p 132.

56 As of May 2018, Epic Games has offered a pool of $100 million in prizemoney for top players of its game, *Fortnite.* This amount more than doubles the previous prize pools offered for Valve's *Dota 2* in 2017. See https://www.cnbc.com/2018/05/21/epic-makes-fornite-biggest-esport-with-100-million-in-prize-money.html. See also Epic Games (2017); Valve Corporation (2013).

57 West (1988b), pp 10–12.

58 Kubik (2012), p 145.

feminised casual gamer.[59] To the hardcore gamer, a 'gamer' is one who demonstrates skill and mastery over the complexities of challenging games, particularly in a competitive arena.[60] So-called hardcore games are, unsurprisingly, dominated by males due to the competitive nature that anticipates two or more equally matched people (mind vs. mind, not mind vs. body), as well as taking on the excessive acquisitive and consumptive tendencies associated with the economic man. This falls in opposition to the casual gamer, who is denigrated for playing games that are easily accessible (such as mobile games), that require little to no skilled play (such as pay-to-win games) and that are considered less demanding of the rational thought of men to play. Such games are a threat to the gamer identity, as gaming increasingly enters the mainstream and is no longer a way for people to separate themselves through a niche and unusual activity.[61]

One highly visible and volatile example of the dominant masculine hegemony within gaming culture that occurred in recent years was the #GamerGate controversy. The origins and intent of GamerGate were a push for transparency in gaming journalism, as well as a refocusing of articles of gaming to move back to the actual games rather than topics of gender, diversity, victimhood and gaming culture. Beginning with baseless allegations about Zoe Quinn, a female game developer, receiving favourable press about her game in exchange for 'sexual favours', GamerGate was a highly contentious movement that alleged women were 'using their sexual wiles to infiltrate and destroy gaming from within'.[62] Over the course of 2014–16, a variety of female video game developers, game journalists and even notable gaming scholars such as Mia Consalvo, Adrienne Shaw and TL Taylor were caught up in a tirade of online abuse, including death threats, rape threats and doxing attacks, where their personal information (such as their home addresses) was illegally published online.[63] However, the vitriolic nature of GamerGate abuse levelled at women in the industry solidified the stereotype of the gaming industry and gaming culture as a place where women are not welcome. By

59 Kubik (2012), p 136; Vanderhoef (2013).

60 Kubik (2012), p 138; Slack (2014); Consalvo (2007), p 4.

61 Golding (2014), p 9 makes this point through the discussion of GamerGate.

62 Salter (2018), p 253.

63 Mortensen (2018), pp 793–4; Salter (2018), p 253.

using 'symbolic violence' through representations of violence towards women in gaming culture and online spaces,[64] the identity of the 'gamer' is ripped from the hands of the marginalised and placed firmly back in the white, male hands of the valorised default legal person:

> From a feminist perspective, Gamergate can be viewed as the response of the default gamer being forced to accept the inclusion of women and increased diversity in game narratives. Also from this perspective, it is a movement that focuses on men's anxieties over losing ground in a once homogenous universe.[65]

The unofficial narrative of the legal subject seeks to pursue connection with the 'other' by aligning themselves with the gamer identity and community. By performing or otherwise expressing one's interest in the gaming community outwardly through shirts, phrases, behaviours, music or using icons on various merchandise, 'one's personal gamer identity not only becomes visible and potentially strengthened through social interactions, but it also provides the opportunity to create a shared identity with one's peers.'[66] It does seem, however, that some of the misogyny in current gaming culture may stem from a desire to connect with others, but only connect with other players equally as competent and interested in the medium – which, by the male definition, limits the potential for connection just to other male gamers. With the male hardcore gamer as the normative gamer identity, those who do not conform to this image often have their validity as gamers called into question. Fox and Tang outline that there is a social cost for women who display their gamer identity within virtual spaces, as female players are more likely to have their competence within a video game questioned, or their legitimacy as a gamer doubted.[67] On the

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64 Gray, Buyukozturk and Hill (2017), pp 4–5.

65 Gray, Buyukozturk and Hill (2017), p 2; Christopher A Paul also writes in depth on the many facets of toxic gaming culture, including GamerGate, see Paul (2018).

66 Grooten and Kowert (2015), p 76.

67 Fox and Tang (2014), pp 314–20; de Winter and Kocurek (2017). For a video montage of a female player of *Rainbow Six Siege* being harassed by her male teammates, see Spawntaneous Gaming (2018) 'What Girl Gamers REALLY Have to Deal With | OMG a Girl Series [1]', YouTube, https://www.youtube.com/watch?v=jL0aVqVslSE.

internet, the challenge that female gamers posed to the gamer identity as a purely male one has spurred the creation of the 'gurl gamer' meme. The 'gurl gamer' meme is one that paints women as only using video games as a way of garnering attention from males or implying that gamers who are female think they are special because they happen to have a vagina and yet can still use a controller.[68]

As Cote neatly puts it, females are

> presented as highly, passionately invested in the world of video games but without necessarily displaying the same skill or power over a game that an active player image portrays. They are fans of gaming rather than gamers, and they tend not to appear as experts, at least in contrast to their male counterparts. This, like their lower representation in player images, affects identity, potentially making it difficult for girls to envision themselves as gamers or part of the gaming community.[69]

Denied their place in the 'gamer' community by mainstream developers who continue to create games for the stereotypical hardcore male gamer and by the community itself, which continues to question the validity of the presence of females within a gaming space, female gamers are rejected as a target consumer market, a 'proper' mind to direct the avatarial body in a sophisticated way, and not autonomous enough to connect with to satisfy the unofficial narrative of the liberal subject. As a result of this constant negotiation and negation of their gamer identity within video games themselves and the surrounding communities, female gamers feel the need to turn to online communities to explore their enthusiasm for their stigmatised hobby.[70] Females have found a safe space to discuss, create and explore their enthusiasm for video games, or other pursuits, in the realm of online fandom and through the creation and enjoyment of fan artefacts.

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68 KnowYourMeme (2016a), pp 80–2.

69 Cote (2018), p 494.

70 Stephanie Orme (2016), p 409 makes this point in relation to females and comic book communities; however, in the article she likens comic community stigma to video game stigma, so I believe the comparison stands.

3.4 Fans: Those Who Don't

The fan is the third occupier of the legal persona that this chapter investigates. Unsatisfied with being covered over by an objective yet gendered formal legal personhood, and unable to compete in an economic sphere that prioritises the values and fetishes of the male gender, fans represent the advocate – the voice of the marginalised who advocates for further extension, inclusion and recognition of different types of legal personhood. This is done through narrating tales of resistance, difference and fantasy within fictional works that provide a canonical 'reality' to rally against, but also the safety of its fictional walls. Fans may not engage knowingly in this advocate role; it is unlikely that fans create fan works with the intention of destabilising traditional legal personhood rather than that of expressing the burning feelings of fandom within them. Nevertheless, through fan practices of inclusion, diversity and difference explored within the critical space of fandom anchored to the source text, fans can be seen to mount a challenge to the masculinely contoured legal person that is constantly present in popular culture. Law has traditionally emphasised the qualities of objectivity and rationality in its subjects and used these characteristics as a benchmark for 'recognising personhood and enabling participation in legal systems'.[71] The fan is more indicative of recent scholarship on personhood that does not prioritise cognition or rationality – the male 'mind' that has been dominant for so long. Instead, emerging discussions on inclusive personhood focus on the 'communicative and semantic aspects of human capabilities'.[72] This premise allows for all citizens to be granted legal personhood, regardless of their rationality, provided they are able to express their will and exercise their legal capacity.[73] Additionally, it seeks to assist those who struggle with such communication to be recognised at law as subjects of law, rather than objects of law to be legislated for. Much of the discussion on the reform of legal personhood focuses on rhetoric and voices – on being able to give voice to those who cannot give it to themselves, such as the ongoing personhood debates around unborn children, animals and those with disabilities.[74] By resisting the

71 Flynn and Arstein-Kerslake (2014), p 95.

72 Flynn and Arstein-Kerslake (2014) referencing a phrase used by Bruce Jenning, p 84.

73 Flynn and Arstein-Kerslake (2014), p 95.

74 Black (2003).

reduction and erasure of undesired or non-conforming ideas of personhood through language and the creation of narratives that reflect these voices, fans are able to express themselves in ways that put their identity, desires or fears at the centre of the discussion.

Fans can be seen as seeking to destabilise the rationality that is at the centre of legal personhood, and instead focusing on identities and lived experiences, calling out for change with many distinct voices. Personhood connects itself to a narrative of identity within individuals and their judicial function through notions of responsibility and autonomy. The legal personhood that constructs individuals and holds them accountable for their actions, and others accountable for theirs by the same creed, is self-narrated in terms of identity. Ricoeur posits that identity is split into two halves that are often confused and conflated against one another.[75] The first half is the *idem*, the immutable characteristics that are constant throughout the self – not only physical and biological markers, but also habits, tattoos and scars, those things that persist about us over time. It is also the understanding of the way a person is perceived and treated by others, and how they are recognised by the 'other' that forms part of this *idem*. This is identity of sameness, the ways in which we are identifiable.[76] The second half is the *ipse*, which refers to those things that evolve and change over time, including personal growth, a sense of human authenticity and uniqueness, and reflexive selfhood. This is the identity of the self, our internal logic, our complexes, emotions and control as a person that fluctuate as time moves us.[77] In order to unite these two different parts of ourselves, Paul Ricoeur uses a theory of narrative identity as a tool to bridge the gaps between *idem* (immutable identity) and *ipse* (changing identity) as a way to provide narrative coherence for our lives.[78] Without a sense of self-coherence, there can be no autonomy, responsibility or sense of obligation, as

[75] Ricoeur (1991), pp 73–4.

[76] Gaakeer (2016), p 307.

[77] Gaakeer (2016), p 307.

[78] Ricoeur (1991), p 77.

there is nothing to tie the actions of our past self to our current self, and the current self to the actions of our future self.[79] As Gaakeer puts it,

> In short, if a being is able to narrate its ipse identity more adequately, this can enhance its possibilities to achieve fully if so desired the personhood of the idem kind that is legal personhood, and, with that, the rights-and-duties-bearing consequences.[80]

Examples of using narration to change personhood include the use of reductive language in cases for reform, such as calling an unborn child a 'foetus' or 'embryo' to dehumanise the candidate and effectively strip it of any normative legal standing attached to personhood.[81] In the same way, corporations also engage in *ipse* narrative life-writing in an attempt to 'humanise' the lifeless personhood of the company.[82] By using CEO autobiographies, the empathetic faces of the companies featured in *Undercover Boss* and marketing pushes of a company's charitable workings to 'humanise' a company, companies can be brought closer to the naturalised legal person despite already having legal personhood.[83]

By learning to narrate through fiction, a creative, productive fan is able to better articulate their identity as an individual. Passive fans – those who experience the fan work from a reader position – may be able to identify themselves with the voice within the text and use the performance of another to self-identify. Where creators of official sequels, prequels and other canonical media tend to follow a pattern of continuity to maintain the fiction of the world and internal logic, fans seek to challenge, explore or rewrite the canon as they see fit. Bailey, using the theory of Appadurai's mediascapes, explains that media offers strips of reality in the form of a 'series of elements (such as characters, plots, and textual forms) out of which scripts can be formed of imagined lives, their own as well as those of others living in other places'.[84] Fan practices are a

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79 Hesni (2013), p 95.

80 Gaakeer (2016), p 307.

81 Black (2003).

82 Lyons (2011), pp 98–9.

83 Lyons (2011), pp 98–9; Lambert (2009–present); see also Peters (2017), pp 445–6.

84 Bailey (2005), p 44 quoting Arjun Appadurai (1995), p 5.

way to perform and construct the self (or the imagined self). Through the destruction of the pre-constructed identity and avatar that popular culture prefers, fans can directly relate their own experiences as fully realised flesh and blood people within the fictional setting. By using elements of the canonical text to reconstruct themselves or their experiences as desired, fans can eschew and alter the restrictions placed on the avatar by the game, such as forcibly identifying with Yu in *Persona 4.* This desire to alter the situation or characters within the *Persona 4* fandom beyond the passive, descriptive role offered within the canon media articulates a desire to ground the characters more viscerally within the unmasked self. Fans are less interested in the empty avatar that will mask their unique, personal characteristics and experiences; instead, they are actively working towards constructing the person behind the mask in a full, experiential way. By using popular media to articulate, construct and test the self, fans are able to resist and alter the default heterosexual male avatar to become something more closely resembling themselves.[85]

In the same way that Robin West identifies an official and unofficial narrative of personhood for men, she also identifies an unofficial narrative of personhood for women. The official narrative for women is the ethics of care – the idea that women value intimacy and connection, the community that men suppress yet crave. For women, the unofficial narrative is one of physical exclusivity, privacy, bodily integrity and celibacy – the aspects that the law celebrates in men.[86] Some of the unique genres that stem from fan works

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[85] *Persona 3* made a brief attempt to bridge the divide for female and LGBTQ+ players. Much like *Persona 4*, the main protagonist of *Persona 3* is a blank-slate male avatar. In porting the game from PlayStation 2 to PlayStation Portable (PSP), Atlus added the possibility of playing as a female protagonist and having the option of dating the male characters of the game (with all new dialogue added), as well as experiencing an implied romance with feminine android Aigis, and being able to date Elizabeth from the Velvet Room. Unfortunately, this port is considered largely uncanonical since the female protagonist is removed from subsequent anime and movie adaptations – essentially erased from the canon as the male protagonist resumes his original place in the story. It does indicate, though, that Atlus is aware of the unmet desire of players to have more agency over their avatars within the *Persona* universe—yet for *Persona 4* and the recently released *Persona 5* in 2017, the male avatar still reigns. Still, the female protagonist from *Persona 3* has been confirmed to make a reappearance in the upcoming *Persona Q2: New Cinema Labyrinth,* which crosses over the universes of *Persona 3, 4 and 5* and may resolve some of the remaining tension for female fans.

[86] Robin West (1988b), p 36.

may be an attempt to achieve this unofficial narrative for women through fiction by shifting the associations of the body and the connectedness of self to the male gender. Categories include 'Male Pregnancy', in which a male character carries a child, 'Alpha/Omega', in which characters (usually men) go 'on heat' in the same way animals do, and even 'Slash' fan fiction, in which male characters are usually shipped together romantically and sexually – including anal penetration. Such genres of fan works may suggest a transformation of the biological grounding of females to connections that challenge the legal personhood of women being fully realised.

For example, the notion that female-dominated fan practices such as creating romance-based fan fiction and fan art are more 'transformative' than the male-oriented spheres of fandom may be explained through the fact that females need to 'perform a kind of intellectual transvestism – identifying with male characters in opposition to their own cultural interests or re-read the texts to speak to their own concerns and interests. Males have easy pleasure in enjoying texts.'[87] In the context of *Persona 4*, such 'intellectual transvestism' can be seen in a fairly unambiguous way through the creation of a female protagonist and exploring her experience in fan fiction or designing a female protagonist and various sprite costumes that could stand in for a male Yu Narukami.[88] Creating a replacement avatar that better represents female players resists the common reality of male avatars, materialising the desire of female fans to not be required to engage in 'intellectual transvestism', but instead to be catered for by the media they consume.

The use of 'reader insert' fiction may additionally be a way to allow women a role in *Persona 4* that is not afforded to them by the default male protagonist: by writing in the second person, a fan is able to imagine an approximation of themselves interacting directly with the characters and universe of *Persona 4*.[89] Occasionally, imagining an approximation of oneself beyond the implied player or person can get out of hand. When fan artists co-construct worlds with idealised, fantasy versions of themselves

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87 Walliss (2012), p 130.

88 Formerly Known as Chabad (2012); DragonAge18 (2015); Drowned_Ophelia (2016). See also the image located at this url: http://25.media.tumblr.com/tumblr_lsme9pTupr1r03fmso1_1280.jpg.

89 Finfy (2017); MeatbunKun (2018); missmiles (2015); Nihilisten (2017).

rather than a more realistic, developed character, they often take on the characteristics of what has come to be known as the Mary Sue trope.

Mary Sues are often flimsy self-inserts for authors who have extraordinary talent, intelligence and looks; they quickly eclipse the characteristics of the main cast. Perhaps unaware of how to create a female character that is able to be competent in the way in which the men in fiction are portrayed, the authors boldly exaggerate the character's virtues. Here is a brief example for the parodic *Star Trek* fanfiction that gave Mary Sue her name:

> 'Gee, golly, gosh, gloriosky,' thought Mary Sue as she stepped on the bridge of the Enterprise. 'Here I am, the youngest lieutenant in the fleet – only fifteen and a half years old.' Captain Kirk came up to her. 'Oh, Lieutenant, I love you madly. Will you come to bed with me?' 'Captain! I am not that kind of girl!' 'You're right, and I respect you for it. Here, take over the ship for a minute while I go get some coffee for us.' Mr Spock came onto the bridge. 'What are you doing in the command seat, Lieutenant?' 'The Captain told me to.' 'Flawlessly logical. I admire your mind.'[90]

This kind of construction is often scorned within fan communities as it creates a vapid and hollow shell of a character into which the creator can project. Fan works can potentially be used as a way of constructing the self by solidifying one's narrative coherence through testing representations of the self in various scenarios. The fictionality of these narrative universes also allow a safe space for fans to test out possible identities outside of their own experience without their own narrative cohesion being threatened.[91] Forced out of the categories of avatar and gamer, the female fan explores her world and herself through the creation of fan texts that enable her to take on a larger role within the world, or otherwise change the narrative universe to her liking. Fiction provides a way for people to identify with the work of others, and simultaneously recognise and constitute themselves through the character

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90 Smith (1974).

91 Warburton (2010), p 134.

or author that created the work. When one recognises oneself in a character or a character's situation, it 'contributes to a self-identity through solicitude and the reciprocity implicit therein'.[92] The fan may see a familiar character depicted as struggling with mental health issues and may identify with their struggle, but additionally the identification with another conversely solidifies their own existence as distinct from the 'other' to whom they relate. The existence of an 'other' gives meaning to their existence, for without this 'other' there would be no need for a self.[93] Through identifying with fictional characters and situations, fans are able to learn to better narrate themselves in the safety of fictional space, not only learning from the similarities between themselves and the characters but also using the identification with the 'other' to help constitute their sense of self as distinct.[94]

Denied the normative identity that has formed around gamers, and the normative identity of male personhood that the law denies yet continues to reinforce, consumers may turn to fan-created texts to represent and legitimise their identities: 'If fans do not see a character or a situation that reflects their reality, they will simply change the circumstances until they do.'[95] By actively using elements of familiar fictional worlds such as characters, settings and plotlines, fans are able to practise narration or articulation (through non-linguistic means) of their identity in a limitless way. Communicating their desires, will and fears in a fictitious form may help fans to assert themselves through narrating their self and experiences as people turn more and more to these alternate narratives offered by fans that go beyond the restrictive male body of the digital avatar or the narrow preconceptions of what a gamer should be.

3.5 Conclusion

This chapter has begun to unpack the most significant legal theme of the thesis: that of the *persona* and legal personality. Chapter 3 has focused on a metatextual conceptualisation of personhood that shows how the medium of video games itself, and its surrounding culture, call into being three types of subject-position that relate to different aspects of the

92 Hesni (2013), p 93.

93 Seidmann (2017), p 1.

94 Hesni (2013), p 81.

95 McManus (2015), p 45.

function of legal personhood. The player was established to be an allegory of the legal persona, in which the materiality of a person must cooperate with a mask or avatar in order to interact with the systems of the real or virtual world. Yet the coalescence between avatar and player, between legal mask and bare life, demonstrates that their difference can no longer be separated from the 'other'. The avatar is only capable of being abstracted from the player because of the player's ability to step away from the controller – a choice not afforded to occupiers of the legal persona.

By contrast, the gamer occupant examines how video gaming spaces have become dominated by images of men, populated by competitive definitions of gaming, and at times threateningly hostile to women who *dare* to play video games. The rationale for the male-focused, competitive and acquisitive edge of 'gamers' is that through defining themselves in terms of their relation to property, gamers have become law's ideal economic man. Interested in acquisition of the latest software, placed on an 'equally' competitive field that pits mind against mind, gaming culture has prioritised those who fit into this mould. While initially understood as a position 'less than' the others in relation to video game culture, the fan represents an opening up of legal personality beyond its masculine gendered qualities. It does this by providing those ostracised from traditional gaming spaces, such as women, non-heterosexual or non-cisgendered, racial or religious minorities, as well as neutrally atypical people, a safe space to play with the boundaries of the avatar through narrating situations and identities that are relevant to them. By challenging the traditionally contoured avatar through divergent stories or art within fandom, fans are able to carve their own identities into the mask to better represent their stories in fiction and reality.

The resonances of player, gamer, fan in relation to occupants of the legal avatar constitute an interaction that is rooted primarily on a metatextual level in the mode of the video game: it is not game or franchise specific. Yet the consideration of the avatar in a video game context continues beyond the metatextual level that politicises the players, the gamers, the fans and the real-life gaming sphere. The content of the game itself also makes representations about the player as subject on a textual level. Using visual and interactive signifiers such as the avatar's art, voice and movement, abilities, and personality traits, the game itself often pushes a preconceived notion of 'self' onto the player through the avatar's character.

Having explored some of the potential and limitations of the avatar on a metatextual level, the next chapter moves to how *Persona 4* constructs notions of personhood through the in-game avatar of Yu in a textual context.

Chapter 4

Legal Personhood in *Persona 4*

4.1 Introduction

This chapter performs the first in-depth cultural legal reading of the thesis, focusing on the text *Persona 4* (2008), the original PlayStation 2 game, and *Persona 4 Golden* (2012), the PlayStation Vita remake released four years later. Using a cultural legal studies approach, the chapter argues that *Persona 4* is a complex retelling of the relation of the subject to law. Borrowing from aspects of game studies – both ludology and narratology, as set out in Chapter 2 – this chapter examines how the game informs notions of personhood on a textual level.

On its surface, *Persona 4,* is a popularisation of Jungian psychology with its animation of shadows, the collective unconscious, and valorisation of the psychical exploration of the self. *Persona 4* establishes the subject, the self, as a unified Jungian whole. This is the subject as monad, a being that has overcome and mastered itself. However, the game repeatedly undermines this asocial account of the subject. Notwithstanding the Jungian tropes and themes of *Persona 4*, the game's emphasis on social links and the importance of community reveal a Lacanian subject, one that is fragmented and lacking. The activities of the protagonist and his friends to uphold the law within an otherwise lawless otherworld cement their dedication to preserving the symbolic order in the face of the forever threatening Real that oozes through and penetrates the safety of the 'real' world. The critical cypher is that of law: law in the normative of the code; law as the mundane normality of high-school life; and ultimately, in the primal law-breaking of the detective and murderer, Tohru Adachi. By drawing on textual elements of *Persona 4,* such as the game's plotline, its forms of interaction, gameplay elements and experience of how the game world is mediated through the protagonist avatar of Yu Narukami, this chapter deconstructs the concept of personhood that the game advertises to reveal its truth.

The chapter begins with a short history of *Persona 4* and its place within the *Megami Tensei* franchise in order to contextualise *Persona 4*. As a spin-off of a spin-off, the gameplay, narrative and style of the *Persona* franchise have been influenced and shaped by the long history of *Megami Tensei.* Following the broader history, section 4.3 provides an overview of the narrative and ludological elements of *Persona 4.* With over 100+ hours of gameplay, a complex narrative structure with branching endings and a large ensemble cast, a clear statement of the game's context is necessary in order to situate the reader prior to analysis. Section 4.4 goes into some depth to establish how *Persona 4* presents a Jungian narrative of the self through examining terminology usage, in-game examples and references, as well as explicit meta-game examples in the special features. Through the perspective of Jung, *Persona 4* seeks to corroborate a monadic, self-contained Jungian individual that functions independent of others. Once the self of *Persona 4* has been ascertained as Jungian, section 4.5 operates to critique this construction of personhood asserted by the game, deconstructing the cracks in the Jungian façade to ultimately reveal a Lacanian self. By working through the narrative and gameplay requirements of *Persona 4*, critical attention is given to how the protagonist (and player) must prevent the destruction of the Symbolic order in the hope to retain their fictive and fragmented selves.

4.2 A Short History of *Megami Tensei*

Persona 4 is a cultural product of Japan's media mix obsession, being the fourth instalment of the spin-off *Persona* series that originated from the *Shin Megami Tensei* universe, which itself is a spin-off of the *Megami Tensei* series, known as '*MegaTen'* for short. Any attempt to trace the influence and place of *Persona 4* in relation to the full *MegaTen* universe that spans across approximately 50 games, 14 animated series/movies and eight separate manga series would be a leviathan task, and not necessarily beneficial to the analysis of *Persona 4* performed within this thesis. This brief history makes no such attempt, limiting itself to key texts that helped establish the setting, gameplay and themes of *Persona* 4. It should be noted, however, that many of the *Persona 4* texts do cross over with other instalments in the *Persona* franchise, such as *Persona 3* in *Persona 4 Arena* (2012),[1]

[1] Atlus and Arc System Works (2012).

Persona 4 Arena Ultimax (2013),[2] *Persona Q: Shadow of the Labyrinth* (2014),[3] *Persona Q2: New Labyrinth Cinema* (2018)[4] and *Persona 5 in Persona Q2: New Labyrinth Cinema* (2018). These texts will be dealt with appropriately within Chapter 5, as it becomes relevant to the analysis.

The genesis of the entire *MegaTen* franchise was the novel, *Digital Devil Story: Goddess Reincarnation*, written by Aya Nishitani and published by Tokuma Shoten Publishing in 1986.[5] Nishitani's *Digital Devil Story* began as a post on a science fiction (SF) bulletin board system (BBS). Encouraged by other users to expand and develop his story, Nishitani complied and the tale was serialised monthly in Softbank's Oh!PC magazine during the 1980s. In 1986, Nishitani released a trilogy of full-length *Digital Devil Story* novels: *Goddess Reincarnation*,[6] *Warrior of the Demon City*[7] and *Demise of Reincarnation*,[8] which birthed the legacy of games, manga and anime in the (*Shin) Megami Tensei* and *Persona* franchises, as well as many others.

Blending science fiction with elements of cyberpunk, mythology and technological horror, the *Digital Devil Story* novels follow genius programmer Akemi Nakajima, who successfully creates the Demon Summoning Program, a computer program to summon and control demons. Nakajima initially contracts with 'demon' Loki to kill his high school enemies; however, he quickly finds himself losing control as Loki gains strength. With a little help from the enthralled Ohara, a teacher who was an offering to satiate Loki's carnal desires, Loki is able to manifest a physical body without Nakajima and vows to take over the human world. In mortal danger, Nakajima and his crush, Yumiko, awaken to their true identities and power – that they are the reincarnations of the Japanese gods Izanagi and Izanami, the creators of Japan. Over the course of the

2 Atlus and Arc System Works (2013).

3 Atlus (2014).

4 Atlus (2018a).

5 Nishitani (1986a).

6 Nishitani (1986a).

7 Nishitani (1986b).

8 Nishitani (1988).

trilogy, Nakajima and Yumiko defeat Loki and an Egyptian god (Set),[9] fight a prophecy with Lucifer, battle in outer space wielding a flaming sword and choose love over humanity's salvation as all cheesy sci-fi protagonists inevitably must. Regardless of its pulp fiction origins, the original theme of love, friendship and the courage of humans to overcome a demonic threat to the world is still very much intact even 30 years after publication in successive media. *Persona 4* was released nearly 30 years after the conception of the original *Digital Devil Story* novels and games, yet the unique fusion of mythology, technology and teen rebellion remains thematically present and is continuously re-hashed in each new instalment of the *MegaTen* series.

In tracing a more direct path to *Persona 4*, the actions of Raidou Kuzunoha XL in *Shin Megami Tensei: Devil Summoner: Raidou Kuzunoha vs. The Soulless Army* (2006)[10] spawn the alternate timeline in which the first two *Shin Megami Tensei* games are set.[11] Following the opening of a portal to the realm of demons in Tokyo, a nuclear missile is launched in Tokyo with the intent of closing the portal. *Shin Megami Tensei* (1992) and *Shin Megami Tensei II* (1994) are based in a post-apocalyptic world where the nuclear missile was launched but the portal failed to close, resulting in a world overrun with demons. The events of *Raidou Kuzunoha vs The Soulless Army* (2006) follow an unhappy Raidou Kuzunoha XL, of the Kuzunoha clan sworn to protect Tokyo, to travel back in time to change the events of the past. Raidou Kuzunoha XL prevents the missile from destroying Tokyo, which led to the events of *Shin Megami Tensei I* and *II*, leaving an intact Tokyo in its place. In the absence of the catastrophe that destroyed Tokyo city, the undamaged Japan provides a backdrop against which *Shin Megami Tensei: If …* (1994) and the *Persona* games take place.[12] *Persona 4* (2008) not only

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99 Rodrigo B Salvador has written on the presence of Egyptian Gods within the *Shin Megami Tensei* series, lamenting the lack of Egyptian Gods in comparison with Greek/Romanic Gods. Salvador (2015). It is interesting to note that Salvador excludes all of the *Persona 4* spin-off games, focusing only on the main title games in the franchise.

10 Atlus (2006a).

11 Although *Devil Summoner: Raidou Kuzunoha vs The Soulless Army* came out over 10 years after *Shin Megami Tensei I* and *II,* it retroactively explained the existence of the undestroyed Tokyo that existed in *Shin Megami Tensei If…*. See Atlus (1992); Atlus (1994a).

12 Atlus (1994b).

takes place in an altered timeline from the main *Shin Megami Tensei* games, but the events of *Persona 2: Innocent Sin* (1999) further split the timeline into another parallel universe.[13] *Persona 2: Innocent Sin* ended the game with the protagonists bartering with a powerful being, Philemon, to save their friend, Maya, from imminent death. Philemon's terms in exchange for Maya's life were that the timeline – one in which they had just destroyed Nyarlathotep (the main antagonist of the series) – be erased and that they be placed in a new timeline where the protagonists had never met. *Persona 2: Eternal Punishment* (2000) follows the characters in this new alternate universe in which they never met as children, with one of them who retained memories of the other timeline seeking to destroy Nyarlathotep once more.[14] Subsequent *Persona* games*, Persona 3* (2006) and *Persona 4* (including spin-offs) take place in this alternate universe of *Persona 2: Eternal Punishment*.

Atlus's repetition of the dramatic 'end-of-the-world' plotline in each iteration of the *MegaTen* games is likely a testament to the success of previous instalments. *Shin Megami Tensei III: Nocturne* (2003) provides a canonical reason for this recurring tale of destruction and salvation.[15] According to *Nocturne*, all universes connected by the Amala Network (a web of alternate timelines and universes in which all of the *MegaTen* games take place) are bound in a perpetual state of destruction and rebirth.

By tracing the lineage of *Persona 4* through its predecessor games such as *Digital Devil Story, Shin Megami Tensei If …* and the variations of *Persona 2,* a running thematic of love, friendship, and supernatural demons in the *MegaTen* universe becomes visible. *Persona 4* continues to build upon this thematic legacy within its gameplay. Figures 1 and 2 seek to contextualise the place of *Persona* and its related video games within the larger franchise of the *MegaTen* universe.[16]

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13 Atlus (1999).

14 Atlus (2000) *Persona 2: Eternal Punishment*, PlayStation and PlayStation Portable.

15 Atlus (2003).

16 This chart of the games in the *MegaTen* franchise is current as of February 2019. At this point in time, *Shin Megami Tensei V* has been announced as in development for the Nintendo Switch but there is no confirmed release date. Additionally, *Persona 5 The Royal* as well as an unknown project by the name of *'P5S'* were announced in April 2019; however, virtually no information is yet available about either game.

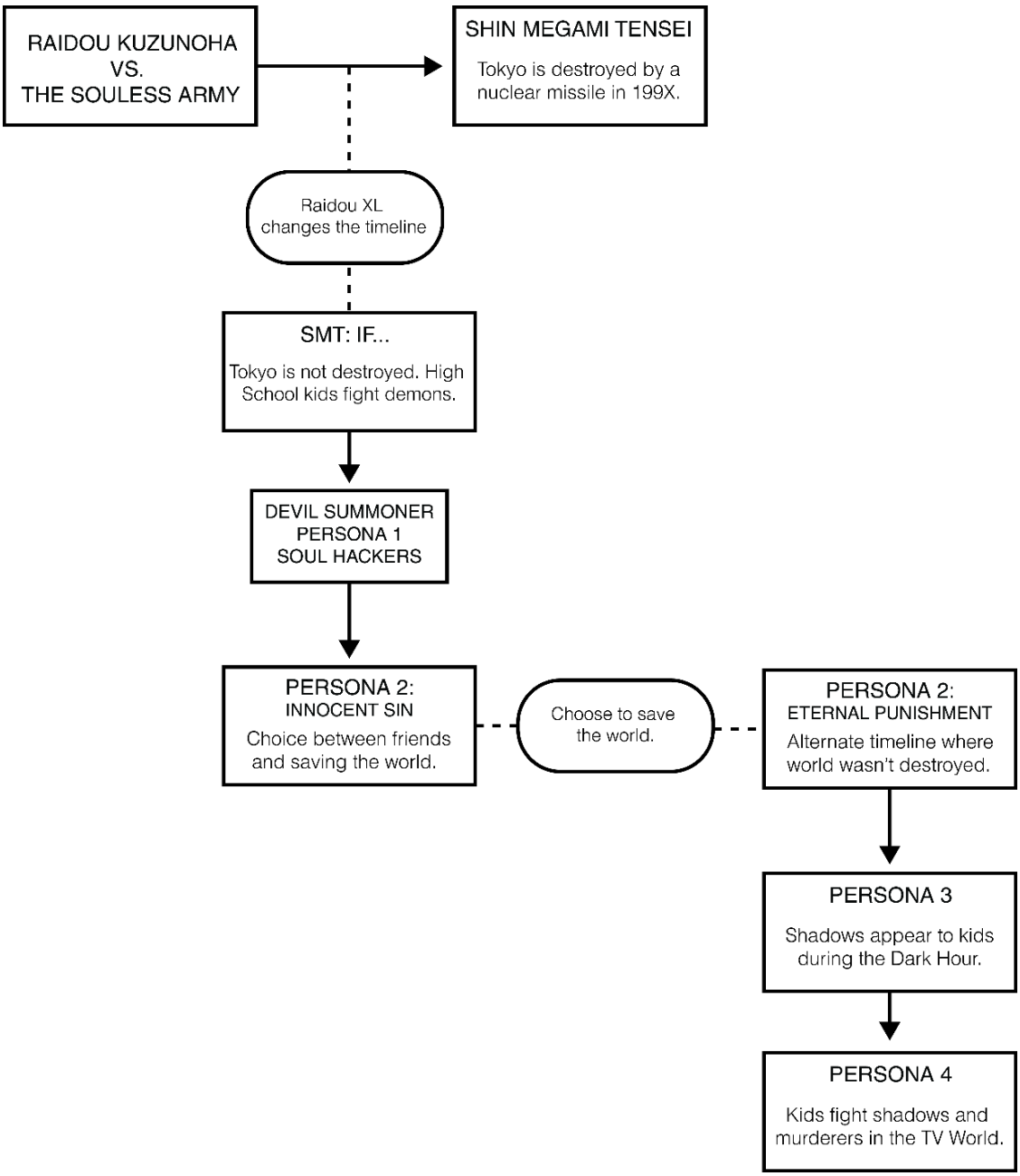

Figure 1: Simplified persona timeline up to Persona 4[17]

[17] Figure 1 and Figure 2 were created by the author.

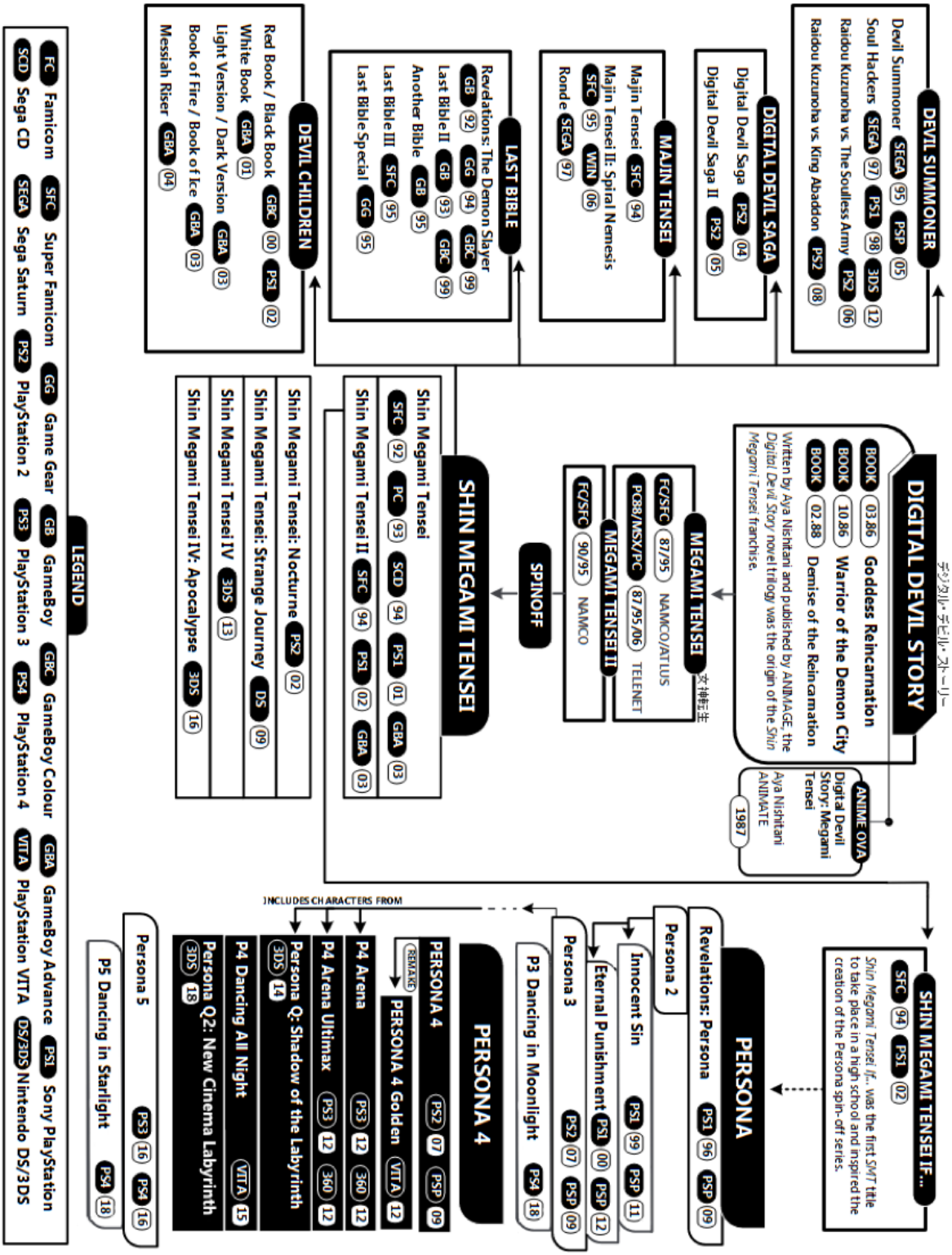

Figure 2: An overview of the Megami Tensei universe

Persona 3 (2006),[18] more than any of the other *Persona* games, had a strong influence on the content and gameplay style of *Persona 4*. Rather than operating like a traditional RPG, *Persona 3* embraces the full high-school experience, including options to join a school club, get a part-time job and improve your friendships with your classmates through various activities.[19] This emphasis on socialising with others and balancing daily activities with the more fantastical obligations of the game's protagonists has been adopted by *Persona 3* (2006)*, Persona 4* (2008) and *Persona 5* (2016),[20] making friendship and the Social Link mechanic as characteristic of a modern *Persona* game as the dark and the demons.[21]

4.3 A Short Overview of *Persona 4*

Persona 4 (2008) is undoubtedly one of the happiest, most upbeat games about a group of school kids hunting down a serial killer with their supernatural powers ever made. A vivid yellow colour scheme pulses through the jazzy opening sequence of *Persona 4 Golden* (2012) as the characters groove to the music on floating strips of rainbow. The unspoken promise is that of an enthralling, bright and mischievous game. Even the murder victims on display in the opening scenes are in stunning technicolour, their awkward poses easily mistaken for break-dancers with some *killer* moves.[22]

By all accounts, the introduction dupes the player into believing that *Persona 4* will be more mischief than murder, yet with 60 to 90 hours of gameplay that is bursting with emotionally charged moments, relatable characters, gods, murderers and monsters from a surreal otherworld, *Persona 4* is a game brimming with hidden depth.

