1983

Cryonic Suspension: A Prospect for Immortality

George P. Smith II

The Catholic University of America, Columbus School of Law

Follow this and additional works at: http://scholarship.law.edu/scholar

Part of the Bioethics and Medical Ethics Commons

Recommended Citation


This Article is brought to you for free and open access by CUA Law Scholarship Repository. It has been accepted for inclusion in Scholarly Articles and Other Contributions by an authorized administrator of CUA Law Scholarship Repository. For more information, please contact edinger@law.edu.
advantages of Cryonics and how it will affect our legal structure.

For the interest of my colleagues, I am inserting Professor Smith's analysis:

**CRYONIC SUSPENSION: A PROSPECT FOR IMMORTALITY**

(By George P. Smith, II, professor of law, Catholic University Law School)

By冷冻法, the body temperature of a cancer patient 32 degrees from the usual 98.6 degrees for 41 minutes—stopping his heartbeat and inducing a state of hypothermia approximating suspended animation while performing surgery to remove a kidney growth which had spread through the vein, cava, into his heart—a group of physicians unwittingly advanced the possibility of at some time in the future allowing medical science of achieving a total body suspension in order to combat physical death, generation caused by such occurrences as cancer, heart disease, etc.

Popular interest in cryonic suspension, or "deep-freeze" burial, was highlighted recently in a news story which reported a jury award of $75,000 for damages for breach of contract and fraud against a cryotomium—or place where the suspension of the cryon is conducted—for its failure to provide continuous and prophylactic care for two "defendants." The cryons were thawed and their family maintained this legal action. The network, in a segment of its program, "Prime Time Saturday," broadcast on March 15, 1980, reported on the state of the art of cryonic suspension and found that approximately one hundred people had contracted to be frozen upon death, for an initial cost of $12,000.00 and a current cost of $100.00 a year for maintenance thereafter. Another figure sets the costs of suspension at $80,000.00. In 1978, some twenty-two bodies, or cryons, were then in suspension.

**CRYOBIOLOGY AND ITS PROCESSES**

Working with low temperature experiments in the 1950's, biologists designed the term, "cryobiology," in order to describe those investigations which were conducted well below normal body temperatures. Cryogenists, according to the technologists of low temperature experiments, while cryonics pertains to all disciplines and programs centered on human cold storage.

A nurture of cryobiology is replete with successes in the freeze-preservation of viable cell suspensions, blood serum and micro-organisms, semen and non-viable tissues used for transplantation, cryosurgery, advanced research into the freeze-preservation of large mammalian organs and the plethora of other exciting areas. Although the experimentation and successes in transplanting human organs proceeds with definite success, a total cryonic suspension of an entire human body and its revival has yet to be achieved.

**CHALLENGES TO LAW AND MEDICINE**

The major concern of both law and medicine in meeting the challenges presented by the developing use and eventual perfection of cryonic suspension is to organize itself in such a way as to perform all tasks as partners in this area where dynamic decision-making is demanded. Law must not be merely anticipatory to the challenges of the New Biophysics, but must develop its basic postulates for action from, by, through and with medicine.

---

Footnotes at end of article.
34808

before death. Indeed, to fail to recognize death as death would play havoc not only with the law of property and succession, but also to destabilize the very social and religious fabric of society.

A NECESSARY PARTNERSHIP

Rather than wait until the reality of human cryonic suspension occurs in order to make the necessary legal or ethical mechanisms, law and medicine should begin to anticipate and to plan now for this and the other rapid developments of the New Biology, which, not only will change, but necessarily will create something frighteningly new world which will come in its aftermath. Only with a full and complete understanding between law and medical science can enduring progress—as opposed to unchartered chaos—be recorded as the benchmark of the 21st century.

FOOTNOTES


3 Newsweek, July 7, 1980, at 8.


11 Ibid.

12 Ibid.


17 "Minutes of the Eleventh Meeting of the President’s Commission for the Study of Ethical Problems in Medical and Biomedical and Behavioral Research," Vol. 3, (July 9, 1983).


23 TURKISH FEDERATED STATE OF CYPRUS

HON. LANE EVANS
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 18, 1983

Mr. EVANS of Illinois. Mr. Speaker, recently, Mr. Robert Crandall, a senior fellow at the Brookings Institute, wrote a review of "The Next American Frontier" and "Industrial Renaissance." As we all know, the Brookings Institute is well known as a liberals haven. However, in this particular review by Mr. Crandall, we find out he does not accept the assertions of Mr. Reich, and in fact finds Mr. Reich's assumptions and conclusions to be mistaken completely. Contrary to Reich's contention, the industrial sector did not decline markedly from the mid-1960's to 1980. And since 1975, the United States has outperformed every major industrialized nation on the planet. The industrial policies of foreign governments have not been the great success that Reich claims, but a dismal failure.

Crandall agrees rather with the conclusion drawn by William Abernathy. Kim Clarrt, Alan Kantrow in their study of the automobile industry: that international competition is essential to revive flagging industries. The problems of the American economy result from excessive wages, government subsidies and protection, and lack of competition, the conditions that a national industrial policy would proudly continue.

Along with my fellow colleagues, I do not support proposals to create a national industrial policy. We need an aggressive foreign economic policy that incorporates the strengths of the free market system. At this point, Mr. Speaker, I would like to insert into the Record Mr. Crandall's penetrating review of the two books.

CAN INDUSTRIAL POLICY WORK?

(By Robert W. Crandall)

Any traveler to the industrial belt between New York and Milwaukee can see that our manufacturing sector is in trouble, but how—he may ask—have we fallen so far and so fast? Two new books from different sides of the Charles River at Harvard give us very different answers and, correspondingly, different solutions to the problem.

Robert Reich of the John F. Kennedy School of Government argues in The Next American Frontier that the problem lies in the inability of industry to shift to new products and new markets. His book sounds the drumbeat for industrial policy, a prescription with obvious appeal to center-left politicians as they gear up for the 1984 campaign.

On the more conservative right bank of the Charles, William J. Gray, Kim Clark, and Alan Kantrow of the Harvard Business School see things differently. The problem with basic industry is that it has failed to adapt to increasing competition, changing technology, and new product demands. To