Law and Time

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The intellectual inspiration for this collection has been a flourishing, over recent years, in critical, socio-legal scholarship on law's temporalities. Such scholarship has begun to take seriously time's effects on law and social ordering. Yet legal scholarship also has shown a tendency to naturalise time. As Renisa Mawani puts it: 'law's time has too often been assumed rather than problematized' (Mawani, 2014, p. 69). Through the temporal operation of precedent in common law, commencement dates and sunset clauses in legislation, and even through horizons of time created through legal doctrine and discourse (e.g. constitutional originalism, foreseeability in tort), law has proved to be particularly open for temporal analysis. And whilst socio-legal scholarship has been adept at delineating the subjectivities, institutional arrangements and cultural expectations that shape legal engagements more generally, Mawani's argument is that much of this research has relegated time to a role as the background or container for social action or, at most, as a subjective experience that shifts depending on one's social or historical positioning. As she puts it: 'time is often assumed to exist as though it were a natural phenomenon, unfolding effortlessly and inconspicuously as the backdrop to social and political life' (Mawani, 2014, p. 70). The approach has been to overlook law's production of time, instead exteriorising time as something distinct from law itself (Mawani, 2014, p. 71). This continued attachment to the idea of time as a container for social life has been maintained alongside the law and geography movement's very well-established commitment to following the co-production of law with space, place and jurisdiction, denaturalising law and following the co-articulation of temporalities with spatial mechanisms (Braverman et al., 2014; Mawani, 2014; Valverde, 2015). It has also survived the curiosity about time that anthropologists – including legal anthropologists – have brought to the study of social ordering (Engel, 1990; Fabian, 2014; Greenhouse, 2014, 1996; Richland, 2013, 2008) and scholars of history have brought to periodisation (e.g. Davis, 2008) and historical time (Koselleck, 1985).[1]

In bringing together this collection on law's relationship with time, our concern has been to register an increasing commitment among scholars across disciplines to shift such patterns of engagement. Our own research over the past

few years has been preoccupied with the question of law's temporalities, drawing on a range of critical resources to investigate, through empirical research, the co-production of legal and temporal norms, subjectivities and political ontologies. In our related efforts to create an interdisciplinary network of scholars working on law and time,[2] we have noted a distinct openness to questions of law, regulation and legality from social sciences and humanities scholars working on temporality, on the one hand (e.g. Adkins, 2012; Amoore, 2013; de Goede, 2015; Mitropoulos, 2012; Opitz et al., 2015), and an incisive conceptual and methodological interdisciplinarity among critical and socio-legal scholars, on the other (e.g. Cooper, 2013; Cornell, 1990; Craven et al., 2006; Douglas, 2011; Fitzpatrick, 2013; Keenan, 2014; Philippopoulos-Mihalopoulos, 2013; Valverde, 2015; van Marle, 2003). Critical approaches to linear time and attention to law's shaping of time in diverse forms and through multiple techniques have animated research across disciplines. We hope that the present collection will highlight these shared concerns, fostering the cross-fertilisation of ideas and methods and further developing conversations on law and time between socio-legal scholars, anthropologists, sociologists, geographers, historians and others.

Our contribution is to hone in on questions of the 'making of time' through a focus on law, time's knotted relationship with matter, material processes and technologies. Attempts to understand time and change in the study of social life have been preoccupied by Newtonian continuity, what Karen Barad terms a 'tidy affair' in which: '(e)ffects follow causes end on end and each particle takes its preordained place with each tick of the clock' (Barad, 2007, p. 233). Within this story, time is eternal and non-material ('Matter is discrete but time is continuous', Barad, 2007, p. 233) and, moreover, the status of time as distinct from nature and matter is foundational of objective views of the world. Regular, eternal, container time has played a significant role in constituting scientific objectivity, yet these ideas of time and objectivity can be refigured (Barad, 2007, p. 233). For example, the advent of quantum physics disturbs the notion of container time and its associated objectivity. Time's crumpling and fluid qualities work beyond strictly linear approach to objects, events, human action and history (Serres and Latour, 1995), replacing the 'rolling unravelling stasis' of Newtonian physics with dynamic processes of mattering (Barad, 2007, p. 233).

In registering the call to move beyond notions of time as always naturally linear, containing of social action and progressive, we are interested in developing approaches to time that explore law's ambivalent, yet constitutive, roles in broader social and political processes of temporal ordering and in forming distinct temporal ontologies. If time can be plural and non-linear – if it can consist of 'polytemporalities' (Haraway, 2016) or 'chimneys of thunderous acceleration' (Serres and Latour, 1995, p. 57); if, crucially, time can be a participant or an effect in processes of social and material formation and not always the driver (Barad, 2007) – then we might investigate how law participates in the creation of temporal ontologies just as much as reflecting on how law itself is shaped by dominant temporal assumptions.

