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Cryonics and Twilight Saga: A Legal and Allegorical Perspective

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Abstract: **Cryonics and Twilight Saga: A Legal and Allegorical Perspective**
There is no such thing as a mere coincidence in twilight and cryonics: both evoke images of cold and frozen stasis and are engaged with notions of body autonomy, ultimately the reminiscence of cold (vampires, indeed, are called "the cold") and the desire of eternal life. Moreover, Twilight encapsulates a unique relational paradigm between mortal human beings and the immortal supra-human beings, the vampires. Within the discourse of life and death narratives, this research paper explores why the Twilight Saga may offer a compelling yardstick to understand the cultural, ethical, and legal dimensions of cryonics. In essence, the Twilight saga permits us to reflect on "foundational" questions within contemporary legal discourse in the context of cryonics.

Keywords: Cryonics, Law and Literature, Bioethics, *Homo Sacer*, The Undead.

Summary: 1. The dream to live forever – 2. From fiction to "science": from Spanish Flu to Covid-19 – 3. Living in a house in the woodland – 4. Vampire, cryopatiens, and zombies through the lens of *homo sacer* – 5. Twilight saga and cryonics: literature and law.

1. The dream to live forever

Who wants to live forever? Isabella, or Bella, Swan should be the correct answer, I guess. Nonetheless, an ensuing question arises: what is the umbilical cord between cryonics and the Twilight saga? The answer would be straightforward: not only does Twilight celebrate its anniversary in 2025, but also, a new film is coming out. Furthermore, both Twilight and cryonics are reminiscent of the idea of frost and frozen material: vampires are called 'the colds', similarly, a cryopatient is stored under -196 C° nitrogen.

Even though both Cryonics and Twilight Saga are under the spotlight, albeit for different reasons and, seemingly, for different audiences, further motivations link Twilight and Cryonics with each other. To commence, Carlisle Cullen is a doctor who, during the Spanish flu, "saved" people using his power. He is a vampire-doctor because, thanks to his transformation into a vampire, he offers a chance for the defeat of terminal illness.

Moreover, members of the Cullens live in a house in the woods: this shows their distance from the human world. To elaborate, to guarantee the safety and not show their real nature, the vampire stays alone, away from humanity, in a "segregated" venue.

In approaching a further element, both cryonics and the Twilight narrative recall the idea of self-determination in medicine: the disposal of bodies and the will to fight against death. An ancillary topic alludes to (human) empowerment and medicine. The Cullens have the power to always be in contact with each other thanks to telepathy. In every single moment, each member of the family does know feelings, desires, and wills of the others.[1]

Similarly, through a specific application of cryonics technique, called neuropreservation, it is permitted a neurological exchange of information among individuals. As a result of this treatment, he/she will not be a human, rather a hybrid being since the human brain would be placed into a synthetic body or robotic body. Consequently, this new individual does not qualify as a human or a robot but as a hybrid being.[2]

Despite Twilight saga is not based on cryoconservation technique, it may be a paradigm to understand how both mortal and immortal beings may live together. This saga highlights the difficulties of coexistence and convivence between the mortal world and the immortal one.[3] In other words, metaphor and both languages and imaginary skills permits to glance into "Twilight", a practical example of the relationship between human and non-human as well as mortal and immortal beings.

Before approaching the breathing heart of this research paper, a clarification appears as imperative, *i.e.*, the benefit of reading an innovative and, potentially, forthcoming medical practice to a contemporary masterpiece, which the Twilight saga is. As it has been written, and as it will be explained throughout this research work, Twilight saga and cryonics share a significant number of similarities: the existence of undeath individuals, the moral, and consequently, legal dilemma, regarding the application of "speculative" medical practice when the purpose is avoiding/preventing dead, the allusion to cold temperatures since both vampires are called "the cold" and cryonics requires the use of ice and the low temperatures.

Moreover, as the vampire family lives in a woodland, at the border of the society, despite their full integration into it, similarly, the cryopatient, *i.e.*, the individual under liquid nitrogen, lies in between two borders: the border of life and the border of the dead. From a geographic perspective, too, the cryopatient exists at the border of society: for example, one of the different organisations, Alcor Life

[1] Also, Edward Cullen has the power to read the thoughts of everyone around him, however he cannot access the mind of Isabella Swan.

