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# Rethinking legal time: The temporal turn in socio-legal studies

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## Abstract

This article explores the relationship between law and time in the context of ecological and climate change. It argues that bringing a focus on time into legal thought and practice is an important move for decentering the individual subject as conventionally conceived and for developing legal tools capable of recognising networks, ties and assemblages, and challenging the anthropocentric character of modern law. It frames ecological and climate change as a background for rethinking a number of fundamental legal forms as ways in which modern law can deal simultaneously with different temporalities – the present, an intergenerational time and a planetary time.

## Key words

Legal personhood; rights of nature; legal time; climate change; private law

## Resumen

Este artículo explora la relación entre derecho y tiempo en el contexto del cambio ecológico y climático. Sostiene que centrar la atención en el tiempo en el análisis y la práctica jurídicas es un paso importante para descentrar al sujeto individual tal y como se concibe convencionalmente y para desarrollar instrumentos jurídicos capaces de reconocer las redes, los ensamblajes y los colectivos, así como de cuestionar el carácter antropocéntrico del derecho moderno. Considera el cambio ecológico y climático como un contexto para repensar una serie de formas jurídicas fundamentales como formas mediante las cuales el derecho moderno puede tratar simultáneamente con diferentes temporalidades: el presente, un tiempo intergeneracional y un tiempo planetario.

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## Palabras clave

Personalidad jurídica; derechos de la naturaleza; tiempo jurídico; cambio climático; derecho privado

## Table of contents

> I wonder if there might not be another idea of human order than repression, another notion of human virtue than self-control, another kind of human self than one based on dissociation of inside and outside. Or indeed, another human essence than self.
>
> Anne Carson (1995)

## 1. Introduction

The debate on the legal representation of non-human entities has greatly advanced in recent years. With the deepening of the ecological crisis, we are observing a gradual shift from a mainly speculative discussion on the issue to a legal practice of granting legal status to non-humans. Examples abound in both legislation and case law, and include the recognition of the rights of nature, the attribution of legal personhood to natural resources, and the granting of rights to future generations. While the innovative character of these advances cannot be overlooked, it is worth reflecting on the impact that such transformations bear on the structure of modern law – on the forms that provide its core. The expansion of legal personhood to include entities belonging to the natural world, future life and even non-life, does not seem to challenge the foundations of the modern legal subject. What is not questioned is the ideological substratum of this subject – a white, male, property-owning being constructed in opposition to a non-white, female Other that is assimilable to "nature" and available for commodification and domination (Merchant 1990, Grear 2015, Petersmann 2022). The risk, then, is to reaffirm a relationship between the individual and things that remains utilitarian, extractivist, and based on the conception of property that is dominant in modern legal thought – absolute, individualistic, exclusive. The result is a missed opportunity to decentre the modern legal subject and instead strengthen the ideology that informs it (Marella 2021).

Although decentering the subject is a widely evoked move, it is by no means an easy one to carry out in the domain of legal technique. Modern law seems hardly capable of recognising the ties, networks and webs that transcend the mere individual subject; it can barely function without referring to the latter as the centre of imputation for all legal relations, as a kind of magnetic pole around which interests, rights and duties aggregate. As Michele Spanò pointed out, this aspect of modern law is a formal one: it has nothing to do with the ideas and values that underpin modern legal systems, but with their structural functioning. Individuality is a logic that pervades both private and public law: the former is based on a conception of the individual as an isolated person who is free to buy and sell, while in the latter the individual is the atom of the body politic. Modern society is the result of this dual process of individualisation, which defines modern law from the outset (Spanò 2022b).

In this paper, I argue that focusing on the relationship between law and time is a fundamental step for reconceptualising and decentering the modern legal subject. The ongoing ecological crisis can also be interpreted as a stage in which, perhaps more than at any other time in the history of modern legal thought, a variety of temporalities are knocking at the law's door and demanding recognition. If they are reappearing now, it is because they have never entirely abandoned modern society, despite the hegemony of a historical conception of time that has prevailed in Western legal thought. More broadly, my argument is that conducting alternative genealogies of modern law can help find legal forms that have traditionally occupied the margins of Western legal systems and in which diverse temporalities can be accommodated. This kind of exploration

would enrich not only socio-legal scholarship but also the social science debates seeking to build a conceptual apparatus to cope with the specificities of the current time that we continue to call "crisis".

