

Law and Algorithmic Futures in *Psycho-Pass*

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Abstract

This article studies the Japanese franchise *Psycho-Pass* as a cultural legal text speaking to popular anxieties about the relationships between law, technology and society. In the world of *Psycho-Pass*, law and technology's shared desires for prediction and ordering are combined into a streamlined logic: where criminality is defined through the algorithmic gaze, and algorithmic judgment is delivered upon a person's entire life, stripping them of their autonomy and reducing individuals to mere fragments in an ocean of data. This logic also continually expands outwards, and creates new systems of oppression beyond its original borders and jurisdictions. *Psycho-Pass* is thus read as a jurisprudential text detailing the logic of law's entanglement with a modern culture that seeks to reduce complex socio-political realities to systems of statistical quantification and prediction.

Keywords: Popular culture; algorithms; artificial intelligence; science fiction; predictive policing; justice; criminality.

1. Introduction

Psycho-Pass is a popular Japanese media franchise consisting of anime TV series, films, manga, novels and video games. The three seasons of the TV series, along with the films, build up a complex universe that offers relevant insights on the relationships between law, technology, humanity, crime, justice, and morality. This article will attempt to study these relationships, drawing from the interdisciplinary perspectives of cultural legal studies, law and science fiction and technology studies.

The medium of Japanese animation specifically, more popularly known as anime, has roots in Japanese traditional arts such as Kabuki theatre and woodblock print as well as influences from cinema and photography. Susan J. Napier describes how anime works combine Japanese cultural references with distinct approaches towards narrative style, pacing, imagery, humour, emotion and psychology.¹ Along with its sister medium manga (Japanese graphic novels), anime fits into a contemporary culture of the visual.² Covering a variety of genres such as romance, comedy and tragedy – they cut across different age groups and audiences. Being a global commercial and cultural force, anime has been studied from various lenses, most notably from the lens of cultural globalisation and exchange owing to its global appeal.³ Japanese art and culture have also been explored from various diverse cultural legal studies perspectives.⁴ Popular works such as *One Piece* and *Attack on Titan* have previously been analysed for how they contribute to jurisprudential conversations on legal authority and sovereignty.⁵

The unique characteristic of animation as a fusion of technology and art, as Napier suggests, allows it to embody new interfaces between the two.⁶ The human-machine relationship, gender roles, and the shifting nature of identities in modern societies are all themes found in popular anime, especially science fiction anime.⁷ *Psycho-Pass* can thus be located within a long tradition of science fiction anime such as Mamoru Oshii's *Ghost in the Shell* (1995) and Katsuhiro Otomo's *Akira* (1988). It also draws

¹ Napier, "Why Anime?" 3.

² Napier, "Why Anime?" 7.

³ McKeivitt, "You Are Not Alone!"

⁴ Pearson, Law and Justice in Japanese Popular Culture.

⁵ Fisher, "Pirates, Giants and the State."

⁶ Napier, "Why Anime?" 11.

⁷ Napier, "Why Anime?"



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inspiration from the Hollywood film *Blade Runner* (1982) in terms of aesthetics and themes.⁸ *Psycho-Pass* has also been studied previously from different perspectives, most notably Daniel Hourigan's analysis of the first two seasons, where *Psycho-Pass*'s depictions of the (im)possibilities of justice in and 'after' modern law have been highlighted.⁹

The emerging field of cultural legal studies tries to look towards cultural forms and artefacts as new avenues for understanding the working of law and legality – forms as diverse as literature, film, television, theatre and music.¹⁰ Meanwhile, science fiction is increasingly being looked at as a storehouse of ways of thinking about law. Science fiction narratives are deeply entwined with legal thinking, as they may cover themes like the nature of personhood, the rules that create and perpetuate utopias and dystopias, meditations on crime, punishment, and procedure and so on.¹¹ There is thus a shared vision between the fields of cultural legal studies and law & science fiction, in how they serve to locate legality in the context of human experiences and offer ways of rethinking commonly held assumptions about law and justice.

Newbery-Jones has discussed how science fiction itself may perform a jurisprudential function in how it treats, presents and conceptualises legal issues, having the potential to serve as a form of public legal education.¹² Tranter has identified multiple threads through which cultural legal scholars have engaged with science fiction - ranging from the more classical 'law in literature' approaches, approaches that go beyond immediate signifiers of legality towards broader socio-political and cultural analyses, and the approaches that take science fiction as a speculative vehicle and cultural imaginary to understand technological change.¹³ Drawing upon these frameworks, therefore, this article will thus attempt to read the world, characters and storylines of *Psycho-Pass* in context of recent trends in law and technology studies.

Part 1 has introduced the fictional universe of *Psycho-Pass* and has laid down the scholarly background and context upon which the analysis proceeds. Part 2 explores the lives of individuals under the Sibyl System, an all-encompassing, citywide AI system that runs all of society in *Psycho-Pass*. Part 3 explores larger themes of how society and governance operate under the System. Part 4 discusses Sibyl's expansion beyond the borders of its country of origin. Part 5 looks at how *Psycho-Pass* depicts the idea of 'law's prediction.' Part 6 explores how the series functions as a critique of the notions of algorithmic gaze and numeric imagination, looks at the critical legal literature on predictive policing and algorithmic justice, and the philosophy of law that is ultimately portrayed. Part 7 serves as a conclusion.

2. Life Under Sibyl: Individual Versus Collective

In *Psycho-Pass*, the individual's existence is, at every stage, controlled and directed by the workings of the Sibyl System - be it through pre-determined career choices, choices of romantic partners, and so on.¹⁴ Through mass biometric data scanning, the System assigns roles to each person in the city, effectively laying out their entire life's future before them. The only actions that an individual can mostly take are those that have been approved by the Sibyl System. The show makes it a point to show that the System was not an outside imposition on this society; it came into being because of a need for stability and efficiency - while the world outside this version of Japan is war-torn and in chaos.