[2] P. de Gioia Carabellese, C. Della Giustina, *The Law of Cryonics: A Legal, Philosophical and Financial Analysis*, Routledge, London-New York, 2024.

[3] The solution for the Twilight Saga is love, as the foundation of the relationship between vampire and its victim. A. Sanna, "The Postmodern Evolution of Telepathy from Dracula to the Twilight Saga", in *Gothic Studies*, 15 (2013), n. 1, pp. 66-75.

Extension Foundation, which offers these services, is based in Phoenix, Arizona. More appropriately, Alcor Life Extension Foundation exists in a nondescript industrial park, where a low- slung building stands and over 100 animals, storing and freezing into the cryo-chambers, in a venue where outside the structure, the climate of the contemporary is hotter than ever. Hence, the reference to the concept of *homo sacer*, particularly according to Agamben's theory.

2. From fiction to "science": from Spanish Flu to Covid-19

Twilight constitutes a suitable paradigm to explain cryonics for a further element: Carlisle Cullen is a doctor, a vampire doctor acting during the Spanish pandemic. During this pandemic, the cryobiology of tissues, blood, and cells were developed. Similarly, after the Covid-19 pandemic, cryonics through cryothanasia[4] could have a new and crucial application. Therefore, metaphorically speaking, the relation between Twilight and cryonics, *rectius* cryothanasia, turns out to be even clearer. As Carlisle Cullen applied the "vampire cure" as a medical treatment, similarly, cryonics, according to specific circumstances, should pursue an ethical and moral objective. This may occur thanks to cryothanasia.

Cryothanasia means a new model of euthanasia and, more precisely, a new way to achieve the disposal of one's own body. Cryothanasia encompasses, at the same time, the idea of euthanasia and the application of cryonic procedures. In other words, people could stop their lives and then restart, in a second, the course of their existence. More precisely, in some specific circumstances, such as a terminal illness or a scarcity of health resources, it may be better to "suspend" a life and, at some future point, start the human existence again.[5] During the time of suspension, the suspended person should be in a state more like a pharmacological coma; consequently, in this case, cryonics may have a medical and fair goal.

The main idea is that the techno-scientific development is expected in a way and to such an extent that it gains a social value, and not only a junk or speculative aim. This signifies the application of cryothanasia in circumstances characterised by health resources scarcity; therefore Covid-19 pandemic comes to mind. During the pandemic,[6] the decision about the life and death of patients became critical for

[4] C. Della Giustina, "Cryothanasia: A Medical Law Definition", in *Biomedical Journal of Scientific & Technical Research*, 61 (2025), n. 5, pp. 53943-53945.

[5] The Leitmotif is the following one: "The fundamental human condition of courage is that man is not immortal [...]. If life were not normally taken from mortal man one day anyhow, he could never risk it. The stakes would be too high, the courage required would be literally inhuman, and life [...] would become the central human concern, overruling all other considerations". H. Arendt, "Europe and the Atom Bomb", in Id., *Essays in Understanding 1930-1954. Formation, Exile, and Totalitarianism*, Schocken Books, New York, 1994, p. 421.

[6] For an overview about Covid-19 health emergency, see C.M. Günther, "Legal vs. Extra-Legal Responses to Public Health Emergencies", in *European Journal of Health Law*, 29 (2022), n. 1, pp. 131-149.

physicians, due to such reasons as sudden inflow of patients, and shortage of staff and equipment.[7] It is well known that, during the health emergency of 2020, an extraordinary situation arose where, as a consequence of a scarcity of health resources, some countries followed selective policies limiting access to healthcare for the elderly.

The main problem during the first phase of Covid-19 was managing all sick patients, when a large portion of the population was contaminated. In this respect, the number of patients who required special care and hospitalization was so high that the availability of equipment and the quantity of multidisciplinary teams needed to cope with the emergency were in a situation of scarcity.[8] There is also the fear that the dearth of these resources could lead to a collapse of the health system.[9] Consequently, it is compulsory to arrange for a rationing of equipment and interventions. In this respect, the ensuing, yet dramatic question, is about the fair allocation of these resources.[10]

This dilemma is concerned with the so-called "tragic choices" because the output of decisions taken by staff is quite simple: who lives and who dies.[11] Before the Covid-19 pandemic, it was a trite statement that cryothanasia uses resources that could be allocated to more urgent needs.[12] From a different perspective, if cryothanasia becomes a successful medical treatment, it will be an effective alternative in circumstances where health resources are not enough. The conceptual kick-off of the analysis is that cryonics is – or if not, it should become – a scientific and medical health treatment or practice.