Setting aside the notion of linear container time is associated with assaults on received notions of objectivity by the so-called 'ontological turn' in social theory

(Barad, 2007; Mol, 2003), challenging distinctions common to modern thought between the natural world and human social action, between cause and effect and between discourse and matter (Haraway, 1991) that sustain an idea of time as exterior and exceptional (e.g. Latour, 1993). Refiguring time has been central to black quantum futurism (Phillips, 2015) and feminist new materialism (Coole and Frost, 2010), as much as it has animated studies broadly collected under the term 'actor network theory' and in wider social theory. Richard Tutton advocates conceptualising the future as an 'entanglement of matter and meaning' and 'enacted through particular material-discursive practices' (Tutton, 2017, pp. 485, 488). It is thereby possible to understand many temporalities as being created through mutual articulations between matter and meaning: as materialised, in other words (Tutton, 2017) in a move that brings time closer, denaturalising it along the way. For those interested in law, such an approach brings with it the potential for a multidirectional process of co-production between law, temporalities and other elements of social and political life (Valverde, 2015).

In particular, we would like to view law in creative juxtaposition with time's unsteady contingency on processes of mattering: what Barad terms the 'making/ marking' of time through 'lively' processes of 'enfolding' (Barad, 2007, p. 181). As such, we are interested in 'praxiographic' accounts of law and time (Grabham, 2016, following Mol, 2003), which open up unexpected alignments, as well as non-linear movements and which follow law's relationship with material and political intra-actions (Davies, 2017; Philippopoulos-Mihalopoulos, 2014; Pottage, 2014). Our argument, then, is for an approach to law, regulation and time that conceives of time (just as much as law) as made or co-produced, not pre-existing and separate, and which is engaged in dialogue with concepts of time emerging across disciplines.

Making time across disciplines

In this section, we signpost such conceptual trajectories by highlighting the incredible breadth of current work on time and temporality across disciplines, before going on to introduce the key themes arising from the collection as a whole in the section that follows. Rather than attempting to provide an exhaustive review of literatures on time, our aim is to trace lines of enquiry that might be productive for thinking about law within cross- or interdisciplinary studies of time and temporality. The task of articulating current or important literatures on time comes with significant risk of losing one's coordinates along the way. Yet curating encounters between disciplines requires a degree of journeying, straying away from received disciplinary commitments before re-engaging with new and stranger perspectives. This is part of our commitment to connecting up conversations about law's temporalities and time's legal manifestations.

Our journeying has shown us that scholars working on questions of time and legality have an increasingly rich range of resources on which to draw. Feminist and postcolonial thought has long been significant for challenging linear time and developmental historicism by dismantling apparently 'natural', homogenous

or teleological concepts of time. Historicism tends not only to foundationalise development as a driver of social progress and history, but also to reassert the idea that development is linked to time elapsing in linear mode. This form of linearity can be violently excluding of those who do not or cannot fit within the historico-developmental project. As Máiréad Enright puts it, writing in this collection: '(h)omogeneity enables a radical break with the past – there are no important stragglers' (this collection, p. 48). Identifying such temporal homogeneity and writing against it has been the task of a wide range of scholars. For example, Julia Kristeva's feminist intervention *Women's Time* poses a specifically female mode of temporality, characterised by repetition (through cycles and gestation), eternity; a form of monumental time that resides outside of linear time with 'no cleavage or escape', which is 'all-encompassing and infinite like imaginary space' (Kristeva et al., 1981, p. 16). Kristeva juxtaposes this with the time of history, the teleology of which, she argues, is masculine, civilisational and obsessional (Kristeva et al., 1981, p. 18). More recent reflections on normative gender and sexuality have taken up the challenge of understanding how social, sexual and economic arrangements are intertwined with powerful ideals of the life course. Feminist and queer scholarship has proposed approaches based on 'queer counter-historiography' (Freeman, 2011, 2005) and 'queer rationalism' (Power, 2009) to counter dominant modes of temporal organisation attached to productivism and development. Debates about the progressive potential of queer futures (Muñoz, 2007) and the centrality of 'reproductive futurism' to wider models of political rationality (Edelman, 2004) have explored how hetero-normative temporalities underpin exclusionary political horizons. Research on diverse queer and transgender experiences of time now complicates the epistemological primacy of sexed linear development and its associated social and cultural milestones (Conley, 2008; Dinshaw et al., 2007; Fisher et al., 2017; Halberstam, 2005; Jaime, 2017; Keeling, 2009). Feminist theories of non-chronological time (Barad, 2015; Walker, 2014), hope (Coleman and Ferreday, 2011) and crip analysis of futurity (Kafer, 2013) all articulate radical temporal alternatives.

In such accounts, materiality and material relations are often enormously significant and contribute to queering our understanding of corporeality. For example, Siân Beynon-Jones found that women's narratives of conception not only started at points much earlier than she had expected but described something more complex than a discrete point in time. 'Becoming pregnant' was a 'bodily state that emerge(d) over an extended time period, in relation to multiple, inextricable, socio-material processes with varying temporal rhythms', even as many women described their transition from non-pregnant to pregnant embodiment as a shocking and disruptive moment (Beynon-Jones, 2017, pp. 840–1). Surprisingly, women's accounts often gave hormonal contraception a central role in the process of becoming pregnant, suggesting that what others understand as the gestational time of the foetus is experienced by women instead as a more knotty and socially complex temporality, mediated through encounters with contraceptive technologies and heterosexuality and reaching further 'back in time'.