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18 Atlus (2006b).

19 Part-time jobs are only available in *Persona 3 Portable*. *Persona 3* introduced the Social Link mechanic, which was adopted by *Persona 4* and *Persona 5*.

20 Atlus (2016) *Persona 5*, PlayStation 3 and PlayStation 4.

21 For more on game conventions in *Persona 3*, see Harper (2011).

22 See, for example, AtlusUSA (2012) 'Persona 4 Golden: Opening Movie', YouTube, https://www.youtube.com/watch?v=7H5pYCw4ET4, (accessed 19 August 2019), 00:00:52, 00:00:57, 00:01:01.

The narrative plotline of *Persona 4* focuses on the collision of two worlds: an ordinary Japanese high school and a fantastical supernatural realm that is concealed within the television screens of a small rural town known as Inaba.[23] The plot follows Yu Narukami, a city boy who has just moved into town to live with his uncle while his parents are overseas. Not long after Yu's fateful arrival, tragedy strikes Inaba when a murder victim is found hanging by her foot from an electric power pole. Following the murder, rumours circulate that the murder victim, a TV reporter known as Mayumi Yamano, was seen on the mysterious Midnight Channel, a channel that (surprise, surprise!) can only be viewed at midnight on rainy nights. During a late-night viewing of the Midnight Channel, Yu discovers that not only is this channel real but that he has the inexplicable power to enter a world within the television set.[24] Aided by his newfound school friends Yosuke Hanamura (a cheerful former city boy), Chie Satonaka (an athletic, karate-loving girl) and Yukiko Amagi (a demure girl who is heir to Inaba's famous inn), Yu quickly surmises that Mayumi Yamano's appearance on the Midnight Channel and subsequent kidnapping and murder mean that the Midnight Channel must be broadcasting the killer's next intended victim. After another body turns up the following day, that of high-schooler Saki Konishi who was broadcast on the Midnight Channel the night before, Yu and friends enter the TV otherworld to discover what connection the Midnight Channel has with the murders.

Inside the television (known as the TV World) Yosuke, Yu and Chie are met with a surreal landscape blanketed with fog and inhabited by 'shadows' who must be fought using the power of persona. A persona is gained by confronting, acknowledging and accepting one's own shadow, the embodiment of their darkest, deepest repressed thoughts, yet it is a power that Yu strangely already possesses. One by one, Yu's friends join forces to hunt down the serial killer, earning their personas to help save the kidnapped would-be murder victims, and a friendship blossoms among the wayward group.

Persona 4 is a hybrid of a visual novel and a Japanese role-playing game (JRPG). The role-playing game elements such as questing to achieve in-game objectives by means

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23 For a brief video overview of *Persona 4*, see Game Trailers (2012) 'Persona 4 Golden – Review', YouTube, https://www.youtube.com/watch?v=iHNDjqmfRsw (accessed 2 April 2019).

24 This scene is the one featured at the beginning of Chapter 1 of this thesis.

of battling, levelling characters, purchasing equipment and so on provide a suitable immersive context and agency within the game environment.[25] Notable examples of other Japanese RPGs include *Final Fantasy, Pokemon, Dragon Quest* and *Shin Megami Tensei*, each containing a turn-by-turn battle system, party members and experience points to level up – all of which have become hallmarks of the RPG style.[26] Beyond the RPG aspect of the game, the 'story' of *Persona 4* is articulated within the genre of the visual novel. For those unfamiliar with the genre, visual novels are exactly what their name would suggest: novels of written text often fused with voiced dialogue, music and a mixture of 2D and/or 3D graphics that seek to foster an emotional connection with the characters.[27] Visual novels offer the player the illusion of agency within a fictional world by providing 'alternate and intersecting story arcs' that tailor the player's experience to their choices. As a genre, visual novel games tend to be heavily scripted and far more narratively prescriptive than other games.[28]

In conformity with the genre, *Persona 4* has seven achievable endings: three bad, one neutral, two true and, exclusive to the PS Vita remake, the accomplice ending.

- *Bad ending 1:* Adachi is never caught, Namatame is killed and Nanako dies.
- *Bad ending 2:* Adachi is never caught, Nanako lives but Teddie leaves forever.
- *Bad ending 3:* Adachi is never caught but Nanako lives.
- *Neutral Ending:* Adachi is caught but Izanami is not identified as the mastermind.
- *True ending***:** Adachi is caught, and Izanami is identified and defeated.

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25 Poole (2000), pp 40–2.

26 Turn-by-turn battle systems refer to a style of battle that is not immediate and fluid, but rather slow and strategic. Turn-by-turn gameplay encourages players to think about their moves, try different techniques and level their party members or improve their gear should they struggle to win the fight. The most recent instalments to the listed franchises include *Square Enix* (2016), *Square Enix* (2017) and *Atlus* (2013).

27 Anne Allison (2013), p 101 uses the term 'techno-intimacy' when describing the feelings that players experience for the technological approximations of people (or animals or objects). By following the branching 'choose-your-own-adventure' style paths to influence the story and choosing which characters you wish to get to know, visual novels work well to foster techno-intimacy. For this reason, visual novels commonly have a romance thematic in their story.

28 Cavallaro (2009), pp 1–3.

- *True ending (Golden):* Adachi is caught, Izanami is defeated, and Marie is helped.
- *Accomplice ending:* Yu destroys the evidence needed to convict Adachi.

The visual novel portions of *Persona 4* almost entirely restrict the player's ability to freely act, relegating the player's input to single button presses to advance the text and making the choices that alter the narrative's storyline.[29] The limited actions on offer to the player in the highly linear structure of *Persona 4* allow a little more lenience in terms of relying on plot points than would otherwise be encouraged in other game genres, given that the main storyline must not only be experienced in order to progress, but that each player's experience unfailingly differs minimally between playing through these sections.

In order to interact with the game world, the player must completely submit to the physics, controls, technical specifications and logic of the digital space; this is the nature of the coded world. *Persona 4* presents itself as a world of choices, as is typical of the Japanese visual novel genre, and the game tantalises the player with its possibilities. The game appears open, porous and plastic: 'date Rise, date Naoto, date whoever you want to!', 'join a club! get a job, or don't, whatever!' The game insists on choice, but ultimately, any choices allowed, any freedoms to be enjoyed, are predetermined and immutable.[30]

In contrast to the grim themes of Inaba's serial murders, *Persona 4* also contains many frivolous, light moments that embraces the social life of a typical high school student, including a school camping trip where Yu and his friends cook together, tell ghost stories and try to peek at each other naked. Valentine's Day, Halloween and Christmas events, a school sports festival, a cultural festival where the male characters enter a cross-dressing contest and playing drinking games at a nightclub all form part of the ordinary lives of the main cast. These events, in addition to the ordinary slog of classes,

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[29] The emphasis of visual novels on story and their limited player interaction resonates with the ludological statement of Greg Costikyan (2000), p 40: 'The story is the antithesis of game. The best way to tell a story is in linear form. The best way to create a game is to provide a structure within which the player has freedom of action.'

[30] I experienced the disappointment of *Persona* 4's limitations at first hand when I tried to date tough-on-the-outside, gooey-on-the-inside Kanji Tatsumi. As the protagonist was male (and heterosexual), Kanji and I were, alas, destined to be nothing more than friends.

part-time jobs and hanging out together at the local superstore all encourage tight bonds between Y(o)u and the other characters in the game.

The plotline and gameplay of *Persona 4* have an overarching, recurring thematic of duality. The narrative and game mechanics set up a diametrically opposed paradigm through the difference in gameplay between Yu's 'normal reality' – that of schools and sweethearts – and the dark, murderous TV World, where failure to beat the boss has deadly consequences. Cementing this difference is the vivid contrast between the comparatively light and banal social events undertaken as a part of 'ordinary' life and the fatal stakes, monstrous shadows and unnerving doppelgangers of the TV World. This duality is mirrored in the gameplay, with the RPG elements of the game restricted to the TV World, and the emphasis on visual novel style dialogue choices and stat-raising activities within the normal world. Nevertheless, this dichotomy of light and dark, good and evil appears to be an unbalanced one. While certain connections and social events must be completed to progress in the ordinary school world, these events are, more often than not, voluntary. For those who seek to get closer to their crush, to earn money tutoring a student or help a friend from the basketball club overcome their personal demons, every opportunity is afforded to them. Equally, if the player wishes the protagonist to deny all invitations to socialise and stay in their room during free time, they have a limited ability to do so. Engagement with the social aspects of the game is not strictly mandatory, although it is encouraged. The TV World, however, provides no such luxury of choice. Failure to enter the TV, fight actual demons and rescue one of the kidnapped victims results in a game over, and a magical 'time warp' back one week in time so you can undo your mistakes. Furthermore, the defeat of the bosses requires time, patience and skill. It is from fighting and battling that the main challenge of *Persona 4* stems; the visual novel sections can be advanced with an unthinking repeated press of a button. Yet, without the time spent socialising with other characters and improving your skills and Social Link points, the narrative twists would pack less punch. Without affection for Nanako, the player would not be moved by her death. Without a rapport with Adachi, the player would not curse his (sudden but inevitable) betrayal. It is within the context of these two, dual realms, which are both interlinked and opposed, that the following analysis and account of the subject is situated.

4.4 The Subject and Jung in *Persona 4*

The process of 'reading jurisprudentially' is not an exact science. In his book *Novel Judgements: Legal Theory as Fiction*, William MacNeil outlines his approach to reading jurisprudentially by identifying patterns of 'subtextual similitude between the literary and legal text' in order to draw out a juristic meaning from the text.[31] These connections between law and popular culture, whatever the medium, are not always obvious:

> More often than not, they are encoded as a-legal persons (damsels in distress, penniless suitors, well-meaning benefactors, unscrupulous and thwarting relations) and places (stately homes, castellated redoubts, haunted houses); and are figured in a range of plot devices, all turning on desire: happy marriages *mésalliances*, unrequited love, wanton dalliances. Law, if present at all here in any substantive way, is often figured, subtly, even elliptically – in a range of *things*: a lost deed, a long hidden testimonial, an unusual 'law-hand'.[32]

By identifying legal concepts that resonate with a fictional text's motif, characters, imagery and so on, it is possible to analogically render 'a setting as a site of natural law, a character as an embodiment of positivism, and so forth'.[33] Once a site of law has been uncovered in one of its many possible forms, the analogical becomes analytical, generating a new intertext that reinterprets the jurisprudential concept to its logical fictional end.[34] Unlike many of MacNeil's fictional conquests, identifying the 'subtextual similitude' in *Persona 4* is surprisingly simple because the consideration of the self is actively solicited by the game.[35] The *Persona 4* franchise is laced with the deliberate and evocative psychoanalytic terminology of Swiss psychotherapist Carl

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31 MacNeil (2011), p 14

32 MacNeil (2011), p 15.

33 MacNeil (2011), p 14.

34 MacNeil (2011), pp 14-15.

35 However, it is not asserted that jurisprudential readings are limited to a singular 'expert' reading, but rather that by taking up the invitation proffered by the game, an obvious jurisprudential method of examining *Persona 4* emerges.

Gustav Jung, and encourages the player to a consider a psychoanalytical – although admittedly not legal – account of the subject. *Persona 4* dexterously weaves a strong Jungian thematic throughout the narrative content of the game. The explicit and deliberate use of Jungian terminology – 'persona', 'shadow', 'complex' – are more than mere semantics in *Persona 4*, with these concepts of ego, persona and the confrontation of one's own shadow forming the beating heart of the narrative. *Persona 4 Golden* unabashedly marks the importance of this Jungian connection in the extra material through a 10-part mini-lecture series about Jung, and by doing so, deepens understanding and anticipates Jungian interpretations of the game's content.[36]

This chapter accepts *Persona 4*'s open invitation to consider the self through Jungian psychoanalysis, examining how the structure of shadows, personas and the unconscious as represented by the game's characters contribute to an understanding of the self as monad, a solitary unit that contains its own shadows, personas, anima/animus and conscious/unconscious mind. However, this chapter also seeks to challenge the expected reading of Jung's self through identifying a subtextual similitude between the social link game mechanic and Lacanian psychoanalysis. By identifying some key moments where the Jungian analogy fails, it is revealed that *Persona 4* actually details a self that is fragmented, a subject that is constructed through others and, ultimately, a subject that reinforces the legal, Symbolic order against the threat of the Real. While the inquiry into the legal subject as the Lacanian subject *par excellence* – the subject that is barred from itself – is the focus of this chapter, it is first necessary to take a quick detour through the establishment of the Jungian self before it is possible to reveal this account of the subject as illusory. Brown warns that cultural legal scholarship treads dangerous ground when analysts remain too descriptive, slipping into a retelling of the legal story within the narrative rather

[36] ZetaMage (2015) 'Persona 4 Golden {PS Vita} – The Beginner's Guide to Jungian Psychology', Youtube, https://www.youtube.com/watch?v=v3VxnGVMtIw (accessed 19 August 2019).

than engaging in substantive analysis.[37] The following section will therefore endeavour to be succinct in its discussion of the Jungian thematic of the legal subject.

In thematising *Persona 4* through Jung, notions of identity, individuality and the subject, it is important to understand some of the key characteristics of Jung's human subject. For Jung, the highest goal that one can attain in life is achieving 'the Self', 'for it is the completest expression of that fateful combination we call individuality'.[38] An individual wishing to become the Self and replace the conscious ego as the centre of their personality with a more fully rounded understanding of their own self must undergo a process called 'individuation':

> Individuation means becoming a single, homogenous being, and insofar as 'individuality' embraces our innermost, last and incomparable uniqueness, it also implies becoming one's own self. We could therefore translate individuation as 'coming to self-hood' or 'self-realization'.[39]

The process of individuation is a 'mutual integration of conscious and unconscious', pointing toward a subject who is inwardly whole but has buried pieces in their unconscious mind that are waiting to be unearthed and reconciled with the conscious ego.[40] Within *Persona 4*, the ego is the primary personality of the characters that are expressed within the ordinary world. Encounters with their personas and shadows do not begin until the TV World bridges the conscious and unconscious minds of the protagonist and his friends, allowing them to see deeper within themselves in an outward way, rather than through inward introspection.

The concept of a persona, by Jung's theorisation, is a functional psychological complex that exists to mediate the relationship between the ego and the outside world. Derived from necessity and convenience, the persona acts as 'a compromise between

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37 Brown (2003), p 34. This remark was made in the context of the legal analysis of film specifically; however, it is an equally fitting comment for the cultural legal analysis of any popular culture text.

38 Jung (1953), p 238.

39 Jung (1966), p 171.

40 Jung (1954), p 314.

individual and society as to what a man should appear to be'.[41] The Jungian persona operates with a dual function in psychoanalysis: it is both 'designed on the one hand to make a definite impression upon others, and, on the other, to conceal the true nature of the individual.'[42] While the persona theoretically exists to protect others from seeing the nature of the true individual, by protecting against undesired characteristics often harboured in the shadow, within *Persona 4* the characters must bare all in front of their friends before they are able to earn a persona within the game. Traditionally, in Jungian psychology, there is no need to accept one's shadow, as is required by *Persona 4*, before a person is able to manifest or use a persona. However, as a game, *Persona 4* requires each character to bare their soul to the protagonist and the other characters present, as well as to accept their shadow before the 'power of persona' is accessible. *Persona 4* may require the acceptance of one's own foibles, a strengthening of the conscious ego by acknowledging undesirable traits of the self, prior to the winning of a persona, to ensure that the gain of a 'façade used to overcome life's hardships' does not overcome the individual itself.

For a maladjusted individual, the persona becomes a mask to hide behind – an impenetrable identity that interacts with the public rather than the gentle buffer it provides for the well-adjusted individual.[43] The persona of the *Persona 4* games, unlike its psychoanalytic counterpart, has been weaponised and is called upon to take down the shadows of other characters. Although in Jungian psychology the process of facing one's own shadow is done introspectively, in *Persona 4* it is the personas of others that are used to fight the shadows of a character. For example, Yu, Youske and Chie are the only characters able to fight Yukiko as they are the only ones to have already faced their shadow and unlock their personas at that point in the game. After Yukiko accepts her shadow, she is able to assist in later dungeons using her newly gained persona. Contrary to its Jungian roots, the shadow and persona are not able to coexist; instead, the shadow of the *Persona 4* universe becomes the persona once the shadow self is accepted.

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41 Jung (1966), p 158.

42 Jung (1966), p 305.

43 Jacobi (1973), p 28.

The shadow is the personified self that contains all of our negative, undesirable or unlived traits, the 'dark side' of ourselves that we 'reject for ethical, aesthetic, or other reasons, and repress because it is in opposition to our conscious principles'.[44] Despite our inclination to ignore our own faults, Jung tells us that, 'Mere suppression of the shadow is as little of a remedy as beheading would be for headache.'[45] As a work of the fantasy genre, *Persona 4* does not explore the shadow through allegory, but instead insists on the transformation and doubling of the characters as a literal happening.[46] The shadows are one of the enemies that exist within the TV World – the realm of the unconscious – within *Persona 4*, and are represented firstly as a doppelganger with unnatural yellow eyes and secondly in a monstrous symbolic form; thirdly, once defeated, they are subsumed back into the conscious self, transforming into a persona – a being that can protect the self from the other shadows that roam the unconscious landscape.[47]

The shadows of *Persona 4* are demarcated as 'other' or 'evil' through their uncharacteristic behaviour, both on the Midnight Channel and within the TV World. For example, the demure and responsible Yukiko becomes promiscuous and flighty, her shadow identified as evil 'precisely because of his/her difference and a possible power to disturb the familiar and the known'.[48] The shadow self is othered on the basis that it constitutes a 'very real and urgent threat' to the character's established existence in the 'ordinary world'.[49] The danger to the self is not an external, uncontrollable threat; rather, the danger exists in the repressed 'evil' that lies within.[50]

The shadows depicted in *Persona 4* are physically split from the ego within the TV World. The doppelgangers are increasingly othered from their human form when they are rejected by their conscious selves and mutate, changing into something more

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44 Jacobi (1973), p 110.

45 Jacobi (1973), p 130.

46 Jackson (1981), p 85.

47 For example, see RandomPl0x (2013) '[HD] [PS Vita] Persona 4 Golden – Boss: Shadow Yukiko', Youtube, https://www.youtube.com/watch?v=gDEahoJgSUg&t=723s, (accessed 19 August 2019).

48 Jackson (1981), p 53.

49 Jackson (1981), p 52.

50 Jackson (1981), p 56.

monstrous. The monstrous forms of the characters are heavily emblematic of their inner struggles as the repressed feelings that threatened to overwhelm their emotions literally overwhelm their human bodies.

For Yukiko, the monologue of her shadow reveals that she is reluctant to inherit the responsibility of her family's well-known *ryokan*, a traditional Japanese Inn. Yukiko's frustration stems from a lack of control over her own future, and her desire to escape the responsibility being foisted on her by her family, a gripe that manifests itself in her monstrous form – the caged bird. Nevertheless, by acknowledging that the fears, desires, hatred or other repressed emotions that the shadows are espousing are in fact their own struggles, each character accepts their shadow as a part of themselves and the character is restored to unity.

Persona 4 animates the process of individuation through its characters by creating a fictional space in which the battle for the self can be viewed. As has been demonstrated above through a combination of Jungian psychology and the examination of a simplified psyche within *Persona 4*, the journey of the Self that *Persona 4* represents is intended to be a Jungian one. Borrowing from concepts of the ego, the persona and the shadow, *Persona 4* uses these concepts to parade the establishment of the subject as a unified, individuated whole in a spectacular, immersive experience.

4.5 The Subject and Lacan in *Persona 4*

Persona 4's account of the Jungian unified subject, the Self as an individuated whole is actively invited by the narrative of *Persona 4*. Examining this assertion more closely, however, the text itself does not support a Jungian understanding of the Self. The narrative of the Self as inwardly self-contained is repeatedly undercut and undermined in a way that favours a conception of the subject not as whole, but as fundamentally fragmented and lacking. In spite of the Jungian understanding of the self that *Persona 4* favours, there are two key points that act as the dissolution of the unified self and raise

from its ashes an *extimate* Lacanian subject.[51] Firstly, the Social Link mechanic of the game interrelates the self and others in an interdependent way; secondly, there is a failure of the protective boundaries between the individual's unconscious mind and the real world.

Introduced in *Persona 3* (2006), the Social Link game mechanic is a vital part of *Persona 4* and the *Persona* series, having now been adopted in the latest instalment of *Persona, Persona 5* (2016). Social Links measure the relationship between characters in a tangible way, allowing the player to improve their relationships with both major and minor characters from Rank 0 to Rank 10. The game can be played without purposely forging social links, although the game forces them upon the player time and time again throughout the hero's journey. *Persona 4* ratifies the impact of social bonds between the self and others by codifying in-game statistical benefits alongside narrative additions to the story. Spending time with Rise Kujikawa may reveal how she was bullied before she debuted as a pop idol, but it also teaches Rise's persona, Himiko, the skill 'Healing Wave' that returns health to the party at the end of each battle. With bonds forged between characters carrying distinct advantages of the unconscious mind (by improving persona abilities), it becomes increasingly difficult to maintain the Jungian reading that the self is self-contained and unaffected by the relationships with others.

The Lacanian Self, in opposition to Jung, posits that the subject is constituted both inside and out. One does not exist in abstraction from others, but rather a subject is mapped out 'as a set of relations – relations within its self, and with others and the Other'.[52] The correlation between social bond and psyche suggests that the self is not as self-contained as the creators would have us believe, but in truth,

> the ego is formed from the outside world, individuals depend on one another for 'self' validation throughout life … This means that no person's ego is ever whole or autonomous. Rather, a continual constituting and re-

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51 '*Extimité*', or 'Extimacy', is a conjoining of the terms 'intimacy' and 'exterior'. Lacan uses the term to problematise the 'opposition between inside and outside, between container and contained': see Evans (1996), p 59. Paul Kingsbury (2007), p 235 ascribes the function of extimacy as 'first, how our most intimate feelings can be extremely strange and Other to us. Second, how our feelings can be radically externalized on to objects without losing their sincerity and intensity.'

52 Caudill (1997), p 73.

> constituting of the ego – composed of images, words, and libidinal effects – is performed in the eyes of others.[53]

It is the influence and impact that the mechanic of the Social Link has on the inner self, the persona, that suggests *Persona 4*'s account of the subject is one that interlocked with others. It is this interrelation between the subject and others, the bonds of social discourse, that must be understood for the legal subject to be governed effectively:

> For psychoanalysis, attempts to understand and legislate for the individual cannot take place without understanding how the individual and the social interrelate: unless we understand the nature of the individual and her relationship to the social, our ability to reform the social, including the legal, realm, will be sadly limited.[54]

The second aspect of the game that undermines the Jungian subject within *Persona 4* is the nature of shadows themselves. According to Jung, shadows are a manifestation of one's repressed psychical traits and an aspect of oneself that ought to be solely accessible within one's own unconscious. With the televisions of Inaba acting as portals into the world of the unconscious, one's own unconscious mind may not be the place of privacy it once was. However, the *Persona 4* game does seem to limit the ability to summon one's own persona to the realm of the unconscious within the television world. In the game, both Kanji and Rise try to summon their personas while in the real world, willing to venture the gaped stares and countless questions should they be successful. Fortunately, the personas do not manifest.[55] This limitation of the persona to the TV World – the unconscious – strongly implies a territoriality to the unconscious that ought to include shadows, as another kind of manifestation of the unconscious. In line with a Jungian interpretation. This would preclude the entry of shadows into the small town of Inaba; however, the very (or bear-y, as he would say) existence of Teddie, a shadow himself who

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53 Ragland (1995), p 19.

54 Aristodemou (2014), p 3.

55 It should be noted that Marie is able to cast some spells within the real world; however, this is likely attributed to her status as a fragment of a Goddess, rather than the fact that she is a persona user. This can be seen in the gameplay on 2/13 during the hot spring scene in *Persona 4 Golden*. *Persona 4 Golden The Anime* also includes Marie using her powers during the snowball fight on the same day.

spends extended periods outside the TV World – even volunteering as a mascot at the local supermarket, Junes – fractures the Jungian reading.

Teddie is a shadow who lives within the TV World and encounters Yu, Yosuke and Chie upon their first arrival in that world. Unlike other shadows, which are mindless, animalistic forms that operate on base, violent instincts, Teddie is a special case. At some point prior to meeting the Investigation Team, Teddie awoke to his emotions and established an ego, eventually also creating a shadow and persona like any other human. At the end of the day, Teddie is still a shadow, yet he is able to freely move about the real world even though he should be restricted to the unconscious world. In any case, Teddie is not the sole example of shadows roaming the streets. As the end of the year approaches and the despair of Inaba cumulates, the fog miring the TV World rolls into town and staunchly refuses to leave. This fog, if the player allows it to reach critical levels by failing to stop Adachi, begins to turn the citizens of Inaba into shadows themselves. The shadows encroach so fully into reality that it is difficult to maintain that they are one part of a Jungian whole that is restricted to the unconscious as it is personified in the TV World. Breaking free of their unconscious cages, the shadows exceed their Jungian capabilities, revealing themselves to be something more than they once were. It is from this perspective, having eschewed the constraints of Jung's hold on *Persona 4*'s content, that the understanding of the subject can be raised anew.

4.5.1 The Symbolic, The Real and The Uncanny

The identification of the characters of *Persona 4* as split Lacanian subjects feeds into a critique of the legal subject and the place of law within *Persona 4*. *Persona 4* is a tale of the Symbolic and the Real, with the legal subject at its heart. The duality occurring throughout the narrative and gameplay of *Persona 4* echoes the war that wages beneath the surface. The normative legal presence within the everyday of 'reality' (made up of the Symbolic and Imaginary orders that constitute the formation of the modern subject – henceforth, the Symbolic) emphasises the social construction of humanity.[56] By forging bonds that cement their identity through mutual ego recognition in the Symbolic space, recognising each other as people within the real

[56] Caudill (1997), p 81.

world, the Investigation Team is able to draw upon these bonds in the TV World to maintain their perceptions of themselves as subjects. The TV World, as a representation of the Real (that unbridled *jouissance* from which the legal subject was castrated when inducted into the Symbolic) threatens to dismantle structures of language and law – aspects that are irrevocably entrenched in how the legal subject is constituted.[57] In the face of this threat, the members of the Investigation Team tackles the domination of the Real head on, unwilling to relinquish the Symbolic, the structure that founded them as subjects in an illusory society, and go further to populate the new realm with their understandings of what constitutes justice or law.

Upon entering the small fictional town of Yaso-Inaba, three people were greeted with a handshake by a gas station attendant, Taro Namatame, a council secretary, Tohru Adachi, a police officer, and Yu Narukami, a high school student and the protagonist of *Persona 4*. The gesture of a handshake, culturally uncharacteristic of Japan, is marked by a small vibration of the controller, which is quietly remarked upon then quickly forgotten as the player becomes wrapped up in the three-hour prologue. If the player completes the True Ending of the game, the gas station attendant is revealed to be the Shinto Goddess Izanami, one of two gods who birthed Japan. It is this initial handshake that begins the journey for the protagonist, giving him the 'gentle push' needed to awaken within him the ability to use his persona, Izanagi, and enter the TV World.

Yu, Adachi and Namatame all thus begin at similar starting points, holding the same power to enter the TV World and possessing incarnations of the same persona. Izanami later explains that she awakened these powers in a few people who would represent facets of humankind in order to determine what people wanted to become of their world. By awakening within these three the persona of Izanagi, she gives each of them a chance to sway her influence over the world. It is at this point that the paths of Yu and Adachi, in particular, diverge drastically. In spite of their similar awakenings and similar powers, the facets of humankind that they represent steer them down opposing paths. Yu, as the personification of Hope, leads the charge against the murderer of Inaba, who is kidnapping those who appear on the Midnight Channel.

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[57] Caudill (1997), pp 102–3; Ragland-Sullivan (1992), pp 51–2, 63–4.

Adachi, as the personification of Emptiness, indirectly yet intentionally murders two (or three) people by pushing them into wayward televisions or manipulating Namatame to put them in himself.[58]

The individual Lacanian subject does not exist independently; instead, the subject is mapped out via their language and everyday relationships with others.[59] It is the normalisation of society and the legal order within the 'real world' of *Persona 4* that cement Yu's representation of the Symbolic order. Lacan posits that society only exists through our mandatory entry into language and subsequent understanding of ourselves as legal subjects, despite the fact that law is a fundamentally illusory system. For Lacan, unlike the Jungian subject, the individual does not exist in abstraction. It cannot be discovered by extensive introspection, nor did it originate in isolation. There is no inherent self.[60] It is the violent birth of the person into the Symbolic by their entry into language that creates their identity as a 'subject' and castrates them from the raw, ineffable Real. The experience of the Real is taken from them and replaced with a language that 'never quite fits: the words at our disposal never coincide with our bodies or the world around us'.[61] Castration from the Real results in the subject feeling inescapably hollowed – as if something precious has been stolen from them. This lack, the *object a*, is 'the surplus, the excess that we assume we once had and suppose we need again to "complete" us'.[62] This feeling is so strong that we project it outwards into something recoverable rather than acknowledging that the lack is within us and lost forever. The *object a* is the object-cause of desire that we constantly seek, yet can never attain.

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58 Adachi and Namatame are designated as Emptiness and Despair, but it is never specified in game which character represents which facet of humanity. Contextually, Namatame is likely to be Despair, given that he was tormented by the dissolution of his marriage and career as a result of his affair with high-profile TV announcer Mayumi Yamano, who was subsequently killed in the first of the Inaba murders. Adachi is fitting to represent Emptiness when considering his apathy towards his fellow man, his dislike of others, and the fact that his Arcana is that of the 0: The Jester (essentially an inverted conceptualisation of Yu's Arcana, 0: The Fool, which portrays future potential) that betrays Adachi's emptiness.

59 Caudill (1997), p 81.

60 Caudill (1997), p 81.

61 Aristodemou (2014), p 22.

62 Aristodemou (2014), p 18.

It is around the *object a* that the battle for Inaba is situated, with Yu and the Investigation Team as the Symbolic, and as Adachi representing the Real. Yu rejects the encroachment of the Real on the ordinary world of Inaba, for it threatens the constitution of himself as a legal subject. As if to exaggerate the difference between the Symbolic order of reality, and the Real that seeks to overwhelm the Symbolic, the gameplay while in the everyday world of *Persona 4* is restricted to a dialogue-based visual novel style screen. The Real's refusal of language is echoed in the drastic change of gameplay within the TV World, that parleys with shadows through a language of violence: battles cannot be made for recognition of ego and thus must be made for lives.[63]

As a dramatisation of the war between the persistence of the Symbolic, everyday reality of life and law, against the ever-looming, obliterating threat of the Real, *Persona 4* uses techniques of horror and the uncanny doppelganger to convey the anxiety felt by Yu and friends at the unravelling of reality as they know it. The uncanny doppelgangers that the Investigation Team meet within the ether of the TV World can be interpreted as a manifestation of anxiety stemming from the imminent disconnection of what Lacan terms the Borromean Knot, the structure that binds the three registers that make up the human experience: Imaginary, Real and the Symbolic.

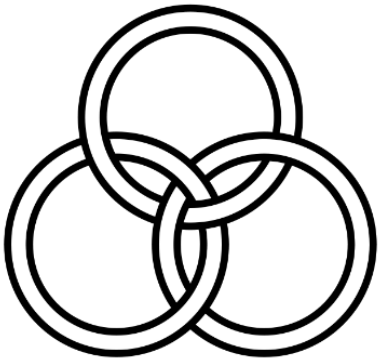

Figure 3: The Borromean Knot

As Aristodemou tells us, 'Anxiety appears when the defensive layers we create to keep the three imaginary, symbolic and real, registers apart … are in danger of being lifted and we encounter the Real in all its rawness.'[64] The fear for the Investigation Team is the dissolution of the Borromean Knot. The knot's intricate three rings are structured

63 Nomine (2008), p 12.

64 Aristodemou (2014), p 134.

in such a way that should one ring be lost, all will lose association. It is the layer of the Symbolic, the legal order, that protects society 'from the intrusion of unbridled *jouissance*', and as a result, it is this Symbolic order to which Yu and Co cling within the TV World and in the face of the Real.

The uncanny doubling of the self is the key method by which the TV World evokes feelings of anxiety, uncertainty and denial within the Investigation Team. The uncanny itself is a Freudian concept, beginning with the *das Heimlich*, an object or person that is familiar, comfortable and homely – some person/thing that conceals that which must be hidden for the world to be known comfortably. The sense of uncanny bubbles up when that object or person is rendered *das Unheimlich* by its negation, by the exposition of a hidden meaning that ought to be concealed.[65] The uncanny carries a connotation of excess, the presence of an aspect that should not otherwise be there. It is the excess that frightens when a doll comes to life; it is the excess that scares when something that shouldn't be able to speak, does.

While Freud's reading of the uncanny focuses on repressed sexuality, castration fears and Oedipal desires as the source of the 'dread and creeping horror' aroused when confronted with images of a doppelganger, body horror and the impairment of vision, Rahimi makes an excellent case for the use of Lacanian in exploring analysis of the ego and the uncanny. For Rahimi, all uncanny tropes 'share an ocular genesis'. Given that Freud's conception of the uncanny is constructed on the dissonance between a familiar object reasserting itself as unfamiliar or repressed, there is a doubling inherent at the centre of the uncanny phenomenon. For Freud's sense of uncanny to exist, the object must have existed (at some point) in the familiar, and re-emerge othered in an unfamiliar environment: the object or person must exist in the viewer's mind as two separate, dissonant entities.[66] In Rahimi's words, 'doubleness and duplication are the fundamental common ground where the concepts of selfhood, vision and the uncanny converge'.[67] In particular, Rahimi points to the Lacanian *stade du miroir*, the mirror stage, as a different way to understand and interpret the origin of the uncanny. The

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65 Freud (1919); Jackson (1981), p 65.

66 Rahimi (2013), p 456.

67 Rahimi (2013), p 456.

Lacanian mirror stage, the process of ego creation (or confirmation) that an infant undergoes upon identifying the self with an external, specular image, becomes terrifying when the cohesion of sight, body and mind rupture violently when faced with doubled uncanny objects.[68]

The ocular and its denial bleed through *Persona* 4 via the seemingly ceaseless parade of yellow-eyed doppelgangers, the Midnight Channel and the mysterious fog that obscures the deeds of the murderer from the gaze of the authorities and nosy teenagers. As the most obvious uncanny trope in *Persona 4*, the doppelganger or repressed Jungian shadow, the sense of the uncanny may stem from a repressed fantasy of the fragmented, mutated self that seeks to '*reverse* or rupture the process of ego formation' that occurred during through the Lacanian mirror stage.[69] The presence of a double threatens the bodily integrity of the characters, as the congruence between the mind and the body that is established during ego formation is shattered by the presence of identical bodies over which they have no control. The body is now a battleground upon which horror is wrought, as the conscious self is forced not only to confront the presence of a doppelganger but also watch as it contorts, twists, deforms and becomes utterly monstrous. Even the voices of the doubles are doubled, with the dialogue of the shadows pitch-shifted higher and lower than the character's intended voice to further exaggerate the unnaturalness of the doppelganger.

The shadow selves are abrasive to the characters on the level of the imaginary as the Lacanian ego stutters. Confrontation with another physical self takes us aback as the ego creation and confirmation done as an infant – the identification of the self with a single external specular image – suddenly fragments. The sight of the doppelganger becomes terrifying when the cohesion of sight, body and mind ruptures violently when faced with a doubled self.[70] The monstrous contortion of the doppelganger is a physical demonstration of the future that awaits the town of Inaba should the Investigation Team fail to keep the (Symbolic) peace.

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68 Lacan (1949), pp 343–4.

69 Jackson (1981), p 90 (author's emphasis). See also Lacan (1968).

70 Rahimi (2013), p 456.

Moreover, the shadow selves of the TV World, the agents of the Real, unnerve the agents of the legal, Symbolic order by holding an object of excess: the lack of the lack.[71] The lack created by our violent birth into the Symbolic through the prism of language forever removes us from the Real, the source of unbridled *jouissance*. For the legal subject that has entered the Symbolic/Imaginary order, the subject has constituted their self around this lack, creating them as a subject of desire rather than of reason.[72] For this reason, in proximity to an object of true fulfilment, the true answer to the *objet a,* the subject feels dread 'because it threatens the subject with losing the loss which after all constituted and defined her as subject'.[73]

Regardless of the feelings of anxiety that the uncanny doppelganger may cause in the members of the Investigation Team, they press on for the sake of the Symbolic order. The Real is an impossibility for the Symbolic: by its very nature, it cannot be articulated or communicated – only experienced. Upon discovering the threat of the Real and the truth of the circumstances of the murders occurring within Inaba, Yu and company failed to alert the proper authorities. As subjects of the Symbolic, *Persona 4*'s protagonists treat the Imaginary law (as well as their Imaginary selves) as Real. Nevertheless, the understanding that law, as the structure that governs all Symbolic subjects, would be unable to confront the intrusion of the Real into the ordinary world forced the Investigation Team to act on their own. Secure in the integrity of their constitution and the validity of their mutual recognition, they bring the Symbolic to bear on those who would entail its destruction. The rejection of the Symbolic and transformation to a purely instinct-driven shadow state is not what the Investigation Team rebels against; rather, it is the sense that their change back to shadows, to the promise of a pre-literate, pre-Symbolic self, would entail the abrupt loss of their lack. The Investigation Team understand that it is their flaws, their desires, their fears that touch 'the truth of the subject's being, the truth of the subject's own particular mode

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71 While the shadow selves of the Investigation Team are capable of speech, this appears to be by virtue of the presence of the original self within the TV World. The countless other shadows encountered while fighting in dungeons have not shown any capability of speech.