However, the logical consequence is that, if another situation of health resources' scarcity materialises, cryothanasia may be a solution. In other words, thanks to cryothanasia, the medical staff will be able to "suspend" the patient's life to manage the best allocation of health resources. Additionally, in light of a new medical disease, cryothanasia achieves also another goal: giving time to physicians to read, study, and analyse a new sickness.[13]

[7] A.A. Karumathil, R. Tripathi, "Culture and Attitudes Towards Euthanasia: An Integrate Review", in *OMEGA-Journal of Death and Dying*, 86 (2022), n. 2, pp. 688-720.
[8] P. de Gioia Carabellese, C. Della Giustina, "The Tragic Choices During the Global Health Emergency: Comparative Economic Law Reflections", in *European Public Law*, 28 (2022), n. 2, pp. 189-202.
[9] N.M.B.C. Neves, F.B.C.S.N. Bitencourt, A.G.V. Bitencourt, "Ethical Dilemmas in COVID-19 Times: Decide Who lives and Who Dies?", in *Revista da Associação Médica Brasileira*, 66 (2020), suppl. 2, pp. 106-111.
[10] E.J. Ezekiel, G. Persad, R. Upshur, B. Thome, M. Parker, A. Glickman, C. Zhang, C. Boyle, M. Smith, J.P. Phillipset, "Fair Allocation of Scarce Medical Resources in the Time of COVID-19", in *The New England Journal of Medicine*, 382 (2020), n. 21, pp. 2049-2055.
[11] I. Domenici, F. Engeser, "The Institutional Tragedy of Pandemic Triage Regulation in Italy and Germany", in *European Journal of Health Law*, 29 (2022), n. 1, p. 130.
[12] F. Minerva, *The Ethics of Cryonics. It is Immoral to be Immortal*, Palgrave Macmillan, London, 2018, p. 108.
[13] P. de Gioia Carabellese, C. Della Giustina, *The Law of Cryonics…*, cit.

As a result of this, vampire medical treatment and cryothanasia share a common characteristic: if the main goal is preserving human life and avoiding death, even an unconventional practice may assume a different, perhaps more favourable, meaning.

3. Living in a house in the woodland

Continuing through Twilight's metaphoric narrative, the members of the vampire family live in a house in the woods, away from society. Similarly, a cryopatient, under liquid nitrogen, is not part of human society. Both examples allude to a situation where some individuals are, at the same time, inside and outside society, in this case, human society. Therefore, the reminiscence of *homo sacer*, and, consequently, of bare life. According to Agamben's theory, the *homo sacer* is "situated at the intersection of a capacity to be killed and yet not sacrificed, outside both human and divine law".[14]

Suh approach appears shaped by Shakespeare's King John. Hence, "King John" encompasses some elements strictly connected with the *homo sacer* figure, such as sovereignty and its legitimacy. the religious factor, divine rule, the refugee figure, and the sacrificial theme. The medieval and early modern society's relationship of sovereignty to the sacred arises from the original form of "bare life". A bare life materialises when an individual is initially included, but paradoxically excluded, in the juridical/legal order, not from any divine sanction or relationship with the transcendent.[15]

The Shakespeare's world and our world mystify the same ancient bare life: in Shakespeare, it is religious, whereas in the contemporary world, it has secular connotations. However, it is important to stress that "the ancient form bare life took when initially included by exclusion in the juridical-political order links us to Shakespeare, not any secular teleology".[16]

From Agamben's perspective, to understand homo sapiens' notion, a distinction between *bios* and *zoē* is required. About these two concepts and the demarcation line existing between them, it is possible to argue that "*Bios* is almost holy, whereas *zoē* is certainly gritty". That they intersect in the human body turns the physical self into a contested space and into a political arena. Historically, mind–body dualism has functioned as a shortcut through the complexities of this in-between, contested zone.