This article will be structured as follows. In Part 2, I will review the legal techniques by which the extension of legal personhood to non-human entities, and in particular to the natural world, has increasingly moved out of the realm of philosophical speculation and into the one of legislation and case law. I will summarise the main critiques of such developments, which point out that the scope of legal personhood is being extended without thoroughly questioning its ideological content, and that there is a risk of "moralising" the natural world and reaffirming the anthropocentric character of modern law. In Part 3, I will focus on legal time, that is, on how modern law institutes time as a means of disciplining and governing different temporalities. Through legal time, different temporalities are subordinated to historical time – a concrete, objective time that resembles an arrow pointing indefinitely from the past to the future, development and infinite growth. In Part 4, I will explain how a "temporal turn" has developed in socio-legal studies, drawing on contributions from feminist and postcolonial scholarship that have challenged the hegemony of historical time and instead pointed to an idea of time as something other than a homogeneous, forward flow. In Part 5, I will explain why conceptualising ecological and climate change as the emergence of a gap between legal time and other temporalities can help to conceive legal concepts and techniques suitable for dealing with the consequences of environmental disruption. I will maintain that the current stage requires us to take into account other temporalities – not only intergenerational but also non-human, planetary, dispersed – in legal thinking and practice. In the Conclusion, I will argue that private law is a field in which the temporalities of modern law can be reconfigured through fictional devices.

## 2. The extension of legal personhood and its critics

It has now been more than fifty years since Christopher Stone famously proposed that legal rights should be given to forests, oceans, rivers, and "the natural environment as a whole". Because rights are socially constructed, he argued, as society changes, entities that were previously denied them – such as the natural world – become endowed with them and can then be represented in court (Stone 1972, p. 456).

Stone's proposition is at odds with one of the very foundations of modern legal thought, namely the theory of subjective rights. The idea developed by Friedrich Carl von Savigny in his *System des heutigen römischen Rechts* that each person, and only each person, has legal capacity was essential to conceiving modern law as a tool for organising social relations (Savigny 1840–49). This building of the subject was necessary both logically and pragmatically: on the one hand, to define a layer that pre-exists any individual's encounter with the outside world; on the other hand, to provide shelter against the arbitrariness of power (Spanò 2019). However, this construction has been criticised from the beginning of Western legal thought, namely by scholars pointing out that there have always been situations in which rights exist in the absence of any subject attached to them, such as in the case of pending inheritance (Orestano 1968).

Although dissonant with subjective rights theory, Christopher Stone's ideas have recently been widely translated into legislation and case law. In the context of the climate

crisis, a rights-based approach to the legal protection of the environment keeps expanding. This response seems to oscillate between two poles: on the one hand, liberal attitudes that agree on the importance of recognising an individual human right to a healthy environment; on the other, critical responses that are also based on a liberal orientation – as they focus on individual victims and their ability to have their rights protected – but criticise the anthropocentric focus on human life of the former approach (Petersmann 2022). In particular, the second of these two strands proposes to extend the status of the subject of rights to non-human beings who are otherwise deprived of legal capacity or who are recognised by law only as resources to be exploited. This is the case, for example, with the enshrinement of the rights of nature into constitutions (Tanasescu 2022), the recognition of natural resources and non-human animals as legal subjects (Hermitte 2011), or the legal acknowledgment of future generations in the name of a principle of intergenerational equity (Gosseries 2008). These transformations also have significant political implications, as they let new notions of citizenship emerge in the context of climate change (Jasanoff 2010).

The legal advances just mentioned have met with several criticisms that can be divided into two main categories. The first one is represented by critical approaches to international law pointing out that what remains excluded from the extension of legal personhood to the natural world are all the webs, ties and networks made of human and non-human entities; in other words, a renewed insistence on the individual as a logical structure is denounced as prevailing over the legal recognition of life as a process, a flow rather than an essence. Drawing on postcolonial, decolonial and new materialist approaches, these scholars claim that the legally recognised concept of the living should be revised to encompass what remains outside of a crucial threshold: the moment of individualisation, constitutive of modern legal systems, through which the legal subject emerges (Petersmann 2022). Until this happens, personhood will keep reaffirming, through legal mediation, the conventional relationship of domination that the modern legal subject – white, male, property-owning – has over all that is not him – an Other that is feminised, racialised, constructed as an object to own and plunder (Grear 2015). For example, promoting the rights of nature without interrogating the relationship between the legal subject and its Other risks serving as a universalist discourse through which power imbalances are maintained and radical political goals are deferred (Tanasescu 2022, Gilbert *et al.* 2023). The result is the reinforcement of the dichotomy between "the West and the rest" and the naturalisation of the colonial histories of legal personhood (Rawson and Mansfield 2018).