72 Ragland (1997), p 1113.

73 Aristodemou (2014), p 133; see also Zupančič (2000), p 144.

of *jouissance*'.[74] Their lack is the only thing that is truly theirs. The Investigation Team is not seen to be a representation of the Symbolic on the merit that they seek to preserve the status quo alone. The Investigation Team restores order where (and when) the law cannot. More importantly, though, its members constitute themselves in terms of their lack – a lack that they mutually seek to fulfil by extracting those qualities they perceive to be lacking within themselves from those around them. The use of social links to sate a never-ending lack ends in the mutilation of those from whom we gain *jouissance*. However, we inevitably mutilate them because we love ourselves, the idea of fulfilment, our *object a* more than that person.[75]

The Investigation Team would rather maintain the Symbolic, to continue filling their lack from others who lack than to face the possibility of fulfilment that the Real (and Adachi) offers through the dissolution of everything they understand to be themselves. It appears, however, that the preferences of the Investigation Team – to stay lacking, wanting and truly barred from themselves – is not representative of the minority. In spite of the countless hours spent saving citizens of Inaba from the hostile environment of the TV World, Izanami decrees that it is Adachi's actions that have had the most impact, that humanity would rather remain in blissful ignorance of the truth. The fascination of the murderer's transgression of the law, the reluctance of the citizens of Inaba to face their truth – that they are broken, barred individuals who will never achieve true fulfilment – seems to be too much to bear. The final confrontation with Izanami has her ready to shroud Inaba in an all-consuming fog that will turn the citizens of Inaba into the formless, thoughtless, primordial shadows found within the TV World. Izanami identifies this endless stream of lack and desire, the pining for the return of the *object a,* and deems this emptiness and desire to be whole once more as humanity's greatest drive. Adachi, representing emptiness in *Persona 4*, notes how the TV World – a space that moulds itself to reflect the collective unconscious of the people – has 'taken a real shine' to him. He continues by saying, 'I feel like it's given me everything I've ever wanted. And the monsters don't attack me at all. Maybe they can tell we have the same goal?' Adachi's own feelings of emptiness and disconnection from the world around him, his understanding of himself as hollow, have led to his

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74 Aristodemou (2014), p 134.

75 Aristodemou (2014), p 100.

belief that society as we know it should be dissolved, that humankind should be swallowed by Shadows.

> No matter who you are, your lifespan is about 80 years or so, right? Then it'd be easier if we all just became Shadows. No need to hold back anything … No more pretending we don't see things. Honestly, we don't need our world anymore. Better to let it be swallowed up and for mankind to turn into Shadows … That's what all those people who're scared to death really want … So it's my duty to see that they get it.[76]

The Shadows within the TV World range wildly in shape, colour, size and ferocity. While those that have latched on to an ego, like Yukiko, Rise or Kanji, are capable of speech and present themselves as the uncanny doppelgangers of their 'true' selves, most of the shadows that are encountered are non-verbal, and physically, violently active; they 'move on pure instinct!' Adachi's words signal a desire for a return to the Real, and the annihilation of the Symbolic, linguistic order upon which society, and the constitution of the individual subject, is predicated.

The reason why Adachi's personification of Emptiness resonated so strongly with the community of Inaba may be due to the convergent feelings of emptiness of lack/loss that pulsate at the heart of the Lacanian subject. This fundamental lack, for Lacan, is born as the result of our 'castration', termed not for a violent physical act but for the equally violent act of forcing a child into language and the Symbolic order – an act that will forever convince the subject that they were once 'whole' and are now 'lacking'. For Lacan, the subject is constituted retroactively; there is no subject *without* this loss. Regardless of whether the loss is born from the self, the unbearable pain it inflicts compels us to project it outwards onto an object that is recoverable, that can 'complete' us once more.[77] In seeking fulfilment of this lack, the 'Emptiness' within, 'the ego is driven to annul the anxiety produced by the unbearable pain of lack and loss'.[78] The emptiness within the self is temporarily filled by the *objet petit a*, the

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[76] Atlus (2012), 12/19 After School.

[77] Aristodemou (2014), p 24.

[78] Ragland (1995), p 27.

object a, those things that 'provide temporary compensation for an incompleteness in human being'.[79] Adachi himself derives enjoyment, his *jouissance*, partly from being the culprit of the murders, but he also enjoys his flirtations with the law. Standing in for the prohibitive Name-of-the-Father, law functions to 'structure the symbolic order of civilization itself'.[80] Law is intertwined with desire, for 'after all, there is no need to prohibit something no one desires to do, and a thing that is forbidden with the greatest emphasis must be a thing that is desired'.[81] As his empty persona of the bumbling, idiotic police officer, Tohru Adachi is an incompetent fool of the highest order. As Yu's internal monologue wryly sums up, 'If Adachi can make detective I weep for this police department.' Aware of the flaws of the Japanese legal system, and as a person who admits to having only joined the police force so he 'could legally carry a gun', the law offers little challenge to his game of cat-and-mouse. As a result, Adachi spends much of his time spilling confidential information to the Investigation Team, which only helps the player crawl ever closer to the killer's (as yet unknown) identity. Adachi's *jouissance* stems from the flagrant transgression of the law, while maintaining the guise of obedience as a police officer; moreover, he deliberately seeks out his potential downfall by the most immediate threat, the Investigation Team. Throughout his reign of terror in Inaba, Adachi could not resist divulging information to Yu and friends, let alone personally throwing Mitsuo Kubo, a copycat killer, into the TV World during a police interrogation, or sending threatening letters to Y(o)u's house (the house of the lead detective on the case, mind you) entirely for kicks. Adachi, as Bruce Fink would put it, 'gets off on the very attempt to draw the limits to his *jouissance*'.[82] He goads his closest approximation of 'the law', Yu and friends who are laying down the law in the TV World, into catching him to enhance his enjoyment when he escapes.

The coded gameplay of *Persona 4* works in harmony with the narrative objectives of the game – the Investigation Team seeks to capture the Midnight Channel murderer and save the citizens of Inaba from being turned into primeval shadows by the ancient Goddess Izanami. While the story encourages the player to sympathise with the

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79 Ragland (1995), p 10.

80 Caudill (1997), p 107.

81 Freud (1950), p 69.

82 Fink (1997), p 193.

characters, form bonds, destroy enemies and be an all-around competent human being, the code not only makes the narrative possible, but forces compliance with the established narrative. As Lessig puts it, code is 'a start to the perfect technology of justice', effectively displacing the violence of law from the punishment of negative behaviour to a required compliance. Video games use code as a mechanism of control, requiring submission to the coded environment and disallowing any action that is not pre-authorised (or unaccounted for) within the code. The programming of desirable objectives (those choices or actions that must be undertaken for the player to be declared 'winner') become 'morally charged' as they imbue that objective with notions of correctness. The objectives of a game can never be neutral, as 'Code is never found; it is only ever made.' *Persona 4* not only inscribes adherence and perpetuation of the symbolic legal order within the game through 'boss fights' and the destruction of the monstrous doubles that threaten the integrity of the self as whole, but also through moral choices that present themselves throughout the game.

At one tense point within the story, the Investigation Team captures a man named Taro Namatame, believing him to be the murderer on the loose in Inaba. Faced with the dilemma that the police will be unable to convict him rightfully (due to the absurdity of the story that there is a hidden world within the television sets), the Investigation Team is faced with a choice: turn Namatame over to the cops and allow justice to take its course; or throw Namatame into the unforgiving TV World and allow him to die. While both options are selectable within the game, the choice to take matters into your own hands results in the death of Nanako, your cousin, whereas giving him over to the authorities spares her life. Despite the two actions having no real-world causal link, the game uses Nanako's precarious purchase on the brink of death to codify a 'correct' choice within the game. Nevertheless, the codification of correct moral choices within the game that uphold the standard of the Symbolic is quite fitting. As Lacan argues, 'the symbolic order of the law is created through the repression of the real (morality *per se)*. As such, law and morality are necessarily distinct, but can never be divorced—the existence of each depends on the existence of the other.'

In addition to the moral connotation that is implied into desirable objectives within the game, the developers can use the difficulty level of these challenges to equally express the likelihood of social change through the mechanics of the game: 'They are not only able to

state if social change is possible or not, but they have the chance of expressing how likely they think it may be.' The end-game objective of *Persona 4* is to prevent the apocalypse, and thereby maintain the symbolic order and the lacking subject. Implied into the role of the player is one who will behave in a certain way to fulfil the game's objectives, beat the boss, save the world and get the girl.[83] Where the player fails to do so, by dying at the hand of the boss or running out of time, the game softly reprimands the player by turning back time in an implied request to 'play properly' and win the game.

Persona 4's exploration of the Symbolic and the Real end in triumph for the Symbolic. While Jung's self is portrayed throughout *Persona 4* as a balancing act between one's ego, shadow and persona, yet otherwise self-contained and independent from the others, Lacan's ego can never be anything other than the split, castrated self that is not whole nor autonomous. As the Lacanian ego is 'formed from the outside world, individuals depend on one another for "self" validation throughout life'.[84] It is the pursuit of validation and the fulfilment of the *object a* that drives the Symbolic human forward. The message with which *Persona 4* leaves the player, depending on the ending chosen, is one of satisfaction that the ordinary world has been saved from the threat of the Real. It never hints that the 'truth' of the Symbolic order may not be the better choice.

4.6 Conclusion

This chapter has performed a cultural legal reading of *Persona 4* and the legal subject. The narrative and medium of the *Persona 4* video game detail an account of the subject that is fragmented and split, lurking beneath the outward Jungian conviction of the self as monad and whole. By unpacking the presence of the Social Link game mechanic, the anxiety provoked by the uncanny doppelgangers to mask the unsettling potential of the dissolution of the masked self and the inability of players to fully immerse themselves within a game environment, it becomes apparent that *Persona 4* is unable to entirely mask the truth of the self. By detecting resonances or a 'subtextual similitude' with Lacanian psychoanalysis, the remainder of the chapter examined how the subjects presented are fragmented individuals, relying on one

83 Aarseth (2007b), p 132.

84 Ragland (1995), p 19.

another for symbolic recognition, to fill their 'lack', and using their bonds to push the law of the Symbolic into the unconscious mind.

Mirroring the choices of the characters of *Persona 4*, all subjects are doomed to perpetuate and solidify the masked self (under the guise of an autonomous, 'whole' subject) unable to eject themselves from the system. For villains Izanami and Adachi, the desire to change the system and honestly recognise the hollow, masked self demands the system's utter dissolution and the advent of the apocalypse. Even within the safety of fiction, the developers of *Persona 4* were unwilling to lead players down a path that suggested any alternative to the subject that was thrust into society through the prism of language, bound to a legal persona, and consequently controlled by this attachment. In the end, the choice for the player comes down to compliance with the code – following its 'morally charged' objectives and experiencing the sleight-of-hand Jungian narrative – or the option of non-participation. There is no resistance when code comes to call. By suturing the legal persona permanently to the subject's conception of self, the subject is prevented from retroactively revoking their own creation. The characters of *Persona 4* at least have the luxury of their fiction; the choice offered to the living, breathing human subject is far more duplicitous, limited only to compliance or compliance.

Chapter 5

The Canon of *Persona 4*

5.1 Introduction

This chapter draws upon the extended canon texts of *Persona 4* to examine how going beyond the introductory video game text expands the concept of the legal subject that was established by the core game. This section seeks to critique, comment and expand on the cultural legal studies intertext generated by the 'subtextual similitude' between the *Persona 4* video game and theories of legal personhood. Drawing on *Persona 4's* vast transmedial mix of canonical texts, including adaptations and other video game instalments as discussed in Chapter 2, this chapter seeks to evaluate how the canonical texts reinforce or revoke the cultural legal reading established in the previous chapter.

The canonical texts primarily draw out two thematic critiques of the legal person through the examination of the spin-off texts. Firstly, the texts of *Persona 4 Dancing All Night, Persona x Detective Naoto,* and *Persona 4 Drama CD #2* all draw out subtle thematics of a feminist critique. Each of these texts articulates a struggle for the female characters to fully attain 'ideal' personhood, as demonstrated on a metatextual basis in Chapter 3 through the contoured avatar and gaming culture, and Chapter 4, on a textual basis, through the heteronormative male shaping of Yu Narukami as the player avatar. Secondly, the spin-off texts, with a focus on *Persona x Detective Naoto* and, more prominently, *Persona 4 Arena*, convey a posthuman concept of personhood that complicates Lacanian subjectivity and the human basis for the legal persona.

The chapter begins with a brief discussion on canonicity and how canon works are produced by both the official distributor and through the reception of the fans. Moving on to adaptations, the chapter examines how small differences in the modal expression of *Persona 4*'s core story can support, re-tell or undermine the Lacanian notion of the self that is experienced through the video game version of *Persona 4.* The chapter then shifts its focus onto the traditional 'transmedia' texts that meet the

criteria of additive comprehension, noting how these texts added to the canon's construction of personhood through the characters and lore of *Persona 4*. Finally, the chapter turns to the spin-off games to determine how the different forms of gameplay, interaction, *kyara*cterisation and narrative operate to support or subvert *Persona 4*'s articulation of personhood. While spatial limitations prevent extensive discussion on each text, the majority of the canonical texts will be summarily considered before using *Persona 4 Arena* (2012) as an in-depth case study to examine how a later text can present the intricacies of the subject in different ways from the original *Persona 4* (2008) text.

5.2 Canonicity

As this chapter seeks to draw upon canonical *Persona 4* texts, the question of what constitutes a 'canon' text must be answered before any analysis can begin. Keidra Chaney and Raizel Liebler define popular culture canon as 'a body of work that establishes its own internal storylines and/or character history, deemed to be "official" by either the creator or publisher'.[1] Sheenan Pugh has identified two different forms of canon, open and closed, with a closed canon precluding any additions being made to the story and an open canon still capable of being expanded.[2] Will Brooker points to open canons as often being characterised by a transmedial nature, which opens up the text for 'debate and negotiation' by fans within the canonical space.[3] Although the clinical definition of canon may be what is considered to be an official instalment of the franchise by the works' creators or publishers, canon is not always 'industrially determined – it is produced discursively, within the fan community, and it is always provisional'.[4] The fans themselves have some power about agreeing whether the story, the characterisation of established characters and the continuity of the fictional universe are upheld within any text at a given time, leading to its 'canonical' status.

In the *Persona 4* universe, for example, the light novel *Persona x Detective* was released officially and marketed as 公式 (*koushiki)* – an official canon instalment of *Persona 4.* The

1 Chaney and Liebler (2007), p 3.

2 Pugh (2005), p 26.

3 Brooker (1999).

4 McKee (2004), p 181.

light novel revolves around the tomboyish detective Naoto and her experiences as a detective one year after the events of *Persona 4 Arena*. It received very negative reviews due to the inconsistent characterisation of Naoto, whose professional, no-nonsense, tomboy disposition suddenly alters as she grows her hair long, briefly becomes a bikini model and rides an android that turns into a motorcycle. The novel's style and characterisation of Naoto did not fit within the fan community's hermeneutic understanding of the source texts and as a result was rejected. The android character of the novel, Genesis, similarly conflicted with the lore established in *Persona 3* on the android character Aigis, and equally dissatisfied long-time fans of the series.

As a result, it was rejected as falling outside the accepted fan *nomos* and later retconned by Atlus through the release of *Persona 4 Arena Ultimax* in response to the negative fan reviews by introducing a contradicting narrative in *Persona 4 Arena Ultimax*.[5] This overriding action by Atlus was likely successful due to the format of a video game canonically 'outranking' works in other mediums of the *Persona* universe, even though both texts were officially produced works.[6] While 'canon' texts are ultimately determined by the creators or producers of the show, if the fans do not feel that these parties are upholding the continuity of the narrative universe or the integrity of characters that are beloved, the fans may collectively, but unofficially, strike a piece of work from the canon.

The discussion of transmedia and the media mix in Chapter 2 concluded that, for the purpose of this thesis, a more open approach would be taken to the concept of transmedia, including instances of multimodality (such as adaptations) as well as different forms of interactivity (such as between game genres). In accordance with this notion, this chapter serves not only to examine the transmedial texts of *Persona 4* that provide the 'additive comprehension' through a different medium, as is the traditional Jenkinsian approach, but also to observe how different media and forms of interactivity can add new information – not just narratively, but also modally. The transmedial analysis of the *Persona 4* canon is done not aimlessly, however, but with a

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5 *Persona 4 Arena Ultimax* is considered to challenge the canonicity of *Persona x Detective Naoto* due to the re-use of certain names such as Kagutsuchi and Tsukuyomi in a different context. Genesis' persona was named Tsukuyomi but became Sho Minazuki's in *Persona 4 Arena Ultimax.*

6 Chaney and Liebler (2007), p 15.

purpose: to determine how different additions to the *Persona 4* canon alter, extend or contradict the concept of the legal person as explored within Chapter 4. As a result, this chapter will focus on texts that perform this task in some way, giving less attention to texts that do little more than re-tell the narrative of personhood from the main *Persona 4* games.

5.2 Adaptations

From its original state conception as a video game, *Persona 4* has been adapted in three different mediums: anime, manga and live-action. Although there is some contention around the place of adaptations in the context of a transmedial canon, it cannot be denied that transposition of a work to another medium will change the experience of the content in some way. Any emphasis by medium specificity scholars on urging that a 'medium pursue only what it does best' has also been contentious,[7] as only using mediums in a way that mark them as unique or different from other art forms is

> liable to become normative: critics establish the 'essence' of a particular art form from their own historical, cultural and personal perspective, but then they all too easily begin to use that definition in order to exclude all manifestations which run counter to it.[8]

Adaptations of content from one form to another, or even remakes within the same form, are often analysed with a view to examining the 'fidelity' of the adaptation. In other words, a fidelity argument questions how faithful the adaptation was to the original source text. Stam explains that the notion of fidelity mistakenly assumes that there is a hidden, extractable 'essence' at the core of a novel, film, game or other media content that can be transported and delivered through an adaptation. Instead, Stam insists that there is no such core; rather, the text is always open to interpretation, always being 'seen through ever-shifting grids of interpretation', and as a result, no fundamental core can be distilled and adapted because it never existed in

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7 Carroll (1988), p 85.

8 McAuley (1988), p 45.

the first place.[9] Linda Hutcheon, author of the well-noted *A Theory of Adaptation*, tells us that the fidelity argument implies that 'adapters aim simply to reproduce the adapted text. Adaptation is repetition, but repetition without replication.'[10] Yet Hutcheon also confirms that adaptation is an 'ongoing dialogical process' of intertextual understanding: consumers of adaptations will inevitably compare the adapted text experience with their original experience of the source text.[11]

Unlike other adaptations from one showing/telling medium to another showing/telling medium,[12] the element of interactivity in video games complicates the adaptation process. In mediums such as literature, film, television, audio dramas and so on, the story is there to be expressed and experienced – it is an end in itself. On the other hand, the narrative in video games is not central to the medium, often being used as an aesthetic wrapper or operating in conjunction with the gameplay to create an immersive interactive experience.[13] Marie-Laure Ryan explains that 'the secret to the narrative success of games is their ability to exploit the most fundamental of the forces that move a plot forward: the solving of problems'. As a mystery game, *Persona 4* seeks to 'solve the problem' of the murders within Inaba, micro-managed by the game through individual rescues that need to be completed within specific timeframes.[14] The 'whodunnit' element of *Persona* 4 assists in the adaptation of the game to other mediums, driving the narrative forward without pure reliance on the gameplay.

The adaptations of *Persona 4* mark the first time the protagonist (as Souji Seta in the original *Persona 4* manga and Yu Narukami in all other media) speaks and moves independently of the player. Designed as an empty avatar for players to 'slot' into in the video game, a mute, empty and aimless character would not translate well to print

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9 Stam (2000), p 57.

10 Hutcheon (2006), p 7 (references omitted).

11 Hutcheon (2006), p 21; Stam (2000), p 64.

12 Linda Hutcheon (2006, pp. 38–50 refers to showing and telling mediums. An example of a telling medium is literature that describes characters and events but is limited in that it cannot convey every detail such as gesture, expression or tone of voice in every scene. Showing mediums such as television, film, stage plays, musicals and audio dramas invokes visual and aural senses in conveying their story.

13 King and Krzywinska (2002), p 51.

14 Marie-Laure Ryan (2004), pp 337, 349.

and screen media. Where the other characters are often stretched, reduced or adapted as *kyara* for the purpose of easy portability into other mediums, Yu conversely only gets a personality, a speaking voice and his own purpose (free from the player's influence) for the first time within the spin-off canonical media. Following these adaptations, the anime (2008, 2011–12), the manga (2008–present) and stage plays (2012, 2013, 2015, 2016), the spin-off games no longer maintain the fiction of Yu as a blank canvas waiting to be filled. *Persona Arena* (2012), *Persona 4 Arena Ultimax* (2013), and *Persona 4 Dancing All Night* (2015) all include Yu as a non-silent protagonist, speaking freely and no longer exclusively controlled by the player. *Persona Q* does still feature a silent, blank canvas version of Yu Narukami when playing through the *Persona 4* version of events of the game; however, when playing through the *Persona 3* version of the game (as the *Persona 3* protagonist, Minato Arisato), Yu acts and speaks of his own accord. The adaptations signal a change for the avatar's characterisation, working to distance the character of Yu from his status as the player avatar not only in the non-game media, but also in the spin-off games – which could have maintained that fiction. This split between the player and Yu further reinforces the Lacanian intertwined subject on a metatextual level: the player is no longer tied exclusively to Yu in order to experience the world of the game. Instead, the player must rely on an interconnection between self and many distinct others, Yu's friends, in order to constitute them within the game world.

The next section examines the adaptations of *Persona 4* into two animated television series, a manga and four live-action action stage plays.

5.2.1 *Persona 4 The Animation*

Persona 4 has received two separate anime adaptations, *Persona 4 The Animation* (2011–12)[15] and *Persona 4 The Golden Animation* (2014).[16] The first adaptation focuses on the content from the PlayStation 2 release of *Persona 4* in 2008 – the major plotline and social events in its 25-episode run. The anime was engineered in a way that allowed viewers unfamiliar with *Persona 4* to have enough information to follow the plot and characters without much difficulty. The animated version of *Persona 4* was

15 Anime International Company (2011–12).

16 A-1 Pictures (2014).

moderately well received, garnering scores of 7.7 from IMDB. *Persona 4 Animation* (2011–12) does little to challenge the established concept of legal personhood, reiterating the same core principles of legal personhood as *Persona* 4, although necessarily in an abridged way.

One way in which *Persona 4 The Animation* projects a Lacanian self is through the addition of a battle between Yu and his shadow. Eschewing the blank slate of the *Persona 4* video game, the anime version of Yu is deadpan hilarious, over-confident and compassionate, and with this newfound personality also come the characteristics that have been repressed within his character. The inclusion of a shadow battle between Yu and shadow Yu finally fragments his character in traditional persona fashion. Calling on the power of his bonds to protect him and fight while he is in the process of accepting his shadow, Yu cements the self that is unable to be realised without relying on the assistance of others.[17] The new addition of Yu's personality in the animated series draws attention to his characteristics of a heterosexual male, particularly in episodes such as episode 15, 'The Long-Awaited School Trip', where Yu has to deal with the romantic advances of all of the girls, rather than only one of his choice in the game.[18]

The second animation, *Persona 4 The Golden*, differed from its predecessor as it was not a recap of the 2012 PlayStation Vita remake *Persona 4 Golden* but rather heavily focused on a specific addition to the remade version of the game. *Persona 4 Golden* added the character of Marie as an occupant of the Velvet Room (a mystical room that exists 'between dream and reality, mind and matter' that is used to fuse new personas from old ones, among other things), a young *tsundere* poet who has completely lost her memories of the past.[19] Although Marie is integrated into *Persona 4 Golden* and

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17 While Yu is no longer 'special' in not having a shadow, he does still possess the Wild Card ability, which allows him to wield multiple personas and is considered rare within the *Persona* universe. The *Persona 3* protagonist, Aigis, and Elizabeth also have this power.

18 Anime International Company (2011–12), episode 15.

19 *Tsundere* is a type of character typified by their hostile attitude toward those they care about, even though they actually crave affection. A stereotypical *tsundere* line would be: 'H-here! Since you forgot your lunch you, you can eat this. Don't think I specifically made this for you, idiot, I just happened to have an extra one! Geez!'

her social link is ludologically vital in accessing an extra social event, bonus dungeon and the 'true' ending of the game, *Persona 4 The Golden Animation* goes further to accentuate her importance to the show by focusing almost exclusively on Marie. *Persona 4 The Golden Animation* puts a spotlight on Marie's relationship with the protagonist and her friendship with members of the Investigation Team, altering how social events unfold to include Marie's presence.

The *Persona 4 The Golden Animation* uses the character of Marie to show the importance of memory in creating a continuity of self that holds someone accountable for their actions. Tying back to the discussion of Paul Ricoeur's *ipse* and *idem* in Chapter 3, Marie demonstrates how the loss of her memory disconnects her from past self and leaves her struggling to narrate herself in the current day. Klein argues that 'a sense of self commonly is assumed to be an essential prerequisite of memory. Yet, at the same time, memory appears to be a prerequisite for a sense of self.'[20] Without her memories, Marie has nothing on which to base her sense of identity, nor any way of holding herself accountable for her past actions – for the actions are no longer tied to 'her' as a person. Each of the episodes of *Persona 4 The Golden Animation* focuses on a social event or interaction with Marie, through which she can create new memories that help her ground her sense of identity, including a quiz show,[21] a band performance,[22] a ski trip[23] and a bikini-clad trip to the beach.[24] Marie is ultimately revealed to be the human avatar of Kusumi-no-Okami, a piece of Izanami that fractured when she realised that she could no longer complete her design to fulfil humanity's wishes *and* protect humanity.[25] Marie represents the part of Izanami that sought to protect humanity. Upon regaining her memories, Marie disappears and removes the memories of herself from the minds of her friends. (Through her manipulation and removal of herself from her friends' memories, Marie also strips the

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20 Klein (2015), p 25 (in-text references omitted).

21 A-1 Pictures (2014), episode 4.

22 A-1 Pictures (2014), episode 5.

23 A-1 Pictures (2014), episode 9.

24 A-1 Pictures (2014), episode 3.

25 A-1 Pictures (2014), episode 10.

power of her friends to narrate their own identities based on those memories.)[26] David Leichter tells us that recovering traumatic or repressed memories requires a '"rewriting" of his or her narrative identity to include those traumatic experiences'.[27] Unwilling to rewrite her identity that includes the betrayal of her friends (Marie had unconsciously been acting as a spy for Izanami) and the sense of self that she had cultivated, she instead attempts to destroy herself. Although Marie's relationship with identity and memory is complicated because her personality is a fractured part of a greater whole, after reuniting with Izanami she is able to claim ownership of her past actions while choosing to prioritise her *ipse* concept of self as 'Marie'.[28]

5.2.2 *Persona 4* The Manga

The *Persona 4* manga is a 13-volume series illustrated by Shuji Sogabe that follows protagonist Souji Seta (named before the canonisation of the protagonist as Yu Narukami) in his adventures in Inaba. Manga adaptations of *Persona 4* are not limited to the *Persona 4* video game. There are also manga adaptations of *Persona Q: Shadow of the Labyrinth (Side P4)* and *(Side P3),* each of which tells the story from the different perspectives of the *Persona 3* or *Persona 4* cast; *Persona 4 Arena, Persona 4 Arena Ultimax,* and *Persona x Detective Naoto* also all received short manga adaptations.

As opposed to the video game or anime adaptation, which have considerable time to delve into the intricacies of the plot and characters of *Persona 4*, the *Persona 4* manga has limited illustrative and textual space to re-tell the story. One point of difference between the manga and *Persona 4* as a video game is the way the text indicates the differences between the real world – that is to say, the ordinary Symbolic world – and the TV World, the fantastical world that is an almost touching of the Real. In the *Persona 4* video games, not only does the gameplay itself mark a difference between the two spheres, but this difference is also communicated aesthetically. Any time the characters venture into the TV World, a subtle scanline vignette overlays the screen that mimics the horizontal lines commonly present in older CRT models. Although such a vignette could be mimicked within the manga panels, and this sometimes does occur

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[26] Leichter (2012), pp 123–4.

[27] Leichter (2012), p 123.

[28] A-1 Pictures (2014), episode 12.

for effect, the inclusion of a vignette on every manga panel that occurred within the TV World may interfere with the clarity of the black and white panels as well as prevent other types of dramatic screen tones, shading or movement lines to be used clearly. It is also worth noting that the corners of the panel have been rounded to mimic a CRT television screen.[29]

More prominently, the manga uses the gutters – the space between panels – to separate actions that occur in the real world (marked with white gutters) from those actions that occur in the TV world (marked with black gutters). Thomas Giddens points to the multimodality of comics as an exposing 'the interactive boundaries between different orders of knowing, most superficially between those of the textual and the visual, but also the rational and the aesthetic'.[30] Noting that text fails to capture the 'anima' or 'ineffable "something"' of human that lies beyond the bounds of the rational, purely textual world of law,[31] comics can be used to illuminate that which lies beyond the law. Using Hannah Berry's *Adamtine*, Giddens connects the intrusion of the black gutters into the panels and the page to reveal the haunting of the mask of law, that which is knowable by law (as represented by the logic, text and structure of the panels) by the anima, that which cannot be known. He asserts that the legal mask inscribes the presence of an absence, the function of the mask to hide or make inaccessible the 'true reality' of the individual: 'the notion that there is nothing beneath the mask means the mask is representative of nothing, it is presence with no "beneath", it is literally the presence of absence.'[32] Giddens asserts that the black gutters of *Adamtine* suggest the haunting of law by the anima, that which cannot be known, as the black panelling is 'not so much devoid as completely full – of ink, of colour, of presence. This blackness becomes a form of absent presence, signifying both nothingness and complete saturation.'[33] The *Persona 4* manga similarly uses the proliferation of border and text as the black of the gutters bleeds into the ordinarily

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29 For example, see the comic panel available at Mangarock (2016) 'Vol. 1 Chapter 3: Hanamura Yosuke (Part 1)', https://mangarock.com/manga/mrs-serie-192942/chapter/mrs-chapter-192945, (accessed 19 August 2019).

30 Giddens (2018), p 3.

31 Giddens (2018), p 151.

32 Giddens (2018), pp 150–1.

33 Giddens (2018), pp 162–3.

white speech bubbles of the page, to indicate the inability of the symbolic, the legal, the textual to capture the unknowable real of Kanji's shadow, that which is normally inaccessible to law. Kanji's unconscious mind – his insecurities and flesh and blood individuality – violently disrupts the logic and structure of the panels as the borders literally rip into the images, begging to make themselves known and not be pushed back to the periphery of the page.

Yet, while the shadows generally seek a return to the primordial nature of humans – one without masks – that may hint at a return to the Real, this hint is ultimately illusory. The Real is that which cannot be signified, it is absolute and 'without fissure',[34] yet the small fissures that intrude into the structured panels are equally filled with language, that which Jacques said to introduce 'a cut in the real'.[35]

The addition of the black guttering, as representing the ineffable 'something' of the human that intrudes and tries to make itself known to the members of the Investigation Team, who are seeking to maintain the legal and Symbolic order, is pushed back by another unique feature of the manga. Although the *Persona 4* manga predominantly reserves and re-tells the same conceptualisation of personhood as the video game, one major difference between the manga and the other versions of *Persona 4* is that the characters themselves are often directly involved in the defeat of their monstrous shadow forms. Within the game, the victim character relies solely on the other party members to subdue the shadow enough so that they can accept it and transform it into their persona. Yet, in the manga, Chie literally kicks her own shadow form in the face. In the manga, Chie can be seen readying herself for the kick yet her persona, Tomoe, is already present behind her, despite the fact that her shadow is yet to be defeated and accepted. In heavy contrast to the video game, where Chie would have passed out due to her unconscious mind warring with its shadow, Chie not only remains awake, but is now an active agent in the fight between her inner selves.

This small change disrupts the idea of the unconscious minds of the target being made manifest within the TV World, but attributing a larger part of the acceptance of one's own flaws to the conscious mind. Unlike the video game, which predicated acceptance

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34 Lacan (1991), p 97.

35 Lacan (2004), p 65.

of the self on the shadow's submission to the mystical personas of others, now Chie herself can subdue her own shadow. In the manga, the concurrent presence of both Chie's shadow and her persona, as well as the conscious part of Chie that likely represents her ego, are all in active dialogue with one another, which falls more in line with the Jungian representation of the self. Gabriel Rossouw and Brendon Stewart define individuation as the ability of a person to 'synthesize conscious and unconscious elements, unifying these elements and dissolving the tensions of opposites'.[36] By involving Chie's conscious mind in the process of acceptance of the shadow and the realisation of the persona, the manga does articulate a more Jungian version of the self than the *Persona 4* video game. Without 'needing' friends to help defeat their shadows, the individuation process returns to an individual, able to face their own shadows on their own.

5.2.3 *Persona 4* The Live-Action Stage Plays

Persona 4 has received four live-action stage plays that loosely re-create the stories of *Persona 4* (*Persona 4 Visualive*[37] and *Persona 4 Visualive: Evolution*),[38] *Persona 4 Arena* (*Persona 4 The Ultimate in Mayonaka Arena Stage Project*)[39] and *Persona 4 Arena Ultimax* (*Persona 4 The Ultimax Ultra Suplex Hold Stage Project*).[40] The stage plays use a mix of CGI graphics projected in the background as well as physical actors and props to replicate the epic fantastical fights required by these stories. While the stage play excels at the humorous or emotionally charged scenes due to the realistic portrayal of the characters that evoke affective responses from the audience, it struggles greatly with the more surreal elements such as the personas, shadows and boss fights, due to limitations of costuming, human ability and stage constraints.

One curious addition to the *Persona Visualive* stage play that has no origin in *Persona 4* and has not been integrated into other adaptations is a quirky, humorous scene

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36 Rossouw and Stewart (2005), p 3.

37 Marvelous Entertainment (2012).

38 Marvelous Entertainment (2013).

39 Nega (2015).

40 Nega (2016).

performed by Adachi and Izanami.[41] At the time, Izanami is hiding her true form and has infiltrated Inaba as a male gas station attendant, unlocking the hidden potential in Yu, Adachi and Namatame as they enter town with a handshake. Izanami's lack of knowledge of gas station work practices and appropriate human behaviour is used to comedic effect in the show. For example, Izanami asks Adachi whether he has an ashtray. Adachi hands Izanami the ashtray, presuming that it will be cleaned and returned to the car. Instead, Izanami bowls the ashtray off stage and mimes getting a strike. Izanami's incongruent actions diverge from the behavioural expectation placed on her by Adachi and the audience. Simon Critchley tells us that humour implies a symbolic common ground that may be disrupted temporarily through the use of humour.[42] As Alenka Zupančič puts it, 'comedy succeeds in displaying the crack in the midst of our most familiar realities'.[43] By disrupting societal expectations of his work (such as by asking how to use the gasoline pump and attempting to smoke at the stand), Izanami's difference as a Goddess shows through her actions. For the knowing audience, the skit has a macabre overtone, given that this imagining of the scene was ultimately the catalyst for the awakening of Adachi's powers and his eventual murders. The light tone in comparison to that dark fact adds a level of unsettling feeling to the skit, with the humour additionally functioning as a way for the audience to relieve that tension.

The adaptations primarily uphold the established lore on personhood within the *Persona 4* video games; however, the adaptations are not without their differences. While some of these differences were relatively unavoidable based on the medium of presentation, such as the characterisation of Yu Narukami in the adapted texts, other differences were deliberate design or narrative choices that did extend, regress or alter the understood canon on personhood, character or setting.

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41 Izanami is referred to with female pronouns in this section for the sake of clarity although the role is played by male actor Shoutaro Mamiya in the stage play. The gas station attendant is quite androgynous within the *Persona 4* games, so there is no major disruption of character based on the change of gender.

42 Critchley (2002), p 4.

43 Zupančič (2008), p 58.

5.3 Transmedial Texts

Most of the adapted texts were created with a view to conserving and re-telling the *Persona 4* storyline without much addition or change beyond the expectations of the adapted mediums. The additive transmedial spin-off texts, on the other hand, are designed to solidify and expand the narrative universe and characters of *Persona 4* while taking advantage of the media mix demand for 'more more more!' The following section looks at the *Persona 4* light novel, the official drama CDs released only in Japan and the spin-off manga series that focuses on Yosuke's backstory. Each of these tales falls within the concept of a 'transmedial text' as defined by Jenkins, meeting the characteristics of both additive comprehension and multimodal presentation.

5.3.1 *Persona x Detective Naoto*

Persona x Detective Naoto is a light novel that centres around Naoto Shirogane approximately one year after the events of *Persona 4*.[44] The plot is set around Naoto's efforts to solve the disappearance of two students from Yagakoro High.

As mentioned briefly in the introduction to this chapter, *Persona x Detective Naoto* was not received favourably by fans due to the weak characterisation of Naoto.[45] In *Persona 4*, Naoto initially presents herself as male, dressing in a masculine way and using male pronouns for herself. Identified initially as a male character, Naoto occupies a unique position where she is retroactively de-emphasised as a rational, masculine persona occupant, as her female body is revealed to the audience. While many fans speculate that Naoto is a mishandled transgender character, the canon explanation for her actions is that she presents as a male in order to fight the discrimination that female detectives commonly face. Her young age, in addition to her gender, makes Naoto feel as if she is not likely to be respected by other officers and consequently, by

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44 Mamiya and Sogabe (2012).

45 See, for example, GameFAQs (2015) 'Persona x Detective Naoto – Give it a Read! :)', Forum Post, https://gamefaqs.gamespot.com/boards/641695-persona-4-golden/70165481?page=1, (last accessed 09 August 2019); KawaiiBoushi (2013) 'I Refuse to Accept Persona x Detective Naoto as Canon', *Tumblr*, https://kawaiiboushi.tumblr.com/post/63292462005/i-refuse-to-accept-persona-x-detective-naoto-as (last accessed 09 August 2019); Richard Eisenbeis (2013) 'Wanna Know What Happens After Persona 4? There's A Manga For That', *Kotaku AU,* https://www.kotaku.com.au/2013/12/wanna-know-what-happens-after-persona-4-theres-a-manga-for-that/ (last accessed 09 August 2019).

minimising her feminine traits she can mitigate the discrimination in some way. By the end of *Persona 4*, her social link reveals that she begins to accept her feminine self and understand that she can be a detective and a woman. Persona *x Detective Naoto* undoes much of the character growth seen in *Persona 4* and ultimately proves Naoto's fears that she will not be taken seriously as a female detective to be utterly true.

Persona x Detective Naoto reveals a feminist critique of the legal persona by demonstrating throughout the course of the novel how Naoto's detective style of the clinical, logical and unemotional observer – all characteristics that traditionally are associated with law and masculinity – is undermined by the heavy emphasis placed on her physical, feminine body. As a light novel, key moments of the text are often illustrated for emphasis. The first of the following two images is the gravure photoshoot that Naoto does at the opening of the novel to help Rise out. The second is a reaction shot of her android police partner, Genesis, and his creator, Tetsuma Tsuge, when they discover the photoshoot. In these images, a small sweat drop is visible on Naoto's cheek, which is commonly used as a stylistic symbol in Japanese visual language to indicate discomfort or anxiety.[46]

By construing Naoto as an object of desire through the lewd, fetishised images of her throughout the light novel (other images feature her naked in the shower,[47] or dressed in a high school uniform to go 'undercover' for a case[48]), she is stripped of her personal agency and privacy in order to satisfy the male gaze.[49] Adding insult to injury, her impressive bust size is not only ogled and praised by the lecherous Tsuge, but also her android partner, Genesis – meaning Naoto is objectified by a literal object. Later, Naoto's female boss, Touko Aoi, also notes how sexually appealing Naoto is in her school uniform, remarking that she would be tempted to 'do something' to Naoto even though they are both women.[50] By expressing Naoto as a body to be desired and

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46 Cohn and Ehly (2016), pp 21–2. For example, see the top image here: The Modest Otter (2013) 'In Novel Illustrations Part One', Tumblr, https://otterbeans.tumblr.com/post/32966994784/in-novel-illustrations-part-one-dont-know-why, (accessed 19 August 2019).

47 Mamiya and Sogabe (2012), p 66.

48 Mamiya and Sogabe (2012), p 111.

49 Kincaid (2018); see also Mulvey (1975).

50 Mamiya and Sogabe (2012), p 117.

used as a means to an end, rather than as an independent, intelligent mind, Naoto's operability and agency as a detective is undermined and threatened by the addition of *Persona x Detective Naoto* into the *Persona 4* canon universe.