Allowing the strangeness of time to come to the surface is therefore not only empirically useful but also politically significant. This has been a recurrent theme within studies of colonialism, in which historicism and Enlightenment universalism have been critiqued for figuring colonial subjects and projects as 'behind' modern time (Chakrabarty, 2009; Scott, 2014, 2004). As Dipesh Chakrabarty puts it: 'Historicism is what made modernity or capitalism look not simply global but rather as something that became global over time, by originating in one place (Europe) and then spreading outside it' (Chakrabarty, 2009, p. 7). Posing Europe as the 'site of first occurrence' perpetuates a 'not yet' orientation to the colonies, relegating them to anachronism, archaism or other forms of out-of-time-ness. Chakrabarty notes that this 'not yetness' has been answered by the 'now' demands of national independence movements, which have essentially pluralised time by centring as political agents people who would otherwise have been deemed 'archaic'. By contrast, David Scott, writing about the failed Granada revolution of 1979, evokes what is for some, a pervasive temporal 'afterness' of postcolonial and postsocialist time (Scott, 2014, p. 21). This is a time or lived temporality in which, a moment of revolution having been and gone, generations have become stranded in the present. Here, in the aftermath of a longed-for event – a revolution, which also, in anticipation, played its own strong role in configuring temporal horizons – the present equates to ruined time and brings with it the task of responding to a loss of political hope (Scott, 2014, p. 71).[3]

Recent work on race and racialisation has approached linear time slightly differently. As in critiques of colonial time, scholars have noted an 'epistemological grammar' of advancement and backwardness that positions white subjects within a future-oriented paradigm of modernity and relegates non-white subjects to times and timeframes outside modernity (El-Enany, 2016; Gilmore, 2002; Smith and Vasudevan, 2017). Yet studies of race in critical geography, in particular, have emphasised how present biopolitical projects intrinsically rely on, and construct, future imaginaries (Smith and Vasudevan, 2017, p. 211). For example, as Shiloh Krupars and Nadine Ehlers have shown, biomedical racial targeting explicitly aimed at increasing the wellness of black subjects and populations ultimately re-enacts race through 'death-expectant' logics of intervention (Krupar and Ehlers, 2017, p. 233). Scholars have also noted, however, the dangers for non-white subjects of jettisoning practices of looking forward. Cultural theorist Jose Muñoz has argued in favour of maintaining practices of hope alongside temporal critique: 'It is important not to hand over futurity to normative white reproductive futurity' (Muñoz, 2007, p. 365).

Critiques of historicism, future-making, and linear time are necessary for unmooring essentialist knowledge practices that maintain colonial orders or particular configurations of gender, sexuality and race as 'timeless', 'modern' or 'advanced'. Yet these critiques have also emerged in conversation with cross-disciplinary research in areas such as finance; economic policy; science, technology and innovation; environmental policy; and security, for example, which focuses on the role of time in complex governing assemblages.[4] Such work is

extremely wide-ranging, encompassing topics as diverse as the analysis of risk (Amoore, 2004; Beck, 1992; O'Malley, 2004); crisis (Bryant, 2016; Cooper and Konings, 2015; Dowling and Harvie, 2014), environmental time (Adam, 1998); expectations and the construction of the future (Adam and Groves, 2007; Borup et al., 2006; Brown et al., 2000); speculation (de Goede, 2015, 2012); austerity times (Gray, 2016; Knight and Stewart, 2017); and pre-emption (Anderson, 2010; de Goede and Amoore, 2008). Feminist enquiries into the new economy have noted the far-reaching consequences of thinking through post-Fordist time and the temporalities of financial crisis, as well as engaging with alternative economic and community structures (Adkins, 2012; Cooper, 2012; Gibson, 2015; Sharma, 2014). Speed has also been a focus: critical studies have analysed the construction of urgency (Olson, 2015), cultural and political logics of speeding up and slowing down (Sharma, 2014) and the apparent acceleration of social life through technical and legal innovations (Francot and Mommers, 2017; Rosa, 2013; Wacjman, 2015). In turn, slowness has been investigated through concepts of 'slow traumas' (Alexandrakis, 2016), the 'slow violence' of environmental devastation and the aftermath of war (Nixon, 2011), for example, as well as the pre-figurative potential of 'slow' research (Berg and Seeber, 2016) and design (Pschetz et al., 2016).