Every person living under the System's rule is subjected to cymatic scans through scanners and security drones spread throughout the city that operate continuously, collecting and updating biometric information on each citizen. Cymatic scans reveal a person's 'Psycho-Pass,' a constantly updated record of their emotional and psychological state. This includes their present 'Hue' - which measures stress levels, and their 'Crime Coefficient' - which measures the propensity to commit crime. The assumption of reliability in the cymatic scan process is what is said to keep the peace in this society. This measured propensity to commit crime leads to certain individuals being classified as 'latent criminals.' This creates a class divide, as a group of latent criminals work as Enforcers in law enforcement under Inspectors, and are often derogatorily referred to as hunting dogs.¹⁵ Conversely however, being declared a latent criminal often makes them more relaxed in their dispositions - in contrast to their Inspectors, who live in constant fear of their Hue getting cloudy and their Crime Coefficient reaching dangerous levels. In many cases, the status of latent criminality also acts as a self-fulfilling prophecy, where individuals believe they have

⁸ Anime News Network, "Director's Panel."

⁹ Hourigan, "Symptoms of the Just."

¹⁰ Crawley, Routledge Handbook of Cultural Legal Studies.

¹¹ Contreras, "Science Fiction and the Law."

¹² Newbery-Jones, "The Changes That Face Us."

¹³ Tranter, "Magnitudes of Law and Science Fiction."

¹⁴ Shiotani, *Psycho-Pass*.

¹⁵ Shiotani, *Psycho-Pass*.

nothing to lose anymore, making them actually go ahead and commit crimes. This fear is not limited to these groups; the entire citizenry lives under the shadow of the profiling system managed by Sibyl operating through citywide surveillance.

In detailing the nature of the Sibyl System's algorithmic control mechanisms, *Psycho-Pass* draws from ideas propounded by theorists such as Max Weber and Michel Foucault, with characters directly referencing Foucault as well as other famous philosophers such as Jeremy Bentham and Jean Jacques Rousseau.¹⁶ The system is at once a perfect, ideal form of Weber's bureaucrat model - a system of control over society bolstered by knowledge and expertise, as well as being an even more pervasive, algorithmic version of Foucault's Panopticon, with utilisation of biopower over its subjects.¹⁷

The nature of this data-driven algorithmic control means that the system is permanently in a state of looking for and identifying anomalies. This brings to mind Agamben's notion of a 'state of exception,' which is one of the many norms under which the System continues to operate.¹⁸ For Agamben, the state of exception, invoked by governments in times of crisis to give themselves far reaching power and authority well beyond prior legal limits, can become in itself a prolonged state of being. The Sibyl System is an example of a state of exception given physical form, from having started out as an idea to achieve countrywide peace to becoming a normative system the entire population lives under, as the threat of potential action against the System remains ever present. The impact of this state of being is individuals being deprived of any legal status whatsoever, as it is the technologically superior System that plays judge, jury and executioner.

The conditions here are therefore a 'never-ending present,' where analogous situations are dealt with repeatedly without any kind of permanent solutions being undertaken.¹⁹ For the most part, citizens of this society are shown to voluntarily give up their thinking to the machine, living in a state of 'mindless presentism.'²⁰ They lack any kind of critical engagement with their social and political circumstances, as a compromise for a happy and stable life. This trade-off between individual freedoms and societal stability is reminiscent of the social contract theories propounded by Thomas Hobbes. The sovereign in this case, the Sibyl System, is conferred with authority and power over citizens to enable society to come out of a lawless, war-torn State of Nature (the globally turbulent political situation before the System was established).²¹ Power is thus exercised over bodies, lives and futures by a large-scale technological apparatus in the interests of societal stability, security and efficiency. However, this exercise of power is wielded on a permanent and continuous basis, following the 'never-ending present' logic of the state of exception as discussed above. The narrative suggests that some stability has been achieved, but given the oppressive conditions the System creates, it is flawed and prone to collapse at any time. This shaky form of peace in turn provides further justification for the continued operation of the System. In this state of exception, Sibyl's higher purpose of creating a just, stable and peaceful society, is always framed as something *yet to be achieved* in the future, since to imply otherwise would mean that the System no longer has a reason to exist and the exception is no longer applicable. This framing of purpose thus undergirds the working of the System in *Psycho-Pass* and how impacts are felt on individual subjects throughout the narrative. The pressures of constant compliance with Sibyl's values of the greater good increasingly push individuals to their mental (and moral) limits. Yet, the way the society functions under the System is also difficult to characterise as a traditional dystopian world, as Hourigan argues.²² This is because despite its oppressive bureaucratic mechanisms, the System does provide a variety of liberal, consumerist freedoms and at least on the surface people live happy lives.²³

The push and pull of individual versus the collective, and how Sibyl deals with either, is a theme that regularly comes up through the different instalments of the franchise. In the context of massive technologies of surveillance and data collection now being able to reach right into the human mind, the position of the individual becomes much weaker, as highlighted by Alimardani et al. in the context of big data and behavioural genetics – where it has been argued that any conceptions of a just society must recognise the liberty of the individual against large institutions, both legal and scientific.²⁴

3. Sibyl and Society: Enforcement and Domination

A common image recurs throughout the series, featuring an officer summoned to the predicted crime scene (wherever spikes in Psycho-Passes have been detected), pointing an advanced weapon called the Dominator at the target. Depending on the

¹⁶ Shiotani, *Psycho-Pass*.

¹⁷ Alam, "Law, Life, and Technology in the World of Psycho-Pass."

¹⁸ Alam, "Law, Life, and Technology in the World of Psycho-Pass."

¹⁹ Cervelli, "Mindless Happiness."

²⁰ Cervelli, "Mindless Happiness."

²¹ Hobbes, *Leviathan*.

²² Hourigan, "Symptoms of the Just."

²³ Hourigan, "Symptoms of the Just."

²⁴ Alimardani, "Big Data, Behavioral Genetics and Risk of Future Offending."

Crime Coefficient of the target, the Dominators either ‘merely’ paralyse and incapacitate the target, or completely eliminate them in an overly violent manner. Targets cower in fear, helpless in front of Dominators that represent the might of the futuristic State – where law, technology, and governance all merge into one action. The Dominators are how the Sibyl System plays judge, jury and executioner, as the officers holding the Dominators are conditioned to simply trust the System’s algorithmic judgment.

