

Bugs Bunny and Daffy Duck vs. Marvin the Martian

A Perspective from (Earthly) International Space Law

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Abstract

This paper analyses several well-known clips from famous films featuring Bugs Bunny and Daffy Duck and other such characters. Since their first appearance on the screen, they have undertaken various space activities including space flights to other celestial bodies where they meet Marvin the Martian, a character who, as his name indicates, descends from planet Mars. He is obsessed with the idea of destroying the Earth. His epic phrases are “The Earth will be gone in just a few moments: it obstructs my view to Venus!” He wants to destroy the Earth by using either his “earth-shattering ka-boom” (a device in form of a stick of dynamite) or his “Illudium Q-36 Explosive Space Modulator”. At the beginning of his space exploration activities the latter used to be even a “Uranium Pu-36”.

In the light of international space law various, important aspects of the space exploration activities of Bugs Bunny and Marvin the Martian require further analysis. Examples are: the registration of their multiple spacecraft; the use of weapons on celestial bodies; their role in ensuring non-contamination or non-destruction of any celestial bodies and their attempts to appropriate the Moon. Indeed, Daffy Duck and Marvin the Martian both try to appropriate the Moon by planting their respective flags in its ground. This raises the question whether international law is applicable in space. Moreover, Marvin the Martian changes his character over the decades. From being a potential destroyer, he turns into a person who saves the Earth. With this, the question arises if his evolution has been influenced by the evolution of space law?

I. Introduction

In the following article, the most prominent movies of Bugs Bunny with Marvin the Martian will be analysed in the light of international space law. Before starting this legal analysis, the different involved characters have to be introduced: Bugs Bunny and his best friend Daffy Duck, Marvin the Martian

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along with his dog K-9 (who communicates with Marvin by handling him notes). Generally, Bugs Bunny is very well known, perhaps the most celebrated cartoon rabbit. He appears sometimes with Daffy Duck and Porky Pig. In the cartoons of Looney Tunes and Merry Melodies, they interact with “Marvin the Martian”¹ who made his first appearance on the screens in the cartoon “*Haredevil Hare*” (1948). Marvin the Martian descends, as his name indicates, from the planet Mars. He is a short, stout Martian, dressed in a kind of green Roman soldier’s uniform, with a helmet on his head. The brush on this helmet should symbolise/make thinking of a Greek or Roman centurion’s helmet.² Besides these external specificities, he is obsessed with a plan to destroy the Earth. Indeed, Marvin was created with an opposite type of character to Bugs Bunny: Marvin, quiet soft-spoken, with a nasal accent with which he often explains his technical performance (speaks technobabble) but with tremendously destructive actions. Marvin is accompanied by his dog K-9 and sometimes also brings his “instant Martians” with him: candy-sized creatures which become full size when drops of water are thrown on them. His famous phrases are: “*Where’s the kaboom? There was supposed to be an Earth-shattering kaboom! Isn’t that lovely?*” “*This makes me very angry, very angry indeed.*”

For the following analysis, the most famous films of the 1940s to the 1960s like “*Haredevil Hare*” (1948), “*The Hasty Hare*” (1951), “*Duck Dodgers in the 24 ½th Century*” (1953), “*Hare Way To The Stars*” (1958) or “*Mad as a Mars Hare*” (1963) will be taken into account. As various actions are repeated in some of the mentioned movies, the legal analysis is not done for each film, but by an overview of the facts.

II. Application of Earthly International Space Law

Before starting to analyse the most prominent actions in the light of (earthly) international law, the question about the applicability of earthly international space law on the actions in outer space has to be raised. Even if Marvin the Martian and Bugs Bunny are not human beings, the analysis will in this particular case nevertheless undergo in the light of earthly international space law and consider these cartoons as real human beings. Indeed, these cartoon characters are acting like humans. Therefore they will be considered in the

1 At the beginning of his appearance, he was not named Marvin (in the film “The Hasty Hare” (1952) he was just called “Commander Flying Saucer X-2”) (See: [http://looneytunes.wikia.com/wiki/Marvin_the_Martian_\(character\)](http://looneytunes.wikia.com/wiki/Marvin_the_Martian_(character))).