Another theoretical strand that can be helpful in illuminating the limits of the expansion of legal personhood is a post-structuralist approach based on a genealogical reading of modern law. In his archeological inquiry of Western legal forms, the legal historian Yan Thomas showed how in Roman law – the principal ancestor of modern law – the subject first emerged as a reflection, a secondary effect of the non-human world, which was endowed with immediate normative power. In other words, the legal subject would only appear as such in relation to things. But the latter were not considered to be a natural given either, as they were constructed through legal procedure – *res* meant at once "thing" and "process". This artificialist and materialist perspective on law implied that all things, including what was qualified as "nature", were produced by legal technique (Thomas 1991, 2002). Adopting this perspective on the ongoing process of "juridification

of nature“ can be useful in revealing the ideological and moral stance underpinning some of the narratives backing these legal advancements. It unveils how such legal discourses and tools can indeed strengthen and perpetuate the main dichotomies – subject/object, person/thing – on which modern law operates and which make it irredeemably anthropocentric (Spanò 2020).

Both groups of critics just presented seem to share one thesis: the existence of a strong ideological basis supporting the modern subject of rights that is validated by the extension of legal personhood to the natural world. They point to the difficulty of qualifying relationships beyond the individual subject when the tools and rationality of modern law are employed – to the inability of modern legal systems to “read“ a composite, hybrid, more-than-one subject. Interestingly, this limit of modern law first emerged precisely in relation to a context belonging to the natural world, more specifically the forest. As James Scott showed, the introduction of forest management in eighteenth- and nineteenth-century Prussia was the first attempt by an administrative state apparatus to name, discipline and regulate the manifold relations that permeate the natural world. In this scenario, the legal technique – in the form of administrative law instruments – was used for what was not simply an ordering process, but a material transformation of reality: a wide range of relations permeating the forest were not registered by law and therefore not recognised as such because they could not be framed in a logic of profit and value extraction. The process of forest management thus carried out became the paradigm for all subsequent state-led operations to reduce social realities involving multiple processes and relations to a readable, organised and simplified model. What happened first in the European forest was then applied to other areas crucial to state-making, such as urban planning and land administration (Scott 1998). It is in the forest, as it were, that the modern state first mirrored itself. The simplification of webs, ties and bonds that the modern legal machine performs is not just an accident of its existence, but one of its core logics.

## 3. Legal time: how law regulates and disciplines temporalities

In order to stand up and act, the modern legal subject needs a specific temporality – a particular representation of what time is – that is not only recognised but even constructed by law itself. Bruno Latour famously argued that one of the characteristics of modernity is how it has managed to construct a temporal framework in which the passing of time abolishes any past behind it; to be modern is also to “sense time as an irreversible arrow, as capitalisation, as progress“ (Latour 1993, p. 69). The time of modernity is historical in the sense that it is linked to social and political action, “with concretely acting and suffering human beings and their institutions and organisations“ (Koselleck 2004, p. xxii). It is also chronological, namely based on the succession of all conceivable events that can be isolated and contained in an uninterrupted flow (Kracauer 1966). The most effective image of modern time is that of an arrow pointing in an indeterminate onward direction, alternately called “development“, “progress“, “future“ (Fitzpatrick 1992). The hegemony of this conception of time implies the marginalisation of other temporalities that permeate human and social life, starting with those that represent time as cyclical. Gradually, linearity replaced recursiveness and repetition in the modern Western world (Greenhouse 1989). Linear time imposed itself with its transcendent quality, which is the secularisation of the arrow of time that

connects the Origin with the day of Judgement, passing for all the days in between (Cullmann 2018). Christian and Roman in its historical roots, time thus conceived became a tenet of the imperialist and capitalist system. With the introduction of the clock, it became the time of the factory, the colony and society altogether, radiating all the way from Greenwich. As E.P. Thompson wrote in analysing the link between time, work discipline and the rise of industrial capitalism, and in meticulously reconstructing the spread of the clock through modern English society, "time is now currency: it is not passed but spent" (Thompson 1967, p. 61).