Yet, there still remains scope for human decision making. Characters such as Akane Tsunemori and Arata Shindo find ways of exercising the possibilities of using the Dominators, as well as Sibyl’s entire system of reasoning, in more humane ways. Tsunemori calms down hyper-stressed targets to bring their Crime-Coefficient values to more reasonable levels so that they can be hit with neutralising shots, instead of completely eliminating them. Towards the end of the first episode of the show, she fires it not towards the detected civilian target, but at one of her teammates, Shinya Kogami, to paralyse him instead, saving the target from what would have been a guaranteed execution by the Dominator.²⁵

Meanwhile, the climax of *Psycho-Pass 3: First Inspector*, which completes the story arcs of the third season, features the Sibyl System bypassing its own rules and ordering Arata Shindo to eliminate the dangerous antagonist Koichi Azusawa. Shindo, however, proclaims that the right to atone may never be taken away, even as Azusawa, being a worshipper of Sibyl, asks him to follow Sibyl’s orders and kill him. The System accepts Shindo’s request and allows Azusawa to be arrested and thus brought to justice instead of being eliminated.²⁶ These instances suggest how the Sibyl System, despite its opaque methods of functioning, still leaves certain choices in the hands of the human beings it governs. The act of using the Dominators still being a choice of the human, and it being open to the officers to come up with creative ways of using the machines so that there is less violence, says something about a sliver of autonomy that still exists within the System.

The System doesn’t always quite work as it is intended to, due to the limits of algorithmic determinations of reality. It is in this context that the motivations and methods of the many antagonistic forces towards the Sibyl System in *Psycho-Pass* may be explored to see how they exploit the blind spots of a supposedly all-seeing, all-controlling complex technological system to achieve their goals, and how the System responds. Challenging the system of reductive algorithmic determinations of human lives, most of these characters question the authority and power of the System, representing a more emancipatory and liberatory politics despite being framed as villains.²⁷

The main antagonist of Season 1, Shogo Makishima is a ‘criminally asymptomatic’ person – Dominators cannot judge him as his Psycho-Pass always remains at a stable level, never making him a target for enforcement action. This poses great problems for Tsunemori and her team, as they struggle to bring Makishima to justice for the string of murders he commits without disdain. Makishima challenges the System and calls for people to reject the way of living that makes them depend on Sibyl for their destinies. He wants to see the ‘splendour of people’s souls’ guided by free will, to regain their humanity, while Sibyl sees utilitarian ‘happiness’ as its only goal to be achieved through quantification and calculation. Makishima is such a firm believer in free will that he is even willing to die at the hands of someone who possesses that will. He eventually meets his end at the hands of his counterpart on the other side, Shinya Kogami, in whom Makishima sees himself.²⁸ Kogami’s experiences with Makishima lead him to lose faith in the system eventually, with him realising that the law as it stands is incapable of judging Makishima and is unable to truly protect people. He eventually decides to pursue a different path, one seeking justice outside the law of the Sibyl System, as featured in *Psycho-Pass: The Movie*.²⁹ His journey continues in *Sinners of the System Case 3* while he is haunted by visions of Makishima.³⁰

Makishima, however, is not the only one of the criminally asymptomatic kind. It is revealed that the Sibyl System itself is actually a complex network of human brains connected to each other, brains which once belonged to people who were themselves criminally asymptomatic who were given the offer to become part of the System and contribute to its functioning. Makishima rejects the offer, stating that he prefers being a player in the game of life rather than an umpire.³¹

The main antagonist of the second season of *Psycho-Pass*, Kirito Kamui, is a survivor of a horrific plane crash, his body rebuilt with the body parts and personalities of hundreds of different individuals. This allows him to bypass all the Sibyl scanning

²⁵ Shiotani, *Psycho-Pass*, “0101 Crime Coefficient.”

²⁶ Shiotani, *Psycho-Pass 3: First Inspector*.

²⁷ Hourigan, “Symptoms of the Just.”

²⁸ Shiotani, *Psycho-Pass*, “0122 Perfect World.”

²⁹ Shiotani, *Psycho-Pass: The Movie*.

³⁰ Shiotani, *Psycho-Pass: Sinners of the System Case 3*.

³¹ Shiotani, *Psycho-Pass*, “0117 Heart of Iron.”

systems, rendering him unable to be judged. His challenge to Sibyl is that Sibyl is a flawed system of justice, as it cannot judge itself, and that it is unable to judge the Psycho-Passes of a collective group. Kamui, *just like Makishima*, is important as a significant blind spot to the then-assumed all-seeing power of the System, illustrative of the imperfect vision of the algorithmic gaze which may obscure as much as it appears to see. The challenge reveals how Sibyl operates outside the realm of its own dominion, being an entity that cannot be questioned or held accountable in any way.

Through Kamui, therefore, *Psycho-Pass* gestures at the lack of mechanisms to judge the very logic and gaze of algorithmic tools themselves, as well as the gap between the (algorithmic) judge and the judged. This is a significant question considering the widespread impacts of such algorithm-driven decision making today in domains like law enforcement and public policy.³² Algorithmic accountability, contestability and justifiability³³ are thus invoked by Kamui's resistance to the System. Despite this development however, the commons for which the System decides judgments is still its own fragments – the citizenry of near-future Japan still has no role to play.³⁴

With Akane's help, Kamui ends up proving that Sibyl is not infallible by getting the Dominator – the System's symbol of unparalleled legal and technological authority – pointed at the System itself. By eventually dying to the Dominator himself, he proves that one day Sibyl might meet the same fate as well.³⁵ This can be taken to mean both as a hint towards a future ending to the story, as well as the logical endpoint of a framework for algorithmic accountability – where through successful contestation, the authority vested in the algorithm is taken back by the citizenry.