Within this work as a whole, governance strategies are seen responding to, or anticipating, apparently urgent, overwhelming social dilemmas and their associated consequences: the catastrophe of climate change, for example, or the distributed, unpredictable threat of terrorism. Actors and organisations ranging from national governments to incipient activist networks mobilise terms such as emergency, premeditation, pre-emption, precaution, anticipation and resilience, articulating divergent positions on unknown yet near and soon-to-be experienced worlds. The term 'emergency', for example, emphasises a current and usually limited process of disruption or harm, which has the 'quality of unpredictable, rapid change and the time of a turning point' and which is for that reason difficult to map or anticipate (Anderson, 2017, p. 465). Whilst much scholarship has figured emergency in terms of exceptionality, specifically the 'state of exception' theorised in Agamben's work on sovereignty and the suspension of the legal order, other strands of thinking articulate emergency as a quality of a breakdown between apparently 'normal' and 'abnormal' events, consequent on increasingly connected social relationships, such that 'emergency' is a result of a kind of radical contingency (Adey et al., 2015). A range of future-oriented stances is rooted in the logic of taking action even before emergencies can unfold (Adey et al., 2015). By contrast, 'premeditation' describes a set of imaginative processes exceeding risk management in their capacity to speculate and plan for worst-case scenarios (de Goede and Amoore, 2008; Grusin, 2010). Security processes visualising a field of past or ongoing transactions, financial and otherwise (e.g. transport), can reframe security governance temporalities by enabling 'pre-emptive' measures that acknowledge 'that which can never be captured' (de Goede and Amoore, 2008, p. 179). This augurs a tactics of power that works by eschewing control in the face of uncertainty. Most recently, developments in

cyberspace security that aim for 'resilience' adopt the apparent intrinsic 'grace' of systems themselves in an attempt to create evolving responses to complex and distributed emergencies (Simon and Goede, 2015).

Reacting to such a 'turbulent field' (Adey et al., 2015, p. 8), governance responses to the largest of large-scale social problems are characterised by a form of workable urgency, which relies on a constructed notion of 'real time' to link both threats and responses on the same heuristic scale. The 'actionable future' is therefore often built on an apprehension that 'total threats' – threats that are pressing, large-scale and irreversible – are amenable to intervention through a specific set of governance arts and techniques (de Goede and Randalls, 2009). Concepts such as emergency imply faith in action and are hence particularly well-suited not just to organising immediate responses but also to helping to instantiate new political movements, addressing, for example, climate change (Adey et al., 2015) or the endemic violence of structural racism (Anderson, 2017). The scale and unpredictability of the threat adds to a sense that any government or wider social action should happen immediately after or even in advance of the anticipated harms. As de Goede and Randalls put it: '(B)oth the threat of terrorist annihilation and climate change can be articulated in terms of simultaneous uncertainty *and* catastrophe, incalculability and potential apocalypse' (de Goede and Randalls, 2009, p. 864).

Such developments are not confined to the field of state action. New articulations of risk – or risk 'in the mode of possibility rather than strict probability' as Louise Amoore has put it – resonate between the scenario planning and modelling tools used in management consultancy, on the one hand, and anticipatory state security practices, on the other (Amoore, 2013, p. 10). Moving away from reliance on strict probability, this 'politics of possibility' instead works on the 'inductive incorporation of suspicion, imagination and pre-emption' into public and commercial systems (Amoore, 2013, p. 10). Such diffuse and decentred temporal stances can be contrasted with epistemologies of what Tutton would call 'great future change' (Tutton, 2017, p. 478), such as the 'anthropocene', in which the era of human impact on the Earth's atmosphere is positioned as a distinct geological era, with attendant social and political implications. These are world-level, definitive, human-led temporal epochs that not only situate human action – 'the time we live in' – within a much vaster time of 'nature' and 'environment' but also reconfigure that larger time based on human agency and effects.

In the context of this focus on human-led temporalities, Donna Haraway has argued for an approach to nature and time that challenges the human exceptionalism and individualism found in mainstream political economy (Haraway, 2016, p. 57). In her most recent book *Staying with the Trouble* (2016), Haraway radically reframes teleological approaches to human history, arguing instead for a polytemporal and indeterminate concept of multispecies 'worlding' (Haraway, 2016, p. 11). Channeling human exceptionalism into our epochal understandings of humans and 'nature' through concepts like the 'anthropocene', Haraway argues, leads to a complex mix of cynicism and self-fulfilling predictions in

which, she states, 'both technotheocratic geoengineering fixes and wallowing in despair seem to coinfect any possible common imagination' (Haraway, 2016, p. 56). Haraway's aim, by contrast, is to imagine a new type of multi-species flourishing, a 'nonarrogant collaboration with all those in the muddle' (Haraway, 2016, p. 56). Hence her need to reconfigure how we understand and act with time.

Haraway's concept of the 'Chthulucene' is a polytemporality and 'timeplace' that resists dating (Haraway, 2016, p. 51) as well as – arguably – linearity and which refers to the trouble we need to take and learn to live with in living and dying on a damaged earth (Haraway, 2016, p. 2). As she puts it:

> The unfinished Chthulucene must collect up the trash of the Anthropocene, the exterminism of the Capitolocene, and chipping and shredding and layering like a mad gardener, make a much hotter compost pile for still possible pasts, presents, and futures.
>
> (Haraway, 2016, p. 57)

The Chthulucene emerges from Haraway's commitment to feminist science fiction, speculative fabulation and string figures, all of which, she argues, need each other. Taken together, 'SF' is a type of nonlinear and anti-foundational figuring and method (Haraway, 2016, pp. 3,12) through which analytic threads can be followed, made, picked up and dropped in a process of 'becoming-with each other' (Haraway, 2016, p. 3). SF, in other words, is a form of speculative temporal making that challenges abstract futurism and advocates the situated material-semiotics of 'staying with the trouble' (Haraway, 2016, p. 4).