The proclivity to characterise Naoto in relation to her body reinforces on a textual level some of the male-oriented contouring of the player avatar, as noted in section 3.2. In the same way that female players are disparaged by their identification with the body and consequential perceived inability to control the avatarial body (as they have no sufficient 'mind' to do so), Naoto's struggle to have her brilliance acknowledged because of the focus on her body mimics this struggle within the textual canon of *Persona 4* itself. Naoto's cross-dressing throughout the light novel is an attempt to shape her body into the 'default' legal person; however, once her gender, or non-conformity, is revealed to her work colleagues, it is no longer possible to return to the default, male state that is privileged by the text.

5.3.2 *Persona 4 The Magician*

Persona 4 The Magician is a single-volume manga that shows fragments of Yosuke's life before moving to Inaba.[51] As he loses contact with most of his old friends from the city, he also gains new friends in Inaba. The manga focuses on Yosuke's relationship with the protagonist, using key scenes from their social link, reiterating once more the importance of social bonds with others within the *Persona 4* series. Although this text is a trans-medial addition to the canon, it does little more than reserve and retell select events from *Persona 4* from Yosuke's point of view, ultimately serving to certify the importance of Yu to Yosuke. The final scenes of *Persona 4 The Magician* emphasise Yu and Yosuke's place not only as individuals who recognise, and use, each other symbolically for confirmation of personhood but also perform characteristics of being the ideal liberal legal subject through the theme of equality that runs throughout the manga. Yosuke, feeling inferior to Yu's strength of character and ability, asks Yu to punch him so that he can remove his weakness and they can be situated as competitors on equal terms. Yosuke positions himself as an equal liberal legal subject capable of competing against his friend in the acquisition game; the last few pages

[51] Kugura (2012).

show Yu and Yosuke fighting and then sprawled out on the ground together, exhausted. This confrontation between Yu and Yosuke strengthens Yosuke's persona, changing its form to a stronger version, as he becomes recognised, or regards himself, as an equal to Yu.

5.3.3 *Persona 4 Drama CD #1-3*

Persona 4 has multiple drama CD adaptations that each contain short audio dramas about the cast of *Persona 4* in new situations,[52] expanding on the narrative world through the aural imagination. *Persona 4* spawned three drama CDs based on the *Persona 4* video game, two drama CDs based on *Persona 4 Animation*, and two additional drama CDs that focused on *Persona 4 Golden*.[53] The duration of each drama CD varies from 30 to 60 minutes of content, usually including comments by the cast after the performance. Drama CDs are not a common addition to Western trans-medial storyworlds; however, they have been received with success in the Japanese context. In Japan, voice actors receive a higher level of fan interest and as a result have large, committed fan bases that are easy targets for voice-based marketing.[54] Although hiring well-known voice actors is not without its costs, creating narrative content using voice alone cuts down on much of the cost associated with animation, video games and manga, allowing content to be created in a relatively short time.[55]

Persona 4 Drama CD Volume 2 focuses on the female characters secretly preparing homemade chocolate to give to the protagonist, despite almost all of them having

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52 Frontier Works (2009a, 2009b, 2010).

53 The drama CDs based on *Persona 4 Animation* and *Persona 4 Golden Animation* are not freely for sale and only come bundled with the box sets of these animated series. As a result, this section only focuses on those easily available to consumers as a purchasable trans-medial texts.

54 Shotaro Tani (2015) demonstrates how voice actors and characterisation of voices can be used as a marketing technique for various products. Ramen, gum and coffee are some products used as examples within the article.

55 The theme of Nanako's abandonment by her father is common throughout every incarnation of the series. Anime International Company (2011–12), episode 18; Nanako running away from home in Atlus (2012), 07/17 Evening; Sogabe (2008–19), Chapter 12, Chapter 18, and Chapter 31 are all examples of when Nanako shows anger or sadness at her father's prioritisation of work over spending time with her.

dubious cooking skills. Yu's six-year-old niece, Nanako, decides to give chocolate to Yu and her father, Ryotaro Dojima, to show her love for them on Valentine's Day. However, when Nanako requests her father be home early that day for a surprise and he is unable to do so due to his demanding police schedule, Nanako becomes upset with Dojima. Nanako's frustration, loneliness and anger are characterised in almost every incarnation of *Persona 4* media in which she is featured, including the *Persona 4* game, *Persona 4 The Animation* and the *Persona 4 Manga* series.

Ryotarou Dojima is Nanako's literal father and Yu's figurative one, as well as the epitome of law within the *Persona 4* narrative. Dojima is Lacan's literal Law of the Father. For Lacan, the function of the Law of the Father, also known as the Name of the Father or the Phallus, is to induct the child into language, for language 'is the symbolic system, with its rules and structure, which the child has to negotiate if it is to situate itself in the social order'.[56] As the universe's representative of law, Dojima is constantly seeking out wrongdoers at the expense of spending time with his daughter. After all, 'transgression, which in one sense is what the law does *not* want, is also precisely what the law desires'.[57] Despite Nanako's dutiful obedience to her father's law and expectations, her desire for her father's attention is never fulfilled. Her desire for her father to fulfil his role of the Law of the Father, in validating her place within the Symbolic order, is constantly rejected in favour of Dojima's fulfilment of his role as a police officer and his efforts in pursuing transgression. In a psychoanalytic view, reading through Luce Irigaray, Jane Gallop explains that the daughter's desire for the father's attention or interest in her is an attempt to value herself through the phallus: 'If the phallus is the standard of value, then the Father, possessor of the phallus, must desire the daughter in order to give her value.'[58] Dojima's legal function ultimately overrides his desire for his daughter, prioritising his desire for transgression over the perverse affection offered by his daughter. In the drama CD, Nanako tries to give her father Valentine's Day chocolate as an expression of her love for him that she cannot articulate, unable to confront the reductive, signified language of the Symbolic.[59] As

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56 Blackwell (1999), p 313.

57 Taylor (1990), p 1269.

58 Gallop (1982), p 70.

59 Gallop (1982), p 124.

such, Nanako is reduced to her bodily actions, associating her femininity further with the body and an inability to participate with the mind of the ideal subject.

The transmedial texts of *Persona 4* extend the canon of the video game through backstory narratives, stories that run concurrently with the events of *Persona 4* adding further context to the game and delving into future stories that extend the world of *Persona 4* beyond its immediate surroundings. While most of the transmedial content falls in line with the established canon, characterisation, and themes of the game, *Persona x Detective Naoto* remains an outlier. Its poor characterisation of Naoto and failed distension of the established lore of the *Persona* universe resulted in fans rejecting the text, determining it to be uncanonical. Despite *Persona x Detective Naoto's* ambitious push to expand the *Persona* storyworld, the novel's failure to faithfully portray the characters lore of the series and its subsequent rejection demonstrated that consumers will not accept just any transmedial text but instead require the integrity of the canon to be maintained.

5.4 Spin-off Video Games

Persona 4 established a transmedial mix franchise by its adoption of a plethora of media and merchandising. Through the sale of manga, music CDs, food based on the franchise[60] and the adaptations and transmedial extensions of the canon, the *Persona 4* franchise thrived outside of its primary medium of the video game. However, the *Persona 4* franchise also marketed its products towards the initial audience of *Persona 4:* players of video games. While the release of *Persona 5* would be anticipated as the next large-scale RPG release in the *Persona* franchise, *Persona 4* was the first video game in the *Persona* series to expand its reach outside the RPG genre. In the same way that Nintendo's *Mario* spans numerous titles, such as *Super*

[60] Pasela Resorts frequently collaborate with the *Persona* franchise to celebrate events by creating limited time only desserts and drinks that correspond with the characters, setting, or in-universe food and drink of the specific *Persona* franchise. For some image examples of these dishes, see Reggy (2016)

Mario Bros,[61] *Mario Party,*[62] *Mario Kart,*[63] *Mario Tennis,*[64] *Mario Maker*[65] and many more, *Persona 4* adopted a similar technique of creating games in a number of game genres and trusting that the strength of their characters and storyworld would be enough to entice players to play games that differed from their favoured playstyle.

5.4.1 *Persona Q: Shadow of the Labyrinth*

In relation to both gameplay and narrative, *Persona Q* differs the least from the main *Persona 4* game, extending the Lacanian themes of lack and social constitution of the self through recognition of imaginary egos. While each spin-off instalment of *Persona 4* is important, the dancing game, *Persona 4 Dancing All Night,* and the fighting game, *Persona 4 Arena*, make stronger and more diverse contributions to the *Persona 4* canon.

Not dissimilar from the gameplay of *Persona 4, Persona Q: Shadow of the Labyrinth* is a dungeon-crawling game with complex dungeon floors and turn-based combat gameplay tempered with short bursts of narrative or character interaction.[66] *Persona Q: Shadow of the Labyrinth* was released on the Nintendo 3DS, unlike the other *Persona 4*-related games, which were released on a variety of PlayStation consoles, PlayStation 2, PlayStation 3 and PlayStation Vita. By releasing games over different gaming platforms, including Xbox 360 and the Nintendo 3DS,[67] Atlus is able to expand its market beyond a core PlayStation market and introduce the *Persona* franchise to non-PlayStation owners.[68] By releasing games on various platforms, though, Atlus risks limiting those customers previously loyal to *Persona 4*, PlayStation

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61 Nintendo EAD (2012a).

62 Ndcube (2018).

63 Nintendo EAD (2014).

64 Camelot Software Planning (2018).

65 Nintendo EAD (2015).

66 Atlus (2014).

67 Both *Persona 4 Arena* and *Persona 4 Arena Ultimax* were released on Xbox 360 in addition to a PlayStation 3 release.

68 Laurie N Taylor (2007) notes that gaming culture divides itself based on gaming platforms as much as players do based on their preferred game genres or types of narratives. The culture and associations that gaming platforms create help to shape future consumers and inform purchase choices.

console owners, from being able to play *Persona Q: Shadow of the Labyrinth* and fully enjoy the gamut of games they have on offer. While it is not expected that every owner of a PlayStation 3 will also have access to a PlayStation Vita, identifying with the personality of a console brand may increase consumer loyalty.[69]

Despite having the longest average playtime for the main story of any of the *Persona 4* spin-offs, most of this time is spent mapping and solving the puzzles of the elaborate dungeons in gameplay that is nearly identical to the *Etrian Odyssey* franchise.[70] This similarity is unsurprising, given that the development team consisted of half *Etrian Odyssey* designers, and half *Persona 4* staff, and is built on the *Etrian Odyssey* engine.[71] Aside from the inclusion of the characters from *Persona 3*, a five-person party (as opposed to four), and enhanced strategic requirements (such as front and back rows for positioning melee and ranged fighters, and row-specific buffs),[72] *Persona Q* differs little in gameplay from the dungeons of *Persona 3* or *Persona 4.* Aesthetically, the cutesy *chibi* art style differs greatly from *Persona 4* yet is typical of the *Etrian Odyssey* franchise and a frequent stylistic choice of Nintendo 3DS games (such as *Animal Crossing*),[73] due to the device's limited graphics capabilities compared with non-handheld consoles.[74]

Persona Q: Shadow of the Labyrinth converts its characters to *kyara* by contradicting the lore of the 'Wild Card' within the *Persona* universe. The Wild Card is a unique ability held by few characters, typically the protagonists of each *Persona* game but also Aigis and Elizabeth from *Persona 3*, which allows the user to freely switch between different personas. *Persona Q* removes the Wild Card ability from the protagonist characters and simultaneously expands the powers of the other characters, who can typically only use one persona, to allow all 17 playable characters to use a persona and a sub-persona. While

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69 Palomba (2016), pp 65–6.

70 Atlus (2018b).

71 Atlus (2015).

72 The term 'buff' refers to a temporary beneficial status boost. A buff can help character/s to perform a particular action, improve their health/magic/or other resource, increase their defence or attack power, or provide another beneficial effect.

73 Nintendo EAD (2012b).

74 The *chibi* art style refers to anatomically deformed characters that have their bodies shortened to increase their cuteness. *Chibi* characters often have large heads compared with their bodies.

this change was likely made to give more customisation to the player in designing their party, the alteration of the characters to make them easily interchangeable adds to their function as game pieces, emphasising their abilities, strengths and weaknesses in the combat/exploration portion of the game but de-emphasising them as characters with individual personalities. A brief in-game explanation is offered for this change; however, in practice this change is one of the ways by which *Persona Q* makes its characters portable and present as *kyara* within the game.

In terms of storyline, the game intertwines the characters of *Persona 4* and *Persona 3* in a temporal anomaly pocket universe that temporarily brings the two timelines together. Working together to solve the mystery of Zen and Rei, two persona users who have lost their memories, the casts of *Persona 3* and *Persona 4* are reduced down to their most fundamental traits, undoing much of the character development built up in the original games. Ultimately, it is revealed that Rei is the spirit of a deceased girl named Niko who spent her life in hospital. When Zen, who is unveiled to be Chronos, the personification of Death in the Collective Unconscious, came to collect Niko and escort her to the afterlife, he was moved by the feeling that her life had no meaning. Chronos removed both his own memories and Niko's memories in order for their blank-slate versions, Rei and Zen, to be born. Having lost their memories, Rei and Zen can enjoy some time together in the pocket universe to give Niko a feeling of connection to others and a sense of purpose before she passes on.

Narratively, *Persona Q* supports the Lacanian concept of the self as a fractured being set out in *Persona 4* in that it emphasises the establishment of social ties and aims to fulfil a need had remained unmet. Cooped up in a hospital, Niko's limited ability to make friendships and connections damaged her sense of self, so her emptiness was left to fester rather than to be fictitiously filled by drawing on others to validate and recognise her identity. This absence was so strong that it literally summoned a god – the one creation, in Lacanian terms, who is 'whole' and desires nothing. The figure of God represents the illusory fulfilment of our curiosity about creation and acts as a reassurance about the afterlife: 'he is perfect for the fact but for the fact that he does not exist'.[75] In the same way, *Persona 4* literalises the struggle of the self through the

[75] Aristodemou (2014), p 10.

battle between persona and shadow, *Persona Q* uses a literal God to fulfil the needs of the fractured subject when humans do not suffice.

While *Persona Q* is considered to be a canonical game, the franchise gets rid of problematic issues – such as the cast of *Persona 3* and *Persona 4* meeting at the same age (a chronological impossibility), and the widespread use of personas and sub-personas being specific to that game – through the use of the pocket universe. Upon resolving the storyline, all characters return to their respective timelines with their memories of one another conveniently having been wiped.[76]

5.4.2 *Persona 4 Dancing All Night*

Persona 4 Dancing All Night is a rhythm game released in 2015 exclusively for the PlayStation Vita.[77] Renowned for Shoji Meguro's groovy original compositions and as one of the few franchises with in-game lyricised background music, *Persona 4* was a perfect candidate for a rhythm game.[78] Any player of *Persona 4* or *Persona 4 Golden* will likely already be familiar with the melodies and lyrics of the theme songs, having been exposed to them repeatedly over the course of the games. Although the music of *Persona 4* has previously been a support for the main action and story of the games rather than having a starring role, as a rhythm game *Persona 4 Dancing All Night* places a new emphasis on these tunes. True to *Persona 4*'s spin-off style, the story mode of the game intersperses the genre-specific gameplay (be it dancing, fighting or dungeon-crawling) with a rich visual novel style story. In common with the other spin-offs, *Persona 4 Arena, Persona 4 Arena Ultimax* and *Persona Q: Shadow of the Labyrinth*,

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[76] *Persona Q2: New Cinema Labyrinth* was released in Japan in October 2018 and was scheduled for an English release in June 2019. The game includes the casts of *Persona 3, Persona 4* and *Persona 5.* Unfortunately, due to the timeline of thesis submission, this game is unable to be covered within this chapter, see Atlus (2018a).

[77] Atlus (2015).

[78] These songs include 'Pursuing My True Self', 'Signs of Love', 'Your Affection' and 'Reach Out to the Truth'. See Meguro (2008a); Meguro (2008b, 2008c, 2008d), respectively. The game also includes a number of remixes of popular songs and common background themes of *Persona 4* that become ingrained in the player over time.

the player takes on the perspective of multiple characters in the Investigation Team (and their new friends) as they solve a new mystery.

Persona 4 Dancing All Night tells the story of Rise Kujikawa's return to show business. With her big debut at the Love Meets Bonds festival, she enlists her friends to dance with her so that she doesn't have to face the stage alone. But when a rival idol group, Kanamin Kitchen, disappears into the Midnight Stage, a supernatural shadow-infested realm, the Investigation Team must fight the shadows by expressing themselves and their feelings through the power of dance. The culprit is ultimately revealed to be Mikuratana-no-Kami, a deity that represents the collective will of all who yearn for easy bonds without pain. By convincing the stars of Kanamin Kitchen that they can only connect with others by abandoning their true selves, the Investigation Team must free the idols one by one through the demonstration of their 'true' bonds, which they have formed when accepting one another's true selves.

Curiously, the emphasis on expressing oneself freely and remaining true to one's own self that is discernibly paraded within the game's narrative is negated by the demanding and restrictive gameplay. The gameplay of *Persona 4 Dancing All Night* can be broken down into two main genres: visual novel and rhythm game. Visual novels, as discussed earlier, are highly coded environments that provide little interactivity with, or deviance from, a predetermined storyline. The settings within the visual novel sections literally have an 'auto' function that will scroll through the text and voiced dialogue at a reasonable speed, stopping only when the player must make a choice or when the player's narrative point of view changes.

Equally, the rhythm portion of the game runs contradictory to the message of the game. In a narrative that emphasises expression of self (specifically through dance) within its narrative, the rhythm game portion allows for no creativity or freedom within its gameplay. As Martin Pichlmair and Fares Kayali suggest:

> Rhythm games offer little freedom of expression apart from the prerogative to perform while playing. They strictly force rules on the

> player and how she has to react to a specific stimulus displayed on screen or communicated by sound.[79]

As in most rhythm games, such as other handheld games like *Hatsune Miku: Project Diva* and arcade machines such as *MaiMai* and *CROSSxBEATS*,[80] the player is marked based on their adherence to the beat and rhythm of the music. Skill is rated by a variety of indicators from Perfect, Great and Good to Miss, which rates where the player's button press fell in relation to the coded criteria of the game. These restrictive criteria force the player to 'dance' in time to the music and in a pre-coded pattern rather than creating their own control scheme and moving freely to the music. Closer adherence to the criteria yields more P$ (Persona Dollars), a higher score and a better appraisal of the player's performance whereas poor timing will stop gameplay prematurely, requiring the player to restart the song and perform more skilfully.

Unlike some other rhythm games such as *Guitar Hero*, which aurally reflect poor playing by temporarily removing some of the instruments or playing out of tune,[81] *Persona 4 Dancing All Night* keeps the integrity of the music and video separately from gameplay. The characters continue energetically dancing and the music doesn't skip a beat; the only impact the player has on the game space is in a voice announcing their rating (King Crazy, Brilliant, Stage Clear, Not Cleared). From a textual standpoint, drawing on the analysis of Chapter 4, the continued integrity of character and music may reference the persistent presence of the legal mask. Although the Midnight Stage, where all of the dance performances occur, operates within a similar space to the TV World and Midnight Channel, where the unconscious manifests in literal ways, the cast of *Persona 4* who get see the person 'behind' the mask are still constructed in terms of the recognition of others. In order to clear the stage in *Persona 4 Dancing All Night*, the player must satisfy a 'groovy gauge', which represents how much an unknown audience is enjoying your performance of the song. Regardless of whether or not this gauge is satisfied, the outcome is tied to the recognition of the 'audience' of the characters, carving out a space of symbolic recognition within the unconscious

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79 Pichlmair and Kayali (2007), p 426.

80 Sega (2010, 2012); Capcom (2015).

81 Harmonix (2005); Miller

realm. Even with the acknowledgement of the complex person behind the mask, the Investigation Team is overwritten with a legal persona of symbolic recognition that is not nullified by personal knowledge of others:

> Having triumphed over substance, the self retains the mask as a trophy – the armature of past, emptied, and vacuous essence and the insignia of the continuing sovereignty of the self. But with its triumph over substance, the self has won a Pyrrhic victory, for it has defeated only its own substance – and wears from this the persona as a mark and mask of its own emptiness. The abstract legal person is the mask with which no particular individual plays any longer. But it plays on by 'itself'.[82]

The continuation of the music and dance without any negative repercussions verifies how the mask 'plays on' as long as there is some attempted input. It should be noted, however, that failure to meet a basic level of skill results in the song ending prematurely. Zach Whalen tells us that 'music is essential to the semantic operations of a video game'.[83] Correct behaviour is given a musical reward and failure is often coded with warning sounds. While Whalen is focused more on incidental noises that reward/penalise in-game behaviour, *Persona 4 Dancing All Night* employs none of these. The only musical reward of the game is the continuation of the music itself and, where the player performs well, the character's persona being summoned and playing a musical instrument solo at the end of the song.

The player's lack of influence on the video or music, based on the skill of their performance, demonstrates that the player's influence on the game world itself is minimal in *Persona 4 Dancing All Night*. Yet the strict rating system requires that players comply as closely as possible with the game's predetermined pattern. Perhaps the only aspect of free play that the game offers in the rhythm mode is an ability to use the joysticks on the Vita to 'scratch' the music track as if it were being played on vinyl. These scratches are present to score extra points if timed correctly with the blue or multicoloured FEVER rings that appear on-screen; however, their use is optional and

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82 Hamacher (1998), p 125.

83 Whalen (2004).

free use will not be punished by the scores. Ultimately, freedom of expression and the 'true self' that the narrative espouses have no meaningful place within the gameplay.

The discrepancy between narrative – the fiction that is told to us – and gameplay – the system that controls us, the *Persona 4 Dancing All Night* game – reveals the conception of the self as a true, free subject as illusory, a product of the system that rewards close adherence to the coded law of the game. The illusion of choice and freedom of expression within the game manifests in the ability for players to spend P$, the in-game currency that is earned by completing songs, on additional outfits and accessories for the game's characters. The game's 'free' expression of the characters is sublimated into surface consumerism that only re-skins the characters in varying costumes, with an emphasis on the body of the female characters. While fashion may be considered a way of expressing oneself, the dress-up play occurring in *Persona 4 Dancing All Night* is done in a way that commodifies the bodies of the characters, prioritising their aesthetic over their characters' preferences.[84]

In dressing up each of the characters, the player is not inhabiting the role of the character using their freedom of expression to dress in the way they desire; instead, the player has a god-like agency over the bodies of the characters.[85] In fact, the characters vocally protest the player's choice of outfit in the menu screen if the costume is atypical of their character. For example, if the player puts Chie in a highly revealing fantasy armour, she proclaims 'Wait, what is this!? I'm *so* not wearing that', while putting Kanji in a Halloween costume elicits a 'What the hell is this!? I ain't wearin' it.' Rise, more accustomed the sexualisation and commodification of her body as a famous idol, admits that she can 'do a little fanservice' when put in a scanty Arabian outfit, as if in acknowledgement that the costumes are entirely for the pleasure of the audience.[86] Harkening back to the content of Chapter 3 that associates the female subject with the body, the female characters have

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84 Megami Tensei Wiki (2013) 'Kanami Mashita', Megami Tensei Wiki, https://megamitensei.fandom.com/wiki/Kanami_Mashita?file=P4D_Kanami%27s_Costume_Coordinate_01.jpg (accessed 19 August 2019).

85 Fron et al (2007), p 5.

86 Incidentally, one of the few high-end figures released of the *Persona 4 Dancing All Night* style characters is Rise wearing this highly sexualised Arabian outfit. The only other figures available are Rise and Yosuke in their standard outfits from the game.

more costumes that emphasise the sexualised form of their body. While the male characters do have a swimwear option that is revealing, each of the female characters has two to three outfits that show considerable chest, midriff or leg areas, a trend that is not mirrored in the male choices. For example, the female characters are scantily clad in their fantasy armour costumes, cheerleader outfits, suggestive Christmas or Halloween outfits and maid outfits. The male characters have counterparts to some of these costumes, such as the Christmas and Halloween outfits; however, they are generally dressed in full body suits that cover their skin entirely. Other costumes, such as the fantasy armour and cheerleader outfits, have no such male equivalent, which concurs with Berrin Beasley and Tracy Collins Standley's research that female characters in video games wear more skin-exposing clothing than the male characters.[87] As a result, the male characters are able to retain more of their association with the mind than the female characters, who are considerably more sexualised through the style of their costumes.

Beyond the consumerist overtones of the customisation options of *Persona 4 Dancing All Night*, that reduces the characters to little more than static models over which to place the clothing, the regression of the characters from the *Persona 4 Golden* epilogue works to convert the characters into *kyara*. In the epilogue of *Persona 4 Golden,* each of the *Persona 4* characters has a different hairstyle and different clothing from the sprites they've had throughout the game to show how they've changed and matured since Yu left Inaba. Although *Persona 4 Dancing All Night* occurs after the epilogue, the characters have returned to their original hairstyles once more, erasing the progress made in the original game.

Among the downloadable content (DLC) for the game, one of the most interesting additions is Tohru Adachi, a now convicted murderer, dancing to The Fog (Atlus Konishi Remix).[88] Somewhat manic in tempo and movement, Adachi appears to tell the story of his rise to power, manipulation by Ameno-Sagiri, and his delight in being chased by the law through dance. The song allows a single partner: Yu Narukami. Ryotaro Dojima, the detective on the case and the game's representation of law, is notably absent as a playable character within this game. As if in compensation for the player, the Adachi

87 Beasley and Standley (2002).

88 Meguro and Konishi (2015).

DLC includes the 'Hardboiled Mask', a mask of Dojima's face fixed in an angry expression that Yu is able to wear to complete the 'Hardboiled Look' costume, a parody of Dojima's regular clothing. In the same way that legal actors use dress, props and scripts to cultivate the formal face and authority of the law,[89] when wearing Dojima's clothing, Yu literally takes on the costume of law. Dojima's absence from the dance portion of the game serves to reinforce his (and the law's) inability to participate in the secret world of personas and to take law beyond the realm of the formal legal person, never able to become acquainted with the unconscious minds or inner workings of its subjects. In adopting the costume of law, the game makes explicit Yu's role in upholding justice by identifying himself as a protector of the social order.[90]

Yu's symbolic adoption of the costume of law seeks to bring law into the unconscious mind, into the internal being rather than merely governing bodies or the abstracted legal persona of civilians that standard law tends to deal with. As Gary Watt puts it, 'The law struggles to hear and to see the nuances of our inner being and so prefers to deal with the abstract superficiality of legal personality.'[91] The intervention of Yu and the Investigation Team into their own unconscious, and the unconscious minds of each other, introduces law into a place that it cannot normally reach. The inclusion of a costume and mask of Dojima hints at the fact that not only is Yu symbolising law within the unconscious, but also that the law being propagated within the mind is only a mimicry of that seen in the real world. In Foucauldian terms, law is not required to enforce itself (in this instance, through Dojima) within the unconscious as disciplining the citizens themselves to internalise the law allows the law to be enforced without extraneous interaction.[92] Dojima's absence within the gameplay aspects of all of the *Persona 4* spin-off games, and the original game, can be interpreted not as an absence of law but rather as a continuation of how the law operates and affects its participants internally.

The grooving music, bright colours, stylish accessories and feel-good, encouraging storyline of *Persona 4 Dancing All Night* may appear to encourage freedom of expression and being true to oneself above all, but on closer inspection it covers a

89 Watt (2013), p 80.

90 Wolf-Meyer (2006), p 192.

91 Watt (2013), p xvi.

92 Foucault (1977), pp 200–3.

strict regime of compliance and the reduction of characters to their most basic traits. While all games are necessarily codified, rating players' adherence to a regime of button presses by mere milliseconds subverts the message of freedom within the game, demonstrating that adherence to procedure is king. In providing the option of costuming Yu as Dojima but excluding Dojima himself as a playable character, the game solidifies Yu's place as the representative of law within the *Persona 4* universe. Dojima's inability to stretch the reach of the police force into the unconscious mind solidifies the struggle of law to engage with a person beyond their abstract legal personality. Yu, on the other hand, is able to learn deeply about the mask's occupant, including their desires, fears and identity anxieties, directly from their unconscious mind. Yu's access to this section of the mind, along with his friends, nevertheless ultimately prioritises the function of law as Yu frees the individuals from their unconscious trauma and returns them to the domain of law: the real world.

5.4.3 *Persona 4 Arena*

Persona 4 Arena serves as the base text for the detailed analysis in this chapter. Each of the above canonical texts has been observed on the basis of how it contributes to, negates or alters the Lacanian reading of legal personhood established in Chapter 4; however, *Persona 4 Arena* marks a shift in focus away from commentary on the Lacanian self through the canon's transmedial texts, and instead allows *Persona 4 Arena* to engage more deeply with other theories of personhood to construct a new textual reading. This analysis is an example of how a spin-off could be read in the context of a larger franchise while still retaining sufficient depth to meaningfully contribute to the construction of personhood performed by the canonical texts. Drawing on the work of Martin Heidegger, this section examines *Persona 4 Arena*, the first fighting game of the series, to determine how the main character, Labrys, advances a posthuman animation of personhood. Despite her android form, Labrys is still unable to shake some of the 'flaws' of human personhood, such as the control over her body (as supported by Labrys' narrative storyline and the absence of gameplay in her particular route), the femininity of her form and the psychical requirements expected by others prior to personhood recognition.

Temporally, *Persona 4 Arena* (2012) and *Persona 4 Arena Ultimax* (2013), the sequel to *Arena*, were the first non-RPG spin-off games in the *Shin Megami Tensei* franchise. As the first foray into fighting games for both Atlus and the *Persona* franchise, both *Arena* and *Ultimax* performed strongly with critics and gamers alike, garnering scores of 9/10 and 9.1/10 from IGN.com[93] and solid Metacritic ratings around 85 per cent for each game.[94] As a direct sequel to *Arena*, *Ultimax* has a near-identical fighting system to that of its predecessor, with minor adjustments and new characters added to the rumble roster.

As a game of the fighting genre, *Persona 4 Arena* and *Persona 4 Arena Ultimax* require two character avatars (either controlled by a human or by the CPU) to battle one another until one of the characters has been entirely depleted of health. For the span of each bout, the only goal of the player is to inflict damage on the opposing avatar before they personally run out of health. The emphasis of the fighting genre is entirely bodily: the player must jump, block, hit, grapple and shoot the opposing party, who must dodge, counter-attack and roll as necessary. The bodies of the avatars become a site of violence, where each character's material reality is determined by 'what a human being can do to another body'.[95] The weapons of the combatants do not merely consist of rapiers or axes, but of the physicality of the body itself. As Elaine Scarry puts it in her infamous book, *The Body in Pain*, 'although a weapon is an extension of the human body … it is instead the human body that becomes in this vocabulary an extension of the weapon'.[96]

In contrast to *Persona 4 Dancing All Night*, which spouted a message of freedom of expression through dance, the coded gameplay and strict adherence to the rhythm prompts on the screen actively limited the ability for the player to truly experience this freedom.[97] *Persona 4 Arena* and *Persona 4 Arena Ultimax,* on the other hand, involve narratives of control and invisible walls that won't dissipate until the characters

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93 IGN (2012, 2014).

94 Metacritic ratings are averaged over hundreds of reviews left by players and critics. See Metacritic (2012, 2014).

95 Stenius (2013), p 48.

96 Scarry (1985), p 67.

97 See section 5.4.2 for more on *Persona 4 Dancing All Night*.

trapped within actually fight, whether they want to or not. In terms of gameplay, though, the fighting games open up a space of liberation for the player where they can choose from a range of moves in order to defeat their opponent. Victory is achieved within *Arena* and *Arena Ultimax* through the execution of spontaneous moves in reaction to an opponent – human or otherwise – rather than compliance with a predetermined, fixed pattern. In order to be competitive, players of fighting games need to 'carry out long-term strategic decisions', and make 'skilled on-the-fly tactical decisions, often with only seconds or even part of a second to respond'.[98] The specific avatar chosen to represent the player at the beginning of the bout equally informs gameplay, as each character usually has a unique set of moves that alters their gameplay style. Players must adjust their play to meet the strengths and weaknesses of the avatar they are using while being able to exercise some creativity in the performance of their sense of self through the freedom each character allows.

Persona 4 Arena uses the android characters of Labrys and Unit #024 as an interrogation of posthuman conceptualisations of legal personhood and the problems accompanied by Labrys's othered technological body, mind and soul. Labrys, the term originating from the Greek for a double-edged axe, has come to be associated as a symbol of the matriarchy, female power and lesbianism, through the association of the weapon being wielded most famously by the ancient Greek legend of Clytemnestra.[99] After her child is murdered by her husband, Agamemnon, Clytemnestra 'becomes the heroine who finally takes the knife (or the axe) to the chief symbol of patriarchal repression' and kills her husband to deliver justice.[100] While not directly connected to the Greek legend, the Labrys of *Persona 4* lives up to her namesake and also symbolically struggles against male repression through her violent deconstruction of the contoured legal avatar that primes itself for the male, heterosexual, ideal liberal legal subject.

Labrys contends with traditional notions of personhood through *Persona 4 Arena* through her technological, posthuman challenge to what it means to be a person.

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98 Johnson and Woodcock (2017), p 32.

99 Komar (1994a), p 101; Komar (1994b), note 7.

100 Komar (1994a), p 82.

Fiction, particularly instances of science fiction, have been appropriated by cultural legal scholars to play with ideas of legal personhood and life beyond the strictly human. Hamilton observes Caesar from the film *Rise of the Planet of the Apes* as making visible the erasure of the animalism of the human,[101] and the 'seeming impossibility of a non-human animal as legal person'.[102] Travis uses *The Walking Dead*[103] comic book and television series to recommend the rejection of legal personhood as a more effective way to ensure rights for the vulnerable.[104] Kapica also acknowledges the shortcomings of humanist classifications of personhood. Using the science fiction television show *Caprica*,[105] he demonstrates how the expansion of technological intelligence and autonomy 'challenges the humanist underpinnings of "personhood" from which definitions of *legal* personhood originate'.[106] *Persona 4 Arena* questions the basis of the mind itself and what it means to be 'alive' and a 'being' in the world, asking whether a non-human person can exist within the world of *Persona 4* and, by extension, the real world. This section seeks to explore how *Persona 4 Arena* challenges a purely humanistic approach to what constitutes a being capable of having a persona – legal and mystical – through the character analysis of Labrys. The cast of *Persona 4* and *Persona 3* make significant appearances within the other story chapters of this game; however, Labyrs as a newly introduced character and the heart of the P-1 Grand Prix (the mysterious battle royale in which the characters suddenly find themselves) is the primary character associated with the game.

Created in the game narrative by the Kirijo Group (a multinational trading company with a secret research facility), Labrys was designed as a prototype for the 5th Generation Anti-Shadow Suppression Weapon. Constructed to fight shadows (the monstrous manifestations of negative thoughts within the TV World), Labrys and the other prototype units were installed with a Plume of Dusk – a mythical spark of life – as their hearts, in the hope that they would become able to develop the egos and the

101 Wyatt (2011).

102 Hamilton (2016), p 301.

103 Darabont (2010–present).

104 Travis (2015).

105 Aubuchon and Moore (2012).

106 Kapica (2014), p 616 (author's emphasis).

'human mind' necessary to summon a persona.[107] Unlike conventional weapons, the need for the androids to take on a human element to unlock their power resulted in them being placed into humanoid bodies:

> Personas are created from human minds. So the plan was to place a human mind inside an anti-Shadow weapon … the only real issue was the form the weapon would take. If the form of the weapon was a tank, for instance, the weapon's mind would recognize itself as a tank … However, a mind placed inside a form that closely resembles a human body will recognize itself as a human being, thus allowing it to easily adapt to human thoughts.[108]

In order for Labrys to become the perfect shadow-destroying weapon, she must be able to develop the power of persona. According to the *Persona 4* lore, for Labrys to achieve this task she must confront and acknowledge the shadow within her, those traits that people suppress and reject about themselves. For most Jungian subjects, the process of individuation focuses on understanding and accepting their own faults – their shadows – in order to create a unified sense of self. For the average human, there is no question that their mind is their own, that they are considered 'alive' and a 'being'; thus they can simply focus on the process of individuation. As an android, though, Labrys' journey is more complicated. She must first come to understand herself as more than mere machine before her individuation can begin. Labrys must understand herself as a cognitive, sentient being that exists in the world before any attempt at developing a persona can be made.

Labrys's non-human state means that it must first be established whether she is a being that is capable of holding a legal persona, or whether she is at best homo sacer – the bare life that is alive yet not afforded rights – or at worst, merely a piece of sophisticated machinery.[109] In questioning Labrys's status as a being, this section

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107 Atlus (2006b), 7/23 Evening.

108 Atlus (2006b), 7/23 Evening.

109 See Agamben (1998), p 77. See also Agamben (2004) for a critique of anthropocentricism by defining man based on what he is not.

draws upon Heidegger's scholarship on the topic of 'being' to answer these queries. Raising the question of what it means to 'be', Heidegger uses the term 'Dasein' (from the German, literally *da*: 'there' + *sein* 'being') to describe 'an entity that, in its very Being, comports itself understandingly towards that Being'.[110] John Haugeland interprets Heidegger's Dasein as not meaning a 'biological human being' or a 'person'; rather, it refers to a communal, shared way of living that 'embodies an understanding of being'.[111] In other words, Being is not a condition of humans or people nor is Being an entity in itself, however 'Being "is" always the being *of* entities, but it "is" never itself one of them'.[112] By living with an understanding of what it means *to be*, the Dasein must, in turn, understand what it means to *not* be. An entity free from death would not be considered as 'one of us', as death is a vital part of the experience of the entities that are Being. That is the bar by which Labrys is often judged: one's understanding of their own temporal finitude plays into the Dasein's conception of personhood.[113] Thrown into a world, unwittingly and unwillingly, that one cares about because it is their circumstance of being-in-the-world, the being must attempt to throw off their thrownness and acknowledge their potential beyond the immediate circumstances into which they were thrown.[114] As this existence moves immediately towards its end, death becomes 'simultaneously the culmination and destruction of all of the possibilities offered by existence and which we therefore dread'.[115] For the Dasein, an authentic mode of existence is one that understands their mortality and owns it by choosing their own path rather than fulfilling a predesignated role within society (as per the inauthentic mode of being).[116]

The challenge for Labrys is not necessarily to learn to live authentically – as, in the view of Heidegger, many humans do not – but rather to merely come to understand herself as a being that exists and to realise that her existence only extends until her inevitable

110 Heidegger (1962), p 78.

111 Haugeland (2005), p 423.

112 Hagueland (2013), pp 51–3.

113 O'Brien (2011), p 36.

114 Heidegger (1962).

115 McKenna and Pratt (2010), p 42

116 Haugeland (2013), p 85.

death. Told in *Persona 4*'s traditional visual novel style, at the early stages of her activation Labrys shows no sign of the self-awareness or the 'orientation to, and concern for, one's existence' that Heidegger presupposes within the Dasein. Labrys's first thoughts are experienced as a string of commands: 'hostile markers confirmed', 'classifying as hostile units', as she is ordered 'to destroy everything we identify as enemies and to emerge victorious'.[117] Showing indifference to her own mortality and potential obliteration at the hands of her sister units, Labrys executes her orders without hesitation. Her kills are totalising, bordering on gruesome. There is no thought or consideration of her own destruction or the weight of her actions, but rather simple obedience. Labrys merely executes her orders, in the same way that an avatar outputs the input of the player, without consideration of their own mortality.