[14] G. Agamben, *State of Exception*, University of Chicago Press, Chicago, 2005, p. 48.
[15] C. Della Giustina, P. de Gioia Carabellese, "Covid 19: The Emergency From The Standpoint of Courts", in *Unità e Pluralità del Sapere Giuridico*, (2025), n. 1, pp. 189-202. See also P. de Gioia Carabellese, C. Della Giustina, "Health Emergency, Courts and the Rule of Law. A Virus in a Legal System?", in *European Public Law*, 31 (2025), n. 4, pp. 449-466.
[16] K. Jackson, "'Is It God or the Sovereign Exception?': Giorgio Agamben's *Homo Sacer* and Shakespeare's King John", in *Religion & Literature*, 38 (2006), n. 3, pp. 89-90.

One of the most persistent and helpful fictions talked about human life is that of its alleged self-evidence, its implicit worth. *Zoē* is always second best, and persistence of life independently of rational control, even regardless of it and at times despite it, is a dubious privilege attributed to nonhumans, a category that includes all the animal kingdoms as well as the classical "others" of metaphysically based visions of the subject, namely, the sexual other (woman) and the ethnic other (the "native"). In the old regime, this category used to be called "Nature".[17]

Zoē "expresses the simple fact of living common to all living beings (animals, men, or gods)"; by contrast, *bios* "indicates the form or way of living proper to an individual or a group".[18]

A further pillar is the notion of bare life, a term extrapolated from ancient Roman law: *homo sacer*, or, alternatively, bare life, is differentiated from both legal and political rights-bearing of the citizen. Further, it is important to highlight that *homo sacer* is not a synonym for bare life: the former embodies the latter only insofar as it is included within the political order. In a nutshell, everyone who is removed from the proper jurisdiction of law is transformed into *homo sacer*. They maintain an extra-legal relationship with the law by having been excluded from it.[19]

Consequently, *homo sacer* is situated in an area of opacity, and his life is reduced to *zoē*. *Homo sacer* is the body outside the law in which there is a ban on its sacrifice, but, at the same time, this life could be ended with impunity. Within the ban, the sovereign declares a state of exception where law is suspended, and bare life is abandoned by the law. The sovereign exception is a suspension of the juridical order that is instituted for the sovereign to operate outside the law on bare life.

For Agamben, the ban encompasses and links together the two poles of the sovereign exception: "bare life and power, *homo sacer* and the sovereign". More precisely, the ban of *homo sacer* from the community is the element where the sovereign reveals its power and its political nature. In other words, it is possible to summarise as follows: "What has been banned is delivered over to its own separateness and, at the same time, consigned to the mercy of the one who abandons it – at once excluded and included, removed and at the same time captured".[20]

[17] R. Braidotti, "The Politics of Life as Bios/Zoe", in A. Smelik, N. Lykke (eds.), *Bits of life: Feminism at the Intersections of Media, Bioscience, and Technology*, University of Washington Press, Seattle, 2008, p. 179.
[18] G. Agamben, *Homo Sacer: Sovereign Power and Bare Life*, Stanford University Press, Stanford, 1998, pp. 6-9.
[19] S. DeCaroli, "Boundary Stones: Giorgio Agamben and the Field of Sovereignty", in M. Calarco, S. DeCaroli (eds.), *Giorgio Agamben: Sovereignty and Life*, Stanford University Press, Stanford, 2007, pp. 43-69.
[20] G. Agamben, *Homo Sacer…*, cit., p. 110.

4. Vampire, cryopatiens, and zombies through the lens of *homo sacer*

Reading both vampires and cryopatients as *homines sacrii* is permitted because vampires, often, are considered as inhuman, in fact either undead bodies or moving corpses. Defining vampires as both un-human and non-human[21] requires a reflection on the notion of 'body' and life. Moreover, it should be emphasised that in the Twilight Saga, the Cullens are merely apparently included in the human world. Carlisle Cullen is a doctor who collaborates with the Foks police. Similarly, other members (e.g., Edward, Alice, Rosalie, Emmett, and Jasper) are students of the Foks High School. Despite this engagement in the civil society, they are, fundamentally, outside both the society and the law: nobody knows who they are and, most importantly, if someone discovers the truth, it will signify imprisonment, death, and, finally, the end of Cullens' existence. Consequently, *homo sacer* seems to be appropriate.