This conception of a disaggregated conceptual-material compost pile of temporalities is hugely productive for thinking about dilemmas occasioned by the economic and social politics of ecological devastation, but it is also generative in thinking about the politics and materialities of time more widely. As a form of temporal figuring, the SF concept of the Chthulucene provides a pragmatic politics of time, oriented to the 'muddle' and thoughtful about the stakes of action as it relates to temporal worlds. The approach we aim to cultivate through this collection is likewise one of 'staying with the trouble'. We interpret this as a mode of engagement that is grounded in empirical analyses of the messy ontologies of law, legality and time. Inspired by Haraway and many others cited here, we tend towards the refusal of large-scale abstract temporal norms, following instead the socio-material practices by which times are made and unmade.

Making time and law across disciplines

As we have indicated, then, critiques of linear time and historicism have much to offer critical legal analyses of time and temporality, as have cross-disciplinary literatures that account for time-related interventions or epistemologies within wider social and governmental processes or visionary propositions that trace new temporal horizons and modes of action. These literatures often readily follow

legal techniques and knowledges as elements within clustered social and governmental dynamics. Yet because their scope of analysis is necessarily multidirectional, they much less often trace law's specific role in proffering distinctive temporal mechanisms or ontologies. The present collection is motivated by an enquiry into what focusing on law can tell us about the otherwise opaque temporal modes of governance in these and other time-related conversations. Many of the chapters take up this challenge, creating a fine-grained analysis of how legal times are made and outlining how this might add to current inter- and cross-disciplinary enquiries into time and temporality.

We have ordered the chapters by topic. The collection begins with four chapters broadly collected under the heading of social time (Greenhouse; Enright; Ashton; Ring), before moving on to consider post/colonial times (Painter; Cloatre; Keenan), the politics of labour time (John; Hayes), technologies and infrastructures of time (Birth; Silvast et al.) and, finally, topologies of time (Van Oorschot; Mulla).

The first group of chapters we have gathered under the heading of 'Social time: Courts, litigation and public authority'. All of the contributions in this group consider variations on what Carol Greenhouse identifies, in conversation with Durkheim, as 'social time', focusing on the homogenous, unifying or powerful notions of time arising from patterned legal and political interventions and tracing their effects on constructions of solidarity and collective interest, and on marginalised populations. As Greenhouse argues powerfully: 'Social time belongs to politics before it belongs to nature' (Chapter 1). The concept of social time – a way of tracing the power dynamics of shared time – provides an essential vantage point for understanding the political ontologies driving law's temporal workings. By what means does time become shared? What roles do legal processes play in this? Focusing on, among other things, the role of courts in responding to widespread social harm or contested claims for political authority, these chapters follow myriad legal technicalities and epistemologies attaching to litigation on social 'problems', as well as their socio-temporal effects.

In *The long sudden death of Antonin Scalia* (Chapter 1), Carol Greenhouse defines social time not as coordinated time-keeping as much as a powerful means of setting the conditions and limits of agency (see also Greenhouse, 2014, 1996). Writing in conversation with Kantorowicz, Durkheim and Weber, Greenhouse works through an illuminating case study from 2016 in which the Republicans blocked the Obama administration's replacement for Justice Antonin Scalia in the US Supreme Court, thereby creating an 'empty seat'. Focusing on the Republican action as an attempt to 're-set the time', Greenhouse provides a fascinating theorisation of high office as what she terms an 'infrastructure of social time', achieved through the artificial personhood of 'office' that has modulated the changing relationship between mortal humans and immortal corporate bodies since twelfth- and thirteenth-century corporation and which is dependent on the affect of the collectivity. The emptiness of the seat in Greenhouse's study resonates productively with Nadine El-Enany's analysis of the 'un-seating' of Lutfur Rahman from his position as mayor of Tower Hamlets in London in 2015

by a court judgment finding him guilty of 'undue spiritual influence' under the Representation of the People Act 1983 (El-Enany, 2016).[5] In both cases, the occupation – and lack of occupation or removal – of a seat of 'high office' becomes a moment for struggles over authority and agency that raise urgent questions over the political stakes, and the constitution, of shared time. Considering the empty seat following Scalia's death, Greenhouse argues, therefore involves reflecting on the 'contested solidarities' (Chapter 1) of social time.

