ZOMBIES!

NOT JUST THE UNDEAD, BUT THE NEAR-DEAD AND THE NEVER-LIVING: AN INTRODUCTION TO SCRIPTed's "ZOMBIE" ANALYSIS SECTION

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Zombies.

They disgust us.

They repel us.

They terrify us.

And we love them.

Popular culture is awash with the undead. In films such as *Night of the Living Dead* (1968), *Dead of Night* (1974), *Dawn of the Dead* (1978), *Army of Darkness* (1992), *28 Days Later* (2002), *Shaun of the Dead* (2004), and *Zombieland* (2009), they are metaphors for rampant consumerism, classism, feminism, the civil rights movement, and the Vietnam war.[1] In books such as *I, Zombie* (1982), *Voodoo Dawn* (1987), *Autumn* (2005), *World War Z* (2006), *Dead City* (2007), and a host of recent offerings, including *Pride, Prejudice and Zombies* (2009), *Patient Zero* (2009), *Plague of the Dead* (2009), and *Day by Day Armageddon* (2009), they are a means of addressing weapons of mass destruction, terrorism, cultism and science that has run out of control. Of course, as with many literary or cultural tools, zombies are mostly reflections of who we are, at our worst and at our best, and their deployment in popular culture is only increasing.

Now, just because SCRIPTed is a serious interdisciplinary academic journal with an emphasis on technologies and their regulation does not mean we should hesitate to engage with the fantastic, the speculative or even the creepy. Indeed, some would argue that the new technologies which we frequently use as the platforms for our academic contemplations – from embryonic stem cell research, to human-animal hybridisation techniques, to a variety of nanotechnologies – *are* fantastic and creepy. Nor should we shy away from engaging with, or drawing on, popular culture; both law and the social sciences are absolutely embedded in, and shaped by, popular culture.[2] In fact, significant academic discourse prior to our small offering has focussed on the zombie. For example, anthropologists have long studied and actually exposed (living) zombies,[3] philosophers have explored the nature of consciousness through a debate about the conceivability of zombies,[4] and neuroscientists have

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[1] There are hordes of interpretations of these films, particularly Romero's *Dawn of the Dead*. For example, see S Harper, "Zombies, Malls and the Consumerism Debate: George Romero's *Dawn of the Dead*" (2002) available at http://www.americanpopularculture.com/journal/articles/fall_2002/harper.htm (accessed 21 April 2010), J Fay, "Dead Subjectivity" (2008) 8 *New Centennial Review* 81–101, and many others.

[2] Indeed, the international workshop from which some of the following papers derive – GikII 2009 held last September in Amsterdam – is premised on exploring the nexus of popular culture, technology, and so-called geek law. See http://www.law.ed.ac.uk/ahrc/gikii/index.asp (accessed 21 April 2010).

[3] See, for example, the discussion in B Harrison, "Zora Neale Hurston and Mary Austin: A Case Study in Ethnography, Literary Modernism, and Contemporary Ethnic Fiction" (1996) 21 *MELUS* 89-106.

[4] See, for instance: F Jackson, "Epiphenomenal Qualia" (1982) 32 *Philosophical Quarterly* 127–36; S Shoemaker, *The First-Person Perspective and Other Essays* (Cambridge: CUP, 1996); D Chalmers, *The Conscious Mind: In Search of a Fundamental Theory* (NY: OUP, 1996); D Chalmers and F Jackson, "Conceptual Analysis and Reductive Explanation" (2001) 110 *Philosophical Review* 315-360, R Stalnaker, "What is it Like to be a Zombie?" in T Gendler and J Hawthorne (eds), *Conceivability and Possibility* (Oxford: OUP, 2002) 385-400; P Bokulich, "Putting Zombies to Rest: The Role of Dynamics in Reduction" (2004) available at http://people.bu.edu/pbokulic/papers/zombie.pdf (accessed

considered questions about the structure of our minds and the nature of intuition using the zombie metaphor.[5]

The present Analysis Section, with its five pieces, addresses the distinctly human, the curiously ambivalent (middle ground), and the more purely technological.[6] First, as is appropriate (though perhaps in a slight wander from the usual remit of SCRIPTed), Inglis educates us about the living zombie, and how natural pharmaceutically-imbued substances are used to practical effect in "voodoo" cultures such as those that persist in places like Haiti, and how such cultures interact with modern governance practices. Stephens considers how emerging technologies are making it possible to generate edible flesh without the need for the breath of life. Schafer examines how the development of artificial intelligences (AI) will allow people to "return from the grave", to offer advice and direction to their descendants. Abel and Harmon offer a vision of how the convergence of a range of new technologies, including genomics, AI and nanotechnologies, may offer new capabilities and give rise to new risks and legal dilemmas. Maurashat examines how zombie-like remote programmes – malware – are already being deployed to bedevil computer users around the world.

So, while some of these articles sit more comfortably with the zombie metaphor than others, this is our nod to popular trends and that frequently too narrowly understood entity: the zombie. As with the zombie metaphor itself, these articles address technologies, the law, and current technical capabilities to varying degrees, and each one is in some way an outlier to the others. But they do have a common thread: they explore modern and (near) future phenomena which, for some, have a hint of the macabre, and with which the law (and society) must be prepared to cope. Moreover, the majority of these papers are, in large part, preliminary considerations demanding further critical analysis.

We hope you find them both enjoyable and thought-provoking.

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21 April 2010); W Lycan, "Stalnaker on Zombies" (2007) 133 *Philosophical Studies* 473-479; J Heil, "Reply to Neil Williams" in G Romano (ed), *Symposium on From an Ontological Point of View by John Heil* (2007) 89-95 available at www.swif.uniba.it/lei/mind/swifpmr/0620072.pdf (accessed 21 April 2010); B Garrett, "Causal Essentialism versus the Zombie Worlds" (2009) 39 *Canadian Journal of Philosophy* 93-112.

[5] See BBC, "Health: The Zombie in Us All" (2 September 1998) available at http://news.bbc.co.uk/1/hi/health/163451.stm (accessed 21 April 2010).

[6] And for any who think that the purely technological or mechanical forecloses the possibility of zombies, we refer to *The Terminator* (1984). This film franchise postulated that technologies are a likely vehicle for realising the zombie visions we dread so much (i.e. that of an unstopping, unthinking, parody of life which has the single purpose of destroying organic life).