The *homo sacer* notion encapsulates a paradox: when an individual assumes this *status*, he/she cannot be executed, but if someone kills them, there is no homicide.[22] To elucidate, *homo sacer* is the bare, vulnerable body on which sovereignty most distinctly exerts its power. Additionally, *homo sacer*'s body shows the relation outside both human law and religious law, the relation in which bare human life is taken as a subject by the sovereign power, only to be excluded from the political order in the moment of inclusion. Further, the *homo sacer*'s body encompasses the sphere in which it is permitted to kill without committing homicide and without celebrating a sacrifice.[23]

This opens the door to the relationship between *homo sacer* and sovereignty: something or someone might be sacred since it represents a divine principle of law or, alternatively, because it is a set of rituals expressive of the highest relation with the divine.[24]

What is described above gives rise to the ambivalence surrounding the concept of the sacred: what is designated as sacred is inherently opposed to what is deemed dirty or unclean.[25] In the idea of *homo sacer*, this ambiguity becomes apparent: *homo sacer* is accused of defiling what is considered pure while simultaneously embodying impurity, which must be eradicated.[26] The sacred, paradoxically, comes to represent its opposite – the unclean – and must be excluded from the group, community, or society. Once again, the link with vampires appears evident.

[21] J. Godlewicz-Adamiec, P. Piszczatowski (eds.), *Culture – Environment – Society. Humanities and Beyond*, Brill, Leiden, 2024.
[22] G. Agamben, *Homo Sacer…*, cit., p. 83.
[23] K. Jackson, "'Is It God or the Sovereign Exception?': Giorgio Agamben's *Homo Sacer* and Shakespeare's King John", cit.
[24] W.E. Connolly, "The Complexities of Sovereignty", in M. Calarco, S. De Caroli (eds.), *Giorgio Agamben: Sovereignty and Life*, cit., pp. 23-42.
[25] E. Durkheim, *The Elementary Forms of Religious Life*, Free Press, New York, 1995.
[26] G. Agamben, *Homo Sacer…*, cit., pp. 75-80.

Through the sovereign act of imposing a ban, both the figure of the outlaw (metaphorically represented as a werewolf) and the concept of lawlessness are brought into existence. This ban effectively draws a boundary between the realms of civilization and the state of nature. Thus, political sovereignty law plays a crucial role in making a distinction between those included and, on the opposite side, those excluded from citizenship rights.[27] The sovereignty of bare life resides in the grey area of lack of identification of what inclusion is, and what exclusions are, on the other hand. The *homo sacer* is simply excluded through the ban. At the same time, paradoxically, he is included by virtue of his relationship with the sovereign. It is crystal, in Agamben's view, that the concept of both bare life and sovereignty is already intertwined, as from its medieval notion. This notion takes on board both the sacred kingship and the "king's two bodies".[28]

Ultimately, Agamben[29] argues that the "original activity" of a sovereign – whose founding act of violence makes possible the political-legal order – involves "the production of 'bare' life" (*zoē*) to achieve a politicised and qualified "good" way of life (*bios*).[30] The paradox of grounding sovereignty on this becomes obvious, as suggested by the same definition of *zoē*, or bare life. Not only does bare life imply suffering and an exposure to life, but also it embodies a certain "natural sweetness" that has a value in and of itself.

The natural sweetness is confirmed, from both the function of political life and the juridical-political order established by value in and of itself. More precisely, the last goal is to shape a model of a good political life. This is instrumental in realising the sovereign to be pursued. *Zoē*, or bare life, is captured by and excluded from the political order; hence, they (viz., political order and bare life) have in common the same founding moment. The inclusion/exclusion of *zoē* represents the ground of sovereignty: this is an aporia that may be expressed in the following question: "How does one include a notion of bare human life (*zoē*) in the political

[27] D. Spencer, "Sex Offender as Homo Sacer", in *Punishment & Society*, 11 (2009), n. 2, pp. 219-240.
[28] E. Kantorowicz, *The King's Two Bodies: A Study in Mediaeval Political Theology*, Princeton University Press, Princeton, 1957.
[29] It is critical to highlight that Agamben is working with the logic of the jurist Carl Schmitt: he identifies as the sovereign "exception". The latter says that this sovereign exception does not refer to a return to a state of chaos brought on by some emergency because the sovereign emergency is, simply, a strange withdrawal or, better, a suspension of the existing judicial order during a state of emergency wherein the juridical order maintains a relation to this sovereign state of exception. M. McConkey, "Anarchy, Sovereignty, and the State of Exception: Schmitt's Challenge", in *The Independent Review*, 17 (2013), n. 3, pp. 415-428; S. Prozorov, "A Farewell to *Homo Sacer*? Sovereign Power and Bare Life in Agamben's Coronavirus Commentary", in *Law and Critique*, 34 (2023), n. 1, p. 79.
[30] G. Agamben, "Homo Sacer", in J. Rivkin, M. Ryan (eds.), *Literary Theory: An Anthology*, John Wiley & Sons, New Jersey, 2017, pp. 792-793.