Social time is often mapped onto the time of the nation, and in Máiréad Enright's chapter *'No. I won't go back': National time, trauma, and legacies of symphysiotomy in Ireland* (Chapter 2), we see the Irish state's construction of a homogenous national time that refuses to acknowledge the endemic gendered harm of pelvic surgery performed on women during childbirth from the 1940s to the 1980s. Enright traces in detail the legal techniques and temporal ontologies used by Fine Gael governments to construct this as a 'legacy issue' left over from a previous era of religious nationhood, against the ongoing activism of groups such as Survivors of Symphysiotomy (SOS). Calls on law and legal rationality have come from many angles: from the official Walsh report, through to representations by SOS to the UN Human Rights Committee, through to the establishment of a state redress scheme in the face of increasing litigation against the government by survivors. Enright notes, in particular, the state's use of time-compressing legal devices to deter women from continuing with litigation over or alongside the redress scheme, including the continued insistence on a 2-year statute of limitations for litigation and a 20-day time limit for applying to the scheme. Resonating with recent feminist thinking on the productive possibilities of 'closure' relating to widespread sexual violence (Knop and Riles, 2016; Welsh, 2017), Enright's contribution instead allows space for the temporalities of women's embodied experience to endure by writing trauma back into what would otherwise be a national, secular, story of progress. She concludes: 'In its inescapable embodiment, symphysiotomy reveals homogenous national time as something essentially political, precariously assembled, wrought in pain; as something that could be otherwise' (this collection, p. 50).

Philip Ashton's contribution, *Time-spaces of adjudication in the US subprime mortgage crisis* (Chapter 3), shifts our analysis from legal engagement with embodied harm to economic exploitation. In 2007, borrowers in the US issued private civil fraud claims for unjust enrichment and criminal enterprise in the Federal District court for Southern California against Countrywide Home Loans and affiliates on the basis of highly damaging 'hybrid' adjustable rate mortgages. These claims were intended to constitute a class action but failed the relevant legal tests of civil procedure on the basis, broadly speaking, that the plaintiffs could not establish that they had been harmed in a common manner due to Countrywide's own complex business model. Ashton shows that the jurisdiction of private law claims and their attachment to the individual circumstances of plaintiffs created time-spaces of legal rationality that could not admit a finding of widespread harm. As he puts it: 'It is within these time-spaces of adjudication

that we find law's (in)capacity to speak to historically and spatially specific configurations of social power' (this collection, p. 79). Further litigation by 10 state Attorneys General against Countrywide for threatening the health and welfare of state citizens was quickly settled. But, instead of rescinding the mortgages, the mandated technique was to modify the mortgage contract to make it more likely that the borrower could stay in their home, with the effect that any uncertainty about the future was transferred back onto borrowers. One of Ashton's key contributions, among many others, is to define and emphasise the significance of time-spaces of adjudication and contracting in our attempts to understand contemporary financial dynamics of precarity and indebtedness.

The final chapter in this cluster is Sinéad Ring's *On delay' and duration: Law's temporal orders in historical child sex abuse cases* (Chapter 4). This chapter picks up the theme of the temporalizing effects of litigation, this time in the context of widespread allegations of childhood sexual abuse reported in Ireland many years after the acts were alleged to have happened. Whereas in 1992 a delay of one day was deemed too long to allow a prosecution to proceed, Ring charts the development in the late 1990s and early 2000s of a 'new' type of delay jurisprudence by the Irish Superior Courts in response to fears that allowing long periods of elapsed time to obviate legal claims would prevent meaningful legal and wider social responses to the abuse. This jurisprudence, however, imposed linear legal timeframes on non-linear experiences and re-asserted problematic myths about the role of criminal justice and the 'untrustworthy' rape victim. In contrast to the linear model of time enunciated through the jurisprudence, Ring proffers a Bergsonian understanding of time as duration as a means of recuperating the non-linear experiences of those who have survived abuse. More specifically, by understanding otherwise linear operations of precedent through the notion of duration, she argues convincingly that it is possible to return to observe and follow law's own recursivity and to remain open to unpredictable legal futures.

The second cluster of chapters, 'Post/colonial times', turns to colonial legal techniques of time. Scholarship on the workings of time in colonial law has been growing and includes, for example, analysis of the significance of emergency powers and the concept of emergency to colonial rule in India (Hussain, 2009), the temporal techniques of racialisation that went into the construction of citizenship categories such as 'Indian settler' in early twentieth-century South Africa (Mawani, 2014), the rendering of indigenous subjects as 'out of synch with legal, liberal, secular chronological time' through testimonial practices in colonial inquiries in contemporary Canada (Murdocca, 2017, p. 129) and the making of Hopi sovereign time through indigenous governance practices such as the tribal court of the Hopi Indian Nation (Richland, 2008). The present collection contributes specific insights to this literature by following how colonial legal-temporal techniques have underpinned enduring and widespread knowledge practices for example in biomedicine (Cloatre) and land title registration (Keenan), paying attention in particular to the role of narrative and language in legal techniques of dispossession (Painter).