The social sciences have acted as guardians of this modern concept of time, reinforcing its naturalisation. Whenever it has posited time as a collective representation of experience in society (as in Durkheimian theory) or as a progression of changing social forms (as in Marxist thought), social theory has contributed to the reproduction of the hegemony of historical and chronological time (Greenhouse 1996). The peculiarity of law in relation to the social sciences is that it does not only ensure the prominence of such a vision of time: it also constantly constructs it through its processes of abstraction. The special power of law is its capacity to institute: to name and at the same time to discipline things, including time, in a single gesture (Spanò 2022a). Time as a cultural and social formation is also, and importantly, fabricated and reinforced by legal technique. The fact that law institutes time does not mean that it ignores the existence of the various temporalities that are diffused in human and social situations (Terré 2012). It does mean, however, that it seeks to regulate and order them, thereby producing and reproducing the gap between the historical time of modernity and other temporalities.

Of all the techniques that have given shape to Western societies, law thus emerges as the one dedicated to resolving the incongruities that stem from the coexistence of multiple forms of time. By instituting time, law seeks to overcome such inconsistencies: it reifies society as temporally and spatially situated outside of any individual or collective experience, embodying this transcendent character in institutions; and it claims to be the only means that is available for resolving conflicts arising between individuals. In order to instantiate time, law has to manipulate it significantly: it has to create techniques that incessantly stretch the arrow of time backwards and forwards. By instituting time, law itself acquires a temporal quality: that of timelessness, or of "all-times" – linear, but multidirectional (Greenhouse 1989, p. 1642). This can be observed in both common law and civil law systems, which operate according to a temporal logic that prioritises precedents and codified norms respectively (Manderson 2019). Normativities – the processes by which normative power is attributed to certain things and not to others – are essentially temporal facts.

## 4. The temporal turn in socio-legal studies: bringing time into legal analysis

In recent years, the relationship between modern law and time has received increasing attention. Drawing on a number of critiques of historical time developed in postcolonial studies and other fields,[1] a new methodological approach to law has recently emerged

[1] Postcolonial scholarship has highlighted how the adoption of a decentered global perspective implies recognising the coexistence of multiple temporalities. In this approach, what is called the present – the shared historical moment – is necessarily plural and not one. The condition of postcolonial existence is to live in knots of time, as it were, where traces of multiple pasts and futures coexist. See Hall (1996) and

in critical legal studies that suggests expanding the concept of time used in legal analysis beyond legal time to include other temporalities. From a methodological point of view, the idea is to move beyond the focus on the spatial dimension of the law that has been established in recent decades, and instead to grasp legal phenomena in both their temporal and spatial dimensions. This move aims at countering a certain predilection for space in socio-legal studies, which can be resumed as the "spatial turn", which, drawing on the thought of Foucault and Lefebvre, has focused on the spatial component of law.[2] This scholarship has focused on the link between law and space and on how the two are co-constitutive: for example, legal geographers argue that not only does law produce space, but that space itself, constantly traversed by negotiations and conflicts between actors, creates normativities.[3] While the spatial turn has provided useful tools for studying socio-legal phenomena typical of urban late capitalist contexts – for instance, the mobilisation for the commons[4] – it has also implied a methodological preference for space over time that can be problematic for a number of reasons. The first one is the reification of space, which becomes a monolithic and static concept that is not problematised and is presented in opposition to time (Massey 1994). Secondly, by omitting the dimension of time, the spatial turn reinstates the typically modern marginalisation of those temporalities that do not fit into the paradigm of historical time. Any focus on time in legal facts is thus denied its analytical potential and misinterpreted as a move to promote historicism (Valverde 2014).

To overcome the limits of the spatial turn, feminist legal scholars have recently developed some theoretical tools that highlight the temporal aspects of law. Such concepts take into account the complex relationship between law and time that is neglected by most legal scholarship, even the critical one, and allow for the consideration of the multiple temporalities that inhabit modern law despite the hegemony of historical time.

A first concept allowing a radical rethinking of the relationship between law and time was introduced by anthropologist Carol Greenhouse and can be summarised as "resistance to historical time". While for modern societies time has a specific form – an arrow pointing indefinitely towards what is called the future, development, progress –, human and social practices persist in which the privilege of historical time is challenged. Indeed, "cyclical time idioms suffuse Western concepts of private life and personal life: birth and death, the generations, dust to dust, the ages of man, marriage, parenting – all of these cultural images invoke cyclical time" (Greenhouse 1989, p. 1637). Linear and cyclical time thus continue to coexist in Western society: ideas of natural and life cycles persist alongside the hegemony of linear time, of which a person's life is only a segment. In the social and cultural competition between linear and cyclical modes of time, law

Chakrabarty (2000). Even feminist and queer studies have criticised modern time, undoing it as a cultural formation through which a specific ideology of the nuclear family and heteropatriarchal relations is conveyed and reinforced (Halberstam 2005, Muñoz 2009).