2 “That was the uniform that Mars wore: that helmet and skirt. We thought putting it on this ant-like creature might be funny. But since he had no mouth, we had to convey that he was speaking totally through his movements. It demanded a kind of expressive body mechanics”, [http://looneytunes.wikia.com/wiki/Marvin_the_Martian_\(character\)](http://looneytunes.wikia.com/wiki/Marvin_the_Martian_(character)).

following as subjects of earthly international law. Thus their activities can be analysed in order to “avoid” any potential harm for planet Earth and the whole universe. Moreover, Bugs Bunny and Daffy Duck are sent in the movies – voluntarily or not – from the Earth to outer space and its celestial bodies. It can be deduced from the circumstances that they are earthlings. Instead Marvin pretends to come from Mars. Nevertheless, the cartoon character Marvin has been “launched” (conceived) like Bugs Bunny and his friends by US American film studios so that, in a very special broad way, the country of the film studio concerned may be considered as the “launching state”. Therefore in the light of international space law, various important aspects of the space exploration activities of Bugs Bunny et al. and their fight against Marvin have to be analysed.

III. Peaceful Use of Outer Space

In the first sequence of “Haredevil Hare”, the audience can see a part of a rock on the Moon on which is engraved “Kilroy was here”. This engraving in English must originate from human beings. Even if art. I Outer Space Treaty (OST)³ grants the right of freedom of exploration and use (freedom of access), this granted right must be exercised “for the benefit and in the interest of all countries” (art. I-1 OST). Moreover art. IX OST stipulates to protect outer space environment requiring that the exploration of the celestial bodies should be conducted in a way that “their harmful contamination [...] resulting from the introduction of extraterrestrial matter”⁴ be avoided. But what is the meaning of “harmful contamination”? Does harmful contamination only mean “contamination” or any degradation of environment like this gravure? Space activities should be carried out with the highest possible diligence to avoid any harmful interference, deliberate or unintentional alike. Even if this gravure is not endangering at first glance an experiment or programme of another state, nevertheless it constitutes a “damage”, a deterioration of the intact environment of the Moon. Additionally reference has to be made to art. IV of the Moon Agreement⁵ which advocates for the principle of “Province of All Mankind”. This article stipulates that “the exploration and use of the Moon shall be the province of all mankind and shall be carried out for the benefit and in the interests of all countries”.⁶ Even if the Moon Agreement was only signed and ratified by a few countries, it gives an idea about

3 UN Outer Space Treaty “Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (1967).

4 Article IX Outer Space Treaty.

5 UN Moon Agreement “Agreement Governing the Activities of States on the Moon and Other Celestial Bodies” (1979).

6 Art. 4 Moon Agreement.

the way space exploration should be undertaken: in “the benefit and in the interest of all countries”. Therefore it is questionable if this gravure is in the benefit and interest of all countries – presumably not!

IV. Marvin’s Various Attempts to Destroy the Moon or the Earth

The same is true for the explosive substance which Marvin is using for its attempts to destroy the Earth and the following conflict between Bugs and him to get in possession of this explosive stick. Even though Bugs gets the stick in his hand, a big detonation follows on the Moon which blasts away half part of the Moon. It has even lost most of its round shape and become a crescent moon. This intervention represents a serious infringement of international space law. The Outer Space Treaty stipulates in art. I that “the exploration and use of outer space, including the Moon [...], shall be carried out for the benefit and in the interest of all countries”.⁷ Already the exploitation of natural resources of a celestial body in a way that the celestial body is “consumed” and doesn’t exist anymore, is not considered to be “for the benefit and in the interest” (art. I) of all states.⁸ Consequently, the half destruction of the Moon is, by far, also not in the interest of all countries. Moreover, art. II OST disposes clearly that “outer space, including the moon [...], is not subject to national appropriation by [...] means of use [...] or by any other means”.⁹ This destruction as kind of harmful “use” of the Moon, can be considered as an appropriation. Only with someone’s own property such an intervention may be undertaken. But appropriation of any celestial body is not allowed by international space law as is demonstrated in detail below.