Genevieve Painter's chapter, '*Give us his name': Time, law and language in a settler colony* (Chapter 5), argues that paying attention to language used in and across legal encounters can help us to understand how temporality and state law underpinned dispossession. Through a rich case study of written records of meetings about the future of the Naas River valley region in British Columbia between leaders of the Nisga'a and Tsimshian leaders and government officials in the nineteenth century, Painter reminds us that 'language and narrative are integral to the law's temporalities' (this collection, p. 109). More specifically, paying attention to the temporality of grammar and narrative helps us understand better how indigenous dispossession was legally achieved, for example through the grammar of 'setting aside' the land and the use of the word 'commencing', which performatively created a reserve. Painter's study analyses the plural temporalities existing within the negotiations and their associated records and the many ways in which these reflected a civilisational European temporality, which positioned indigenous peoples behind the time of the whites. These temporalities existed alongside the temporalities of indigenous negotiators – including the times of human lifetimes, family lineages, memory and taking care of the land for children. Painter's chapter ends with the moment when the chiefs present at the meetings laughed at being told that the land belonged to the Queen and not the Indians, asking who was the chief that gave away the land. As Painter puts it: 'The law's jurisdiction wells up as it speaks' (this collection, p. 124). In this way, paying attention to narrative and grammar helps us analyse the emergent temporalities of colonial jurisdiction.

In *Traditional medicines, law, and the (dis)ordering of temporalities* (Chapter 6), Emilie Cloatre focuses on how biomedicine has constituted itself as modern and forward-looking in contradistinction to the temporalities associated with alternative and traditional medicines. Cloatre's analysis of biomedicine's preoccupation with modernity investigates a type of forward-looking that resonates with research on more dystopian temporal thinking in recent global health initiatives: the catastrophism of anti-microbial resistance interventions, for example (Brown and Nettleton, 2017). In particular, Cloatre argues that biomedicine has founded itself on a myth of linear development from an ancestral past, through to scientific knowledge and progress, with an associated break from 'pre-existing' therapeutic interventions. Law has often enabled these moves towards modernity in contradistinction to 'traditional' practices, and indeed law and medicine as powerful institutions have enabled exclusion and violence, biomedicine having been a key method of colonialism through its role in denouncing existing health practices and enabling new forms of population management. As Cloatre aims to explore through detailed multisite fieldwork, this is now complicated by changing attitudes to alternative medicines in contemporary postcolonial contexts such as Ghana, where efforts are being made to regulate the field of traditional medicine in a situation in which the biomedical system is poorly resourced. What Cloatre terms 'choreographies of legitimacy' (this collection, p. 141). re-open questions of modernity in biomedicine, in ways that range from engaging with pre-colonial health practices (Widmer, 2010) to pluralising medical interventions in Western states.

Sarah Keenan's chapter, *Making land liquid: on time and title registration* (Chapter 7), shifts the focus to land law and its associated temporal orientations and time-related mechanisms. Based on detailed analysis across four case studies – England and Wales, the Torrens system in Australia, land title registration in the Global South in conjunction with the World Bank and other international financial institutions and the Mortgage Electronic Registration System in the United States – Keenan argues that land title registries create a temporal disjuncture between the titles themselves and the land to which they relate. As she convincingly argues, land title systems developed through colonial experimentation over what was understood to be 'new' land, for example in Australia, and have had the effect of creating future-oriented legal title where previously title was tethered to the histories of the land. This has been achieved in large part through legal concepts and technicalities, such as the mirror principle, which registration systems have inaugurated. Keenan argues that land registries replace the 'slices of time' strung over generations found in previous methods of establishing title with staccato-like slices of time detached from past in an effort to ease marketability. She develops the concept of 'out of synch' to register the timely effects of a colonially developed practice, showing how registration erases multiple temporalities and histories lived on and through the land.

The third set of chapters, 'The politics of labour time', focuses on labour regulation's oppressive and dissonant temporalities. Labour time has long been a focus for engagements with Marxist theories of political economy (e.g. Negri, 1991; Postone, 1996; Weeks, 2011). Some theorists of post-Fordism have more recently proposed that the time of labour is being reoriented from a temporal logic of 'retroactivity' to 'futurity' for example (Adkins, 2008), with attendant implications for analysing changing configurations of social reproduction (Adkins, 2009; Vora, 2012; Waldby and Cooper, 2010). Labour scholars have approached vastly uneven lived experiences of work through concepts such as 'power chronographies' (Sharma, 2014), 'remaindering' (Tadiar, 2012) and 'contingent labour' (Peck and Theodore, 2012) to register time's multiple roles in generating conditions of dispossession. Alongside this work, socio-legal scholars and labour historians have focused in depth on how contract law and contracting practices, colonial law and contemporary legislative interventions have constructed temporal epistemologies of labour, which have, in turn, affected experiences of labour within and outside formal paid work (Conaghan, 2006; Rose, 2017; Sinha, 2014; Zbyszewska, 2016). In conversation with such work, this section features contributions by Maya John and Lydia Hayes, which unpack legal interventions into workers' experiences of labour time through factories legislation, contracting practices and electronic monitoring, creating novel interpretations of law's role in temporal ordering along the way.