[2] On the end of the historicist perspective in the social sciences in favour of a resurgence of space in the twentieth century, see Foucault (1980). On the production of space as intersubjective and subjective, see Lefebvre (2009).

[3] For an overview of legal geography see, among others, Soja (1989), Blomley (1994) and Delaney (1998).

[4] For a focus on the urban commons from a law and space perspective, see at least Harvey (2013), Bresnihan and Byrne (2015) and Foster and Iaione (2015).

plays a crucial role in guaranteeing the primacy of the former over the latter. It can be argued that the predominance of linear time is an effect of law – and not vice versa (Grabham 2016). However, law and its powerful tool for regulating temporalities – legal time – do not succeed in completely erasing non-linear temporal modes.

A second tool useful for reconceiving the relationship between time and law is the chronotope, introduced into socio-legal studies by Mariana Valverde. First used in literary studies by Mikhail Bakhtin, who in turn was inspired by Einstein's idea of space-time in physics, this concept offers a way of classifying texts, including legal ones, according to the different modes in which they frame space and time. Bakhtin introduced this idea as the cornerstone of a new method of ordering literary forms, arguing that genres differ in the way they construct space-time. The chronotope is

> the intrinsic connectedness of spatial and temporal relationships (…). Time, as it were, *thickens*, takes on flesh, becomes (…) visible; likewise, space becomes charged and responsive to the movements of time, plot, and history. (Bakhtin as cited in Valverde 2014, p. 67)

What Valverde proposes, by recovering Bakhtin's chronotope, is to merge the spatial and temporal analysis of law into a spatio-temporal perspective (Valverde 2015). Instead of considering the spatial and temporal dimensions of law as separate and prioritising the former over the latter, socio-legal research should focus on how each legal form – property or contract, for example – is informed by and reaffirms a particular configuration of space-time. The introduction of the chronotope into socio-legal analysis is a move with great heuristic potential. It illuminates not only the spatial dimension of law, but also how legal techniques produce and reproduce specific spatio-temporalities. Just as "legal times create or shape legal spaces", Valverde suggests, so "the spatial location and spatial dynamics of legal processes in turn shape law's times" (Valverde 2014, p. 67).

The spatio-temporalities that inhabit law are more diverse than a conventional approach to law, focusing on space and reducing time to history, would lead to believe, and recent socio-legal scholarship is welcoming this suggestion. Drawing on Greenhouse's intuition about law as a machine fabricating social and cultural time, Emily Grabham showed how different legal temporalities incessantly emerge from our relationship with things, which include legal concepts, objects and artifacts (Greenhouse 1996). Such legal things make time material and apparent; there is a "thing-ness" of legal time that makes it available for an empirical critical inquiry (Grabham 2016, p. 11). Even critical approaches to the international legal field are increasingly focusing on the temporal rhythms and ideas that provide the core logic of human rights law, such as forward-moving progress, calendar time and urgency (McNeilly and Warwick 2022). Furthermore, recent scholarship focusing on criminal law has highlighted how in the context of a legal judgment, law generates differentiated temporalities – different types of pasts and futures – that are more important than legal rules in determining what the subject and the event of the adjudication are (Chowdhury 2020).

On the other hand, Valverde's concept of the chronotope was employed to show that a "poly-temporal" ethnographic approach to legal facts is possible and should be further developed. Karen Knop and Annelise Riles showed how private international law is a realm in which the temporal dimension is particularly crucial, since courts have to

decide not only which jurisdiction applies, but also what temporal scope should be assigned to each legal rule. Hence, what is defined as an event in court has a spatio-temporal diffusion: it is amplified and transformed by the circulation of individuals, things, discourses – including legal ones. Not only space but also time emerges as relationally constituted. Judges should thus learn to work with spatio-temporal diffusion, that is, with the coexistence of different times and spaces in one single case. Multiple histories should be taken into account, each actor involved in the case should be able to frame their claims differently and no universal solution can be produced. The private legal form stands out for its potential to reverse and redirect temporalities, as it functions as a device for dealing with the future. Legal time is profoundly reconfigured by this approach: it is no longer linear, but local and relative – politically and spatially dispersed (Knop and Riles 2017).