The third season takes the theme of the System's blind spots forward, exploring how the imperfect logic and gaze of the System is exploited in different ways, this time through political and economic networks. It also touches upon immigration and religion. The 'Bifrost' is introduced, as a secret organisation that operates in the cracks and shadows of Sibyl's jurisdiction. This organisation makes use of all the places Sibyl can't reach, which are accessed by top ranking members called 'Congressmen' – through an old AI system (called Roundrobin) originally meant for finding flaws in Sibyl. Using this access, the Congressmen place bets on social and political outcomes, in a high risk, high reward game of profit and loss. As Sibyl grows more advanced and Roundrobin finds it difficult to figure out more societal problems, the Congressmen start *creating* new issues in society and influencing events for them to win the game.³⁶ They are able to evade detection for their activities by delegating work to their 'Inspectors' who themselves delegate it down to vulnerable civilians – thereby diffusing culpability and accountability. These civilians are often vulnerable immigrants, doing the tasks assigned by the Bifrost with barely any knowledge, sometimes not knowing about the existence of Bifrost itself. Their Hue hence never changes and the Sibyl System never notices.³⁷

Individual identities hence get fragmented and subsumed into the game much the same way as they do in Sibyl's profiling processes, and all economic and political activity is thus framed as 'players' in the game competing against each other – every player trying to reshape reality to their benefit. Building upon ideas explored in the *Sinners* films (discussed in the next section), the Bifrost uses Sibyl's logic against itself, turning vulnerable individuals into cogs in a massive operation without their knowledge, exploiting their vulnerabilities while keeping them invisible to the System. Throughout the third season, and especially detailed through the working of the Bifrost organisation, there is a running theme of different individuals and groups trying to navigate the System in their own way: wanting to control it, to work with it, to worship it, to dismantle it, and so on. The narrative appears to be gesturing at a possible future where Sibyl's logic becomes widespread beyond Sibyl itself – where due to the quantification of everything, all of society gets turned into a game, even as a permanent underclass of exploited labour continues to exist.

4. Sibyl Beyond the Borders

Psycho-Pass: The Movie (2015) expands the world of *Psycho-Pass* beyond Japan and further complicates the role of Sibyl in the overarching narrative, locating it in the context of geopolitics and military operations.³⁸ The plot revolves around a foreign nation, the Southeast Asia Union (SEAU), overrun by civil war, unrest and violence. The ruling leadership of this nation has recently adopted the use of the Sibyl System on a limited basis. The poorer sections of society are kept in control thanks to Sibyl's cymatic scanning technologies, and once again there is a class divide that comes into existence with hordes of latent

³² Eubanks, *Automating Inequality*.

³³ Henin, "Beyond Explainability."

³⁴ Hourigan, "Symptoms of the Just."

³⁵ Shiotani, *Psycho-Pass 2*, "0211 What Colour?"

³⁶ Shiotani, *Psycho-Pass 3*.

³⁷ Shiotani, *Psycho-Pass 3*.

³⁸ Shiotani, *Psycho-Pass: The Movie*.

criminals being kept separate from the rest of the population, ready to be eliminated as soon as their Psycho-Pass rises above the legal limit.³⁹

These are plot threads that are later expanded upon in the *Sinners of the System* film trilogy set between the events of the second and third seasons. The first of these films, *Case 1* focuses on a facility for rehabilitation of latent criminals that appears to be a humane alternative to confinement at first, but is later on revealed as a site for exploitation of labour.⁴⁰ This facility, known as the Sanctuary, is run by a system that controls inmates through a combination of drugs, therapy and work to get them to harvest nuclear waste – with inmates dying of radiation and getting replaced constantly. Hordes of latent criminals thus controlled mindlessly follow instructions, behaving as a ‘hive consciousness’ – allowing them to perform any task without getting their Crime Coefficients to rise.⁴¹ These inmates are turned into replaceable commodities to carry out the hazardous task of harvesting nuclear waste. They lose their individuality outright, becoming part of an amorphous collective, the logical endpoint of a legal-technological system that dehumanises, excludes and erases. This film can also be read as a commentary on the realities of powerful AI systems and the global networks of labour exploitation and environmental destruction they are entwined with.⁴²

Case 2 focuses on the character of Teppei Sugo and his fall from being a military officer to a latent criminal and Enforcer. Flashback sequences show how Sugo’s faith in the system was exploited to get him to drop chemical weapons upon his teammates in the SEAUn, killing them all, while he believed he was dropping aid supplies. Later on, Sugo gets caught up in a military conspiracy to frame him for the corruption in the military.⁴³ The larger themes of the film tie back to the series as a whole – where the calculative logic of the System utilises soldiers as fodder just like the inmates in the previous film, where soldiers are tasked with missions that they are not given complete information about, and given drugs to make them more pliable. Learning the truth damages Sugo’s mental state; grief, pain, guilt and trauma all only add to his Crime Coefficient. Sibyl’s complicity in genocide is explored, which it rationalises as something needed to keep the ‘peace.’

The hollowness of ‘peacekeeping’ operations is also explored in *Case 3*, which continues Kogami’s search for redemption and meaning, as well as his coming to terms with his violent actions of the past – in a conflict-ridden nation in the Tibetan Plateau, far away from Sibyl’s jurisdiction.⁴⁴ The movie features a private peacekeeping organisation that is eventually revealed to actually have been orchestrating the conflict themselves – in a similar fashion as Sibyl in the 2015 film, adding another layer to the commentary on international law, politics and profiteering.⁴⁵ Meanwhile, the most recent instalment of *Psycho-Pass* as of July 2026, the 2023 film *Psycho-Pass: Providence* takes the overarching themes one step further to introduce a new expansion of Sibyl’s processes – the ‘Conflict Coefficient’ – that can ‘judge’ entire communities to determine the possibility of conflict, applying the same mechanisms of law’s prediction through statistical and algorithmic power.⁴⁶

Together, all the instalments exploring military operations and processes in *Psycho-Pass* point towards the observation that Sibyl’s desire for expansion beyond the borders of Japan is not too different from any similar attempts at expansion by human organizations and states. Sibyl’s logic of efficiency, rationality and stability does not take into account context, interpretation and human values – and works the same way upon foreign nations as it does upon civilians. In this context, it is important to note that international law remains largely underdeveloped on the question of global surveillance, which is especially a concern in the case of states engaging in digital transnational repression,⁴⁷ often utilising commercial spyware technologies.⁴⁸

Thus, as an expanding system of algorithmic logic deployed across jurisdictions, Sibyl orders and performs algorithmic judgment in the same way as it does in its place of origin. Its attempts at expanding abroad thus reveal how unequal neocolonial power structures operating in international law interface with technological developments. Scholars have pointed out that the power inequalities inherent in global politics and international law regimes may only exacerbate due to the use of AI and autonomous robots in military operations, as the new possibilities enabled by these technological developments exert a ‘normative pull’ that may alter existing principles and standards of necessity.⁴⁹

³⁹ Shiotani, *Psycho-Pass: The Movie*.