Labrys's fighting prowess is quickly noted by the researchers, but battle acumen is not all she has to master. Designed as a weapon to fight shadows, Labrys (and her sisters) are encouraged to develop egos so that they are able to awaken the power of persona at some point. To expedite the ego-formation process, the sister units spend time with one another in a mandated 'free time', talking or otherwise pursuing their interests. Labrys quickly becomes friends with Unit #024, a unit who is more psychologically developed than Labrys as she is a slightly older model who has been activated for a longer time. Initially, their interaction begins as casual exchanges – or what Heidegger might term 'idle talk', that type of talk that is not grounded in a deeper understanding of what it means 'to be' but simply experiencing being in the mode of 'everydayness'. Solomon likens the idle of 'idle talk' as to the idling of a car: 'the engine is on, but not in gear', the inactivity of idle talk holding latent potentiality that could become engaged in genuine discourse at any moment. In the case of Labrys, this is exactly what happens. 'idle talk' is the 'requisite starting point for all *genuine* understanding, interpreting, and communicating'. Before long, Unit #024 and Labrys (at the time known as Unit #031) begin to share their experiences of being-in-the-world and anxiety towards destruction in the daily combat testing. [118] The genuine discourse shared about the nature of being

[117] Atlus and Arc System Works (2012), Labrys's story route.

[118] Haugeland (2005), p 425.

by Unit #024 prompts Labrys's understanding that those she is destroying have similar thoughts to her – that they are conscious and 'alive'.

Labrys's changing attitudes towards death and violence are highly visible in a fighting game genre that forces her to constantly fight and face her own mortality. She nevertheless continues to fight despite her desire to stay her hand. In fear for her own life, Labrys experiences the possibility of her own death during each fight – although she feels the loss of those whom she is forced to kill, the loss can never be felt genuinely as death belongs solely to the deceased. Upon learning the location of the Plume of Dusk – the power source and (papillon) heart of the unit – Labrys avoids attacking these areas in a hope the unit can be preserved. Internally, Labrys's inner monologue shows her struggle to fulfil her inauthentic role as a weapon, against the awakening of herself and others as Dasein – as beings-towards-death. This internal conflict can be seen as she becomes confused about the reckless actions of her opponent:

> A tactic that puts one's life at risk like that …
> Putting one's life at risk?
> What am I saying?
> We are weapons.
> We exist to obey orders.
> We cannot prioritize our self-preservation without a change in those orders.

Here, Labrys begins an internal struggle in regard to her own agency and responsibility of action that follows sentient thought and regard for life, clashing with her coded duties as a machine. As a vague human-machine hybrid, Labrys begins to recognise the congruence of body and mind in relation to being. Her being is dictated by her being-in-the-world, not only in relation to her immediate surroundings (her conception of the world), but also due to the robotic limbs and actuators through which that world is experienced. While Labrys is slowly overcoming her rigid, battle-oriented programming, her body is still capable of being controlled from outside herself. Unlike humans, Labrys's body is not exclusively hers, an issue that problematises not only the agency she does have, but who is legally responsible for her actions. In order to govern a human being, it is understood that 'the enterprise of subjecting human conduct to

the governance of rules involves of necessity a commitment to the view that man is, or can become, a responsible agent, capable of understanding and following rules, and answerable for his defaults.'[119] Labrys's programmable body and mind pose a threat to her legal personhood if she cannot be held responsible for her actions and blame is instead passed down to whoever pressed the button or wrote the code. Unlike humans, who receive orders and have the choice of non-compliance, Labrys's mechanised nature gives her no other choice but to comply with a command if and when it is given. Furthermore, Labrys's lack of agency over her own body compounds the penetrable nature of the female body, strengthening women as connected to the body and without rational control over her own mind. Although Labrys is technically an android, her body was sexed female for a reason, and with it carried the symbolism of femininity into her contestation of personhood.

Labrys's lack of freedom is mirrored in the lack of fighting gameplay within her story route. Labrys's story route is not able to be unlocked until one of the *Persona 3* characters has had their own story route completed, yet access to the *Persona 3* story routes is not denied until one of the *Persona 4* characters has had their story route completed. Asides from Labrys, each of the story modes include between five and 10 battles that must be won in order to progress the visual novel style narrative. Each of the story modes, equally, gives a different account of the events of the P1 Grand Prix, with the overall narrative being hugely inconsistent. Labrys's story mode, on the other hand, consists primarily of flashbacks to her past and therefore cannot be engaged with as it has already happened. Additionally, from a cultural legal standpoint, the lack of interaction in Labrys's route appears to be a deliberate gameplay choice that enhances the narrative. If the fighting game space allows for creative, spontaneous play that allows players to adopt varying combat strategies to defeat a versatile opponent – human or otherwise – the denial of this opportunity to Labrys reinforces the control that is exercised over her. Labrys has no choice but to watch the events unfold, unable to participate in any meaningful way to change her fate. 'If there are no laws there can be no breaking of laws either … where playability is absent, resistance, too, is absent.'[120] This helplessness is conveyed through the player's lack of control

[119] Fuller (1969), pp 162–3.

[120] Leino (2013), p 12.

over the avatar, mirroring Labrys's own experience through the player's experience of her story, where the player can do nothing but watch as Labrys is forced to comply.

Regardless of the lack of active fighting gameplay, the visual novel narrates Labrys's body as a weapon, it does this through a combination of Labrys's initial code-like inner monologue, dialogue between the Kirijo Researchers discussing Labrys's fighting results, and the animated fight scenes between Labrys and some of the other android models. For Labrys and her mechanical body, she is nothing but a weapon. All the other functions she possesses are auxiliary to her utility and efficiency as a weapon from the point of view of the researchers. However, Labrys's inner monologue increasingly shows her to be compassionate and reluctant to kill, shaping her to be more than just a weapon. Sheets Johnstone notes that threat to the physical body are equally a threat towards one's own being, for 'Being-toward-death and being a body, in particular being a physical body, are ontologically, existentially, and conceptually of a piece. Whichever the perspective from which they are viewed, they go temporally hand in hand.'[121] In threatening Labrys's physical body with violence (and forcing her to protect herself with violence), the researchers are successful in producing a sense of anxiety, of the possibility of the impossibility of continuation of being.

At the climax of Labrys's background story in *Persona 4 Arena* is the revelation that Labrys must destroy Unit #024, her only friend, in order to protect her continuing existence. In the confrontation, Unit #024 justifies her own murder by acknowledging that they both have an existence that ought to be fought for and protected:

> Unit #024: If you fear being destroyed … if you have a heart capable of fear, then there's no need to hesitate. That alone gives you the right to attack me with all your strength.
>
> Labrys: But doesn't the same go for you?

Unit #024 argues that both she and Labrys, as living, sentient beings, have the right to exist, and as such have the right to defend their existence. While the researchers of the Kirijo facility take the view that the androids are incapable of autonomy and are viewed as property over which 'humans have exclusive control' and are 'without

[121] Sheets-Johnstone (2015), p 564

entitlement to moral consideration', Unit #024's recognition of Labrys as a person gives Labrys the unalienable right to defend her personhood and Labrys recognises Unit #024's personhood in return. This mutual recognition of each other as 'life' or 'beings' attaches natural law rights to their existence, despite their continuing legal status as non-humans.

Following her 'murder' of Unit #024, Labrys becomes distraught ('why make a weapon so emotional that it can cry?') and collapses from the mental stress of the loss of her friend. Acknowledging that Labrys's emotional development has compromised her utility as a weapon, the researchers decide to limit Labrys's memory to battle data only and delete all extraneous memories, including her personal memories and those of Unit #024. While the researchers do not acknowledge her sentience and emotion as being worthy of constituting personhood or humanity, Labrys's intense emotional response makes them uneasy. To them, Labrys is scientifically interesting as a being who seemingly displays emotions and yet is not equivalent to the being of a person; much like an animal test subject, Labrys body and mind are a 'site of human domination and experimentation'. [122]

Unlike the way in which science fiction representations of aliens and androids focus on their capacity for empathy and emotion as a criterion for personhood,[123] Labrys's emotional response to Unit #024's death is considered peripheral to her function as a weapon. From a Heideggerian perspective, Labrys's fear of death and her attempt to escape the Kirijo Research facility to pursue her own objectives (other than her designated function as a weapon) seem to qualify her as Dasein, chasing the possibility of an authentic existence, an existence beyond her immediate being-in-the-world. Operating on the premise that Labrys is indeed Dasein, a being that is considered to comport itself in terms of that existence, the question must shift focus to consider not

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122 Parker-Starbuck (2006), p 653.

123 'What ultimately fascinates us is the idea that something that is not human could have something comparable to our *emotional* experience and thereby the ability to experience the world in all its affective depth the way that we do. The focus is nearly always on the personhood of these non-human entities which is both measured and attested to by their capacity for emotional response.' O'Brien (2011), p 32. See also Baer Arnold and Gough (2017), p 35.

whether she is a being, but rather what non-human personhood tells us about *Persona 4* and about *Persona 4*'s representation of the legal subject – or, more specifically, 'In Heideggerian terms, is an "authentic" posthuman existence really possible?'[124]

While Labrys's struggle for being is emphasised through her inner monologue of her Story Mode narrative as well as her only appearance within the *Persona 4* franchises being within the two fighting games, the main game of *Persona 4* itself threads through a posthumanist conception of beings through other characters. Teddie (the familiar shadow who develops an ego from *Persona 4*), Marie (a Goddess in human form), and even the presence of Aigis (a 7th Generation Anti-Shadow Suppression Weapon – a main character from *Persona 3)* all indicate that *Persona 4* is unafraid to blur the distinctions of being between human and non-human, challenging the humanist logic of binary oppositions from the very beginning of *Persona 4*'s canon.

Following the concept of Donna Haraway's cyborg, an idea that challenges the 'fixed position of what it means to be human, and provocatively breach boundaries between humans and nonhumans',[125] Labrys fuses herself as Dasein with the technological mecha that is her body and a basis of her existence.[126] In raising the question of being, Heidegger insists upon the destruction of the anthropocentric view of humanism to clear away the 'assumptions and underlying logic' that form the basis of what it means to 'be'. By destroying preconceived notions of what it means to be in the world, Heidegger seeks to strip back the metaphysical tradition to a foundational point where questioning can begin afresh and new concepts of being are able to emerge.[127] Destruction of the humanist tradition can never be a complete annihilation, a

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124 Onishi (2011), p 111.

125 Parker-Starbuck (2006), p 653.

126 'Mecha' is a subcultural term that is a shortening of the Japanese terms of mechanism and mechanical, respectively: メカニズム (*Mekanizumu*)/ メカニカル (*Mekanikaru)*. In popular culture, it came to refer to a sub-genre of anime that focused on robots.

127 Rae (2014), pp 54–5.

foundational *tabula rasa* from which to begin anew is unattainable; rather, destruction always contains debris: a trace of that which was destroyed inevitably remains.[128]

For Labrys and her sister units, a tangible trace of the 'human' element of their posthuman, enmeshed selves is visible in the legacy of their memories. Even as the bodies of the androids are routinely devastated by Labrys, the unique properties of her technological form grants her access to the memories of those she destroyed. A literal animation of Heidegger's trace, Labrys can follow the development of her being through the minds of the other androids and ultimately to a foundational memory provided to her by #024 of the human being from which all 5th Generation Anti-Shadow Suppression Units are derived. In seeking to discover the nature of 'being' for the posthuman, Labrys seeks to follow the 'trace' of her human origins by setting out to search for the little girl who was the basis for her personality.

According to Katherine Hayles, the thought that consciousness in a different medium – the medium of a different body, no matter how humanoid in appearance – would be unchanged from the consciousness of a human is a little ridiculous.[129] However, rather than isolate Labrys for her non-human body, instead Heideggerian posthumanism embraces technology as 'a mode of revealing'.[130] As Peter-Paul Verbeek explicates, 'human beings can never be understood in isolation from reality' because the self is inseparable from their being-in-the-world; in order to see, one must have *something* before their eyes; in order to feel one must have *something* to touch.[131] Labrys, as a fusion of technology and organic parts, is not merely a 'technologically mediated form of human intentionality'; rather, her use of technology is part of her being. In Verbeek's words, Labrys's intentionality would be 'beyond the human'.[132] By rejecting a purely humanist vision of the world, technology becomes a way of interrelating and organising our being-in-the-world for the posthuman existence. While Don Ihde provides a useful list of typologies for how technologies mediate the relationship

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128 Rae (2014), p 55.

129 Hayles (1999), p 1.

130 Heidegger (1977), p 327.

131 Verbeek (2008), p 391.

132 Verbeek (2008), p 391

between the human and the world,[133] Asle Kiran believes that it is technological presence, rather than technological actuality, that should be considered, for 'we are constituted as subjects through how we see our own potential'. [134] In the same way as a phone sitting idle in a pocket holds the simultaneous potential of being a communication device, a camera, a game machine or a portable bank, the potentiality of our technology shapes the potentiality of our experience of the world, and consequently us as beings.

The *Persona 4* franchise once more animates theory, allowing Labrys to literally change the world around her. The whole premise for *Arena* follows the events of *Persona 4 Golden*, when Yu Narukami returns to Inaba for a short holiday with his friends. While there, the Midnight Channel returns, declaring the P1 Grand Prix, a fighting competition between the members of the Investigation Team. Delving once more into the TV World to discover what is wrong, the crew from *Persona 4* meet with the protagonists of *Persona 3* and they must fight each other to advance to the next stage and discover the mastermind behind the competition.

Labrys, as the unconscious creator of the P1 Grand Prix, moulds the world around her to an uncanny and surreal representation of Yasogami High School. Labrys takes on the role of the Student Council President and buries her memories of her time at the Kirijo Facility, reflecting a deep desire for a normal human upbringing. At the same time, she forces her understanding of being-in-the-world onto the characters in an attempt to make them understand the suffering she went through in the Kirijo Research Lab. Regardless of Labrys's unconscious desire to make others understand her pain, the characters that she forces to fight one another are largely unaffected by their combat and the illusory hurtful remarks they make to incense each other to fight.[135] Labrys's

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133 Ihde (1990, 2010).

134 Kiran (2012), p 80.

135 Each of the characters temporarily has their perceptions of reality tampered with in the P-1 Grand Prix, which makes it seem as if their nearest and dearest friends are mocking their insecurities (in order to prompt a fight). For example, from Yu's point of view, Yosuke appears to insult Yu's attachment to his younger cousin, suggesting that his attachment may be improper, and that Yu wouldn't be able to save Nanako from the TV World. From Yosuke's point of view, Yu gets

competition falls short of a battle to the death: there is no risk of the continuation of their existence for the other characters, and the characters accordingly fail to comprehend Labrys's pain and anxiety. Any pain that the fight inflicts, or the captivity perpetrated by the invisible walls, is not destructive enough to 'unmake' their worlds; instead, once defeated the pain ceases and the world continues on.[136] Unlike the researchers that invalidated Labrys's status as a being by making the sister units fight one another, the social recognition of each other as human and worthy of personhood prevents them from sharing in Labrys's experience of the world.

At the end of *Persona 4 Arena,* Labyrs overcomes her shadow and accepts the vengeful streak inside of her, gifting her with a persona. In tandem, the Investigation Team of *Persona 4* and the Shadow Operatives of *Persona 3* recognise her as an entity that has Being. Labrys obtaining her supernatural persona is mirrored by her social acceptance as an android and a being with the persona acting as a device for 'bringing the body to recognition', a process that occurs through being acknowledged and 'seen': 'to appear is to take form, to be law is to be recognized'.[137] *Persona 4 Arena's* character of Labrys mounted an extension to the default male legal avatar through her acquisition of an ego and persona, and by realising that she is Dasein, eschewing the connotations of control traditionally associated with female persons. Through the recognition of Labrys's personhood symbolically by the members of the *Persona 3* and *Persona 4* cast, the game generates a sense of kinship and equality between the human and posthuman, regardless of their categorisation. In this way, *Persona 4 Arena* works to extend the (legal) persona beyond human use, to include that of a created, fictional body.

5.4.4 *Persona 4 Arena Ultimax*

Persona 4 Arena Ultimax is the sequel to *Persona 4 Arena*, beginning almost immediately after *Persona 4 Arena* ends. The main antagonist, Sho Minazuki, is a former test subject of a major *Persona 3* character, Shuji Ikutsuki. Raised in isolation from the rest of the world, Sho was prevented from creating social bonds with others

horrifically upset over Yosuke's over-familiarity with Nanako, accusing Yosuke of stealing the affection of his cousin that is rightfully Yu's.

136 Scarry (1987), pp 35–8.

137 Goodrich (2011), p 57.

to ensure that he would only understand combat as a means to communicate and connect with others, thus becoming the perfect soldier. In an attempt to awaken a persona within Sho, his tormentor embeds a Plume of Dusk in Sho's brain. Rather than inducing a persona for Sho, a second personality named Minazuki develops within Sho's mind and is able to summon a persona, demonstrating that personas are a purely mental manifestation.

Sho seeks to grant the God Hi-no-Kagutsuchi a physical body in exchange for the creation of a new world in which Sho is the only inhabitant. During the final stages of the game, a reformed Adachi and Yu combine their personas to defeat Hi-no-Kagutsuchi:

> A power I've never felt before begins boiling up from the depths of my body. The two Izanagis, one dark, one light, resonate. Our powers merge together to become one giant force inside the two of us. I take that strength, revel in it for just a moment … and we unleash it all at Hi-no-Kagutsuchi!

The use of a fusion between Yu's persona, Izanagi, and Adachi's persona, Magatsu Izanagi (Calamity/Corrupted Izanagi), contradicts much of the Jungian symbolism and understanding of personas as explained in *Persona 4.* In *Persona 4*, one's persona is supposed to represent the process of individuation or one's true self that is uncovered as characters face their own shadows and accept the darker parts of themselves along with the light. This process is intended not only to be an unconscious one, made accessible in the world of *Persona 4* through the Midnight Channel and the TV World, but as a purely self-contained process, shown through Minazuki's development of a persona despite Sho's inability to do this. By merging Izanagi and Magatsu Izanagi, *Persona 4 Ultimax* both further destabilises the Jungian notion of the self within the game and puts forward a Lacanian 'extimate self'.

Designed to be a manifestation of one's unconscious mind, the merging of personas implies a temporary unison or harmony between the minds of Adachi and Yu, sharing a common goal. This may indicate the intertwined nature of the self and other through the exploration of an extimate self. For Lacan, the ego is ultimately something extimate

('intimately exterior, and internal externality',[138] 'some intimate and yet foreign force' within oneself) that crystallises the desire of the other as our own desire.[139] For Adachi in particular, his character development throughout *Persona 4 Arena Ultimax* shows that he has now adopted the desire of his other, Yu Narukami, as his own in wishing to abide by the rules of the symbolic world. Adachi slowly undermines Sho's plans under the guise of 'helping' him, having finally decided to obey the rules of the world, telling Yu, 'Fine. I'll take a stand. Not for anyone else; I stand for myself' and 'All games have rules, of course. And once I was caught, I decided that I'd follow the rules of this reality, to "atone for my sins," and confessed everything to the police.' The intimate connection and resonance with the unconscious (desire) of the other nevertheless complicates an assertion of the persona as a manifestation of one's personal individuated journey, drawing in the notion that the 'other' is always influencing the self.

The end of *Persona 4 Arena Ultimax* concludes with Sho Minazuki coming to terms with his new world and a slight shift in his attitude to embrace the friendship of others rather than living alone. Minazuki, having disappeared from Sho's consciousness, has now left Sho truly alone and more dependent than ever on the relations to others. Admitting that he still does not know how to connect to others beyond fighting, Yu decides to fight Sho in an act of connection and friendship that seeks to demonstrate that the two parties are equal. Fulfilling West's idea of the masculine liberal legal subject, Yu and Sho fight on equal grounds, proving themselves to be competitive, equal subjects with the capacity to destroy the other and therefore each deserving to be human. While female characters are playable in *Persona 4 Arena Ultimax*, the game ultimately ends with an image of males fighting as a way to reassert the notion of the equal male subject despite the progress made in *Persona 4 Arena* in extending personhood beyond the human.

5.5 Conclusion

The success and popularity of *Persona 4* and *Persona 4 Golden* were a catalyst for numerous canonical spin-off games spanning gaming genres, platforms and aesthetic styles. This chapter has operated on the premise that spin-off games and transmedial

138 Johnston (2018).

139 Loren (2007), p 17.

mix texts have more to contribute to a franchise than selling out to make a buck, as many may suspect; instead, they can be meaningful artefacts of legal meaning while being utterly enjoyable to experience. As an affectation of the Japanese media mix, the consumable nature of spin-off games requires a more iconic, caricatured version of the characters and the simplification of key gameplay elements that impacted the development of the transmedial texts and their presentation of basic concepts of persona in varying ways. Rather than treating these spin-off games as less deserving of analysis than the primary text, this chapter sought to explore how the narrative and gameplay contributed to or challenged the analysis of *Persona 4* performed in the previous chapter or built forward to a new reading of personhood.

The first section of the chapter focused on summarily examining how the texts informed the Lacanian reading expressed in Chapter 4, drawing out common themes of a feminist critique of the person within many of the texts, as well as underlying themes of control, religion and memory that borrowed from Lacanian theory. The second section of the chapter moved away from the scattergun approach that transmedial mix texts demand to a more thoughtful examination of how one particular text, *Persona 4 Arena*, has contributed to the canon's narration of personhood. Using Heideggerian themes of 'being' or 'Dasein', the section examining Labrys's story route within *Persona 4 Arena* notes how the lack of gameplay within her route further strengthens the narrative of control and a lack of agency in her abilities. Ultimately, Labrys's emergence as a Heideggerian being and the ego recognition afforded to her by other androids as well as natural persons integrates her into a Lacanian, symbolic system, raising her beyond bare life, serving to extend *Persona 4*'s articulation of the self firmly into the posthuman.

Chapter 6

The Fandom of *Persona 4*

6.1 Introduction

Atlus's *Persona* franchise is well loved by its fans – if it were a teddy bear it would be ragged and worn with a button eye missing. *Persona 4 Golden* sold 700,000 copies of its PlayStation Vita remake internationally by the end of 2013,[1] paving the way for *Persona 5.* As the next major game instalment in the *Persona* franchise, *Persona 5* achieved tremendous success, selling two million copies in just over a year. In the *Persona 5* announcement, Naoto Hiraoka, CEO and President of Atlus USA Inc said of the franchise:

> We are in the middle of experiencing tremendous growth, both in the west and abroad, and the sales of *Persona 5* represent a new level of expectation for fans of the genre. Once seen as a niche, *Persona 5* is one of the most important titles this year, proving interest in this category is expanding.[2]

Behind every successful franchise, every movie, song or game, there is a loyal customer base that supports these texts through acts of consumerism or by spreading the word to others who may potentially become supporters of these texts. These people are not docile capitalist consumers who endlessly acquire and never question; rather, the fans who populate these sales figures are creative, critical and opinionated.

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1 Persona Channel (2013) *Persona 4 Golden* Ships 700,000 Copies Worldwide and Won the User's Choice Award for the Second Consecutive Year!', *Personal Channel,* http://p-ch.jp/news/375 (accessed 2 April 2019). The press release was in Japanese, for an English site reporting on the press release information, see Reggy (2013).

2 Atlus (2017) 'Atlus Announces Sales Milestone for Hit Title *Persona 5*, Now More Than 2 Million Copies Sold Worldwide', *Atlus Press Release*, http://fs.magicalir.net/tdnet/2017/6460/20171201428821.pdf (accessed April 2019).

This chapter focuses on the fans, contending that the enterprise of fans and acts of 'doing fandom' that celebrate, extend or challenge a text can enrich interpretations of a canonical text through fan material and strengthen cultural legal studies.

Chapter 6 serves to fill one of the gaps of cultural legal studies that was identified in Chapter 1 and expanded on in Chapter 2: to address the absence of research on unofficial or fan-created texts in a cultural legal studies context. Following William MacNeil's unique strain of cultural legal studies that generates a jurisprudential intertext based on the 'subtextual similitude between the literary and legal text',[3] this chapter seeks to extend the possible source texts under consideration to include fan-created texts. Notably, this method of cultural legal studies is not interested in the affective response of fans who create legally charged texts, such as the creation of graffiti artwork,[4] nor in how fictional texts position the audience affectively, such as how cinematic techniques can be used to encourage audience identification with the 'good guys' in violent films.[5] Instead, this chapter follows the assertion that law is

> a framework that lays down the terms of justice, the nature of authority and the background conditions that structure our identity and our relationships with others, with institutions and with objects – as Robert Cover puts it, a 'nomos'.[6]

Desmond Manderson reminds researchers of cultural legal studies that law and culture are not distinct, separate fields but rather are wedded together, although they are experienced through different modes of production. William MacNeil's method draws out these inherent resonances, the 'subtextual similitudes' and co-constructions that exist between law and culture, making them explicit by reading them through a cypher

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3 MacNeil (2011), p 14.

4 Halsey and Young (2006).

5 Young (2009).

6 Manderson (2013), p 12.

text.[7] Official popular culture texts such as *Firefly*,[8] *The Handmaid's Tale*[9] and *Batman*[10] are meaningful artefacts of law capable of being decoded and used as a critique on modern constructions of law. This chapter operates on the premise that fan works are just as law-filled as official texts. Unlike official texts, which construct an original insight into law, fan texts can be used – whether knowingly or not – to critique, shape, and challenge an established interpretation of law by reading it a synergetic relationship with the original text. They do this by contending not only that the enterprise of fandom 'poaches' the canonical text to better approximate the subjective experience of fans by allowing fans to escape, challenge and subvert the canon content,[11] but also that fans inhabit a space of critique, a law-generating *nomos*, oriented around the source text. The unauthorised nature of these fan works provides a constant challenge to the authority of the official texts and their intended interpretation and dispersal. By exercising personal control over the characters and narrative world of *Persona 4*, fans generate commentary on the canon text itself as well as the overarching legal thematic of personhood, avatar and identity that has been identified within previous chapters.

Preoccupied with questions of identity, personhood and self, *Persona 4* has repeatedly narrativised these themes within its canon texts, as examined in previous chapters. Chapter 3 drew out a metatextual narrative of personhood that explored different occupiers of the gaming sphere. By engaging with *Persona* 4 through the subtly masculine avatar, the economic ideal of the 'gamer' figure and the feminised 'fan' who narrates their identity through appropriated characters and scenarios, Chapter 3 set out an interpretive stance of cultural legal readings of video games beyond the specific game of *Persona 4.* Chapter 4 deconstructed representations of monadic personhood within the *Persona 4* video game, focusing on the Social Link game mechanic, the importance of symbolic social recognition in maintaining the integrity of one's

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7 For example, see MacNeil (2002a); MacNeil (2002b); MacNeil (2007); MacNeil (2011); MacNeil (2015) and MacNeil (2017).

8 Tranter (2012).

9 Crawley (2018).

10 Peters (2018).

11 Jenkins (1992b).

personhood and the parasitic nature of friendship. The members of the Investigation Team, and Yu as its leader, colonise the unconscious mind – that which should be inaccessible to law – with the Symbolic, desperate to continue the Symbolic construction of the world that allows the characters to retain their sense of self. Chapter 5 used the transmedia mix additions, and particularly the spin-off games, to uncover points of difference between the core text and the expanded universe, using these points of difference to enact critiques of the Lacanian self. Further, Chapter 5 used the text of *Persona 4 Arena* as an exemplar of how the canonical texts expand on their own themes using the character of Labrys to explore a non-anthropocentric, posthuman conceptualisation of the human. Chapter 6 will continue to draw on these chapters synergetically as the fan works are examined in the context of the greater *Persona 4* canon and fandom community.

As the central text of this thesis is *Persona 4*, discussions of fan texts will be limited to the fandom of *Persona 4* and avoid discussion of *Persona 3* or *Persona 5* fandoms despite considerable overlap in their fanbases. The chapter begins by establishing how fan texts can be conceived as critical works that build a jurisgenerative *nomos* – a law-creating normative world – that challenges the authority of the canonical works. Following an overview of the various forms and modes of *doing* fandom, the chapter splits broadly into two key modalities of unpacking the fan normative world: romance and humour. Reading through these two key modes of fandom, it is possible to decode the primary ways by which fans are altering the characters and canon of *Persona 4* to make the avatars more reflective of themselves.

The first mode is romance and sexuality. Fan texts in this category frequently involve the queering of characters, shipping characters with uncanonical or 'taboo' pairings or otherwise creating texts of a romantic and sexual nature. The section uses the outlier character of Adachi, *Persona 4*'s main villain, to draw out two legally charged narrative tropes of the romance genre: transgression and care. Transgressive work explores the fictional creation of a person's 'sovereign moment', in which they disregard legal or normative rules or stigma to achieve a pure moment of *jouissance*. In creating works that transgress the law or social norms, fans are able to experience this transgressive 'sovereign moment' through fiction without endangering their own normative selves The second narrative trope of the romance genre is care and comfort.

The second mode of interest to this chapter is humour. Humour content creators appear more willing to challenge, resist and break the fictional fourth wall for the sake of their humour. The section first looks toward different theories – superiority theory, relief theory and incongruity theory – to explain what makes something humorous. The use of humour in fan texts serves a dual purpose: it is a mechanism to foster community by acknowledging the commonalities between the self and others, and it can be used to point out absurdities and disparities between real life and the use of a mediating personality, such as an avatar or legal persona. Through their play with the incongruous avatars in humorous *Persona 4* fan works, it is concluded that fans are examining the instability of the persona and creatively debating the idea that there is no definite permanent self to which the content of *Persona 4* alludes repeatedly throughout its incarnations.

6.2 Fandom as a Space of Legal Critique

This chapter posits that fandom is a jurisprudential space of critique. By examining the work of fans, it is possible to divine popular interpretive strategies for approaching the text of *Persona 4* and observing not only how these changes alter or challenge the source narrative or its characterisations, but also how a fan's alteration of the text can knowingly or unknowingly challenge the conceptualisation of personhood that emerges within the text. Drawing on theories that interlink law with narrative, such as Cover's depiction of law as a narrative-generated nomos, this section debates how fan works can become a source of critique to the master text and the tension that resonates from this relationship.

The original *Persona 4* video game is a multilayered text that can be played in numerous ways with different romanceable options and endings tailoring the gameplay experience from player to player. Yet, even if two players were to make exactly the same choices throughout the entirety of the game, their interpretations of the game's content and message may differ wildly from one another based on the players' own individual experience and subjectivity. Over the years, literary criticism has turned towards the view that the author's intention of a singular meaning imparted by a text is no longer relevant because it is *readers,* not the authors, who

shape and mould the text through their reception of it.[12] Stanley Fish extends this view by asserting that a text's content is not fixed but rather animated and forged by the readers as they use their individual experience to attribute meaning to the given text.[13] Those who read a text in a similar way or otherwise agree on the meaning of a given text's content form what Fish refers to as an *interpretive community*, as they:

> share interpretive strategies not for reading (in the conventional sense) but for writing texts, for constituting their properties and assigning their intentions. In other words, these strategies exist prior to the act of reading and therefore determine the shape of what is read rather than, as is usually assumed, the other way around.[14]

Here, an interpretive community is not intended to privilege the construction of a 'fan community' rather than ways of doing fandom, nor does it exclude more passive fans from being considered fans. Instead, an interpretive community refers to the ways in which fans may share a harmonious hermeneutic understanding of a text.

Fandom forms a potential space of critique within law through the examination of the ways in which fans interpret the source text and replicate these interpretations within their own created texts (or the texts they preferentially consume). Although Stanley Fish's interpretive community theory is oriented toward the decoding or understanding of fictional texts, the foundations of law are posited by cultural legal scholars, among others, to be fundamentally literary and therefore hold similar resonances. As a result, Fish does debate somewhat extensively with Ronald Dworkin over forms of legal interpretation. Dworkin likens the act of legal interpretation to the creation of a chain novel, in which each author synthesises the decisions of past judicial actors with the present context of the case, with each author increasingly constrained as they appropriate previous interpretations. Fish, on the other hand, criticises Dworkin's approach, stating that the interpretive differences between authors is more minimal as all 'authors are constrained by the prior assumptions

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12 Barthes (1977); Foucault (1980).

13 Fish (1980), p 171.

14 Fish (1980), p 171.

indoctrinated in them by their interpretive communities, which govern how they both write and read texts'.[15] Nevertheless, the similitude between literature and law as acts of linguistic interpretation, as discussed in Chapter 1, has prompted culture and law to be reconsidered in a new way.[16]

Peter Goodrich tells us that 'law is a literature which denies its literary qualities. It is a play of words which asserts an absolute seriousness; it is a genre of rhetoric which represses its moments of invention or fiction.'[17] Law is quick to hide its fictitious roots and literary compulsions, seeking to identify and solidify its authority. By erasing its authorship, alongside other aesthetic semiotics such as symbols, images and metaphor, law seeks to construct normative expectations and meaningful obligations that would be less effective if its constructed nature were emphasised.[18] Robert Cover describes interpretive communities as inhabiting and creating a *nomos* – a normative universe – in a jurisgenerative, or law-creating, sense. For Cover, law is defined as the collective understanding and commitment of people to a specific interpretation of a text as opposed to a traditional understanding of commands and caveats. Cover describes law not as 'merely a system of rules to be observed, but a world in which we live. In this normative world, law and narrative are inseparably related'.[19] In explanation, Cover refers to our actions as being interpreted in reference to a societal norm and the use of these signs to communicate with other members of society. The jurisgenerative capacity of a text, or an interpretive community in response to a text, stems from the ways in which 'legal subjects themselves create, understand, and respond to what constitutes the relevant legal rules in any given situation'.[20] When

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15 Sadowski (2001), p 1104. See Sadowski (2001), note 10 for a listing of the texts relative to the debate between Stanley Fish and Ronald Dworkin.

16 It should be noted that law and culture have a long history of co-construction; however, the law and literature movement, along with its extension in the cultural legal studies movement, has allowed for these spheres to be discussed in a modern context that is more reflective of hyper-consumerist culture.

17 Goodrich (1996), p 112.

18 Davison-Vecchinone (2018).

19 Cover (1983), p 5.

20 Adams (2016), p 103.

considering examples of law and religion, it is easy to see commitment to the body of the law or the edicts of one's religious foundational text can construct a nomos that shapes and guides our identities and interactions with others. Daniel Davison-Vecchinone notes that it is difficult to see how other forms of literature, specifically those that acknowledge their fictiveness, unlike law or arguably religion, can create a similar nomos or prescriptive obligations.[21] However, others have acknowledged the ability of fictional texts to constitute law, viewing law as an intrinsic undercurrent that flows beneath the stories we tell ourselves.[22] As Austin Sarat and Thomas Kearns put it, 'we have internalized law's meanings and its representations of us so much that our own purposes and understandings can no longer be extricated from them'.[23] While fiction may not hold the outright power of legal texts, fictional texts imagine a changed form of law, opening up spaces of alternate legality to be tested against understandings of law's meaning, legitimacy and form within the real world. The commitment to a fictional source text can generate competing jurisgenerative *nomoi* that threaten the framework of law in small, subversive ways.

By delving into the jurisprudential connotations of a popular culture text and using fictional texts to contextualise law as a form of literature, fandom can be understood as a mode of critique not only for the fictional text itself but also for its legal underpinnings. Through sharing, critiquing, reproducing or rebelling against particular fan texts that enunciate specific interpretations of the source text, an interpretive community can collectively 'write' fragments of the text. Common interpretive strategies privilege the characters that fans pair together romantically, the celebration and elaboration of a specific aspect of a fictional universe or the rejection of a central plot point in smaller sub-communities of fandom.[24]

To borrow briefly from a non-*Persona 4* example of how fandom can create, propagate and influence interpretation through fan interpretive communities, consider the case

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21 Davison-Vecchinone (2018), p 188.

22 Crawley and Peters (2017), p 2.

23 Sarat and Kearns (1994), pp 12–13.

24 Busse (2017), p 127.

of Cecil Palmer from the popular *Welcome to Night Vale* podcast.[25] Cecil, the main character, is a radio broadcaster of the fictional small desert town of Night Vale where strange occurrences are commonplace. In its 100+ episodes, two novels and numerous live shows, Cecil is never described as anything more than 'not tall or short, not thin or fat', yet a considerable portion of *Welcome to Night Vale's* fan base have interpreted and portrayed Cecil as a white male with white hair, purple shirt/vest/tie, headphones and often a third eye and tattoos.[26] This depiction of Cecil has essentially become the fandom's normative visual semiotic in both art and cosplay alike. Depicting Cecil as a white human male despite the podcast's strong emphasis on ethnic and gender diversity, as well as non-human citizens, this typical image of Cecil throughout the fan community is a topic of some contention. On their tumblr blog, *therisingtithes*, one user passionately implores the Night Vale community to consider using non-white depictions of Cecil in response to their informal study that showed 60 per cent of Cecil fanart portrayed him as white:

> The show itself can't be said to provide those clues. Those are the result of our collective social ideas. We are the ones that argue, by how we collectively imagine and present Cecil, that it is sixty percent more believable that Cecil is white. And when we pass that idea on - an idea that already has been passed down to us by television and film - we prime new listeners with the idea not just that we think he is white, but that by so thinking he does become white.[27]

The choices of the *Welcome to Night Vale* creators to stick to non-visual mediums (oral and written text) allow the fans to freely commit to their chosen interpretation of the citizens of Night Vale. Yet, interestingly, the liberated space occupied by fans in the *Welcome to Night Vale* fandom has not been used to do much more than reaffirm the existing societal norm of the personhood of a character who could canonically be literally anything (a gelatinous goop, a sentient patch of haze, a five-headed dragon) as

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25 Night Vale Presents (2012–present) *Welcome to Night Vale*, iTunes, Google Podcasts, Spotify and more.

26 Włodarczyk and Tyminska (2015), para [6.2] touches on the shared headcanon of Cecil as he is commonly described or depicted.

27 Therisingtithes (2014).

a humanoid white male. As has been explored in Chapter 3, on a metatextual level, and Chapter 4, on a textual level within *Persona* 4, texts commonly assert the default person to be a white, heterosexual male. Despite the absence of any detailed description of Cecil, which opens up the interpretation of his personhood to be viably anything imaginable within the confines of the *Welcome to Night Vale* universe, the fans themselves construct Cecil as the default person. This failure to conceptualise personhood beyond what is societally entrenched as the default objective person may indicate the strength of these fans' commitment to the dominant *nomos* of legal personhood, even when deviance is invited by the source text. In their article on the Polish fandom of *Welcome to Night Vale*, Agata Włodarczyk and Marta Tyminska note that as a racially homogenous country many Polish fans 'construct characters with white skin – not as a result of a description or preference, but as a result of the way the fans perceive the world'.[28] Fan interpretations of a source text will inevitably betray specific cultural associations that are made visible through the articulation or active construction and dissemination of these interpretation through fan-created texts such as fan art, fan fiction, discussion or otherwise. In this way, fans are informed, often unconsciously, by the ingrained patterns of interpretation learned from an interpretive community.

6.2.1 The Forms of *Nomos*

Cover describes two main forms of a *nomos*: paideic and imperial. A *nomos* can be seen as paideic, or 'world-creating', when it is characterised by a strong interpersonal commitment to a normative corpus of 'law' that unifies its members in a shared interpretive meaning and practice. A paideic *nomos* also shares 'a sense of direction or growth that is constituted as the individual and his community work out the implications of their law'.[29] In its paideic form, law is a 'system of meaning rather than an imposition of force'; it is a creation of meaning and reciprocal acknowledgement of obedience and commitment to this meaning.[30] In their paideic functions, both canon and fanon focus on communal interpretation and the dispersal of these common

[28] Włodarczyk and Tyminska (2015), para [7.5].

[29] Cover (1983), p 13.