organization or political life (*bios*) that has as its founding gesture the very exclusion of bare life?"[31]

Agamben's theory appears crucial also for the interpretation offered to human death: death is the transition from *bios* to *zoē*, hence it marks living beings as being killable.[32] This, more in general, is encapsulated[33] in the fascinating topic called biopolitics, *i.e.*, "the original activity of sovereign power".[34] In essence, the insertion of "biological life" into sovereignty is the beginning manifestation of politics. From this, the connection with cryonics arises.

If *zoē* is a "life destined to die",[35] in the cryonics imaginary to become only *zoē*, *i.e.*, in dying, it is not worthy. It recalls the notion of "life unworthy of being lived" or "life devoid of value". This concept applies for the first time to all individuals who must be considered as "incurably lost", because of an illness or an accident, and who desire "redemption" and have somehow communicated this will. More problematic is the *status* of the individuals who are defined as "incurable idiots, either those born as such or those, for example, those who suffer from progressive paralysis – who have become such in the last phase of their life". These have neither the will to live nor the will to die. On the one hand, there is no ascertainable consent to die; on the other hand, their killing does not infringe upon any will to live that must be overcome. Their life is absolutely without purpose, but they do not find it to be intolerable. Also in this case, Binding sees no reason to "not to authorize the killing of these men, who are nothing but the frightening reverse image [Gegenbild] of authentic humanity".[36]

In essence, the dissolution of an individual life, through death, is the most important feature of a mortal being. Consequently, cryo-conservation should be explained in two different ways. In a literal one, it is a preservation of parts of the human body, with the intention of preserving consciously experiencing human subjects. From a symbolic perspective, cryonics may appear to be a project of "dezoefication", because the hope is to maintain the human element thanks to a death ultimately defeated.[37]

Cryo-patients become *homines sacri,* since they lose their rights: after the declaration of death, the body is no longer medically supervised, and the

[31] K. Jackson, "'Is It God or the Sovereign Exception?': Giorgio Agamben's *Homo Sacer* and Shakespeare's King John", cit., p. 88.
[32] A. Colombino, P. Giaccaria, "Dead Liveness/Living Deadness: Thresholds of Non-Human Life and Death in Biocapitalism", in *Environment and Planning: Society and Space*, 34 (2016), n. 6, pp. 1044-1062.
[33] H. Mustafa Tagma, "Homo Sacer vs. Homo Soccer Mom: Reading Agamben and Foucault in the War on Terror", in *Alternatives*, 34 (2009), n. 4, pp. 407-435.
[34] G. Agamben, *Homo Sacer…*, cit., p. 6.
[35] M. Vatter, "Eternal Life and Biopower", in *The New Centennial Review*, 10 (2010), n. 3, p. 218.
[36] K. Binding, A. Hoche, *The Release of the Destruction of Life Devoid of Value: Its Measure and Its Form*, R.L. Sassone, Santa Ana, 1975, pp. 31-32.
[37] F. von Verschuer, "Freezing Lives, Preserving Humanism: Cryonics and the Promise of Dezoefication", in *Distinktion*: *Journal of Social Theory*, 21 (2020), n. 2, pp. 143-161.

Government has very few claims to be staked on this body. After this moment, therefore, when the individual is pronounced dead, "the body can be turned over to that person – and thus to a cryonics company – to be "disposed of in the form of preservation and storage".[38] In this respect, the individual is not merely a body, not a corpse, since he/she becomes *homo sacer*, who at the same time is both included and excluded by the law: the death certificate points out this change of status.

Cryo-patients, as *homines sacri*, do not have the same rights as living people and individuals who want to be cryo-preserved in the future. The reason for this is that they have their own rights linked with their status, such as cryoconservation. Moreover, the combination of homo sacer-cryopatient is justified by the lack of protection. To elaborate, cryopatients have no rights regarding mistreatment, violation of the contract, or safety of their privacy.[39]

A potential explanation about the *Fil Rouge* that existed between the Cullen's family – *i.e.*, vampire – and cryopatient may come from an Australian Scholar[40] who, in a quasi-paradoxical paper, described a society in which the neighbour of the human is a "zombie". In such research work, there is a reminiscence of a false pandemic in which the "Undead" poses an existential threat to the contemporary liberal democratic State and, consequently, to humanity. Yet, the existence of such a non-human being becomes an opportunity to study the legal concept of personhood.