Moreover Marvin is obsessed by the idea to destroy the Earth. His epic phrases are “The Earth will be gone in just a few moments!” This threat is just commented on by Bugs with “Why?” which is followed of the retort from Marvin: “It obstructs my view of Venus!”. He wants to destroy the Earth with an “Earth-shattering kaboom”. This Earth-shattering kaboom consists of a device in form of a stick of dynamite and is also called “Illudium Q-36 Explosive Space Modulator” which used to be named at the beginning of his space exploration “Uranium Pu-36”. In order to underline the destructive forces of this device, Marvin always mentions that he had completed over two thousand years of research to create this weapon. Furthermore, he over-enunciates the name of this weapon to make clear the type of weapon he is speaking to avoid any confusion and to give him the appearance of a kind of miracle weapon. This intention of Marvin to blow up the Earth because it “affects” his view of Venus is against art. I OST “use of outer space in the

7 Art. 1 OST.

8 Cf. Hobe/Schmidt-Tedd/Schrogl, *Cologne Commentary on Space Law*, Vol. I, 2009, p. 53.

9 Art. 3 OST.

benefit and interest of all countries” and art. II OST “non-appropriation”. It may also be considered under the aspect of “non-militarisation” of outer space as it will be alleged in the following paragraph.

V. Non-Militarisation of Outer Space and Celestial Bodies

Another short movie sequence highlights the problem of militarisation of outer space. The audience can see Marvin the Martian who has aligned its telescope/spy-glasses in direction to the Earth. He holds in his hands an explosive material, ready to be launched in direction to the Earth. Just in time, Bugs Bunny comes along, sees the menace for the Earth, takes the explosive material out of the hands of Marvin and extinguishes the already burning string of the explosive substance. As already stated, art. I OST requires that the “exploration and use of outer space, including the Moon [...] shall be carried out for the benefit and in the interest of all countries”. Moreover, art. IV OST stipulates that “States parties to the Treaty undertake not to place in orbit around the Earth any objects carrying nuclear weapons or any kinds of weapons of mass destruction, install such weapons on celestial bodies, or station such weapons in outer space in any other manner.”¹⁰

Even if we don’t know exactly the composition of this explosive sticks, – the Illudium Q-36 – it seems nevertheless that its material has unspoken destructive capacities as Marvin makes use of it to launch it on Earth to destroy the Earth. Therefore, it can be considered as a weapon of mass destruction which is not allowed to be installed on the Moon or in outer space. Moreover, art. IV-2 OST disposes that “the Moon [...] shall be used by all States Parties to the Treaty exclusively for peaceful purposes. [...] The testing of any type of weapons [...] shall be forbidden”.¹¹ The actions of Marvin cannot be considered at all as having “peaceful purposes”. Even if Marvin “only” wanted to test his magical sticks, this kind of testing of his Earth-shattering kaboom is clearly not allowed.

VI. Non-Appropriation of Celestial Bodies

In the film “Mad as a Mars Hare”, Bugs is sent by a rocket to Mars claiming, by planting his flag on the ground, Mars as his own in the name of the Earth. As Marvin does not agree with this and with the fact that Bugs wants to take his planet away from him, the battle between these two starts. The same action is undertaken in “Duck Dodgers in the 24 ½th Century” in which Daffy Duck is fighting the same battle for space territory. He comes first on the scene and is planting his flag on the ground by saying “I claim this planet in the name of the Earth”. Then Marvin arrives in his Martian Maggot rocket

¹⁰ Art. IV-1 OST.

¹¹ Art. IV-2 OST.

and claims the planet in the name of Mars by also planting his flag in the ground “I claim this planet in the name of Mars! Isn’t that lovely?” This is the beginning of a fight between these two cartoon characters as they both pretend that there is not enough room on this planet for both of them. However art. II OST resolves this conflict very easily as “outer space, including the moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means”. Therefore the planting of their respective flags on the ground of this planet is nothing more than a nice gesture without any legal implications – like the planting of the flag by the US astronauts on the Moon.

VII. Registration of Spacecrafts and Aspects of Responsibility and Liability

A further question arises with the appearance on the screen of the diverse cartoon characters with their respective spacecrafts. The audience can see a flying object (a kind of mix between rocket and plane) with the inscription “Mars to Moon Expedition” belonging to Bugs. Marvin is also presented in various films with a number of spacecraft, sometimes with an interstellar flying saucer or other spacecraft. But it is widely questionable if Marvin’s space endeavours have a peaceful purpose. Meanwhile Bugs Bunny’s space object has the inscription “Mars to Moon Expedition”, one of Marvin’s spacecraft is named “V16”. Therefore the question arises if this flying object “V16” has a peaceful purpose or, rather, is part of military equipment as the “V16” may make allusion to the former Nazi rocket V1 and V2 program.