[30] Cover (1983), pp 13–14.

interpretations to generate a *nomos* that grounds those committed to a particular hermeneutic understanding of the source text.[31]

For both the official text creator, Atlus, and the fan communities of *Persona 4*, the paideic *nomos* is the creation and commitment to a portrayal and interpretation of the text's features – its message, characters, plot and narrative universe. However, the ways in which that these *nomoi* are disseminated differ in form due to the method of dispersal. For official creators, the intended interpretation and narrative of the text is decided in-house, marketed appropriately and released all at once in whatever form (game, manga, anime, drama CD) is chosen, to be enjoyed by the consumer. As Atlus has given an official portrayal of *Persona 4* in a multiplicity of formats, it may be harder for fans to deviate from these portrayals compared with other fandoms such as *Welcome to Night Vale* (discussed above). For example, we know that Rise has brown hair and eyes, what the logo of the local shopping centre, Junes, looks like and even how the voices of each character sound. The relative concrete projections of these elements of *Persona 4* is an attempt by Atlus to have its paideic *nomos* accepted and committed to by fans.

For fans, on the other hand, construction of a paideic community reflects a collective interpretation of the chosen text. While individual interpretation is encouraged in fandom, 'any *nomos* must be paideic to the extent that it contains within it the commonalities of meaning that make continued normative activity possible'.[32] In other words, the fan interpretations of the canon text must still be rendered in a way that is recognisable and capable of sustaining meaning for the community. For Sheenagh Pugh, 'the unforgivable sin in any fan fiction universe is getting the facts wrong, departing from the canon not deliberately but accidentally, by giving someone an accent, appearance or opinions that the canon plainly states didn't belong to him [or her]'.[33] One confronting question that David Davison-Vecchinone asks is why narrative continuity (and experiential unity for the consumer) of the text is important at all, especially when the narrative is knowingly fictional and any the unity itself is artificial.

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31 Carter McKnight (2018) provides useful definitions of these terms.

32 Cover (1983), p 107.

33 Pugh (2006), p 40.

He posits that incontinuities in canon (and law) generate tension and lead us to seek out commonalities, occasionally suspending disbelief in order to overcome these gaps or flaws in the narrated universe. Not only is this method used to smooth over incontinuities in fictional universes, but this expectation of 'experiential unity' – the experience of a unified non-incontinuitous text – is mirrored also within law and the desire to harmonise different legal *nomoi*.[34] Deliberate changes made by fans – especially those that go against canon – may be attributed to a fan's interpretive desire to change the text to serve them (or other fans) in a specific way, and further shape the interpretive community through this portrayal as a result. Yet, as fan works and interpretations are always present within an unofficial space, these creations are oriented in a position of critique or commentary upon the master text.

As Henry Jenkins' prosumers, fans occupy a contentious space: they don't just inhabit an interpretive community (or paideic *nomos*) within fandom spaces that reflect their interpretive strategy for writing the content of official *Persona 4* material, but they may also actively engage in the creation of unofficial content that reinforces this written understanding and allows it to spread. Through crafting unofficial fan texts such as fan art, cosplay, artefacts and fan fiction of characters and universes, fans are not only able to solidify their place within the interpretive community, but can also bring new understandings of these fictional universes that are then adopted, rejected, shared or shunned through the interpretive community, further shaping fan interpretations of the source text.[35] In one of his earlier works on the subject, *Textual Poachers: Television Fans and Participatory Culture*, released in 1992, Jenkins himself defines fandom as 'perhaps first and foremost, an institution of theory and criticism', contending that 'within the realm of popular culture, fans are the true experts', whose close attention to narratives 'puts academic critics to shame'.[36]

The second form of Cover's *nomos*, the imperialistic *nomos*, is characterised as 'world-maintaining' by universal norms enforced through institutional discourse premised on objectivity, by weak interpersonal commitments and by minimalist obligations.[37]

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34 Davison-Vecchinone (2018).

35 Busse (2017), pp 127–8.

36 Jenkins (1992), p 86.

37 Cover (1983), p 13.

A world-maintaining *nomos* uses forces of objectivity and institutional coercion and violence to ensure compliance with the generated *nomos*. Within fan communities, the *nomos* is built around the interpretation and commitment to the canonical source texts of *Persona 4* (or whatever the master text is); however, the strength of these communities is somewhat mitigated by the legal violence that encroaches on this commitment. State-based law, as one part of society's dominant institutional *nomos*, serves the function of destroying laws as much as creating them. Law's function becomes jurispathic when it must decide between two conflicting interpretations from different normative worlds. In this way, the violence of law rears its head to enforce the chosen interpretation from the interpretation of others:

> In an imaginary world in which violence played no part in life, law would indeed grow exclusively from the hermeneutic impulse – the human need to create and interpret texts. Law would develop within small communities of mutually committed individuals who cared about the text, about what each made of the text, and about one another and the common life they shared. Such communities might split over major issues of interpretation, but the bonds of social life and mutual concern would permit some interpretive divergence. I have played out a fantasy to some extent in suggesting that we can see the underlying reality of the jurisgenerative process in the way in which real communities do create law and do give meaning to law through their narratives and precepts, their somewhat distinct *nomos.* But the jurisgenerative principle by which legal meaning proliferates in all communities never exists in isolation from violence.[38]

In equating law and literature as forms of universe construction, Cover also found it important to distinguish between the two, as both are 'concerned with matters of ambiguity, interpretations, abstraction and humanistic judgment. They are also performative activities which require us to engage in some combination of description of reality and ethical judgement.'[39] Cover's later article 'Violence and the Word'

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38 Cover (1983), p 40; see also Cover (1986).

39 Weisberg (1989), p 6.

further clarified that the difference between legal actors and artists or writers is that the values established or protected by state-law carry the violent, coercive force that establishes the law's perceived primacy. The state's access to interpretative violence results in an 'overriding temptation' to concede the state's interpretative authority, with any alternative *nomoi* being relegated to secondary status.[40] In conceding the enforceability of the state's violence in protecting their *nomos*, any communities with conflicting commitments to other texts, values or selves must be prepared to live out those meanings in defiance of the state.[41]

As the official creator of *Persona 4*, Atlus is able to use the force and violence of state-based laws (such as copyright law, piracy law, etc.) in order to enforce its own paideic interpretation by maintaining control over the characterisation of its content. Corporate producers intervene in fan production – often by taking legal action – to assert their 'productive dominance', seeking to reframe 'normative' fandom within 'proper' spheres of consumption.[42] One such example of Atlus retaining control over the activities of fans was the shutdown of *Midnight Channel: The Musical*, a *Persona 4*-themed musical that had entirely original songs composed with the plot and characters borrowed from *Persona 4* in the same way that *A Very Potter Musical* parodied *Harry Potter*.[43] The last related post on the Persona4Musical Tumblr explained the situation:

> After months of attempted contact and discussion, Atlus ended talks with us about the *Persona 4* Musical.
>
> We received an email from their business development team that stated that they refused to authorize the continuation of this project and that they would like to pursue the idea of a musical version of *Persona 4* with actual professionals.

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40 Mullender (2006), p 15.

41 Cover (1983), p 52.

42 Johnson (2017), p 379.

43 Team Starkid (2009) '*A Very Potter Musical* Act 1 Part 1', YouTube, https://www.youtube.com/watch?v=wmwM_AKeMCk&list=PLC76BE906C9D83A3A (accessed 2 April 2019).

So that's that, then.[44]

By threatening legal action and consequently a threat of legal violence to enforce the legal norm of creator protection, Atlus was successfully able to halt a fan production that began to encroach beyond its humble fan origin and into the potential profits and commercial viability of an official *Persona 4* musical. This perspective has been strengthened by the court in the case *Castle Rock Entertainment v Carol Publishing Group*. An unauthorised Seinfeld trivia book was held to be an infringing publication due to the possibility that the official creators may wish to release such a work themselves.[45] As of 2019, Atlus has not announced any plans for an official *Persona 4* musical. In this way, the official canonical distributor has the tangible legal authority to control the creation of fan texts in a way that suits its commercial agenda or otherwise police what are or are not suitable recreations of its text. In instances beyond financially viable texts, such as transgressive fan works, the official creators tend to be more lenient because it is easier to differentiate between the derivative content and the official content. Furthermore, it is unlikely that the official content creator would ever venture into the mainstream market with texts of a transgressive nature.[46] Although other instances of fandom have been tolerated or even encouraged by Atlus, generally there is a quiet understanding between official and unofficial communities that they serve mutually beneficial goals. Fans break copyright laws for their own interpretive enjoyment, and Atlus does not pursue these infringements unless they encroach on profitable territory.[47]

There is still an obvious hesitation in violating the legal norm to pursue the fannish *nomos* of commitment to sharing, reading, creating and otherwise celebrating *Persona 4.* On the GiantBomb forums, one *Persona 4* fan named Chuggsy shares a link to a fan-translated manga that is unofficial and unapproved by Atlus. The first commenter, PureRok, asks, 'Isn't that technically illegal?' to which Chuggsy responds, 'Well, don't read it if you don't want to, but I'm pretty sure this is the only way you'll

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44 Ryan-and-Leigh (2014).

45 See *Castle Rock Entertainment Inc v Carol Publishing Group* 150 F.3d 132, 145 (2d Cir 1998).

46 Katyal (2006), p 508.

47 See Katyal (2006), pp 508–11.

be able to find this comic in English.'[48] In this brief exchange, two fans encounter the limits of their commitments to the different *nomoi* in which they live. For PureRok, the initial reaction is one of apprehension and subservience to Atlus's official violent potential to enforce its *nomos* on them as a fan. Chuggsy, however, seems to be more willing to break the law in order to uphold their commitment to the *Persona 4* texts and community by extending the basis of their interpretive understanding of *Persona 4* as well as sharing it so others can have the same benefit.

Atlus is able to maintain its intended interpretation of the *Persona 4* text through employing institutional legal violence (or the threat of it), which tests the strength of a fan's commitment to their subjective interpretation of *Persona 4*'s world and characters. By utilising the power of institutional violence to maintain the purity of its interpretation, Atlus's imperialistic *nomos* may challenge a fan's commitment to the fannish paideic norm with great success. However, while fan interpretive communities are somewhat at the mercy of the creator's world-maintaining actions, the creator also may have its paideic *nomos* challenged by the fans themselves. The creators are charged with production and distribution of a text, but need people to mutually commit to the text for it to be successful. According to Alan McKee, the process of individual fans agreeing on what is canon or not 'is precisely the point – the status of being canonical' is not always 'industrially determined – it is produced discursively, within the fan community, and it is always provisional'.[49] The fans themselves have some power in terms of agreeing whether the story, the characterisation of established characters and the continuity of the fictional universe are upheld within any text at a given time. By accepting official texts as official or rejecting such texts for being undesired, uncharacteristic or otherwise unworthy of being included within the canon, the fan community wields a strong power over the texts despite their unofficial and unauthoritative roles in the production of the text. In an online context, fan communities have the 'potential to produce unified centers of resistance to influence the global industries of cultural production'.[50]

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48 GiantBomb (2000).

49 McKee (2004), p 181.

50 Costello and Moore (2007), p 140.

Committing to *Persona 4* as a generator of a paideic *nomos,* fans are able to create a corpus of unified meaning around this source text, and experiment with the characters and themes in a way that reflects their individual interpretation; they can then disperse this understanding throughout the fandom via the creation of representational fan works. As seen in the *Welcome to Night Vale* example, the creation of fan texts that repeatedly perpetuate a particular reading of a character or event, even if non-canonical, may become part of the fandom's normative universe. Walking a thin line between innovation, desire and exploration of their own identities by asserting their authority within the fan space, fans are able to use the fan space to critique works by asserting their own 'writing' of the source text. A constant imposition of an external 'official' authority limits what fans can change through an imperialistic maintenance of the canonical interpretation challenging a fan's commitment to their personal interpretation in the face of institutional legal violence.

6.3 Humour and Romance as Modes of Critique

As outlined above, the fans of *Persona 4* have formed a jurisgenerative world-creating community of critique through their commitment to shared interpretive norms and the orientation of the unofficial texts as a challenge to the authority and imperial *nomos* of the official creators. A consequence of shared passion, the community forms both offline and online, with its members gravitating towards other 'people like us, forming tribes' – even within virtual communities.

This section will outline the selection method used for the genres of romance and humour that are the focus of the remainder of the chapter. Additionally, this section will provide an outline of romance and humour as two potential modes for unpacking the paideic fan *nomos* generated by these fan communities. These modes have been chosen as divergent genres of fandom that host differing types of interaction with the normative universes of *Persona 4* fans. Romance and humour texts were chosen to illuminate how fandom generates a *nomos* and uses these norms to critique the official source text or dominant legal norms. Beyond practical concerns of needing sufficiently popular genres that would have the necessary content for analysis, romance and humour were among the Top 10 'tags' – classificatory terms that allow users to narrow

their search according to their preference[51] – on Archive of Our Own, a notable fan website that hosts fan works for numerous fandoms.[52] As such, they were identifiable as genres that held significant resonances for the *Persona 4* fan community at large.

Romance and sexuality fan texts maintain, extend and circulate common fan interpretations of the *Persona 4* characters and universe. Although romance and sexuality fan works can be transformative, in the sense that the characters or situations are often altered in some way to better reflect the authoring fan, this chapter contends that romance and sexuality fan works are primarily affirmational or canon-maintaining works.[53] Romance and sexual fan works allow fans to experiment with different ways of narrating their identity within the *paideic* space of the fictional universe. Despite transformations of the canon, such as changing a character's sex or making them transgender, putting two characters in a relationship together who are

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51 Fan works are classified rigorously, not only for ease of accessibility but also as a way for creators to communicate to their readers what divergences are being made from the canon text. Fans frequently filter out representations of the fictional universe, relationships, themes or portrayals of characters that they do not wish to see from their fan content. The use of classifying 'tags' on websites such as FanFiction.net, ArchiveOfOurOwn.org, fan blogs on Tumblr.com or other fan sites allows consumers to avoid encountering fan works that contain undesirable divergences from their personal preferences.

52 Archive of Our Own (2008-present), https://archiveofourown.org. While the creators of *Fandom Stats* do include a long list of disclaimers, including the fact that AO3 does not represent all fandom, and that tags are subjectively decided by the user meaning, there is a lack of consistency about what 'mature' or 'explicit' may mean, and that there are bugs that can make some of the filters inaccurate. It is also one of the few websites that facilitates specific statistical analysis on fandom. This discussion of methods and the accuracy of these statistics can be found at http://fandomstats.org/reading-the-data.

53 The difference between affirmational and transformational works is discussed in Polasek (2017). Polasek discusses the queering of the relationship of Sherlock Holmes and John Watson to be considered transformational, rather than affirmational. While I agree that the queering of this pair is a transformational act, her comparison is in reference to more traditional instances of fandom that stay strictly within canon. In opposition to humour, however, as this chapter explores, I argue that even transformational texts maintain the canon's fictionality more than humour's subversive break with canon and the fan *nomos*. Ann McClellan, in contrast, argues that fans are able to blur canon and fandom by reinforcing canon norms whilst still promoting subtext to text in fanworks, see McClellan (2018).

not canonically in one (commonly known as 'shipping'), or exploring confronting, taboo or stigmatised issues such as mental health struggles, sexual preferences or kinks, or confronting abuse, ultimately fans seek to maintain the fictionality of these universes so that their narrations of themselves stay abstracted from the real world.

Humour, on the other hand, is differentiated from romance in its treatment of the source text. Unlike romantic fan works that affirm the canon of *Persona 4*, the use of humour in fandom is unique in that it does not seek to uphold the canon's fictionality or canonicity. Instead, creators of fan humour are willing to operate outside of the fictional world paedeically intended by Atlus, as well as the canonical *nomos* that has been accepted and committed to by fans. The humorous fan texts point out incongruities between gameplay and content within *Persona 4*, with a view to 'playing' with the avatarial body, inflexible mind and bizarre storyworld in a way that affirms the interpretive community of *Persona 4* through shared meaning-making but does not iterate a commitment to the sanctity of the text itself. This humorous struggle between the real and the fictional may betray the creator's commitment to more than one *nomos* and difficulty negotiating these commitments.

Romance and humour have been chosen as key points in fandom as both are highly popular and offer good exemplars of how different forms of fandom may affirm, transgress, transform or challenge the paideic *nomos* that fans build around the source text. In one of very few quantitative studies on fan fiction, it was revealed that romance, humour and drama were the top genres on an anonymous fan fiction website.[54] Romance dominated the fandom discourse, amounting to nearly 3.5 million stories written in the genre, and approximately 1.3 million and 1.15 million pieces written in the humour and drama genres, respectively.[55] A small group of coders have sought to make the statistics and numbers of fan works within specific fandoms more accessible to the public, researchers and interested parties by creating the website http://fandomstats.org. This website allows the user to search through a specific tag on Archive of Our Own (AO3), a notable fan website that hosts fan works for numerous

54 Yin et al (2017), pp 6106–10.

55 Yin et al (2017), p 6108.

fandoms.[56] As of 21 November 2018, the 'Persona 4' tag returned 3679 unofficial works created by fans.

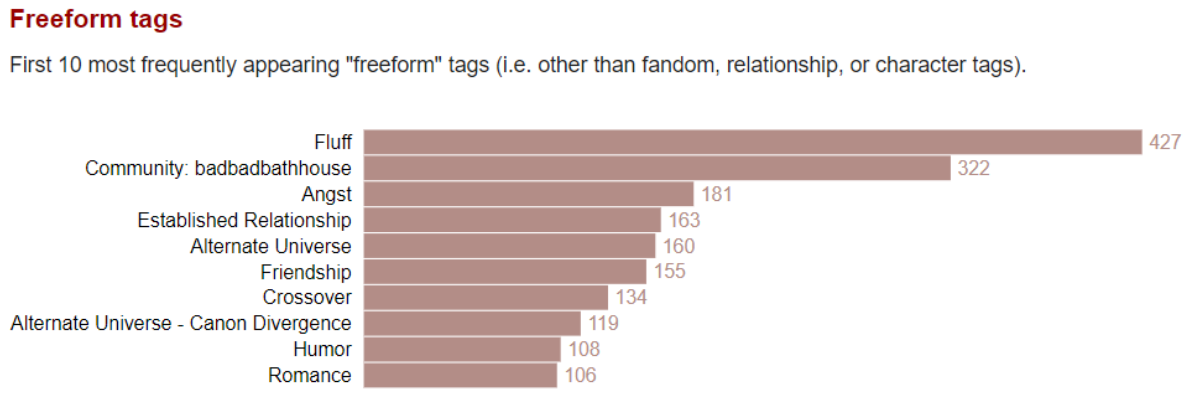

Figure 4: First 10 most frequently appearing 'Freeform' tags for 'Persona 4'

The Top 10 tags do vary widely, with some of the tags discussing the practicalities and classification of fandom. Tags like 'Alternate Universe' and 'Alternate Universe – Canon Divergence' indicate the work takes place outside of the established fictional universe, or that the plot diverges in a non-canonical way (such as John Watson and Sherlock Holmes being imagined as time-travelling companions in *Doctor Who*[57] or Severus Snape not killing Dumbledore at the end of *Harry Potter and the Half-Blood Prince*),[58] as well as tags like 'Crossover', 'Spoiler' and 'Community: BadBadBathHouse', which designate the kinds of content that may be found within the work or the source from which they were inspired. Out of the tags offered within the Top 10 *Persona 4* freeform tags, the tags of 'Fluff', 'Angst', 'Established Relationship', 'Friendship', 'Humour' and 'Romance' appear to be the most telling of genre. Even though relationship tags were excluded from the above chart, the strong presence of romance can still be felt in the 'Established Relationship' tag, which usually denotes that the

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56 Archive of Our Own (2008-present), https://archiveofourown.org. While the creators of *Fandom Stats* do include a long list of disclaimers, including the fact that AO3 does not represent all fandom; that tags are subjectively decided by the user, meaning there is a lack of consistency about what 'mature' or 'explicit' may mean; and that there are bugs that can make some of the filters inaccurate, it is also one of the few websites that facilitates specific statistical analysis on fandom. This discussion of methods and the accuracy of these statistics can be found at http://fandomstats.org/reading-the-data.

57 Newman, Webber and Wilson (1963–present).

58 Rowling (2005).

work begins with the romantic relationship between two characters having already been formed. Works tagged as 'Fluff' are also usually characterised as being wholesome (read: non-smutty) exchanges of affection that are sweet enough to make your teeth rot. These adorable displays of love can include both romantic and platonic relationships. The 'Romance' tag itself is also included. While the 'Humour' tag is the smallest of the Top 10 tags for *Persona 4* by some number, some works not tagged as humour, such as romance and angst, also frequently employ humour to hold reader interest, yet these instances may not be enough (or the author may fear it is not funny enough) for the author to tag the text as Humour.

From the Top 10 tags that were not classification tags ('Fluff', 'Angst', 'Established Relationship', 'Friendship', 'Humour' and 'Romance') 'Fluff', 'Established Relationship', 'Friendship' and 'Romance' all appear to revolve around different aspects of interpersonal relationships between the characters, particularly indicative of romantic relationships or friendships. Angst and humour on the other hand seemed less preoccupied with the relationships between characters because the source of the humour or angst in the fan work may stem from external factors rather than related to another person or character. 'Angst' is defined by Moonbeam's Predilections in their Fanfiction Terminology page as a story 'with prevalent physical, or mainly emotional torment of characters. Most stories with an angst description contain significant levels of characters feeling emotions such as fear, anxiety, or sadness. Such fics may also be designed to elicit such emotions in the readers. See H/C' (Hurt/Comfort).[59] Although angst may be caused by circumstances outside of relationships such as gender or sexuality issues, health struggles, or trauma, it is also often paired with tags such as 'Fluff and Angst', 'Angst with a Happy Ending', and 'Hurt/Comfort' which usually refers to the intervention by another character who comforts the angsty party. Where the 'Angst' tag would likely be a fruitful mode for unpacking the ways in which fans use the creation or consumption of fan texts to explore their own interpretations fictionally, angst serves a similar purpose to romance in that it still almost always maintains the fictional universe in its narrative and uses character attachment to reinforce its commitment from fans.

[59] Moonbeam's Predilections (2017) 'Common Fandom Terms', *AngelFire,* http://www.angelfire.com/falcon/moonbeam/terms.html#Angst (accessed 09 August 2019).

Popular culture texts use the emotional investment of fans to build audiences, and it is the strong affective function of texts that links fans so strongly to following or participating in a paideic *nomos* that centres around the source text. Video games, for example, control player feelings of victory and seek to minimise emotions of disappointment and frustration by making gameplay challenging but rewarding.[60] Cinematic films use audio-visual techniques of slow-motion or music to invoke heightened emotional states for the viewer and make them empathise with the character or scenario being portrayed on the screen.[61] The emotional investment of fans with a fictional character, world or object attributes to one's commitment to the source text and the community *nomos* built around it. Daniel Matthews, for example, writes on 'nomospheres', which he considers to be a 'range of normative worlds possible, each taking more or less coded, more or less institutionalized, more or less mobile and more or less exclusionary forms'.[62] As part of his discussion of nomospheres, Matthews sets out four essential criteria: they must be normative in character, bound to a narrative, spatial and marked by a distinct atmosphere.[63] In defining 'atmosphere', Matthews refers to the importance of emotion and affect in forming a collective, stating that an affective atmosphere 'is produced by a movement that reaches out beyond subjects and "touches" others, connecting self, other and space in a shared experience'.[64]

Popular culture texts generate an affective atmosphere through the use of parasocial relationships (PSR); these are 'a one-sided interpersonal relationship that television viewers establish with media characters'.[65] Such a relationship may consist of celebrities or popular media figures – real life people who are in the public eye – but can also consist of fictional characters, alongside the non-fictional. David Giles tells us that 'parasocial interaction occurs when we respond to a media figure as if he/she/it were a real person' in our own lives, and in this definition, Giles emphasises that such a

60 Ash (2012), p 14.

61 Wollner, Hammerschmidt and Albrecht (2018).

62 Matthews (2016), p 31.

63 Matthews (2016), p 31.

64 Matthews (2016), p 32.

65 Rubin and McHugh (1987).

relationship is able to be established with a fictional character.[66] The result of a fan establishing a PSR with a fictional character means that a fan reacts to the successes and failures of a fictional character in a real-life, emotional way. Fans with a PSR with a fictional character feel an intimate personal connection with the character, and emotionally respond to that character as if they were a real-life, tangible friend or lover. Romance, friendship and courtship play a large part of *Persona 4*'s narrative and gameplay, as a result it is no surprise that parasocial relationships form with players. The length of the gameplay of the main game does not only mean that it is easy to form a parasocial relationship based on the amount of time and exposure spent with them, but also that by the end of the text the consumer should have a decent understanding of each character's personality and be able to distinguish between characteristic and uncharacteristic behaviours.

While a fan who has a PSR with a fictional character is well aware the relationship is not real, they still respond in a genuine emotional way to the journey of that character, particularly when that character is 'lost' either through death or the conclusion of a text. Jennifer Barnes has theorised that those fans who take delight in the characters or universe of a text, and those who hold a PSR with a fictional character, are often eager to revisit that place or those people – why would you not want more of something that you enjoy?[67] Barnes posits that fans use imaginative play, through daydreaming or the creation of fan works, in order to reconnect with fictional characters who are otherwise limited by their canonical universe.[68] By bringing fictional characters into the fandom, authors and consumers who have parasocial relationships are able to further expand and explore that relationship beyond the ending of the text and take control over their individual interpretations of the character and the character's future. The longer a viewer (or consumer) has been involved in a parasocial relationship, the more confident a fan is in their attribution of the character's behaviour,[69] to the point where, as Katherine Larsen and Lynn Zubernis

66 Giles (2003).

67 Barnes (2015), p 70.

68 Barnes (2015), p 70.

69 Perse and Rubin (1989).

demonstrate in their book on *Supernatural*,[70] the fan authors insist that they have a better understanding of the show's character 'Dean Winchester' than the creator of the show itself, despite the fact that Dean wouldn't exist without Eric Kripke.[71]

The emotional investment of fans in the wellbeing of these characters and their journeys, coupled with a fan's extensive knowledge of their chosen fandom, may help fans to explore their own identities and desires using a pre-constructed universe or character archetypes that they can mobilise for their own purposes.[72] Wendy Adams argues that self-narration through fiction and stories draws on the same cultural knowledge that is used to construct narratives of fiction and law. By drawing on pre-constructed archetypes, fans are able to better assert and narrate themselves using popular culture, which in turn speaks to fundamental embedded notions of what it means to be a person, a legal subject, and how individuals relate to one another:

> The narrative/*nomos* obligational self, embedded in the always already cultural context of narrative meaning that includes popular culture narratives, is a facilitator of the legal knowledge that creates and maintains the reality of law for legal subjects. These provide conditions of possibility for the reflections, representations, and refractions implicated in the ways we narrate our inherently normative identity, which in turn provide the conditions of possibility for the ways we respond to proffered claims of legality, and consider ourselves bound by law.[73]

Those fans who create romance- or sexuality-based fan texts hijack the characters or settings to construct possible identities in an otherwise safe and fictionally stable space. The intense parasocial relationships that fans may feel with the fictional universe, and the communal construction of the *nomos*, ground fans and creators of romance fan texts to treat the canon universe in a non-trivial manner. Fan works that rely on the emotional connection of a PSR preserve the integrity of the characters and universe they so love while changing or resisting whatever is needed to fulfil the

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70 Kripke (2005–present).

71 Zubernis and Larsen (2012).

72 Zubernis and Larsen (2012).

73 Adams (2016), p 103.

desires, whims, predilections or curiosities of the specific fan. Without seeking to preserve narrative integrity, the author risks their work being considered so derivative it is no longer fan fiction but simply fiction – the connection between fan and fiction is thus broken, and their play space removed.

Creators and readers of fan works rely on their own knowledge and experience with the canon when attempting to concretise textual gaps; they generally desire to remain faithful to the canon text (except for where the specifically seek to change it) and can display anxiety when they may not have the requisite knowledge to complete such a task.[74] Remaining true(ish) to the common fan interpretations of *Persona 4* also serves an imperial function in maintaining the fan's paideic *nomos*. Appraising and accepting a fan's particular characterisation through approving comments, liking the work or referring to it (or reposting it) elsewhere also affirms specific characterisations of issues within *Persona 4* and distributes these characterisations onward to further solidify the correctness or incorrectness of the portrayals.

Unfortunately, a parasocial relationship with a fictional character is a terminal one. Given the nature of fictional characters as fiction, they are only able to be subsist within their own medial universes and unable to be interacted with once a TV series, game or book has come to an end. While non-fictional targets of PSRs have further options of interaction through talk shows or real-life meetings with a fan, fictional characters are limited to their texts. For a fictional character, re-watching, re-reading, or re-playing are the only viable canonical ways to continue to interact with a character after the text's end.[75] Upon the end of a show or the death of a character in a text, fans who have a PSR with a character can experience anxiety and even grief, depending on the strength of their relationship with the fictional character – the greater their reliance on the relationship to simulate social contact within their own life, the harder it is to sever that link.[76] In a similar way, Daniel and Westerman suggest that the death of a well-loved character, and the potential subject of a parasocial relationship for fans, can be modelled through the standard Kubler-Ross model of the

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74 Sandvoss (2014), p 267.

75 Branch, Wilson and Agnew (2012).

76 Cohen (2004), p 198.

stages of grief: denial, anger, bargaining, depression and acceptance.[77] They did this by observing the tweets of *Game of Thrones* fans for 10 days following the death of Jon Snow and categorising those tweets within the grief model.[78]

Occasionally a fan author will subject themselves and others to the loss of a character as a way to better enhance the emotional response and reconfirm the danger of the character's death. One such example from the *Persona 4* fandom is 'Sunshine' by StormWildcat, which explores an established relationship between gooey-on-the-inside bad-boy Kanji and the serious, young detective Naoto that struggles when Kanji becomes terminally ill.[79] The author's parasocial relationship is visible in both the moving writing itself and the author's notes, where she states, 'Beware this is a tear-jerker. I actually cried writing this. Typing and tearing is really difficult.'[80] A physical and emotional response to fictional characters, unable to contain her interest or love, falls within the definition of a parasocial relationship. She adds some further notes at the end of the short 1000-word piece, explaining:

> I had conceived this idea this morning when I woke up and instantly felt a surge of emotion from it. These two are a couple that I never wanted to have separated but the pure feelings that come up when something tragic happens between them is so great and moving that I needed to write this.[81]

The piece was tagged 'Romance' despite its grim themes, which marks a desire for the author to experience all facets of romance with their chosen pairing, not just the fairytale, positive ones. In this way, themes such as angst, hurt/comfort and major character death can equally be related to the parasocial relationship between fan and fiction. Such writing on love and loss could potentially assist the author or a reader in coping with their own loss, or indicate that the PSR they have with these characters has moved beyond pleasurable fiction, with the desire to evoke difficult, tense

77 Daniel and Westerman (2017).

78 Daniel and Westerman (2017).

79 StormWildcat (2015).

80 StormWildcat (2015).

81 StormWildcat (2015), notes.

emotions as a mode of feeling *real,* painful, tragic emotions that they are unable to experience or cope with in their own lives.

By using the parasocial relationships that many fans form with the *Persona 4* characters or universe, fans are able to express their own individual understandings and desires within the *Persona 4* universe in a serious way through relationship fan works. Romance and sexuality fan works are artefacts of a community that is paideically committed to interpreting the same text with the dual function of firstly honouring the parasocial relationships the fans have formed with the source text, and secondly using this fictional environment to experiment with their identities in a safe, fictional space that will not reflect back directly on their real life identities. As a community that is paideically committed to interpreting the same text, affirming the communal deference to the text through affirmative acts such as the appraisal and approval by others of canonical knowledge, fans are able to maintain their communal understanding of the text even throughout individual experimentation and assertion of meaning.

Humour content creators, on the other hand, do not prioritise affirmational or world-maintaining acts, seemingly unconcerned about the accurate portrayal of the source text's canonical aspects. Instead, humorous content is more willing to challenge, resist and break the fictional fourth wall for the sake of its humour, at times flouting the established norms of the fan interpretive community. Where romance alters the character or the universe as necessary to meet a fan's needs, the fictionality of the universe remains largely intact, but humour content is willing to actively point out flaws in character continuity, gameplay, narrative or incongruities in the text in order to fuel their amusement. Transformed as these characters can be by romance or non-humorous fan texts, humour texts actively disrupt and undermine the complex personhood established within the larger games. The high presence of humour, parody and satire in fan communities is something that is considerably under-acknowledged or discussed in a critical setting.

The only explanation found regarding the lack of discussion of humour or comedy within fandom in academic circles was attributed to the connection between fandom, femaleness and humour. Jenkins' initial work on fandom, *Textual Poachers,* argues that the process of learning to read as a fan means adopting feminine reading conventions,

following from the prevalence of character and romantic fixation, rather than action or plot points, in early fan work.[82] Madeline LeNore Klink suggests that as a result of constructing fandom as a 'female' space, fan studies have not taken the presence of humour seriously:

> Speaking very generally, it seems that there are important parallels between fan humor and women's humor – and fan humor often is women's humor. Fan humor and women's humor both originate from groups that have generally been viewed as 'humourless'; like all humor, they both rely on specialized in-group knowledge and can function as a way to recognize other members of the in-group; they both sometimes tend dangerously to the self-deprecating, and can be misunderstood by members of the out-group as serious ... Women and fans may be risible – but when they take the active role and begin telling the jokes, they are invisible, at least to the academic eye.[83]

Although eight years have passed since Klink's remark, there is still little to no substantial discussion of the role of humour in fandom. In theorising on humour more generally, Kuipers has affirmed that joking has traditionally been of masculine construction. Not only are jokes told from the male perspective, which makes it difficult for a female audience to identify with, but women rarely feature unless absolutely necessary to poke fun at as demeaning stereotypes such as tyrannical wives, kinky mistresses or 'other male dream and dread images'.[84] As the spread of humour diversified to include online forums and modes like memes, fanvids, parody and satire, the contemporary domain of participatory culture provided some hope that 'humor advanced via the internet may thus provide – potentially at least – unique opportunities for marginalised and silenced social groups – women included – to express their unique voice'.[85] Following a study on post-feminist humour, Limor Shifman and Dafna Lemish concluded, however, that user-made content was no more subversive than the humour perpetuated by mass media and internet humour could be

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82 Jenkins (1992b), p 116.

83 Klink (2010), p 73.

84 Kuipers (2006) p 186.

85 Shifman and Lemish (2009), p 256.

employed to reiterate entrenched beliefs and stereotypes about common topics.[86] While it is not surprising that official content producers, such as Atlus, would reinforce normative stereotypes of personhood aligned with the dominant *nomos* that gives it its violent or coercive imperial function, it is somewhat surprising that even within the 'liberated' space of fan creation, humour norms that feed on sexist, misogynistic content endure. In the *Welcome to Night Vale* example discussed earlier, even with a whole fantastical world at their disposal, fans reinforced an image of Cecil as a white, male human. This would seem to indicate an inability of fans to completely shed the conceptualisation of personhood that has been ingrained by posited law and mainstream culture.

A comic by artist Hiimdasy about *Persona 4* is likely the most recognisable piece of fan work for the franchise.[87] The comic has received numerous uploads, animations and fan dubs on various online websites by other fans, which testifies to its popularity. Despite the author of the comic being female, the humour in the panel comes from the assumptions that the author and audience hold about women's serving purpose as caring for the males in their lives, domestically and sexually. Yet, as the humour doesn't pose any legitimate threat to the change in power dynamics of the public sphere, it is perceived that there is no harm in deriving amusement from the text.[88]

Unlike satire, which finds its target in current events, politics or topical phenomena, comedy pokes fun at human characteristics that are never expected to change. Satire can be accompanied by feelings of real frustration and aggression as it actively tries to reform society by means of humour, but often lacks the tangible power to do so.[89] Comedy occupies a less threatening space than satire as its commentary is not one of change, but rather observation and amusement.

Humorous content created by fans of *Persona 4* occupies a very different space from the more serious content that seeks to preserve the canonical universe beyond an author's desired changes. The *Persona 4* humour content affirms the similar

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86 Shifman and Lemish (2009), pp 268–9.

87 WhiteTigerRanger (2014) 'Hiimdaisy's Persona 4 Comic (Warning: Very Long)', Imgur, https://imgur.com/gallery/7gIwl, (accessed 19 August 2019).

88 Shifman and Lemish (2009), p 270.

89 Ziz (2010), pp 16–17.

interpretive strategies of its fan community by its use of multilayered intertextual humour to generate a sense of community. The formation of an interpretive community of strangers based on a shared interest in *Persona 4* naturally results in the text being a primary reference point for uniting the fans. According to Baym,[90] the use of multilayered intertextual humour can strengthen the bonds of a group because 'sharing humor signals similarity and similarity breeds closeness … laughing together is a sign of belonging'.[91] Comedy has the power to create social bonds as people unite over what they consider amusing – in the same way that there is a possibility of symbolic violence or disparagement against those who do not share comedy tastes. [92] Humour outlines moral or social boundaries that bring people with shared humour closer but can ostracise or exclude those who fail to laugh at your jokes and those who persistently 'make the wrong jokes'.[93] The benefit of making or consuming comedy within a specific fandom is that the fictionality and shared enjoyment of the content likely protect the reader from any serious scandal. Joking within a fandom has an advantage in that it draws from a group of people who already hold a shared interest in *Persona 4*, rather than scandalising any one group of people when the comedy pokes fun at more serious topics. [94]

Even within the fandom, many of the jokes draw from other aspects of popular culture, internet culture and youth culture. Without having this specific contextual knowledge, there are times when knowledge of *Persona 4* is not be enough to 'get' the joke. One example of the heavy intertextuality often found within popular culture fandoms is memes. An internet meme, as Davison describes it, is a 'piece of culture, typically a joke, which gains influence through online transmission'.[95] Unlike other fan-made creations such as fanfiction and fan art, which can be more easily understood and appreciated once the primary text is consumed, memes may contain additional layers of requisite knowledge in order for the audience to understand the humour. In order to 'get' the

90 Baym (1995).

91 Kuipers (2009), p 229.

92 Friedman and Kuipers (2013), p 188.

93 Kuipers (2009), p 219.

94 Kuipers (2011).

95 Davison (2014), p 122.

referenced image macro examples, one would not only need to have the relevant knowledge of the characters of *Persona 4* but also be sufficiently in touch with digital popular culture and meme culture to first recognise and comprehend the meme template, and then to appreciate why the adaptation to *Persona 4* is a humorous one.[96]

Yet, although humorous fan works affirm the interpretive strategies and shared experiences of the *Persona 4* fandom as congruous and communal even beyond the text of *Persona 4*, enhancing a sense of shared understanding between fans of the work, the humour content itself seems to highlight the incongruities or incompatibilities between *Persona 4* and the real world. By acknowledging this disparity in a playful way, fans generate a rebellious space that pokes fun at, lovingly ridicules and imitates the source text. Where romance alters the character or the universe as necessary to the fans' needs, the fictionality of the universe is largely intact, but humour content is willing to actively point out flaws in character continuity, gameplay and narrative, or incongruities in the text, in order to fuel their amusement. United by their shared interests, knowledge and sense of play with ideas, fans are able to destabilise the texts that brought them together by challenging the interpretive *nomos* of self and self-performativity to which other works cling.

Having considered how romance and humour fan works may operate as modes of critique, the next two sections will turn to making a detailed analysis of the *Persona 4* fan works.