In summing up what has been said above, not only do vampires, cryopatients, and zombies enjoy immortal status, but also, they were not born as such (vampires, zombies, and cryopatients): initially, they were both human and mortal beings. In continuing to this line of reasoning, the additional step is that, if science, medicine, and IT development are junk, the "pandemic" is where individuals are, fundamentally, "zombie".[41] *Mutatis mutandis*, junk, in this context, can be interpreted as "unregulated" or "without any kind of limits".

[38] T. Romain, "Extreme Life Extension: Investing in Cryonics for the Long, Long Term", in *Medical Anthropology*, 29 (2010), n. 2, p. 199.

[39] It is important to highlight that cryonics patients are considered as property. The case-law is *Doodeward v Spence* (1908) 6 CLR 406. The Court defined the demarcation line between a death body before burial and after. In the first case, an unburied corpse, awaiting burial is nullius in rebus. After burial, the corpse forms part of the land in which it is buried, and the right of possession goes with land. Moreover, the Court stressed also the question about possession of a human corpse unburied is in *re ipsa* unlawful. The conclusion is that in the present case the body came into possession not unlawfully and, in absence of a positive law to the contrary, an action will lie for an interference with the right of possession. Among Scholars, see P. Turnbull, "Legally Acquired? The Moral and Legal Context of Collecting Indigenous Australian Human Remains in Colonial Australia", in M.T. Milicia (ed.), *The great laboratory of humanity: collection, patrimony and the repatriation of human remains*, CLEUP, Padova, 2020, pp. 235-270.

[40] B.B. Arnold, "Is the Zombie My Neighbour? The Zombie Apocalypse as a Lens for Understanding Legal Personhood", in *Canberra Law Review*, 14 (2016), n. 1, pp. 25-46.

[41] It should be noted that 'zombie' is a word used to allude to something that is not alive, for instance, N.S. Stephens, "In Vitro Meat: Zombies on the Menu?", in *SCRIPTed: A Journal of Law, Technology & Society*, 7 (2010), n. 2, pp. 394-401.

5. Twilight saga and cryonics: literature and law

Reading cryonics through the Twilight lens demonstrates the importance to adopt a metaphorical and imaginary language also in law. To illustrate, in this research paper, the main research question was: "Who wants to live forever?" and the relevant answer, based on the Twilight saga, was Isabella, or Bella, Swan, since she is engaged in a relationship and, after marriage, with a vampire whose destiny is to live forever due to his immortal status. Based on this, the topic of cryonics has been approached, delivering a parallelism between what cryonics is and what the narrative is in the Twilight saga.

Because of this, it emerges that the Twilight saga encompasses an impressive number of similarities within cryonics. For example, the assonance between the transformation from human being to vampire – on one side – and the application of cryonics, cryothanasia, to preserve human life – on the other hand. Both the vampire transformation and cryothanasia recall the discussion among the band and the good science, or, in this specific case, medicine. Furthermore, the risk of cohabitation between humans and non-humans has been analysed: there is a risk that, as happens for the vampire family, which lives in a woodland, a prospective immortal human being will be constrained to live on the border of society. Thus, the concept of *homo sacer* is an individual outside and inside human society at the same time.

In trying to summarise everything, a potential synopsis, based on the Twilight saga, may be the following: an innovative medical practice, even if speculative or unknown, may assume a positive interpretation. Similarly, the literature provides us with warnings regarding the implementation of medical practice or technological innovation that aspire to go beyond the natural limit, such as death. The reference goes to Dr. Frankenstein of Mary Shelly: it demonstrates how technological development does not constitute the straightforward application of value-free science. More precisely, technological development in the medical field represents the expression of a continuum of moral and social factors affecting all stages of scientific research.[42]

[42] See B.H. Chin-Yee, "In Retrospect: Frankenstein and Medical Technology", in *University of Toronto Medical Journal*, 92 (2014), n. 1, pp. 42-43. See also R.D. Romanyshyn, *Victor Frankenstein, the Monster and the Shadows of Technology: The Frankenstein Prophecies*, Routledge, London-New York, 2019.