

Marvel Cinematic Universe and IHL: Discussion Points

Purpose: This document serves as a guide to help facilitate group discussions after viewing the 2021 “Heroes Assemble: International Humanitarian Law in the Marvel Universe.” The questions provided below are designed as the starting points of deeper, more focused discussions over the material as well as broader exploration of different themes. Although you are free to stick to the questions listed below, we **strongly encourage** you and your groups to explore points or questions beyond the ones we have outlined. The exploration of new themes and ideas allows you and your group to organically develop richer conversations and to inspire further inquiries into the subject matter.

Topic 1: Using the MCU Phase 1 movies or other pop culture to explore IHL

1. What did you think of using a comic book and movie series like Ironman, The Incredible Hulk, Captain America, and the Avengers as a way to teach and explore IHL topics?
 - a. Was it an effective tool?
 - b. What did you find useful about exploring IHL through these mediums?
 - c. Were there any drawbacks to this method? If so, how would you have improved those drawbacks?
2. Why might movies, television shows, or video games be useful in teaching IHL to someone who has no knowledge of IHL or experience with IHL topics?

Topic 2: Ironman’s Vulnerability

1. The presentation here focused on the U.S. Army convoy that was attacked by the Ten Rings terrorist organization at the beginning of the film. The presentation broke down the applicable frameworks that are used when analyzing if an attack was permissible or not.
 - a. Do you agree with the outcomes to some of the analytical frameworks? Why or why not?
 - i. What would you have analyzed or argued that would change the outcome?
2. What wasn’t discussed in the presentation was Tony Stark and the different forms of protections that may or may not be afforded to him.
 - a. Was Tony Stark simply a civilian at the wrong place or wrong time? What protections would be afforded him?
 - b. Was Tony Stark accompanying the forces? If so, could he be targeted and if captured what forms of protections are given to him?
3. Another topic that wasn’t discussed but can be is the status of Tony Stark as Ironman. What would be explored is if Tony has the authority to engage with terrorist organizations independently with the weapons that he has.
 - a. Would we consider him a part of the US military, government contractor, or armored vigilante?
 - b. Depending on the classification, what can and can’t he do?

Topic 3: Hulk as a Weapon

1. The presentation focused on the Hulk as a US weapon and the difficulties that exist with the potential of deploying him to combat zones because of issues of distinction and inability to control his movements.
 - a. Do you think that the Hulk can be effectively contained without deploying General Ross's daughter to combat zones?
 - b. Do you think the creation of the Hulk violates the dual principles of unnecessary suffering and superfluous injury?

Topic 4: The Destroyer Unleashed

1. Do you think it was improper for The Destroyer to target the gas station and the electric cables during his engagement against Thor? (focus here on considering these as works and installations containing dangerous forces - 56 API, 42 CIHL).
2. Do you agree that the Destroyer was not an autonomous weapon? If not, what points would you raise to defend your stance?
3. What other issues do you see from the deployment of The Destroyer?

Topic 5: Captain America and POWs

1. POWs are given many protections under the Geneva Conventions. Besides the listed violations, what others did you see?
 - a. Why do we have protections for prisoners in the first place? (more a philosophical question)
 - b. Why do we have different forms of protection statuses for people captured? Should everyone be given the highest form of protections?
2. Should the US have even performed those experiments on Steve Rogers to begin with? Was it lawful?
3. Did the Nazis at the beginning of Captain America violate IHL when they destroyed certain items?

Topic 6: Defining the Tesseract

1. Do you agree with Fury and his view that the tesseract should not belong on earth?
2. If not used as a weapon, do you think the tesseract is permissible to be utilized by armed forces?

Topic 7: Nuclear Solutions

1. Do you agree with current consensus that nuclear weapons are not inherently indiscriminate? Why or why not?
2. Would you have launched the nuclear missile like the world security council did?
 - a. What factors do you think lean in favor of this form of targeting?
 - b. What other issues do you think the council should have thought of outside of the ones mentioned?
 - c. What do you think is the environmental impact with a nuclear weapon?

3. Knowing their power, do you believe that more states should continue creating nuclear weapons as a deterrent against other states or should we aim to eliminate them overtime from use in any form of conflict?

Topic 8: What's next...

1. What movies do you want to see focused on more in Phase 2 of MCU?
2. What issues did you see in Phase 2 that you want to explore?