6.4 Romantic and Sexual Fan Works

This section examines the fan works that explore notions of romance and sexuality within their content. By taking advantage of the parasocial relationships that fans form with the fictional characters or settings throughout *Persona 4*, fans are able to affirm their commitment to the canonical representations of *Persona 4* as well as the common interpretative strategies seen within the *Persona 4* fandom that help to establish it as a paideic *nomos*. Although Robert Cover's work has had some limited

[96] It is important to note that images are not the only examples of memes, although they are perhaps the most common ones. Other examples of memes often go by different names, such as 'viral videos', 'copypasta' or general recurring internet practices. Knobel and Lankshear (2007), p 202.

exposure within a popular culture context,[97] there has been no discoverable work on the topic of fandom generating a *nomos* through a shared commitment to a text and interpretive norms. This section will explore fandom as a transformative *nomos* that allows fans – particularly females – an alternative space within which to experiment with their identity in a way that confronts the traditional norms of personhood perpetuated by posited law.[98]

As discussed in Chapter 2, Robin West identifies the legal ideal of personhood as an individual, autonomous, rational male. The males are preferential to the females due to their bodily autonomy and consequent ability to compete on an even level, unlike women, who are unfit for personhood due to their permeable bodies and irrational connectivity to others, which threaten their potential for true individuality. With their personhood already fully acknowledged by the prevailing *nomos*, men seem to have less need to be transformative in their fan works. John Walliss claims that the originality of the work of male fans is 'not so much in the ways that it transforms the canon, but rather through the ways in which it enriches it'.[99] Males 'gravitate toward activities that uphold and extend the essence and ideology of the parent text, rather than diverging from it and working "against the grain"', as their female fan counterparts impliedly do.[100] Unreflected in the personhood of the dominant legal *nomos*, women appear to be more predisposed to ally themselves with a fannish *nomos* that, in turn, shapes their identity, their interpretative commitments and their values. By committing themselves to a jurisgenerative fan *nomos*, fans of *Persona 4* are able to articulate, construct and test the self in a way that orients their personhood anew, away from the stricter confines of the dominant patriarchal *nomos*.

A common form of 'transformation' within the romance genre of fandom of *Persona 4* is the queering of heterosexual courtship options within the game. *Persona 4*'s dating

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97 Adams (2016); Podlas (2006); Sherwin (2000).

98 Obviously, some generalisation is unavoidable here, but there are always exceptions to every rule; however, Bury (2005), Lothian, Busse and Reid (2007) and Orme (2016) all support this premise through establishing fandom as a predominantly feminine space.

99 Walliss (2012), pp 120–1.

100 Rehak (2008).

element essentially puts Yu at the centre of a harem, where every girl he comes across in the game (Yukiko, Chie, Rise, Naoto, Marie, Yumi, Ayane, Ai) falls in love with him and is a courtable option for the game, a woman waiting to be 'connected' with. The harem of girls from which Yu has to choose within *Persona 4* reinforces his stance as a male, heterosexual legal avatar.[101] Yu is coded strongly heteronormative by making the attainment of any of these girls the 'desirable' and 'morally charged' objective, as to win the heart of a girl is also to win one aspect of the game.[102] Despite the presence of Kanji, a character who is struggling with his sexual identity and is impliedly queer, the game disallows any romantic relationship between Kanji and the protagonist, further reinforcing the heterosexual status of the protagonist and the heteronormative agenda of *Persona 4.* Additionally, voice files of what appears to be a romantic scene between Yu and Yosuke were found in the base code, which implies that the idea of a non-heterosexual relationship for Yu was considered but ultimately was not included in the game's content.[103] By altering Yu's sexuality in fan works (as the player-representative blank slate avatar), fans are able to subvert the idea of personhood as male and heterosexual by queering Yu or exploring other non-heteronormative relationships within the text.[104]

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101 Canonically, there does seem to be hints at Yosuke as a potential romance option within the game, with Japanese and English vocal lines found that suggested at a romantic relationship eventuating between Yu and Yosuke, although never confirmed by Atlas. The lines were cut from a narrative sequence that might indicate a romantic confession, with Yosuke saying, 'I like you', 'D-don't make me say stuff like that!' and 'Don't go …' The option was cut from the game entirely, potentially to protect the protagonist's heterosexuality, although this idea has now been taken up with enthusiasm by fans.

102 Frasca (2003a), pp 221–35.

103 Unused voice clips for all of the *Persona 4* characters can be found at The Cutting Room Floor (2016).

104 Catherine Tosenberger (2008), p 187 warns that labelling queer readings as 'subversive' or suggestions that queer readings transgress canon 'rather troublingly assigns to the canon a heteronormativity it may not necessarily possess'. Certainly, there are representations of gender and sexuality issues within *Persona 4* that are dealt with in a real and touching fashion; however, this does not alter the fact that Yu is only able to date females, reinforcing the dominant heterosexual male typology of personhood.

The *Persona 4 New Days*[105] and *Persona 4 Your Affection*[106] fan games are particularly effective at assisting viewers to transform the canon as desired, due to the way that the fans of *Persona 4* have created these games by modifying, appropriating or stealing in-game background and sprite images in order to alter the narrative to tell their own story. *Persona 4 New Days* allows Yu to date Yosuke or Kanji, or to enter into a polyamorous relationship between Kou and Daisuke. *Persona 4 Your Affection*, in a similar vein, enables the player to experience romantic relationships between characters other than Yu: the game includes options for Yu and Yosuke, Chie and Yukiko, Kanji and Naoto, Kanji, Naoto and Rise as part of a polyamorous relationship. The use of the same art assets makes the product look startlingly similar to the visual novel portion of *Persona 4 Arena* and *Persona 4 Arena Ultimax,* serving to blur the distinction between official and unofficial product. While any fan worth their salt will obviously be aware that fan games are non-canonical to the main text, the similar aesthetic allows the user to easily transplant content from one game to the other.

Among the plethora of other texts (fanfiction, *doujinshi*, fan videos) that present a non-heteronormative vision of relationships within *Persona 4*, these games are noteworthy in the use of the video game medium not only allows the player to witness or passively consume images of a queer courtship but allows them to actively engage with and correct the limitations of the original video game. However, Tosenberger warns that labelling queer readings as being 'subversive' or suggestions that queer readings transgress canon 'rather troublingly assigns to the canon a heteronormativity it may not necessarily possess'.[107]

While *Persona 4* does flirt with real issues of transgender and gender presentation, such as through Naoto's story, as well as questions of sexuality and the meaning of masculinity through Kanji's story, the game never fully commits. Instead, Naoto and Kanji's shadows and struggles are explained away within a heteronormative paradigm in which Naoto is

105 StrangestQuiet and Bocchan (2015).

106 Natalie, Lily and Xylia (2017).

107 Tosenberger (2008), p 187.

not transgender but instead seeking to avoid prejudice about her gender, and Kanji is not gay but simply afraid of what it means to be a feminine male.[108]

As part of unofficial stats provided by the website *FandomStats.org,* the most popular relationships for the 'Persona 4' tag include a number of male slash couples (Yosuke/Yu, Adachi/Yu, Adachi/Dojima) and femme couples (Yukiko/Chie, Rise/Naoto) and only include one example of a heterosexual couple (Naoto/Kanji). The heterosexual couple may also arguably be representatively queer, given Naoto's struggle with her gender representation (wearing male clothing and using masculine pronouns) and Kanji is struggling with his sexuality.

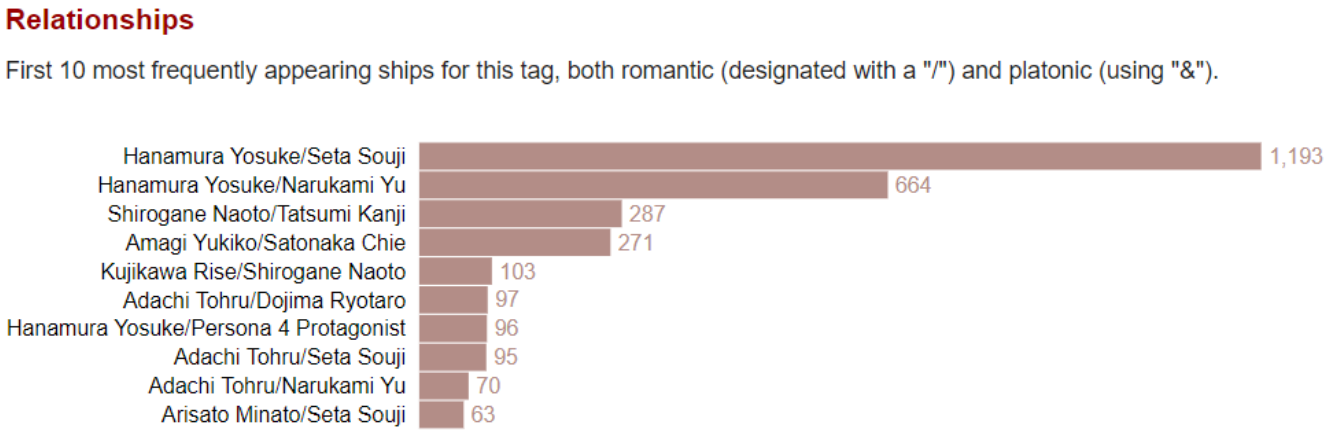

Figure 5: 'Relationship' tag popularity for Persona 4

The most prevalent pairing by far is that of Yu with Yosuke, his closest male friend. While the results are split on the graph in Figure 5 as a result of the protagonist bearing different names throughout the canon media (Soji Seta for the manga and Yu Narukami for all other canonical media), there is an obvious dominance in the first two categories of this ship. Slash narratives emphasise equality between parties, an equality that is unable to be fulfilled through heterosexual narratives due to the implied power imbalance between male and female persons.[109] Shoshanna Green and Cynthia Jenkins theorise that fans commonly identify with male heroes not only because they are at the centre of the adventure but also because the female

[108] Green (2017), pp 116–18. This point has also been made before by online gaming websites such as Gamespot and Play the Gay Away. See Petit (2013); Piercestream (2014); Kaiser (2015).

[109] Jenkins (1992b), pp 202–5; see also Lothian, Busse and Reid (2017).

characters in popular culture are frequently devalued.[110] Women, as portrayed by pop culture, are often either powerless or their skills come from their femininity – needing to use the allure of their beauty or seduction techniques to gain power. For ordinary women, self-identification with such sensuous or beautiful women is an uncomfortable idea.[111] As a result, they often gravitate towards identifying with male avatars as a way to be equal to the in-game male partner, or otherwise, by identifying with a female to whom they relate more readily.

As players of *Persona 4* have already experienced *Persona 4*'s narrative universe through Yu and may have developed a parasocial relationship with him, it is unsurprising that fans find it easy to identify with and inhabit him. For those who want a little romance in their fan work, the fans' construction of Yu is unlikely to court or lust after one of the female characters – as if the fan liked them, they could have identified and 'tinkered' with that female character to begin with. As a result, fans turn to the other characters who have a meaningful relationship with the protagonist.[112] In the case of Yu, Yosuke is considered Yu's 'partner in crime' and is canonically portrayed as having the strongest relationship of the secondary male characters. Yu and Yosuke fall within a category known as 'buddy slash', found in early fan work that builds on the emotional connection between two best friends like Kirk/Spock, Frodo/Sam or Holmes/Watson that capitalises on the intimacy of the pre-existing platonic relationship by adding romantic feelings to the mix. Anne Kustritz explains the popularity of buddy slash through the emotional availability of the buddy to the hero: the buddy is 'always available, constantly sympathetic, and may be the only person on the planet to see the hero cry'.[113] Any and all of the female characters in *Persona 4* inevitably fall in love with Yu and offer themselves in submission to the hero. Yosuke, on the other hand, represents a more equal relationship partner for Yu, where neither

110 Green and Jenkins (2006), pp 67–9.

111 Green and Jenkins (2006), pp 67–9.

112 Green and Jenkins (2006), pp 67–8.

113 Kustritz (2003), p 377.

submits to the other as there is no pre-existing expectation of power or gendered expectations within their emerging romantic relationship.[114]

> In slash narratives, authors meticulously create an equality relationship dynamic in which characters are completely equal in everything from decision making to love making, and from patterns of dress to household chores to levels of attractiveness and financial security.[115]

By removing the issue of gender (by placing two equal male parties in a relationship), female fans are able to fictionally experience personhood and interconnection with another person on equal terms, rather than gendered ones. Unlike the reproductive role that is forced upon women within heterosexual relationships, Mark McLelland argues, the use of a male/male fantasy allows *fujoshi* (literally 'rotten women') to experience a relationship between two equal partners.[116] Fans who prefer a similar level of equality between characters in fan works have been theorised to indicate the desire or need for equality in the fan's romantic relationships.[117] 'At some level, many women who write homoerotic fiction in the community want to tear down the very institution of hierarchical power that constructs men as individuals, not as parts of a whole.'[118] By using the emotional tether of parasocial relationships to invest in and embody the characters of *Persona 4*, fans are able to construct a fannish paideic *nomos* of personhood that provides them with equality that is inaccessible under the dominant patriarchal, state-based *nomos*. In creating an equal world that transgresses gender, slash 'allows readers to experience a world of imaginative possibility that transcends the political limitations of the current world'.[119]

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114 Green and Jenkins (2006), pp 67–9.

115 Kustritz (2003), p 377.

116 McLelland (2001). Considered a subset of the *otaku* subculture, *fujoshi* (lit. rotten woman) are females who consume or create queer fan works, often derivative of an existing series rather than independently imagined and made. For a brief history of the term *fujoshi*, and its surrounding research, see Suzuki (2013).

117 Salmon and Symons (2004).

118 Bacon-Smith (1992), p 249.

119 Katyal (2006), p 489.

Non-heteronormative portrayals of characters may be interpreted through reading Cover and West as a way for females to reject the dominant narrative of legal personhood and the popular culture texts that reflect and recommit to that dominant *nomos*. Refusing the norm of the default legal person as independent and male, fans can rewrite the player avatar in a way that subverts the understanding of the default self as a bounded heterosexual male – one that is 'so comfortable we needn't know it is there, a body which is simply a home for the mind, and doesn't interrupt it, confuse it, deceive it with irrationalism, or bleeding, or pregnancy' – by introducing it to penetration, animalistic heat, pregnancy and emotionality within fan works.[120] Using these characters (usually the male protagonist) to fictionally experience an equal relationship with other legal persons, female fans can access that which is problematised by adherence to the dominant nomos of legal personhood, with fandom providing a vehicle for the communal exploration of a fan's own identity through fiction.

While the above consideration of fan works has focused on issues of equality, reforming or re-envisioning relationships in a less hierarchical structure, a range of pairings of *Persona 4* do the opposite and involve both narratives of domination and transgression. The clearest of these is the ships that include Tohru Adachi, the main villain of the series, and Ryotaro Dojima, Yu's uncle and the police detective assigned to the Inaba murder case. Unlike other examples of the romance within *Persona* 4 that have an equal power dynamic such as between Yu and Yosuke as two people of the same age and social standing, fan texts involving Adachi or Dojima have a greater power imbalance that flows contrary to the contention that the romantic pairings between characters are popular for the equality in each character's 'personhood'. The Top 10 romantic pairings listed from fandomstats.org include the pairings of Dojima/Adachi and Yu/Adachi. The Yu/Adachi ship is unbalanced because Yu is 10 years younger than Adachi and in Dojima/Adachi fan works, Dojima's position as Adachi's superior at work, as well as the approximate 13-year age difference, creates a power imbalance between the two. Based on studies of the level of equality in slash artwork, Proud Arunrangsiwed has found that pairings featuring a villain tend to be

120 Ahmed (1995), p 56.

rated by consumers as having a lower level of equality between parties.[121] Low levels of equality in fan works have also been correlated with higher levels of violence in fan works portraying relationships between villains and other characters.[122]

Regardless of whether Adachi is shipped with Yu or Dojima, Adachi, as a transgressor of the law, is written as romantically entangled with embodiments of the law itself. Dojima is the signifier of the law within the real world as the policeman in pursuit of the serial Inaba murderer, and Yu is the signifier of the symbolic order within the TV World, as established in Chapter 4. The tension observable between romantic and sexual relationships between Adachi and Yu or Dojima is the tension of the law and its transgression. By experiencing and exploring themselves within a fictional *nomos*, fans are able to reconstruct their personhood by transforming the texts produced within the patriarchal *nomos* of the dominant state-based institutions. The appeal of Adachi, as a villain, within *Persona 4* fan works is his transgressive potentiality that provides fan creators with an empty canvas upon which they are able to live out fantasies of the rejection of the normative legal order. Through the use of 'buddy slash', fans are able to experience an 'equal' relationship, an experience that is problematised for those who do not fit the ideal narrative of the liberal legal subject. By using villain slash, fans can exceed this experience of an equal relationship by fictionally approaching Bataille's sovereign moment – in transgressing a fictional representation of the state's *nomos* to disrespect the autonomy of others and act purely in the interest of their own whims and desires, the transgressor becomes truly sovereign for a short moment.[123]

Within *Persona 4* fan works, Tohru Adachi is popularly shipped with a manifestation of the legal (either Yu, symbolically or Dojima, literally) and therefore encompasses themes of corruption and transgression. Adachi's satisfaction in corrupting Yu, the hero and therefore the game's avatar of law and morality, stems from the jouissance derived in corrupting the lawful character's own internal moral boundaries.[124] The joy lies in the act of transgression. Adachi and Yu's relationship, in particular,

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121 Arunrangsiwed (2015), pp 4145–6.

122 Arunrangsiwed (2015), p 4146.

123 Bataille (1993).

124 Memaiko (2017); PheromoneCoffee (2014); dNwfvBj9 (2018a).

demonstrates how law and transgression are bound together. Bataille notes the complicity of law and transgression, pointing out that there can be no possibility of transgression without a law, prohibition or limit to break in the first place.[125] The nature of transgression requires that it always must seek out new limits since it operates most fiercely at the moment the boundary is exceeded.[126] This is a sentiment also posited by Foucault: 'transgression has its entire space in the line it crosses'.[127] Yet the focus on transgression leans away from law in its practice: transgression is internally fixed, rather than imposed from the outside. Transgression of the law itself, although illegal, can be justified given law's fluidity and ever-evolving nature: a person may transgress what they believe is an unjust law without feeling the guilt or excitement associated with violation and transgression. Equally, a person can perform a perfectly legal act, such as consensual sex as part of an extramarital affair, but feel the weight or excitement of a transgression because it has transgressed the line of law that was drawn internally. In other words, 'moments of transgression encompass a renunciation of one's identity by breaking those limits that guarantee the identification of the subject within the social body'. The transgressive act generates excitement because it breaks with the symbolic order that constitutes it, although what is constitutive of the self is defined internally rather than externally, and therefore only breaking of the internal rule will generate this kind of panic or exhilaration.[128]

For Hannah Arendt, the limits of taboo or transgression a person sets internally help to define them as individuals.[129] The process of determining one's own moral prohibitions requires acknowledgment of the present self, and a pointed conceptualisation of who you have been in the past and what kind of person you want to be in the future. Arendt tells us that the failure to enact the capacity of one's own internal moral compass is 'the loss of the self that constitutes the person'.[130] In other words, the ability to think and self-determine one's own moral limits are constitutive of true

125 Bataille (1986), p 36.

126 Dean (2011), p 70.

127 Foucault (2003).

128 Bown (2012), para [9].

129 Arendt (2003), p 101.

130 Arendt (2003), p 101.

personhood. Those who fail to implement these internal moral boundaries risk falling to the banality of evil, where legal actors act follow rules in a way that is disconnected from any judgement or supposition of the action being a good or just act.[131] The discovery of Yu's special power to enter and bring others into the TV World is the in-game defining moment for his character, when Yu must decide whether to risk his life to protect and help his new-found friends. Knowing he wouldn't be able to live with himself if he just stood by and did nothing, Yu prioritises his bonds with his friends and sets his own internal morality. In corrupting Yu within the fan work, the priority is less on Adachi making Yu break the law itself (something Yu already does at times canonically); instead, Adachi's power comes from his ability to make Yu transgress his own internal limits – a transgression harder to sustain in line with his own moral character.[132]

For example, in *Kadavertreue* by Memaiko, a female Yu Narukami reflects on Adachi's corruption of her conviction to protect the bonds of her friends at all costs:

> She wanted to isolate herself from the miserable world, from the pain that bonds carried along. All this time Narukami had searched for the truth with the Investigation Team in the TV world, when the truth had always been right in front of her eyes. Adachi's view of the world was the only truth. And now she was finally able to understand him fully. The world truly was full of shit. With every of Adachi's touch, she corroded a little more.[133]

This passage reveals Yu(i)'s abandonment of her friends and eventual alignment with Adachi, a murderer and Yui's former enemy.[134] The establishment of Yui's internal moral line that she will not cross invites the transgression to occur by intensifying desire for the object behind the taboo. The taboo erects a barrier that stimulates the

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131 Arendt (2006); Bankowski (2001), pp 168–9.

132 Dean (2011), p 70.

133 Memaiko (2017). This fan fiction features a female Yu Narukami.

134 The author has used Yui, a female Japanese name, as Yu Narukami's gender-switched name in this work.

erotic impulse to transgress the limit that has been set. [135] The transgression of Yui's personal limit, making her sacrifice the safety and support of her bonds for Adachi, is immediately met with a violent and erotic response from Adachi:

> Adachi had thrown her against the wall, his nails penetrating her wrists until she felt the damp blood running down her arms. 'Why did you do that? Why did you sacrifice all your precious bonds for me? Tell me!'

Yui's tone is more sexual or even romantic in answer to Adachi's question:

> She slowly leaned forward, locking her lips with his.
>
> 'Because only you understand me,' she breathed into the kiss

For those unwilling to taint Yu's canonical character, any of Yu's transgressive impulses that articulate a wish to transgress his self-set boundaries betray his bonds of friendship, or admit his sexual or romantic attraction to Adachi – the very person that should repulse him – are often attributed to his shadow form. As a result of this characterisation, Yu's desire to transgress, aligning him with Adachi, is relegated to his unconscious mind rather than a conscious, active decision of the character to transgress. The Japanese *doujinshi*, *Mask and Mirror* by Opera, portrays such a world in its pages, where a shadow Yu admits his love for shadow Adachi within the TV World.[136] Yu's shadow self is marked not only in text, but also in the way his clothing mimics that of Adachi's suit and tie, indicating an affiliation between the two characters.

As the primary creators of romantic and erotic fan work, women use their fannish imaginations to break out of their cultural expectation that sex is associated with intimacy, privacy and commitment.[137] By using fan communities as safe, affirming spaces, women are more easily able to discuss and shift negative emotions of guilt and shame surrounding unconventional sexual desires and fantasies such as those that include violence, dominance or submission, exhibitionism or other sexual taboos.[138] In

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135 Bataille (1993), p 96.

136 Opera (2010).

137 Meggers (2012), p 70.

138 Meggers (2012), p 70–1.

his discussion on transgression and taboo, Bataille also points to the benefit of literature in exposing oneself to the transgression of ingrained taboos that are unlikely to be acted upon in real life and through literature, allowing the 'sovereign moment' of man to occur.

In describing the sovereign moment, Bataille refers to the mutual respect and value of other people as imposing limits on one's own pleasure and sovereignty. By respecting the liberty and boundaries of others, people are unable to achieve their sovereign selves, where they act in the pure interest of themselves and no one else. Others are treated as objects, as a means to an end, and resources are to be squandered for no other purpose than to meet one's own desires. In Bataille's words, 'the man who admits the value of other people necessarily imposes limits upon himself … Solidarity with everybody else prevents a man from having the sovereign attitude'.[139] In short, respect for others as subjects prevents them from becoming objects of transgression. The transgression of a taboo with another is sovereign because it 'obeys no rules, serves no useful, productive purpose; it is revolting, "pure" evil'.[140] Bataille's sovereign moment can only be accessed through transgression as it is the point where one's own choice (and often pleasure) matters more than the obeying of laws, prohibitions and internally set limitations, it is the moment when one's actions simply serve one's own interests without any useful, productive goal in mind.

However, Bataille recognises that in practical terms, people are unlikely to achieve the sovereign moment in real life or, if they do, it will never be more than a fleeting experience. Instead, he recommends that people use creative works to fictionally simulate the transgression of taboos and internalised law in order to experience the sovereign moment through identification with certain characters. 'By bringing into play characters and scenes from the realm of the *impossible',*[141] fictional works allow readers to expose themselves to their internal boundaries of violation by determining what they would or would not do in any given fictional situation. The transition to fictional sovereign moments removes the barriers and consequences of treating others as objects

139 Bataille (1986), p 171.

140 Botting (1994), p 498.

141 Bataille (1993), p 177 (author's emphasis).

rather than subjects that would be faced in real life. The power of fan works lies in their transgressive nature and the risk they pose to exposing the consumer to a boundary of violation or taboo that they might not be willing to cross – even fictionally.

A vast amount of the fan work and discussion about the ways in which fans use fiction to explore their identity, sexuality and transgressive tendencies in a safe, supportive community is focused on the cultural taboo of homosexuality. Non-heteronormative relationships have occupied a position of cultural taboo in the past, and continue to do so in the present. The 'transgression' of non-heteronormative relationships stems from long-entrenched views of the patriarchal dominant *nomos* that strictly characterised relationships as between two people: a man and a woman. For those who internalised this traditional account of an 'acceptable' relationship or sex act, the transgression of heterosexuality formed a cultural taboo. However, with the changing of laws and attitudes around the world, representations of LGBTIQ+ people in literature have partly moved away from the consideration of non-heteronormative sexualities or non-normative gender identities as being considered taboo, slowly changing the dominant views away from heterosexuality as the norm. Instead, authors of fiction are moving towards more realistic, relatable representations of the LGBTIQ+ community so their audiences better see themselves in fictional worlds and scenarios.[142] Now homosexuality is culturally accepted, it may have lost some of its transgressive appeal as it is decreasingly internalised as a line not to be crossed. Nevertheless, some of its potency remains as all but one of the Top 10 *Persona 4* pairings are homosexual. With homosexuality largely accounted for in fan works, and the stigma of homosexual transgression gratefully dulled with cultural acceptance, authors of fan works appear to turn to other sources of taboos in order to capture the transgressive nature they are seeking. Other non-normative relationships, such as intergenerational relationships, BDSM relationships, sexual/romantic involvement with animals or inorganic objects, or forced, non-consensual relations are all tools that authors can and have used in fan works to regain the thrill of transgression.

Adachi's popularity in the Top 10 relationship tags may owe to his transgressive potentiality not only to exceed the limits of legal order, but to also to 'corrupt' an

142 Dean (2011), p 68.

upstanding, lawful citizen as channelled through identification with Yu or Dojima. Through identification with the good characters, fans are able to enter Adachi's transgressive space while simultaneously being able to point toward Adachi as a corrupting influence and diminishing their own involvement in the transgressive act. Martha Grace Duncan psychoanalytically attributes attraction to criminals to the fact that non-criminals derive 'unconscious satisfaction from the cruelty and aggression that characterize criminal exploits'.[143] Yu is the perfect vessel for this piggyback ride to corruption when it is considered that the consumer of any *Persona 4* fan work has already likely played *Persona 4* and spent much of their time forcibly identifying with Yu as the player avatar of the game.

One such violent and sexual encounter occurs between Dojima and Adachi after Adachi has revealed himself to be the murderer. Adachi delights in violating Dojima both physically and mentally, without his boss's consent. Dojima's internal monologue, as the victim, admits his disgust and rejection of Adachi's taboo breaking actions, yet struggles to reconcile this with the excitement and arousal generated by the transgressive acts:

> He felt the rapist pull out, slower than when he had shoved in, and heard the sound of a belt, assuming Adachi had replaced his pants. Soon walking away from where Dojima lie [sic], the other's seed dripping from his asshole.
>
> Dojima ignored it for the moment, breathing heavily behind the gag and trying to gather his composure. It had been the most intense sexual experience that he hadn't even been able to dream of when he masturbated.[144]

The harsh, graphic language of the first paragraph shows Dojima's torment and physically violated state. The first paragraph positions Dojima as a subject whose agency and liberty are being curtailed as Adachi lives out his sovereign moment through him. By constructing Dojima no longer as an independent, bounded male body, but instead a penetrated feminine body, Dojima's ability to be an ideal legal

143 Duncan (1991), p 21.

144 CitrusNonnon (n.d.).

subject erodes as he is feminised. This is contrasted with the slow admission in the second paragraph that Dojima secretly finds being turned into an object of desire and the tool for Adachi's sovereignty intensely pleasurable. Although Dojima's position as an ideal legal subject is challenged through this penetration, through being penetrated by Adachi, Dojima is able to live out the unofficial narrative of man who desires connection to others but is denied through the contour of legal personality.[145] Additionally, the function of law, represented here by Dojima as a police detective, is not to 'prevent access to desire but to act as a defense against unlimited enjoyment. Access to unbridled enjoyment would be unbearable for the subject so law acts as a limit, not to freedom, but to limitless, and therefore unbearable, enjoyment.'[146] Rather than fulfilling his function as a legal actor to prevent others from gaining access to unbridled enjoyment, Dojima instead is used to participate in Adachi's transgression, doubly an instrument of Adachi's transgression and a transgressor himself of the expectation of law to stop Adachi from doing so.

Through various forms of 'doing fandom' – whether fan fiction, fan art or cosplay – *Persona 4* fans are able to experiment with their own fictional 'sovereign moment' without actually transgressing the law, morality or any social taboos in a real way. Within these fictional safe spaces and interpretive communities that view these experimental transgressions as acceptable, people are more free to inhabit their selves and are tempted to move outside the law. By committing to a *nomos* that allows and encourages interpretations of *Persona 4* outside of the canonical meanings, fans are able to experience facets of transgressive or equal personhood that are outside the accepted laws of the state.

The above forms of fan works have focused on the transgressive nature of pairing the villain, Adachi, with avatars of law, justice and morality, as represented by Yu and Dojima, in either consensual or non-consensual contexts. Another set of fan works runs parallel to Adachi's narrative of transgression, instead focusing on Adachi's rehabilitation. In these works, Adachi and those around him are informed by an ethics of care, in which Adachi is shown love and provided with forgiveness for his attempted

145 West (1988b), pp 10–12.

146 Aristodemou (2014), p 56.

widescale attack on the symbolic, seeking to reincorporate him back into the social world, or to give his character the love he never received and remove him from social isolation in what appears to be a wish-fulfilment fantasy where Adachi never goes down the evil path in the first place. Zenon Bańkowski tells us that love and law are entwined together in their operation, and that 'love is needed to make law respond to individual circumstances and to meet individual needs'.[147] In explaining Bankowski's link between love and law, Onazi Oche says that Bankowski's love is a way of motivating the law to act to alleviate human pain and suffering.[148] It is how Yu or Dojima, as representatives of law, can seek to treat Adachi with compassion and to meet his individual needs beyond arbitrary punishment for his murderous past. Distinct from the romantic and sexually charged fan creations that use *Persona 4* characters to experience the interconnectedness between ideal legal subjects, or as a way to fictionally transgress the normative legal order and experience a 'sovereign moment', fan works that have a thematic of care and comfort seem to exemplify the official narrative of womanhood: an ethics of care, valuing intimacy, connection and community with others. In seeking to rehabilitate or maintain Adachi as a legal subject, fans may be using the freedom of fan interpretation to test their own 'official' feminine legality in a space that is less likely to condemn it for its gender.

In determining what kind of love Bankowski is referring to, Renata Grossi examines various kinds of love, including romantic love and friendship love. Relying on Gaita, Grossi states that romantic love universalises the worth of others by acknowledging that all people can be loved regardless of their personal characteristics.[149] Gaita posits that without love as a conduit that connects humans together, we would not 'have a sense of the sacredness of individuals, or of their inalienable rights or dignity'.[150] In contrast to the transgressive narratives discussed above, in these forms of fan-works, using romantic love, Dojima and Yu are able to acknowledge that Adachi is still worthy of love despite his transgressions and take action to recognise Adachi's innate

147 Grossi (2016), p 45.

148 Oche (2013), p 231.

149 Grossi (2016), p 52.

150 Gaita (1999), p 5.

humanity.[151] This is also done within non-romantic fan works where Adachi is frequently incorporated into the family unit and humanised through his relationship with Nanako Dojima, the six-year-old daughter of Dojima.[152] Due to the late hours of detective work, Adachi is occasionally seen eating dinner and spending time with the Dojima family at night. By ascribing Adachi's desire to participate in Nanako's wholesome, simple world, Nanako's light is contrasted against Adachi's dark, nihilistic world-view that ultimately motivates his criminal acts.

For example, in *Kazoku no Iro* by Izuxco, Nanako draws each member of her family in a different colour. Adachi points to a white spot on the paper and notes that she left a blank spot, Nanako cheerfully claims that she is going to draw Adachi there with her family. He seems touched and rifles through her crayons to see what colours she has left and sees that only black remains. Adachi rejects Nanako's gesture: the author's portrayal of Adachi's inner monologue reveals his struggle between wanting to belong and feeling that he doesn't deserve to be included.

Holding the remaining crayon, he remarks, 'Something that dirty shouldn't be next a pure white child. It should not be a part of this family.' When she tells him she plans to use Green for his colour, not black, Adachi is surprised and pleased but also saddened by the lost opportunities of his life. Adachi says, 'Happiness … If I had known this before … It's too late now, huh', referring to the fact that if he hadn't been so lonely, then he may not have become so bitter and ultimately turned into a psychopath.

Ratcliffe explains that audience identification with the heroes, while desired, is not always achieved. Instead, dis-identification with the villains comes prior to any positive association with a character or other person.[153] Hunt has explored this idea within the context of comic book heroes and villains, stating that,

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151 BruTalc (2017) 'Inside an Edgelord: Adachi – Persona 4 Analysis', YouTube, https://www.youtube.com/watch?v=WkcmxrkHXD0 (accessed 2 April 2019); Akaicchi (2017); dNwfvBj9 (2018b); unclechrom (2015).

152 Nanako also represents the Justice Arcana within the game.

153 Ratcliffe (2009), p 50.

> in other words, identifying *what I am not* appears to be a logically and psychologically prior connection to make than to identify *what I am.* Therefore, dis-identification may be more fail-proof than attempting identification through comic books because, even if readers do not identify with the superhero, they will dis-identify with the villain through rejection of the criminal character.[154]

Yet the writing and reading about Adachi in a romantic context potentially betrays a conscious attraction to villainy or the criminality of Adachi by fans. The reveal of his true nature is central to the plot of *Persona 4*, and while his idiot detective persona pre-plot twist is somewhat endearing and a little pitiful, Adachi's character development is strongly tied to his evil acts and his apathetic or nihilistic attitude towards humanity.

Rather than vilify and punish Adachi for his acts, many of the fan works that emphasise a sweet, caring relationship between Adachi and others instead attempt to forgive and rehabilitate him back into society. For Hannah Arendt, forgiveness is considered a political act that 'serves to undo the deeds of the past' for the sake of the offender to affirm a new beginning and commitment to society.[155] Forgiveness stands in a fluid relationship with judgement, in which punishment is one method of attempting to undo a wrong: 'Every judgment is open to forgiveness, every act of judging can change into an act of forgiving; to judge and to forgive are but two sides of the same coin.'[156] For the authors of fan fiction, *doujinshi* or other fan works that focus on Adachi personally and include him within a family unit or a romantic relationship appear to be cathartic explorations of forgiveness rather than punishment for his crimes. Such forgiveness expressed within fan works may also inscribe the fan *nomos* with a feeling of forgiveness – that the character's fictional (or real) taboos, sins or transgressions can be acknowledged and forgiven in a similar fashion.

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154 Hunt (2012).

155 Arendt (1958), pp 237–41.

156 Arendt (2007), p 254.

In 'Untitled' by Haruji21,[157] the author depicts an older Yu taking care of Adachi by leaving him food, cleaning his apartment and using a whiteboard to leave messages for Adachi, reminding him to bring an umbrella or telling Adachi that he'll be working late. Adachi never replies to these messages until one day he writes a simple message on the board saying that he is going out at 2pm. On the following page, Yu is emboldened by Adachi's small response to his efforts. The dialogue shows his thoughts: 'Even after ten years, I will keep reaching out to you.' While punishment of a broken law focuses on the act or crime with only a cursory glance given to the situation of the perpetrator, forgiveness focuses exclusively on the substantive persons.[158] Although there are some aspects of inequality in status between the romantic ships (Adachi as Yu's elder, Dojima as Adachi's superior), both Yu and Dojima recognise an inequality in the emotional life of Adachi that deserves compassion and mercy, rather than punishment, and seek to rectify this through their kindness and love.

Yet the fans do not always show Adachi as receptive to this kind of care and affection. In *Confliction* by dNwfvBj9, Adachi is taken in by the Dojima household after Yu moves back to the city at the end of *Persona 4*. The story follows the accomplice ending in which Adachi gets away with the murders with Yu's help:

> Adachi wakes up the next morning to see Dojima standing over him holding a cup of coffee.
>
> 'Morning, sunshine,' Dojima grins smugly.
>
> Adachi narrows his eyes. 'Don't give me that look, it's not very attractive,' he whines.
>
> If anything, Dojima's smile grows even wider as he hands Adachi his coffee. It's made exactly as he likes it, black and with sugar.
>
> The sheer domesticity of the situation makes him happy and Adachi has never wanted to kill anyone more.[159]

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157 Haruji21 (2016).

158 Waters (2016), p 73.

159 dNwfvBj9 (2018c).

In this instance, there can be no forgiveness for Adachi as there has been no judgement of his crime or recognition of his wrongdoing except by the viewer. If Arendt posits that judgement and forgiveness are two sides of the same coin, it follows that judgement precedes forgiveness – one cannot be forgiven for a wrong that is not known. Adachi rejects the reformative ethics of care posed in this fan fiction to firmly stay within his world of the transgressive, yet fails to act on his desire, which shows that there is still some residue of social conscience or legal *nomos* restricting Adachi's choices. As only the reader knows about Adachi's inner violence or transgressive tendencies, it is the reader who has the choice to either seek to forgive Adachi or to judge him for his secret sins. The reader may also empathise with Adachi's position. For those seeking to forgive or rehabilitate Adachi, his reform to an ordinary law-abiding citizen through emphasising his social bonds to others seems doubtful given his vehement response to the 'sheer domesticity of the situation' in this fan fiction. For those who empathise with Adachi's frustration with social niceties, the transgressive potential of the moment to stop engaging in the social recognition of other legal avatars and instead have one's own 'sovereign moment' continues to loom in the background.

Fan works oriented around romance, sexuality and love allow (usually) female fans to experiment with expression of gender, sexual identity and the idea of transgressing social taboos through the use of fictional characters and tailoring the experience of these narrated characters or worlds to their own desires or anxieties. Through emulation of style and form, fans can see these transformations more closely in the source text, which enhances the fantasy element and the easy slippage between official and unofficial worlds. In doing so, they may use the parasocial relationships they have formed with *Persona 4*'s fictional characters or spaces to relate to the characters or the journey of the characters, enabling them to partake in the emotional benefit without any of the danger to their own personal character.

6.5 Humorous Fan Works

This section focuses on works of humour and mirth, exploring how humour content creators are less beholden to the official canonicity of the authoritative text. As the previous section highlighted, romantic and sexually charged fan works alter or transform the *Persona 4* universe while still retaining some respect for the canonical

authority in an effort to preserve the parasocial relationships that fans have with the characters and universe of the source text. By maintaining and respecting the content of *Persona 4* more stringently, fans are able to better project themselves into the universe or relate to characters acting within the scope of their canon personalities. Humorous fan texts, in opposition to romantic ones, disregard the sanctity of the source text that is so vital to the creation of a paideic *nomos* in fan works, and deliberately exploit the text's flaws, incongruities and mechanisms to produce humour. Unlike romance fan works, which require the fiction of the canonical world to be largely maintained in order for one's identity to be experimented with in a safe space, humorous texts push the boundaries and limits of the self through the deliberate breaking of the canon's walls. This section argues, leaning on Henri Bergson, that humorous fan works draw out the incongruity between the multiplicity of selves that an individual must occupy to function within this postmodern society. By using humour to articulate a rift between spheres of *nomos*, between modes of fictionality, fans can try to determine a concrete place for their identity while simultaneously alleviating the anxiety caused by their inability to do so.