⁴⁰ Shiotani, *Psycho-Pass: Sinners of the System Case 1*.

⁴¹ Shiotani, *Psycho-Pass: Sinners of the System Case 1*.

⁴² Hao, *Empire of AI*; Crawford, *The Atlas of AI*.

⁴³ Shiotani, *Psycho-Pass: Sinners of the System Case 2*.

⁴⁴ Shiotani, *Psycho-Pass: Sinners of the System Case 3*.

⁴⁵ Shiotani, *Psycho-Pass: Sinners of the System Case 3*.

⁴⁶ Shiotani, *Psycho-Pass: Providence*.

⁴⁷ Anstis, “Silenced by Surveillance.”

⁴⁸ Lubin, “Selling Surveillance.”

⁴⁹ Kerr, “Evitable Conflicts, Inevitable Technologies?”

5. Law's Predictions and Datafied Selves

Much like the Sibyl System's invocations of a stable society of the future, grand narratives of universally equal, free and fair futuristic societies are invoked by tech companies to justify the continued development of technologies such as AI that are presently causing massive real-world harm (for example, widening inequalities,⁵⁰ driving mental health issues,⁵¹ and increasing misinformation⁵²) – often taking the form of 'solutionism'.⁵³ As Evgeny Morozov describes it, 'solutionism' refers to the idea that technology provides easy fixes for all kinds of social problems from crime to corruption to poverty, reducing all of social life to merely needing the perfect technological solution. This way of thinking about social problems, in a way, sees everything as reducible to questions of code, efficiency and optimisation, instead of questions with no easy or quick answers.⁵⁴ Such narratives about technology therefore encourage particular kinds of ideas and belief systems about what AI is.⁵⁵ These ideas and beliefs lead to the perpetuation of social norms related to AI, which may vary across different groups and societies.⁵⁶ These narratives also come to inform legal and policy thinking about the same technological developments.⁵⁷ This may include within its fold a larger and wider range of attitudes towards modern technology specifically: ranging from an uncritical, hype-driven, almost celebratory excitement, to resigned and pessimistic acceptances of technological inevitability, as well as pockets of resistance, critique and even rejection of the current practices surrounding AI.⁵⁸

Projections towards an imagined future are a significant part of the *science fictionality* of law - as law, too, seeks to establish order and control on a temporal level by putting in place systems of events linked together in cause-and-effect relationships. Tranter reads law as technology to highlight how this desire for order even extends to an establishment of control over death and time.⁵⁹ *Psycho-Pass* can thus be read as a commentary on the common desires towards ordering and objectifying events, places and objects – that are intrinsic to both legal and technological processes. Both have a shared preoccupation with predicting the future - or, to phrase it differently, to make the future predictable. The working of the Sibyl System in how it merges legal processes into the realm of statistics and utility calculation therefore operates as an extension of 'law's prediction' first imagined by Justice Oliver Wendell Holmes in *The Path of the Law*.⁶⁰ This idea of 'law's prediction' has been further elaborated upon in the context of Law and Economics through William MacNeil's reading of the Steven Spielberg-directed film *Minority Report*, an adaptation of a Philip K. Dick novella.⁶¹ MacNeil reads *Minority Report* and the field of Law and Economics as articulating a 'jurisprudence of antijurisprudence,' describing a common 'going beyond law' mode of thinking that characterizes both domains. In such an 'antijurisprudence,' Holmes's ideas of rules from the perspective of what the courts will decide are succeeded by a system where courts are circumvented altogether, to predict *facts* instead, thus rendering rules superfluous. Through a cultural legal reading, therefore, MacNeil asserts that critique must go beyond merely calling out the logic of prediction, towards reconstructing a positive jurisprudential alternative that asserts the primacy of the human subject over statistical, utilitarian calculations.⁶² This is also something that *Psycho-Pass*, drawing from Philip K. Dick's ideas mixed with the technological anxieties of the 2010s, also gestures at. It shows a world where the desire for law's prediction is combined with the massive computational powers of AI and algorithms. The legal and the technological forms of prediction both necessarily require classification and labelling, which is entwined with dehumanization and exclusion for individuals and groups that do not fit in, as in the case of latent criminals and asymptomatic individuals. The violence, trauma and grief that are the costs of these processes are rendered invisible, so as to not diminish the narrative of the future being predictable.

The ideas of theorists such as Gilles Deleuze and Michel Foucault are also valuable in understanding how *Psycho-Pass* depicts the relationship between individuals and big data-powered technology systems. Following Foucault's ideas of how 'security' and 'control' through population-wide statistical mechanisms have replaced individual-centred 'discipline' mechanisms, Deleuze has explored how the 'individual', in the age of information technology, is broken down and becomes a fragmented 'dividual'.⁶³ Social subjection and machinic enslavement were concepts originally developed by Gilles Deleuze and Félix

⁵⁰ UNDP, The Next Great Divergence.

⁵¹ Head, "Minds in Crisis."

⁵² Park, "Generative AI and Misinformation."

⁵³ Morozov, To Save Everything.

⁵⁴ Morozov, To Save Everything, Click Here.

⁵⁵ Ash, "The Stories We Tell About AI."

⁵⁶ Yi, "Partisan Media Sentiment Toward Artificial Intelligence."

⁵⁷ Baronchelli, "Shaping New Norms for AI."

⁵⁸ Hao, "A New Vision of Artificial Intelligence for the People."

⁵⁹ Tranter, "Dune, Modern Law, and the Alchemy of Death and Time."