However, for all spacecraft the question of registration has to be raised as art. VIII OST stipulates that “A State Party to the Treaty on whose registry an object launched into outer space is carried shall retain jurisdiction and control over such object, and over any personnel thereof, while in outer space or on a celestial body”.¹² Moreover art. II-1 Registration Convention (REG)¹³ asks to establish and maintain a national registry¹⁴ of space objects. Even if we do not know the exact details of these crafts and the expression “object launched into outer space” is a very wide terminology, generally every object launched into outer space in order to explore or use outer space is considered as a space object.¹⁵

Moreover, art. VIII-1(1) OST makes no difference between objects launched by States or private entities as may be in the case of Bugs’ craft. This space

12 Art. VIII OST.

13 UN Registration Convention “Convention on Registration of Objects Launched into Outer Space (1976).

14 This national registry has not to be confound with the UN Register of Objects launched into Outer Space.

15 Cf. Hobe/Schmidt-Tedd/Schrogl, Cologne Commentary on Space Law, Vol. I, 2009, p. 150.

object may be “launched” by its private movie company. Moreover, art. I lit. c REG precise that the “State of registry” means a “launching State” which has registered the concerned space object. Art. I lit a REG and art. VII OST are stipulating the four criterions of a “launching State”. Therefore even if the private company had launched Bugs Bunny’s spacecraft into orbit (presumably the Warner Brothers Film studios), and the territory of facilities from which the rocket is launched is unknown, the US can be considered as the launching state as one of its private companies, the Warner Brothers Film studios have at least procured the launch of this space object. This applies to the case for Bugs’ spacecraft (the launch of which was procured by the film studios) and for the launch of Marvin’s spacecraft. Thus, for both spacecraft the US may be considered as the launching state.

Furthermore this art. VII OST is an important aspect as it allows one to establish the link between a State’s international responsibility for its national activities and its international liability for damage caused by its space objects.

“Each state Party to the Treaty that launches or procures the launching of an object into outer space, including the Moon and other celestial bodies, and each state Party from whose territory or facility an object is launched, is internationally liable for damage to another State party [...] or to its natural or juridical persons by such object.”

Concerning the damage resulting from the actions of these space endeavours, the US may be held responsible and liable.

VIII. Space Traffic Management

In the movie “Hare-Way to the Stars”, Bugs is launched into space in a kind of rocket. Shortly after his launch, he is hit by the Sputnik satellite. Moreover, another movie presents the race/battles between the two spacecraft of Bugs and Marvin. Marvin’s spacecraft is approaching from the rear to the spacecraft in which Bugs and Daffy Duck are sitting. Therefore these movies are already raising space related questions like space traffic management. The intense and close contact between the various spacecraft of the acting characters reveals once more the importance and need for a space traffic management. The film was produced decades ago (the flying space objects look therefore more like planes) but it has nothing lost from its actuality that need for space traffic management. The international community has therefore to agree upon rules which should guide the traffic in outer space.

IX. Conclusion: Further Developments

In “A Christmas Carol” Marvin is working as an employee in Daffy Duck’s “Lucks Duck Super Store”. Homesick for his planet, he wants to go home to Mars for Christmas, but his boss Daffy Duck does not let him take holidays

off, as Marvin is foreseen to take over the Christmas shift. Moreover, Marvin continues to threaten that he wants to destroy the Earth. After the visit of the Christmas ghost by Daffy, he changes his mind and generously lets Marvin leave for Christmas. Moreover he even gives Daffy a rocket which is faster than the speed of light, thus enabling him to reach Mars by yesterday – allowing him to be in time for the Christmas festivities. This film allows a view into the future and predicts a way how possible problems might be resolved. Additionally, it is a good gesture that Daffy grants Marvin his Christmas holidays even if he threatened that he would destroy the Earth. Moreover, with the decades and perhaps thanks to the influence of Marvin's contacts with earthlings, he changes his character; he even turns into a character that saves the Earth. In the computer game "Marvin the Martian vs. Mars Attacks Invasion" it is up to Marvin to save the Earth from Martian impostors.

Generally the movies are reflecting very well the fear and the new topics/technical possibilities of their times (upcoming space technologies, possible accident with a space object/satellite etc.). Therefore it is quite understandable that the international community in a very short time agreed upon new rules which have to regulate this new domain. Therefore the Outer Space Treaty was considered as a kind of Magna Charta, to secure and regulate this upcoming new technology, [...] the beginning of space law!