The perceived levity of humour in humorous fan works has largely resulted in Atlus, the publisher of *Persona 4*, taking little action to police or enforce its own understanding of the canon provided the text does not encroach upon *Persona 4's* realm of profitability. In an act of acknowledgement of the fans, Atlus went so far as to include a fan community reference in-game from one of *Persona 4's* most famous fan materials, Hiimdaisy's *Persona 4* comic.[160] Chie, who is obsessed with meat in any form, is asked by Teddie in Hiimdaisy's comic if she can think of any words beginning with 'F'. With steak on the brain, she responds 'Fsteak'. In the social link of the character of Marie in *Persona 4 Golden*, Marie notes that beef steak should be shortened to 'Fsteak' so that you still know what the steak is made of, in obvious reference to the Hiimdaisy comic.

[160] Hiimdaisy (2014).

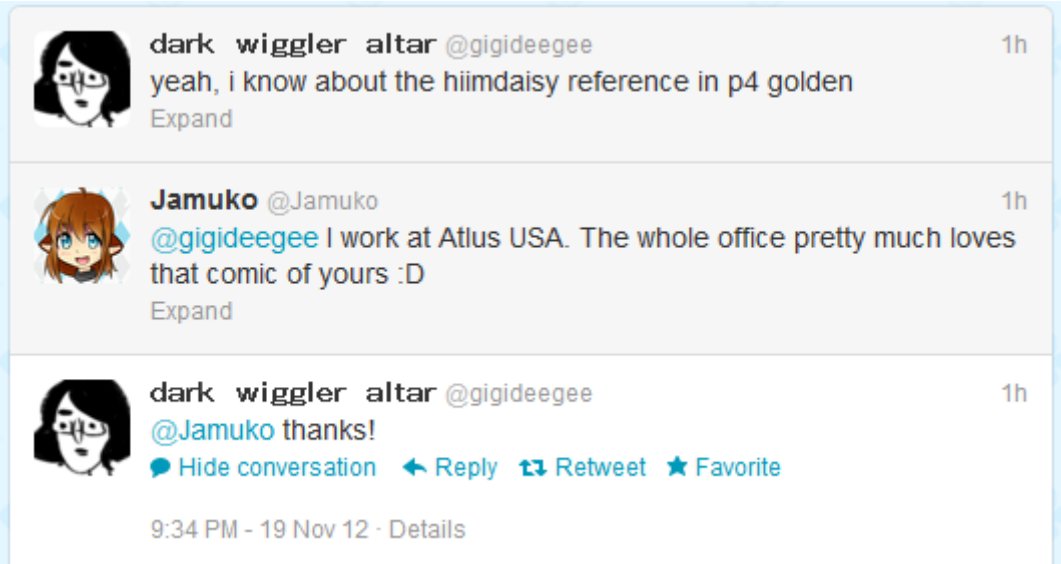

Figure 6: Exchange between Hiimdaisy (@Gigideegee) and an Atlus USA employee (@Jamuko).

The inclusion of an acknowledgement of the presence of fans in a video games is rare as video games are typically delivered as a completed text. It is therefore unlikely that fans are able to directly influence the source text in the same way that the producers of episodic content, like television shows, would be able to.[161] In imperialistic fashion, Atlus should be solidifying its intended canonical meaning by jurispathic means – eradicating any alternate or contradicting meanings other than its envisioned interpretation – rather than inviting the encroachment of fannish interpretation into its canon. Nevertheless, it would seem that the levity that the humour content provides does not threaten Atlus's normative interpretation in any real way. Even though Hiimdaisy's comic does not take the fictional universe of the text seriously, it seems that humour generates little threat to the commitment of the official canon of *Persona 4* and can be incorporated without any real consequences. Contrary to this incorporation in *Persona 4 Golden*, Atlus has traditionally had a history of strictness towards fan infringements of copyright, particularly when these texts potentially can hurt its market profitability. In addition to Atlus shutting down the fan *Persona 4 Musical,* it has also shut down *Persona 5* PC emulation sites and sent numerous copyright strikes on streamers who 'spoil' *Persona* content. Such legal actions are a form of imperialistic control to preserve the intended dispersal, use and interpretation

[161] With the exception of episodic games such as *Life is Strange*, see Dontnod Entertainment (2015), extra downloadable content that becomes available after the initial game (DLC) or community generated content such as levels in *Mario Maker*, Nintendo EAD (2015).

of Atlus's games in their original formats. At the very least, this lack of control over the humorous fan texts seems to indicate tolerance toward the unique interpretations created and shared by fans.

Three major theories are used frequently to explain why people laugh and what makes something humorous: superiority theory, relief theory and incongruity theory. Each of these theories will be explained in turn with attention given to how they interact with humour in law. No single theory has been shown to be the sole cause of humour; instead, a blended approach appears to be more fitting to explain why people laugh.

6.5.1 Superiority Theory

Superiority theory is the idea that humour is created by feelings of superiority in the face of another's failings. In an early theorisation by Thomas Hobbes, he explained that in the brutish, competitive world of man where there is a constant struggle for resources and power, laughter is generated by the 'sudden glory' when one acknowledges that they are superior to others or to their past self, usually by witnessing another's failure.[162] Such humour is considered a negative, or anti-social, form of humour as it denigrates the person who is laughed at with little regard for social unification and community, some of the positive aspects that have since come to be associated with humour.

Rather than reject superiority theory for its negative associations, Henri Bergson points out that superiority humour has a corrective function whereby the laughter of one who has failed to successfully achieve their intended purpose or has otherwise been embarrassed by their own action is held to account through the use of humour.[163] In being lightly scolded by laughter, people are informed to correct their actions and work towards assimilating their behaviour in an acceptable way.[164] The use of superiority humour can also be used to identify an 'in-group' that is both exclusionary and divisive, as well as unifying between its members.[165] The use of superiority

[162] Hobbes (1640), Chapters 8–9.

[163] Bergson (1911).

[164] Bergson (1911).

[165] Trevor (2014), p 300, referencing Meyer.

humour can also operate as a form of identification can be used within the legal realm to disparage those outside of it and, in turn, solidifies the ability for the legal sphere to pass judgement on the uninitiated.[166] Mary Trevor identifies that humour within judicial settings can act as a safety valve that gently warns another of a misstep that ought to be corrected. One illustrative example used by Trevor is a cheeky judicial opinion that targets the awkward drafting of a legislative clause that consists of a lengthy, convoluted, singular sentence, by parodying the ungrammatical style in the judge's own decision.[167] Members of the police force similarly use humour to assert their legal authority. Mark Pogrebin and Eric Poole found that backstage audience degradation allowed officers to poke fun at those with whom they came into contact in order to make them feel morally superior, able to make judgements and more competent to maintain the line between 'police and policed'.[168]

According to Darnton, the superiority theory of humour has lost its persuasiveness in a modern world that is not as threatening or competitive as it once was.[169] No longer fearing for our individual survival, we no longer enjoy each other's pain as much.[170] Instead, 'we are in greater danger of weeping than laughing' when feelings of superiority arise.[171] Superiority laugher has been shown to be stronger when misfortunes befall people who were disliked by the laughing party than when the same circumstances befall friends;[172] nevertheless, superiority theory explanations of humour do still persist, although feelings of superiority alone may be unlikely to stimulate humour. Figure 31 shows Yu's emotional departure from Inaba back to the city at the end of the game.[173] His friends run beside the train as it leaves, tears streaking their faces, until Teddie (right) stumbles and falls, which trips the whole group into an untidy mess of limbs. The last panel of the comic shows Yu letting out a small chuckle, giving a thumbs up and saying 'Good job' sarcastically in broken English.

166 Trevor (2014).

167 Trevor (2014), p 311.

168 Pogrebin and Poole (1998), pp 194–7.

169 Darnton (1984).

170 Darnton (1984).

171 Hutcheson (1987), p 29.

172 Zillman and Cantor (1976), p 95.

173 MitsukiNeko (2011).

While there is an element of superiority theory here, Yu feels superior due to his friends failing to walk; it is also likely that superiority theory is not in operation on its own, but elements of relief theory and incongruity theory are also operating to help generate the humour in this panel.

6.5.2 Relief Theory

Popularised by Sigmund Freud in *Jokes and Their Relation to the Unconscious*, Freud put forth relief theory as an explanation for humorous outbursts.[174] Relief theory focuses on the dispersal of nervous tension one carries by way of humour. In explaining the theory, Freud argues that many human impulses – particularly aggressive and sexual impulses – are overcome by the strict government of law and society, which results in these tendencies being repressed and relegated to the unconscious. For the relief theory, 'humor may result from releases of energy that subconsciously overcome sociocultural inhibitions' that have been placed on citizens.[175]

In modern society, where undesirable human impulses are forcibly societally repressed, jokes are considered to disguise socially acceptable attacks upon others and are a way of releasing some of the pent-up aggression one carries.[176] If others laugh at the joke, the aggressor is freed from guilt of their attack and the tension dissipates. If, on the other hand, an aggressive remark does not release the tension, then the attack may be perceived as offensive and harmful to established societal norms. In the comic 'Point in Common', Yosuke is sincerely trying to discover the motives of the murderer, asking, 'Is there anything in common between the victims?' Yu responds, 'They were all bitches?' as a joke intended to lighten the mood. However, his response does not appear humorous to the other parties ('Too soon!') and as a result comes off as shockingly appalling to Yosuke, who just had his romantic crush murdered. In a similar vein to Freud, Daniel Berlyne posits that the relief theory of humour is about maintaining the right level of arousal.[177] With too little arousal leading to feelings of

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174 Freud (2003).

175 Meyer (2000), p 312.

176 Freud (2003).

177 Berlyne (1972), pp 43–60.

indifference and too much arousal leading to uncomfortable tension, humour is created for Berlyne when the arousal is suddenly brought to a moderate, rewarding amount. The train platform comic, for example, makes use of relief theory by releasing the intense emotional tension caused by Yu's leaving when something that breaks the tension occurs.

For the police, at least, humour is used congenially among themselves to relieve the nervous tension they build up from confronting the consequences of a human's failed impulse control or recklessness. Pogrebin and Poole identify humour as a way of normalising the tragic, gruesome or repulsive circumstances that police officers find themselves confronting on a frequent basis.[178] By using humour, officers are more able to transform a crisis or dangerous situation into something less threatening and more tolerable, and are more able to distance themselves from emotional reactions (fear, sadness, grief, disgust, etc) that could potentially compromise their authority and effectiveness if not controlled.[179] While insiders may find jokes and amusements a way of relieving tension, or outsiders may indulge in jokes about law, people do not often find their own experiences with law amusing.[180] The audience controls the humour of the situation and needs to be in a playful state of mind to be receptive towards humour. When dealing with legal disputes, they are unlikely to be so inclined.[181] Imagery and humour in judicial situations may have a role in reshaping a legal dispute back into its original story, rather than the abstract sets of facts and precedent that law frequently distils from life.[182] By using humour and breaking from the stereotypical, stern image expected from law, judges may be able to dispel some of the lofty, obscuring notions of law, and instead remind litigants that the legal system is made up of and administered by flesh-and-bone humans.[183] Of course, the use of humour in the courts, or indeed in any legal setting, is always a risky move given that an attempt to be humorous may be met with hostility from litigants who are taking

178 Pogrebin and Poole (1998), p 184.

179 Pogrebin and Poole (1998), p 199.

180 Ewick and Silbey (2001), p 565.

181 Powell (1988), p 103.

182 Jordan (1987), p 700.

183 Jordan (1987), p 701.

their legal interaction seriously.[184] The use of humour in a judgment has the potential to appear as if a legal actor's impartiality, neutrality and respect for both the litigant or the court as a public institution have been breached.[185]

6.5.3 Incongruity Humour

As discussed in Chapters 4 and 5, the main *Persona 4* franchise is heavily occupied with the individuation of the self and the ideology that, through facing one's own darkness, creating social bonds and adhering to an internal legal or moral code, one can become a complete person. Unsurprisingly, much of the humour generated by the *Persona 4* fandom equally seems to be concerned with the portrayals of the characters, particularly Yu as a stand-in for the player avatar, in attempting to determine a concrete place for belonging. Having surveyed relief humour and superiority humour as reasons for mirth or laughter, the remainder of the chapter focuses on incongruity humour and its relation to the self. While there certainly are many examples that derive their humour from relief or superiority theory, many instances of the humour in *Persona 4* fan works drew out the incongruity or slippage between avatar and the 'real life' of the player, or the imagined 'real life' of the characters of *Persona 4.* Beyond play with the avatar/player, there are also numerous accounts of play in the construction of the identity of the *Persona 4* characters beyond their normative world, indicating an incongruity or struggle between the different *nomoi* or personas that a fan must navigate.

Incongruity theory is a theory of humour that explains that people are amused when something is incongruous in a way that is surprising and unexpected, which alters their expectation in some way.[186] Finding a bowling ball in one's refrigerator, for example, may cause laughter that stems from the utter absurdity or incongruity of the object being present outside of its ordinary setting:[187]

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184 Jordan (1987), p 703.

185 Anleu, Mack and Tutton (2014), pp 627–8.

186 Shurcliff (1986), pp 360–3.

187 John Morreall (1983), pp 11–13 uses this example of a bowling ball in the refrigerator.

> That is to say that jokes emerge when some aspect of either the incongruity or its appropriateness (more often the latter) is recognised as illegitimate. It violates logic, the sense of what we know to be true, or the sense of what traditional behaviours or expressions are supposed to do and mean.[188]

However, if one found a snake in one's fridge coiled, fangs out ready to strike, the response would more likely be fear and panic rather than amusement at the incongruity of the situation.[189] In violating an anticipated pattern or norm, the incongruity cannot be so distant from a commonly accepted norm that it becomes threatening or unrecognisable.[190] The threat of danger would jerk the refrigerator opener from a mirthful state of mind that was receptive towards humour to a serious disposition that was not.[191]

Humorous fan works (post exchanges, image macros, videos, etc.) that are bound within the *Persona 4* universe can be explained most prevalently with reference to a mix of incongruity theory and superiority theory that is advanced by Henri Bergson. For Bergson, humorous content is the incongruous comparisons drawn between the rigidity of the coded gameplay options in the fictional universe and the flexible responses that are expected within the ordinary universe. Adopting elements of both incongruity theory and superiority theory in his theory of the 'comic figure', Henri Bergson explains that a comic figure is the automatism of thoughtless movement without life, the destruction of the intellectual superiority of man through some act of the body that is 'perpetually obstructing everything with its machine-like obstinacy'.[192] Bergson's approach takes the view that humour is generated when the rigidity of the body overcomes the self – or, in Bergson's words, when 'something mechanical encrusted on something living'. This form of humour can be seen within *Persona 4*

188 Oring (2009), p 6.

189 Berger (1976), pp 113–15.

190 McGhee (1979).

191 Gervais and Wilson (2005), p 412.

192 Bergson (1911), p 93.

when the characters, who are treated as living entities, are reminded of their rigid origins through the awkward inflexible behaviour that is required by the gameplay.

It is this play between the incongruous or inflexible acts of the characters or artefacts within the world of *Persona 4*, contrasted against a realistic, adaptive response to the situation at hand, that drives much of the content of the *Persona 4* fan content. The 'encounter of several rules that collide: the gameplay system, the fiction universe and the player's experience' result in the potential for incongruity that can be exploited for humorous purposes.[193] In particular, elements of the game that become the internal, codified logic of the game to the player are frequently satirised by pointing out their illogical truths. For example, during the games *Persona 4* or *Persona 4 Golden*, when Yu returns home, he frequently stands in the hall of his house with one hand on his hip in an unmoving default position while the player reads a few screens worth of descriptive or explanatory text. One fan artist, Ryo Yasohachi, recognises the humour in this scene and pokes fun at it in a four-panel comic strip in an officially licensed fan publication, *The Tartarus Theater* .[194] The incongruity drawn out is the player's unquestioning acceptance of Yu's awkward, staged pose as an understanding that he is waiting for the dialogue to finish so the player can resume control of the avatar contrasted against what must be the strange experience of the in-game characters if they were consciously watching the scene unfold. The comic shows Nanako watching television when the rattle of the door alerts her that Yu is home. The third panel shows Yu standing in the hallway blankly facing Nanako and Dojima, the SFX in the background detailing a sharp piercing sound that is indicative of striking a pose. Thus far, the comic has followed the conventions of the game without question; however, the fourth panel has Nanako curiously asking, 'I wonder why big brother always stands in the doorway striking a pose like that?' Her father, Dojima, confirms Yu's odd appearance by adding, 'He's even in a model pose'. Yu, in the background, announces 'I'm home' obliviously while walking past the pair.

While some of the humour is obviously lost in translation and in the explanation of the joke, of consequence here is the demonstration that humour is being found in the

193 Barnabé (2017).

194 Yasohachi (2012), p 66.

dissonance between what the gameplay requires of the player and what Yasohachi has imagined as the normative reactions of Yu's family based on the principle of minimal departure. By acknowledging what the ordinary reaction would be to a loved one returning home (immediate interaction and response) and the awkward reality that is easily ignored by a player immersed in the game (ignoring one's family, posed and unmoving while an invisible player reads text on a screen), the author generates an incongruous form of humour that is repeated again and again within the *Persona 4* fandom.

An American artist, Kata-009 (K009), uses the same four-panel style to make a point about the occasional strange choices offered by *Persona 4* and the practical consequences if those choices were to be performed outside of the game world.[195] In the comic, Yu and Rise have spotted a strange man outside Rise's home. As a pop star in hiding, not to mention the spate of murders and kidnappings occurring in Inaba, Rise is worried about who the stranger could be. In response to her concern, the game offers three dialogue options for the player to choose. While 'Grab her hand and run' is the correct answer if you wish to romance Rise most effectively, K009 latches onto the ambiguity in the first answer, 'Yell', to generate humour. These examples demonstrate how the incongruity between the game world and the 'real world' that can be imagined and inserted through narrative worlds theory, are used to create humour within the fandom.

This form of rigidity and humour can be employed deliberately for humorous effect, or it can come from outside the game's intended content. In relating Bergson's theory of humour to video games, Anne-Marie Grönroos points out that players often laugh at glitches that occur within the video game world because the revelation of the machine behind the seemingly organic and adaptive can be humorous. Additionally, the laughter may also serve a corrective function that is targeted towards the developers to program the games in a way where glitches will not be encountered.[196] Within the video game itself, the player is also able to deliberately manoeuvre the digital body in

195 Kata-009 (2016).

196 Grönroos (2013), p 41.

a comical way – 'instead of becoming a victim of the Bergsonian joke, the mischief maker transforms play into an intentionally comedic performance'.[197]

Humorous control may, at times, be exerted deliberately for comedic effect, but glitches or avatar behaviours that do not match the physical input by the player may cause frustration if it crops up at an inconvenient time for the player, such as during a boss battle. When players become so frustrated or engulfed in emotions that they rage quit by throwing their controller across the room or become sullen and snappy from losing, the spectacle of the player becomes ridiculous to both themselves and others.[198] From Bergson's point of view, the humour is drawn from the reminder that the people are not purely the rational and competent human beings that they seek to narrate themselves as. Incongruous moments of non-thinking rigidity serve to remind that the performance of one's identity is an ongoing process that requires attention. Bergson positioned laughter as a corrective function, to this end. He believed that humour served a corrective function in society, which used laughter to assimilate others into adapting and conforming to the attitudes and behaviours expected by others; 'inflexibility is the comic, laughter is the punishment'.[199]. The mirth that follows a man sneezing during a sensitive speech or pushing a door labelled 'PULL' is a socially corrective laughter that admonishes absent-minded behaviour in humans, reminding us to be present and flexible to allow people to respond to all manner of social circumstances.[200]

Peter Marteinson, building on Henri Bergson, has equally argued that the inverse precept of Bergson's theory of incongruity is true and generates humour. Where Bergson's source of humour came from the reminder of rigidity, the encroachment of the automatic on 'life', Marteinson inverts Bergson's paradigm, stating that:

> According to this converse formulation, a modified Bergsonian hypothesis, it seems correct to say that when the 'living' social identity

197 Švelch (2014), p 2534.

198 Kirkpatrick (2009), p 136.

199 Bergson (1911), p 16.

200 Galia Hirsch gives the example of the sneezing man in Hirsch (2017), p 127; the example of the door is given in Steed (2005), p 304.

> concept is mentally separated from the 'mechanical' body to which it is normally married in perception, we then find the subject ridiculous. The suits and trappings of social being no longer 'fit'.[201]

Under this inverse conceptualisation of Bergson's theory of humour, Marteinson finds the behaviours, language and understanding of identity of the Symbolic as lacking and unable to truly represent the objects of the Real. In these moments of challenge against the Symbolic, the whole order temporarily disbands at 'the sudden perception of a disjunction between the ridiculous subject's biological and social being'.[202] While the above examples feature what would happen if the gameplay were to be seen in real life, there are also examples of humour to be found that place the characters in a real-life setting and naturalise their behaviour.

Some comics derive their humour from the thought of the rigid characters of *Persona 4*, traditionally confined to the game space, playing at being Symbolic social beings. [203] Portrayed outside of the confines of their fictional world, the attempts at 'life' by the fictional characters of *Persona 4* reflects back on attempts made by individuals to sustain a social Symbolic life, that reconfirms their legal personhood and narration of identity. By using fictional characters, it becomes easier to see the ridiculousness of biology overlaid with the precepts of Symbolic order.

As a result, there appears to be an endless attempt by the fans to discover a place of concrete reality for the self that the *Persona 4* game simultaneously insists upon through its fictitious, contrived manufactured-ness. As explored in Chapter 4, the narrative of *Persona 4* itself seems to herald a concrete, monadic Jungian self that, once unified, contains the full account of the self. In that chapter, however, the Jungian basis for personhood was discovered as false instead revealing a split self – a Lacanian self – that is covered over by a legal, symbolic mask. In searching for the monadic self that is actually split within the narrative while using an avatar that covers over the 'real' player while maintaining an illusion of unity through speed and immersiveness, *Persona 4* – perhaps even unconsciously – becomes a playground for

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201 Marteinson (2010), p 177; see also Meany, Clark and Joseph (2014).

202 Marteinson (2010), p 177.

203 For example, see the image on Eggchef's Tumblr at Eggchef (2017).

its audience to try to determine a stable place for one's identity. As the fans grapple to find this place where the person and persona intermesh seamlessly, they never seem to locate it. The humour is pulled from the incongruity, the gap between the adaptive personable self and the controlled avatar that never settles and is infinitely destabilised. Unlike the more serious fan works of romance that need to maintain the level of fictionality for the escapist fantasy to work, the humour fan works actively transgress the boundary between fantasy and reality in an attempt to dissuade their anxiety about their personas and whether they themselves are fictional.

6.6 The Incongruous Avatar and Modifications

This play with identity extends beyond the creations of fan art and fan fiction of *Persona 4*, and also includes other ways of doing fandom that interact more directly with the avatar. Interaction with the avatars of the game through coding, modding and re-creation of *Persona 4* game elements allows modders to 'play' with the incongruity of the avatar, and be rewarded for their labour – often monetarily, directly through their 'playbour'.[204] 'Playbour' is the modification of game assets in a non-canonical way that may then be sold through online marketplaces or made available for free online. Although copyright restrictions on game assets and code frequently ensure that official sources do not condone modifications of their games, despite the fact that mods play a role in 'extending the sales of the original game or developing a devoted fan base', modders seem to have a sense of authorship and authority over the creative process and their creations.[205] In other words, modders are not alienated from their own labour – voluntary as it is – and instead work hard to create something for themselves and their communities.[206] Game modifications can take many forms, such as altering the game's user interface, making certain bosses harder/easier, facilitating online communication and positioning between players, re-skinning certain game artefacts for artistic or humorous effect, and many others. The *Persona 4 Chaos Mod* by ShrineFox randomises the 3D game assets of not just the player's avatar but also other

[204] Kücklich (2005).

[205] Postigo (2003), pp 596 and 601.

[206] Kucklich (2005).

NPCs with game objects, weapons, enemy sprites, persona forms and other characters.[207] The game assets in in ordinary scenes down to the food on the table are been replaced with a random assortment of characters. Following the end of the scene, the player takes control of a large white lion-like persona, able to move around the house and interact with the environment, including the character that ought to be his six-year-old cousin, Nanako.

The Chaos Mod is an example of incongruous assets being added or rearranged within the original game (as played through a PlayStation 2 emulator) to surprise the viewer with unexpected and incongruous results to a humorous end. This manipulation of the game's code and composition enables a destabilisation of the default avatar of the game or corruption of the form of the game's characters, replacing them with bastardised versions of themselves or other characters, objects and enemies entirely. At one point in the Chaos Mod highlights reel, a cross-dressing Kanji (Yu) is escorted by a golf club dragging along the ground (Dojima) and a floating hand pistol (Nanako) into the house.[208] The bizarre nature of the situation that the mod throws at the player not only generates humour due to the unexpected combination of assets, but also destroys the player's ability to immersively identify with Yu as the default male, heterosexual player avatar. As studies of attachment and self-identification with the avatar have shown, the player perfoms and experiments with their own identity within the virtual space through the avatar, seeking to perform their truth but limited by the contours of the avatar, as discussed in Chapter 2. Conversely, the form of the avatar also manipulates the behaviours of the player – such as tall avatars being more competitive in negotiation games against shorter avatars,[209] female avatars using more tentative and emotive language when communicating with other players,[210] and even the way that players behave differently depending on the virtual environment in which the avatar was placed.[211] In discussion of how the form of the avatar can influence the

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207 ShrineFox (2017) '*Persona 4* Chaos Edition', *YouTube,* https://www.youtube.com/watch?v=0e3TgSBqmCE (accessed 2 April 2019).

208 ShrineFox (2017) 'Persona 4 Chaos Edition', *YouTube,* https://www.youtube.com/watch?v=0e3TgSBqmCE (accessed 2 April 2019).

209 Yee and Bailenson (2007).

210 Palomares and Lee (2010).

211 Peña and Blackburn (2013).

player, Yee and Bailenson expain that this effect should operate even when the player is alone because their behaviour is predicated upon an imagined other that dictates how someone of that gender, height or attractiveness should act. The *Persona 4* Chaos Mod problematises both identification with the player avatar due to the constant changing and absurdity of the items (it is unlikely that one will identify with a floating pistol on an emotional level), and it also removes much of the potential for the player to be influenced by the form of the avatar because there are few expectations or societal norms thrust upon golf clubs.[212]

A humorous mod for *Persona 4* that does *not* play with the incongruous gap between self and avatar is the 'Persona 420 Mod' by ShrineFox, in which some of Yosuke's battle dialogue is replaced by lines from a character in *Grand Theft Auto 5*, voiced by the same actor.[213] Playing *Persona 4* with the mod will result in Yosuke saying things like, 'Oh, you picked the wrong stoner to fight tonight, my man!', 'Forget about that gnarly shit and smoke it up', and 'Masticate me, bruh'. This mod works to corrupt the established personality of Yosuke through the use of humour, disrupting attempts to maintain the fictional universe of *Persona 4* in official media and demonstrating the willingness of humour creators to parody the content without respecting the parasocial relationship that romance creators and fans hold so dear.

Another example of the willingness of fan humour-content creators to undermine the sustained fictionality of the *Persona 4* universe is the game *PersoNO,* created by Rice Topaz in the program RPG Maker VX Ace.[214] The game is a full re-creation of *Persona 4*, including the social link system and dungeon battles; however, it is marked by its character parodies and frequent fourth wall breaks, creating humour through the intertextual references to *Persona 4* and classic video game tropes. Yu Narukami is now Useless Narukami and his suave, silent protagonist feel has been replaced by a crude memelord who wears sunglasses indoors and has a snuff porn fetish; his

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212 See Lee, Nass and Bailenson (2014) for research on how stereotypes and expectations can influence virtual performance.

213 ShrineFox (2016) 'Persona 420 Mod, *YouTube,* https://www.youtube.com/watch?v=SEDpQy5EPR4 (accessed 2 April 2019).

214 RiceTopaz (2016).

character is no longer able to be easily identified with as an avatar or subject, but instead as an object of humour.

Visually, the PersoNO game looks quite different from *Persona 4* due to the use of 2D pixel art sprites in place of the 3D animated sprites used in the original. On a gameplay level, though, the game barely differs, with most of the story told via visual novel style, the on-screen characters positioning controlled by the player at times, and the battles being turn-based gameplay. Most of the amusement of the game comes not from the gameplay, but instead from the perversion and corruption of the established traits of the characters of *Persona 4,* and the replacement of images with objects that provide a commentary on the original game. For example, Yosuke's 'stupid-looking-boss' and the persona it eventually becomes is often referred to by fans as 'Disco Ninja Frog'; accordingly, *PersoNO's* creator has used this reference to not only distribute and create humour in those unaware of this resemblance, who are learning of it for the first time, but also communicating and reinforcing their place as an in-the-know fan of *Persona 4* and its fandom.[215]

To this end, *PersoNO* and similar humour-generating texts such as the mods, image macros and fan art occupy a unique position of recognising and propagating *Persona 4* as the originating text of the fan's nomic world yet also challenging the continuity and legitimacy of the text as a form of self-identification and performance. By effectively using humour to destabilise the immersive identification of self with avatar through poking fun at the incongruities between the avatar and real life, humour disarms serious engagement with Yu and his place in the legal order.

6.7 Conclusion

This chapter has explored *Persona 4* fan texts as modes of critique of the source text, filling one of the gaps within cultural legal studies scholarship identified in Chapter 2. Positioned in a sphere that challenges the official canon through acts of transformation, extension or alteration, fan texts occupy a unique position of critique of the source text. The critique of *Persona 4* not only encompasses its surface characteristics, but also addresses the internalised legal concepts of personhood that have been drawn out on textual and meta-

[215] Shifman (2014).

textual levels throughout the previous chapters. By committing themselves to a popular culture text, fans are able to experiment with, perform and question their identities through expressions of themselves through fan texts, or the resonance with these texts for more passive fans. Romance and humour were chosen as the modes to unpack the evolving critique of identity.

Romance and sexuality-oriented fan works seek to maintain or affirm the canon's fictionality, diverging only when necessary to fulfil the fan's individual narration of the self. By maintaining the canon of *Persona 4*, fans are able to experiment with the narration of their identity within the safety of fictional walls, freely transgressing taboos, expressing desire and reaching for a sovereign moment that is not otherwise feasible outside of fiction. Alternatively, female fans are able to test their own form of feminine legality through an ethics of care, in a non-judgmental space. Humour fan texts of *Persona 4* focus on the incongruity between player and avatar as the individual seeks to find a stable place to embrace all facets of one's identity. Yet a stable place of occupancy is constantly denied as the slippage between the symbolic self, the legal persona, the gaming avatar and the flesh-and-blood human makes it difficult to fully embrace any single identity.

Chapter 7

New Game Plus

New Game Plus is a game mode available in some video games that is unlocked upon starting a new game file after having completed the game once previously. The benefits of New Game Plus differ from game to game, but commonly include keeping experience, stats and items from the previous playthrough, making replaying the game easier or making the fight fair if the enemies have been upscaled to match the player's new base level of skill and experience. In *Persona 4*, New Game Plus transfers your money, key items, stats, costumes and persona compendium list. This thesis is, unfortunately, not a video game; however, in the act of concluding, it is important to note the bosses conquered and lessons learned throughout this ludic journey to determine what has been accomplished and what should be carried over into future interactions with law and video games.

Grounded in cultural legal studies, this thesis set out to accomplish a unique reading of the video game *Persona 4*, taking into account both the ludic and narrative elements of the game, together with its wide-reaching transmedial canon and the additive desires of its fanbase. Aptly named, given that 'persona' means 'mask' in Greek, the *Persona 4* franchise has shown itself to be preoccupied with one's self-identity, inviting casual and critical readings of the text through its explicit reliance on concepts of Jungian psychology and symbolism. Chapter 4, upon further examination, revealed this conceptualisation of the self as a whole, a self-contained unit that was internally fragmented and waiting to be pieced together as ultimately illusory. Instead, decoding the game through a psychoanalytic lens and taking inspiration from William MacNeil's jurisprudential approach to popular culture texts, *Persona 4* reveals a metatextual account of the legal subject as a social, interdependent subject that internalises the Symbolic order on which its identity is predicated. Fantastical battles manifest in a clash of the unconscious and the conscious mind, expressing both an inability for the law to access the inner content of the minds behind the legal masks but also as an expression of how one's self is tied to the 'other' in the strengthening of personas

through the Social Link game mechanic. Through the use of virtual environments to create an uncanny, foreboding anxiety in the potential dissolution of the self, and the vastly different gameplay styles between the worlds of the everyday and the unearthly TV World, the game sends a message: if you want to remain a subject, you must fight to protect the Symbolic order.

The creation of a cultural legal intertext on *Persona 4* that centres on questions of personhood and what it means to be a legal person has opened up pathways to critique other canonical texts, which further solidified the initial narrative of personhood in *Persona* 4 and operated to extend or challenge this narrative. Drawing on notions of multimodality, transmedia, adaptations and affordances within different types of game interaction (game genres), a broad view was taken of the kinds of texts that could be considered to influence the game's metatext and a general analysis of each of the transmedial mix texts was performed as outlined in Chapter 2. Throughout each iteration of the *Persona 4* canon and fan texts the fans experience the self of *Persona 4* as knowingly permanently divided. This question of how the self is constituted in relation *to* and *through* law haunts the player at every turn. In undertaking the analysis of canonical media, Chapter 5 focused predominantly on two texts, *Persona 4 Dancing All Night* and *Persona 4 Arena,* as exemplars. Key texts of the spin-off games, such as *Persona 4 Arena* and *Persona 4 Dancing All Night,* interrogated the possibility of the authentic self in relation to confrontations of the technological posthuman. *Persona 4 Arena* used the android character of Labrys to construct a posthuman narrative of personhood. Using Heidegger's formulation of Dasein, *Persona 4 Arena* articulates a story of consciousness beyond the human as Labrys slowly comes to understand the unity between body and mind, the mutual acknowledgement of the 'other' to the self and the importance of that connection in declaring natural law rights for herself and the other sentient androids. Labrys's recognition as a person by the Investigation Team at the end of *Persona 4 Arena* effectively works to extend the *Persona 4* metatext to decentralise the human experience as 'personhood', evincing a will to expand the definition of person beyond that which is currently accepted. With *Persona 4 Arena* asking what the limits of technological personhood are and the future of humanity, analysis of *Persona 4 Dancing All Night* demonstrated how gameplay and narrative can send contradictory messages to the player. Despite attempts to once

more unify one's sense of control and freedom of the self, this illusion is undermined by the rigidity and force of the rhythmic gameplay that demands compliance and removes any possibility of freedom.

Having explored the official canon additions to the *Persona 4* universe made available to the consumer by Atlus, the thesis turned to an examination of ways of 'doing fandom' within *Persona 4* with a view to taking fan-created content seriously as artefacts worthy of scholarly attention. Chapter 6 approached *Persona 4* as a jurisgenerative text, which creates its own *nomos* or normative world. While official sources exhibit jurispathic methods of ensuring that the canonical texts remain true to the originals and policing what they can of fan-created content, the fan texts were examined as modes of critique against the source text. In determining how fan texts alter the metatextual narrative of personhood emerging within *Persona 4*, the chapter breaks the types of fandom encountered into two broad categories: romance fandom and humour fandom. Romance fandom, although subversive in its use of the heterosexual male avatar and the game's supporting characters – such as by queering the sexual orientations of the characters or making female versions of Yu – ultimately upholds the integrity of the master text in the interest of maintaining their parasocial relationships with the characters and the universe. Although romance and sexual fan works alter the characters and setting, this is usually done minimally and in a way that reflects the desires and needs of the fan, but otherwise leaves the original text intact. *Persona 4* acts as a vehicle to express, experiment and perform with one's own identity within the safety of a fictional universe or through a character to whom the author relates, potentially seeking to achieve Bataille's 'sovereign moment'. The second category of fandom, humour fandom, was contrary to romance fandom in its willingness to defy the integrity of the original work through its play with the incongruities between the avatar, the player and their respective worlds. The unsettling resonances between the rich, fluid life of the player against the coded, predetermined manipulation of the avatar to the legal mask and its occupant results in humour that pokes fun at the incongruities between the two because the player cannot actually locate the place in which the 'self' resides.

In spite of persistent attempts to unify various articulations of the self within *Persona 4* – player and avatar, the player and the character of Yu, Yu and his persona, the other

characters and their shadows, Labrys the machine and Labrys the person – the entire canonical experience of *Persona 4* is never able to fully bridge the gap between two warring constitutions of self. A frustration of the canon that is expounded upon by the fans through their own explorations of the *Persona 4* universe, trialling of identities and humorous deconstruction of the fictional and the real. The consumers of *Persona 4*'s universe ultimately struggle with the revelation that legal personality is truly discordant with the self, despite the illusions of unity they are sold.

Overarching the analysis on *Persona 4* is a broader concept of legal personhood, with each chapter roughly conveying a different occupant of the legal persona: the player showing the subtle contouring of the 'neutral' avatar; the gamer as the economic man who valorises competition with other 'equal' legal subjects, thus denigrating typically female game genres; and the fan, as the reformist who extends the form of the default legal person to be more representative of those who inhabit its exacting form.

From a foundational perspective, the use of cultural legal studies to decode law and create anew has been undertaken countless times before with literature, film, comics and music, and read from many different perspectives including feminist legal theory, ecological jurisprudence, psychoanalytic theory and so forth; it is nothing new. The innovation of this thesis lies in its contribution to extend analysis beyond these mediums and embrace video games as a pop culture medium that actively involves the player in the delivery of its legal message through interaction. Through the use of narrative analysis alongside attention to the ludological affordances required by the game's mode of interaction, this thesis sought to consider how the story *and* code of *Persona 4* worked to confirm or contradict the ideas it sought to articulate. In addition to using video games, a medium that has had scant academic attention within cultural legal studies, this thesis also used unofficial, fan-created works to contextualise and examine how the metatext of *Persona 4* may change with direct input from its consumers. As there have been no previous attempts to synthesise research on fan-created works with cultural legal studies, the relevant chapter drew heavily on scholarship from fan studies to justify and speculate upon potential reasons for choices made in doing those fan activities.

While each of these extensions makes an original contribution to cultural legal scholarship in its own right, the synthesis of the examination of *Persona 4,* its canonical material and the unofficial fan-created texts results in a highly contextualised analysis of an entire franchise. In moving towards a New Game Plus, the essence of this work was to experience a text realistically, as a fan might, and acknowledge that popular culture is not a singular, static encounter, but rather a transmedial universe of multimodal adaptations, merchandise, fan blogs and cheat codes. By journeying with *Persona 4* through the transmedia mix, the analysis could more closely reflect an honest, impassioned enjoyment of *Persona 4* not only as a fictional text but also as an artefact imbued with complex legal meaning. Although the analysis of video games and fandom can be utilised practically moving forward as a guide to tackling these under-researched mediums in future cultural legal scholarship, the transmedial mix nature of this thesis may be difficult to carry into future save files. While space limitations and word counts may prevent full interactions with canon and fandom texts for any given franchise in specific analysis, it is hoped that the spirit of this analysis may be informative. Expansion of the cultural legal field to include extended canon and fan texts does not mandate that each and every text be scrutinised, but rather that scholars do not discount relevant texts (canon or otherwise) because of their transmedial or unofficial characteristics properties, nor unnecessarily limit themselves to one text if the extended analysis of further media is appropriate.

In conclusion, the *Persona 4* video game is a transmedial titan loaded with legally charged narratives of the self, identity and personhood. Sitting at a unique nexus of interdisciplinary study, this thesis sought to tacle old questions in new ways, bringing to bear a deeper reflection on the digitisation, abstraction, and normalisation of legal personhood through video games, canon, fandom and beyond.

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