## 5. Environmental and climate change as the return of marginalised temporalities

Having seen how the relationship between law and time can be rethought through concepts such as resistance to historical time and the chronotope, it is worth seeing how these can be deployed in one of the most transformative phases that have ever concerned legal studies, namely the current discussion on how to conceive legal instruments for ecological and climate change (Burdon 2015, Capra and Mattei 2015). It will be argued that the temporal turn in socio-legal analysis provides the ground for conceiving legal techniques appropriate to the ecological crisis.

One way of interpreting today's conjuncture is to read it as a moment in which a series of temporalities that do not coincide with historical time are dramatically emerging, and in which the limits of legal time, which have been emphasised thus far, are becoming clear. Repairing the damage done in the past to a community exposed to dispossession and pollution; the ongoing and irreversible process of depletion of natural resources; the protection of those not yet born from anthropogenic damage – these are all legal conundrums in which multiple and coexisting temporal layers emerge and demand recognition. Indeed, the current phase that some call the Anthropocene – an epoch marked by the destruction of natural ecosystems through anthropic activities (Crutzen and Stoermer 2000)[5] – can also be understood as a moment of major dissonance between the idea of time at the heart of modernity and the timescales of the Earth (Reisch 2001, Richardson 2017). This temporal quality of the Anthropocene consists of a coexistence of "the impact of the past, the looming pressures of the present and the long temporal arc of the imaginable future" (Grear 2019, p. 300). What is in crisis is, crucially, the hegemony of historical time, which has been central to modern consciousness and the functioning of modern law. Other temporalities are knocking at the law's door, and it's hard not to hear them. In the face of this, legal theory and technique seem to be out of sync with the scale and speed of change affecting environmental, social and economic realities. As different and coexisting temporal layers emerge and demand recognition, historical time reveals its contingent and constructed character, and demands to be broken down into

[5] Critics of the Anthropocene concept point out that its use fails to address the global North's greater responsibility for global emissions, as well as the racial violence embedded in the history of capitalism. See, among others, Chakrabarty (2021) and Haraway (2016).

another time, or times: poly-temporal, internally composite, multiple, impossible to homogenise (Browne 2014).

This fundamental shift in legal thinking is not mere speculation. For example, scholars debating the states' responsibility for carbon emissions are increasingly framing this discussion within an awareness of the colonial and racist histories of capitalist exploitation and resource extraction. More generally, the ability of existing legal institutions to cope with the effects of climate change is increasingly being questioned, precisely because of the latter's capacity to disrupt established notions of community, polity, time and space (Jasanoff 2010).

## 6. Conclusion: a temporal legal thinking

In this article, I have suggested that the temporal turn in socio-legal studies can provide insights for developing legal concepts and techniques that decentre the ideas of subject and time at the core of modern law. The context of ecological and climate change offers a great opportunity to open up "a conflict on form": to rethink the forms through which law carries out its operations of abstracting reality to make room for a different kind of subjectivity, one that is "determined more by what happens to her than by what she is capable of mastering" (Spanò 2022b, p. 18). This rethinking, which we might call temporal legal thinking, requires an approach to time that undoes the hegemony of historical time. Fostering a conflict over forms is an endeavour that can be undertaken from within modern law. In particular, the private legal form seems to have the potential to reconfigure the temporalities of law through its fictional power (Riles 2011). Private law functions as the infrastructure of social and economic life: in some way, every relationship passes through private legal forms – contracts, property, torts – which mediate everything we do (Spanò 2022b). Delving into the history of private law institutions with a genealogical approach is useful for identifying already available legal techniques that are suitable for accommodating multiple temporal logics (Pecile, forthcoming). Modern law can thus equip itself to be able to deal with at least three different temporalities: the present, namely the shared historical moment of our contingent politics; an intergenerational time involving the histories of communities in one place across different generations; and a "planetary time", such as the temporality of a forest, of a lake – the timescales of Earth itself (Chakrabarty 2021). To do this, jurists will have to adopt legal reasonings and tools that put an end to the coexistence of two incompatible logics: on the one hand, the infinite growth and wealth accumulation of capitalist modernity, which modern law has often served; on the other, the impossibility of this growth, or its continuation at the cost of extinction, which is revealed by climate change.

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