⁶⁰ Holmes, "The Path of the Law."

⁶¹ MacNeil, "Precrime Never Pays!"

⁶² MacNeil, "Precrime Never Pays!"

⁶³ Celis Bueno, "Face Revisited," 7.

Guattari in the context of the emergence of television – the former denoting individualisation and subjectification, and the latter denoting the disappearance of the individual identity in a sea of information flows and fragmentation. They have been analysed by Bueno to understand how they express the position of the individual in light of new forms of algorithmic and statistical regimes of power.⁶⁴ The Sibyl System is, in this sense, an expression of algorithmic governmentality, a term defined by Rouvroy and Berns as referring to ‘normative or political rationality founded on the automated collection, aggregation and analysis of big data so as to model, anticipate and pre-emptively affect possible behaviours.’⁶⁵

As Wood describes, *Psycho-Pass* very directly deals with algorithm-driven classifications and how they may lead to tyranny.⁶⁶ Wood builds on Cheney-Lippold’s idea of ‘measurable types,’ talking about how data templates ‘determine the discursive parameters of who we can (and cannot) be’.⁶⁷ Highlighting the criminogenic power of algorithms, Wood describes how data translates the real world into code – when public and private spaces become code spaces quantifiable by algorithms.⁶⁸ All of this is wrapped up in a veneer of objectivity and authority, which is problematic, especially when these technologies are relied upon in law enforcement contexts. As Migliorini points out, biometric identification coupled with societal biases may relegate certain groups to a position of subalternity and others to a position of privilege.⁶⁹ As *Psycho-Pass* demonstrates with the latent criminals, there is a divide between the actual person and their ‘datafied’ self. The actions of the latent criminals, especially the Enforcers, fall within this tension between the agency of the actual human in contrast to the version of them as determined by the System. The judgment of Sibyl falls upon not the former but the latter.

Englezos analyses the divergence caused by algorithmic determinations of reality and how the designs, representations and the outcomes of algorithms fail to match the complexity and nuance of actual reality.⁷⁰ Central to this analysis is also the question of interpretation, which is the opposite of a data-driven, algorithmic process, relying heavily on social, cultural and contextual factors.⁷¹ The characters of *Psycho-Pass* repeatedly struggle with breaking the algorithmic loops placed upon their actions by the Sibyl System, which is as much a process of interpreting and finding new meanings to the core question of what makes an ideal society – as much as it is a resistance to the status quo. This is seen in main character Akane Tsunemori’s choices to work within the System to reform it from inside; often through using the Sibyl System’s own belief in itself as the ideal system – to convince it of what it is missing and what it needs to do better. It is also seen in Shinya Kogami’s journeys in and out of the System’s jurisdiction as he tries to come to an understanding of what justice means in such a world, with his difficult relationship with the Sibyl System that espouses a kind of law and justice he does not believe in.⁷²

The nature of Sibyl’s desire for a perfectly predictable system, as the logical endpoint of ‘law’s prediction’, especially comes to a head in the third season, with the introduction of the Bifrost. As described earlier, the Bifrost’s Congressmen attempt to manufacture and shape outcomes to win their game. A parallel can be drawn between the working of Sibyl and Bifrost. Sibyl’s processes of quantification require it to carry out oppressive practices in order to maintain a narrative of stability, which result in coercion, exclusion and co-opting of dissenting voices. In the same way, the Bifrost’s game goes from merely betting on societal outcomes, to actively influencing society, putting processes in place to ensure that outcomes beneficial for Bifrost are guaranteed to take place. As Sibyl expands dominion over its subjects, societal consequences such as Bifrost arrive, utilizing the same logic of prediction while exploiting blind spots of its jurisdiction.

6. Law, Logic and Algorithmic Futures

The Sibyl System’s network of disembodied asymptomatic brains lies somewhere between a completely human and a completely robotic form of intelligence – halfway between the biological and the mechanical. This duality adds layers to many of the actions of the System, especially when it is in direct conversations with humans like Akane Tsunemori and takes into account her opinions. While Sibyl may or may not be termed as an ‘Artificial’ Intelligence in the commonly understood sense, the general role it plays in the story and the socio-political, cultural and technological anxieties it speaks to make it immensely valuable as a way to better understand humans and their relationships to the massive, more-than-human technological systems they create, with AI being just one such term out of many to refer to these creations. As Diana Mocanu observes, there is no

⁶⁴ Celis Bueno, “Face Revisited.”

⁶⁵ Rouvroy, “Algorithmic Governmentality and Prospects of Emancipation.”

⁶⁶ Wood, “Algorithmic Tyranny.”

⁶⁷ Wood, “Algorithmic Tyranny,” 325; Cheney-Lippold, *We Are Data*.

⁶⁸ Wood, “Algorithmic Tyranny.”

⁶⁹ Migliorini, “Biometric Harm.”

⁷⁰ Englezos, “Divergent Realities Across the Digital–Material Divide.”

⁷¹ Englezos, “Divergent Realities Across the Digital–Material Divide.”

⁷² Shiotani, *Psycho-Pass*.

single, universally accepted definition for what AI is, making it a ‘suitcase word’ in which multiple understandings may exist.⁷³ Still, there are certain accepted core features of AI: the ability to perform tasks autonomously without human intervention, independent decision-making, and capacities for self-learning and self-improvement.⁷⁴ The Sibyl System can therefore fit into this context. The System’s interactions and relationships with society across *Psycho-Pass* thus can be looked at in the context of how AI systems are routinely beginning to mediate and influence much of human existence, with all the changes that come with reliance on such technologies.⁷⁵ While an all-encompassing system of the kind that the Sibyl System is likely seems far away, powerful AI systems and tools have started to be used across different contexts – that follow much of the same processes of classification, labelling, ordering and exclusion as *Psycho-Pass* identifies. Further, the constant expansion of the Sibyl System, as well as how it adapts to answer new questions posed to it over time, has clear parallels to the philosophical, political, and sociological concept of recuperation - which is understood as the process of co-opting revolutionary ideas.⁷⁶ It is a way by which powerful institutions are able to withstand challenges to their dominance and hegemony, often by turning oppositional tactics into ideology.

Locating the themes of *Psycho-Pass* in the context of contemporary debates on law and technology brings us to two important, inter-related themes: predictive policing and numeric imagination. The show’s portrayal of how the System operates with regard to a crime-free society, with a highly sophisticated system that purports to be the ultimate solution to dealing with crime has clear parallels to contemporary techniques utilised by law enforcement officers around the world, that utilise big data and statistical analysis to combat crime – collectively termed as predictive policing. *Psycho-Pass* depicts the violent consequences of the sustained use of these systems, as well as reflecting upon whether the use of these systems even meets its supposed objectives, which are ideas that also are found in common critiques of such systems.

The criminal justice system has a long history of techniques and tools used to assess future risk, having shifted over time from place-based predictions to more individualised, person-based predictions using big data.⁷⁷ Future developments are likely to be driven by advances in different technologies such as facial recognition,⁷⁸ biometric identification,⁷⁹ and behavioural genetics⁸⁰ alongside centralisation of databases through policing tools and products increasingly provided by private companies.⁸¹ The centralisation of surveillance hence may diminish avenues for democratically accountable policing,⁸² rendering the entire process increasingly subject to market-driven neoliberal logic.

The reliance on predictive analytics tools for policing has also been criticised from other angles. For instance, they make the distinction between arrest data and offense data very blurry, leading to self-fulfilling prophecies.⁸³ To the Sibyl System, a high Crime Coefficient must be read as a target for enforcement action and nothing else.

The use of predictive policing tools is also often shrouded in secrecy, in a culture of opacity that creates a major distance between the adopters of these technologies and the people upon whom this form of algorithmic decision-making is to be exercised, mostly without their consent. The central conflict of *Psycho-Pass* largely is about law enforcement officers coming to realisations about the flaws of the System they are supposed to follow without question. Assumptions of objectivity that are a premise of using big data have multiple issues - data is inherently subjective and forever incomplete. Too much reliance on data especially without meaningful interpretation may lead to an over-simplification of complex social realities.⁸⁴ Automated systems as a whole have deepened inequality and contributed to greater discrimination towards the poor and disenfranchised, given that those stuck in the system tend to get trapped in vicious cycles once identified by the system, as the Dominator’s targets are in *Psycho-Pass*.⁸⁵

⁷³ Mocanu, “Beyond Persons and Things.”

⁷⁴ Mocanu, “Beyond Persons and Things.”

⁷⁵ Babic, “When Machine Learning Goes Off the Rails.”

⁷⁶ Kurczynski, “Expression as Vandalism,” 295.

⁷⁷ Ferguson, “Policing Predictive Policing.”

⁷⁸ Robles, “Global Perspectives on Regulating Facial Recognition Technology.”

⁷⁹ Migliorini, “Biometric Harm.”

⁸⁰ Alimardani, “Big Data, Behavioral Genetics and Risk of Future Offending.”

⁸¹ Joh, “The Harms of Police Surveillance Technology Monopolies.”

⁸² Joh, “The Harms of Police Surveillance Technology Monopolies.”

⁸³ Richardson, “Dirty Data, Bad Predictions.”

⁸⁴ Devins, “Law and Big Data.”

⁸⁵ Eubanks, Automating Inequality.

In the very first episode of the first season, a target decides that he might as well go ahead with the crime he was going to commit anyway, because his entire future has been already fully determined for him once Sibyl judged him.⁸⁶ The show portrays the helplessness and last-minute stressful desperation of this target (of enforcement action, as well as the algorithmic judgment); but it takes the theme one step further when it shifts focus to his traumatised victim-to-be. As she is in an extremely stressful situation that would likely scar her for life, her Crime Coefficient rises and she becomes a ‘target of enforcement action’ herself, becoming an example of the inherent cruelty of such a system.⁸⁷ As one character puts it, the System does not ‘discriminate.’

Relying on algorithmic decision-making for law enforcement is hence fraught with risk for society at large, given the disastrous consequences it could have on an innocent person’s life, liberty and personal dignity.⁸⁸ Sometimes, systems will flag people as threats for no reason at all, depriving them of welfare services and essential facilities needed to stay alive.⁸⁹ *Psycho-Pass* thus provides a speculative depiction of the ultimate version of the algorithmic gaze and how it is utilised as law – the gaze which now, not only decides the entire course of the person’s life; but potentially the very end of it too.

The scope of the algorithmic gaze, however, is still expanding in the real world. There have been efforts towards making law fully encoded within automatically executing algorithms and code – for example, the idea of ‘microdirectives’ – machine-selected, personalised commands served to users for legal compliance.⁹⁰ However, when machines pre-decide what options the user has, it takes away agency from the user as the microdirectives offered may not represent reality. Traditional legal systems are structured in ways that leave open the possibility of disagreement, societal change, and eventual transformation by the very act of breaking the law itself.⁹¹ By contrast, algorithmic legal systems are far more rigid and inflexible, leaving no option to invite such change.⁹² It is therefore an open question to explore if the current imaginations underlying algorithmic systems for welfare and policing are the only ones possible or if there may be better, more humane alternatives.

These imaginations are driven by an emerging obsession with the objectivity that numbers seem to present, flattening the subjectivity of human life by reducing it to measurable numerical values. As Evgeny Morozov defines it, *numeric imagination* is ‘the predisposition to seek out quantitative and linear causal explanations that have little respect for the complexity of the actual world.’⁹³

Numeric imagination is thus intrinsically tied with the use of big data and now AI in the legal system, subjecting law to algorithmic processes in hopes of efficiency and productivity. While it is true that big data as well as the computational power of AI may indeed be useful to legal professionals, it is important to note that big data is empirical, algorithmic, deterministic, centralised and essentially stuck in the past, compared to law, which is abstract, values-based, relatively decentralised, and built on systems of deliberation and compromise.⁹⁴

Numeric imagination, hence, can also be seen in the broader context of the global neoliberal paradigm. This involves the conversion of political and democratic matters into economic ones, in a massive regime of classification and categorization.⁹⁵ Numbers are appealing as they speak to societal desires of seeing everything objectively and scientifically, simplifying what are complex socio-political phenomena to something easily digestible and easily broken down into binaries of good versus bad. As the argument goes, since numbers are able to transcend barriers of culture and language they can help us understand our individual lives much better by allowing us to keep track of our happiness, health, and well-being.⁹⁶ Yet, this focus on the individual is problematic, as Morozov argues, since self-tracking and quantification systems encourage beliefs in simplistic political ideologies of individual responsibility.⁹⁷ This is precisely how the Sibyl System operates, as the simplified understandings provided through numerical values measuring criminal propensity are believed to keep society running well. The idea of merely *thinking*, leading to questioning the status quo and hence striving for societal transformation, is suppressed in such a regime – as thinking may open up unpleasant views on the actual societal reality.⁹⁸

⁸⁶ Shiotani, *Psycho-Pass*, “0101 Crime Coefficient.”

⁸⁷ Shiotani, *Psycho-Pass*, “0101 Crime Coefficient.”

⁸⁸ Richardson, “Dirty Data, Bad Predictions.”

⁸⁹ Eubanks, *Automating Inequality*.

⁹⁰ Casey, “Death of Rules and Standards.”

⁹¹ Morozov, *To Save Everything, Click Here*.

⁹² Sales, “Algorithms, Artificial Intelligence and the Law.”

⁹³ Morozov, *To Save Everything, Click Here*.

⁹⁴ Devins, “Law and Big Data.”

⁹⁵ Rüsselbæk Hansen, “Digital Technologies.”

⁹⁶ Rüsselbæk Hansen, “Digital Technologies.”

⁹⁷ Morozov, *To Save Everything, Click Here*.

⁹⁸ Rüsselbæk Hansen, “Digital Technologies.”

The Sibyl System's brand of law is thus one that is based on very narrow goals of social control and optimisation through a system of numeric imagination. The consequences are a society struggling under weight of compliance to such norms, all cloaked under the imagery of a utilitarian paradise. Critiques of the notion of personalised law suggest that it may lead to behavioural uniformity in a negative sense, as well as reduce transparency and accountability.⁹⁹ In such a system, open-ended questions of justice, society, and politics with no clear answers, the hallmark of deliberative democracy, might end up reduced to algorithmic propositions and problematic feedback loops, which are lacking in the richness of meaning that semantic propositions have.¹⁰⁰

The show ultimately suggests that seeing 'law' as a static creation designed to 'protect people' precludes observers from realising that the law is never fixed or unchanging. Akane Tsunemori and Arata Shindo's actions throughout their storylines demonstrate how there always exist multiple solutions and interpretations to answer questions of legality and justice. An alternative vision of law and governance in today's times of technologically saturated lives must not recreate Sibyl's designs of predictive algorithmic control, but must go beyond a mere response to the System's logic, in line with what MacNeil has described, as discussed earlier, a positive jurisprudential alternative asserting the primacy of the human subject.¹⁰¹

Towards the end of the first season, Akane hints at something similar:

The Law doesn't protect people. People protect the law. People have always detested evil and sought out a righteous way of living. Their feelings... The accumulation of those people's feelings is the law. They're neither the provisions nor the system. They are the fragile and irreplaceable feelings that everyone carries in their hearts. Compared to the power of anger and hatred, they are something that can quite easily break down. People have prayed for a better world throughout time. In order for those prayers to continue to hold meaning, we have to try our best to protect it to the very end. We just can't give up on it.¹⁰²

People's feelings and efforts to seek out righteous ways of living in the face of evil, are what *Psycho-Pass* suggests will drive movements questioning the status quo. Ironically, 'people's feelings' are, in a twisted way, what the Sibyl System's brand of law runs on in the first place, through algorithmic approximations of psychological states. The foundation of this human-centred law, as she argues, is kept alive by the active feelings and committed efforts of people in the face of anger and hatred, as opposed to Sibyl's law which is externally imposed upon a passive population to 'protect' them, stripping them of their agency and conscious will, using their own mental states to keep them compliant. *Psycho-Pass* argues for subjectivity as essential to the idea of law, against the assumed objective ideals of efficiency and algorithmic governmentality, arguing against trying to 'optimise' legal principles using advanced technologies.

7. Conclusion

This article has attempted a cultural legal reading of *Psycho-Pass*, reading it as a legal-jurisprudential text espousing resonant anxieties about law and technology. It has been read as a critique of neoliberal algorithmic governance, through its constructions of characters, themes, and visuals in a complex, detailed world. Through the narrative centred around the Sibyl System, the series is read as being in conversation with ongoing debates around the nature and scope of algorithmic governance. The article has explored how *Psycho-Pass* depicts the experiences of individuals living under the System's state of exception, constantly under conditions of compliance derived from their algorithmic approximations of their own mental states. It has explored the nature of the System's power and gaze, exercised through the symbol of the Dominators which represent a merging together of law and technology, and the spaces for negotiation and human decision-making that still exist within such mechanisms. Ideas represented by the different antagonistic forces to the Sibyl System throughout the seasons of the TV series have been looked at to see how they reveal details about the System's blind spots, serving as a commentary on algorithmic governance and algorithmic logic. The logic underpinning Sibyl and how it expands across different jurisdictions and foreign locations has been analysed, through a reading of the spinoff films, operating as a critique of international politics, neocolonial power structures and global surveillance. *Psycho-Pass* is then read alongside critical literature covering ideas such as 'law's prediction' and 'solutionism' to further underscore how the text serves as a commentary on the common desires towards ordering events, places and objects intrinsic to both legal and technological processes. Building on this, the series is read further as critiquing problematic assumptions underpinning practices of predictive policing, numeric imagination, and big data-driven legal developments. The ultimate philosophy of law espoused by the show is then explored, which argues for subjectivity and human feelings as central to the spirit of the law as opposed to the aforementioned systems of optimisation and control.

⁹⁹ Devins, "Law and Big Data."

¹⁰⁰ Devins, "Law and Big Data."

¹⁰¹ MacNeil, "Precrime Never Pays!"

¹⁰² Shiotani, *Psycho-Pass*, "0122 Perfect World."

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