Picking up on the focus on colonial law from the previous section, Maya John's chapter, *Regulating the 'half-timer' in colonial India: Factory legislation, its anomalies, and resistance* (Chapter 8), retraces the creation and articulation of the concept of the 'half-timer' in colonial Indian factories legislation. John's study resonates with other legal histories of colonial labour, such as Nitin

Sinha's work on river boatmen, which focuses on how contracting practices evolved in response to environmental demands, weather and flooding, creating a pragmatic legal approach to 'delay' (Sinha, 2014). Shifting the analysis from contracting to legislation, however, John registers myriad social and political dynamics surrounding the creation of the 'half-timer' status for child labourers: shifting relationships between colonial metropolitan employer lobbies in Lancashire and Manchester, who were concerned to limit the competitiveness of the Bombay cotton textile industry; the Arbuthnot Commission and its successors; and uneven attempts to provide education for child factory workers. Child labourers, as John notes, attempted to fight back against harsh employment and contracting practices, aiming along the way to reclaim a semblance of rest and non-work time – what John terms 'abstract passage of time' (this collection, p.163) through demands for wages, rest periods and through strikes.

With Lydia Hayes's chapter, *Work-time technology and unpaid labour in paid care work* (Chapter 9), we move to the contemporary regulation of paid care work. Hayes undertook ethnographic research with homecare workers based in the south of England to understand changing conditions of work, and experiences of working time, within this marketised sector. She found workers employed on very low wages, widespread adoption of zero hours contracts and the use of telephone-based electronic monitoring to track workers' arrivals and departures from each homecare appointment. In particular, Hayes focuses on the inter-relationship between what she understands, in novel terms, to be two equivalent technologies – zero hours contracts and telephone monitoring – in limiting careworkers' pay, thereby creating savings for the private companies that held the contracts to provide care. Working with E.P. Thompson's analysis of time, Hayes argues that telephone monitoring 're-engineered clock-time' through care work by allowing companies to monitor the precise time spent on caring for a client and cutting out transport and other transition time between appointments from the pay period. As such, as Hayes puts it, both zero hours contracts and telephone monitoring have become technologies of time, altering how time has materialised through labour and law.

Hayes's insights about the conceptual potential of understanding contracts in relationship with, or as, temporal technologies provide a bridge to the fourth and penultimate set of chapters: 'Technologies and infrastructures of time'. As we have already seen, a wide range of work across disciplines explores the role of technological innovation in the fabrication of new temporal ontologies. Concerns about the making and unmaking of innovation times are perhaps best known from Science and Technology Studies (STS) and in particular, the sociology of expectations (Borup et al., 2006; Brown et al., 2000). In these accounts, material-discursive relations are enormously significant: expectations emerge through future-oriented embodied engagements with technologies as much as through policy and legal discourse (Brown and Kraft, 2006; Tutton, 2017). Individual and collective expectations about technology and technological change also often coordinate between groups of actors and scales of organisation, easing, prompting or thwarting responses to emergent socio-technical dilemmas (e.g. Beynon-Jones and Brown, 2011; Brown

and Kraft, 2006). In the context of this literature, contributions by Kevin Birth, on the one hand, and by Antti Silvast, Miko Jalas and Jenni Rinkinen, on the other, provide distinctive routes into understanding the co-production of law and regulation with time politics and infrastructural deliberations.

Kevin Birth focuses on global timescale pluralism through a case study of international deliberations over the regulation of the leap second. In *Standards in the shadows for everyone to see: The supranational regulation of time and the concern over temporal pluralism* (Chapter 10), Birth denaturalises clock time and its associated tethering to law, highlighting many sources of 'timescale pluralism' (this collection, p. 196) along the way, including divergent standards based on local solar time, satellite navigation, radio communication and weights and measures standards. Birth juxtaposes these standards with universal (or rather, universalising) timescales such as Coordinated Universal Time (UTC), which is based on the measurement of seconds using atomic clocks and used to regulate other clocks and the international markets. As such, his chapter works in dialogue with 'critical horology' research, which engages in experimental design for transformative clocks (Bastian, 2016). However, Birth's concern is to bring to light the oddities of UTC, based as it is on a mixture of the Gregorian calendar and 24-hour days, the result not of linear scientific development but colonial dominance and shifting power relations, and non-scalable from the smallest unit to the largest unit. Within this strange mixture, debates over the leap second assume importance in resolving the problem of uneven day length in the context of ongoing challenges to the eurocentrism of UTC by countries such as China. As Birth notes, the effort put in by time metrologists to establish an accurate measure for time are often not followed by courts and legislators, who tend not to enquire as to the reliability of their time source. His finding that what has been termed the 'legal traceability of time' (Levine, 2001) historically served not the legal system itself directly, but instead those concerned about legal interventions, provides us with new insights into the role of time metrology within law more broadly.

Birth's chapter in large part focuses on political debates over infrastructures of time measurement. Picking up this theme, Antti Silvast, Miko Jalas and Jenny Rinkinen trace multiple shifting temporal ontologies within energy law and governance in Finland in their contribution: *Energy governance, risk, and temporality: the construction of energy time through law and regulation* (Chapter 11). As we have already seen, work across politics, geography and sociology traces how governance works in and through collaborative and/or dominant modes of time instantiated through systems and infrastructures, shaping behaviours and temporal knowledges as innovations unfold. With this in mind, Silvast et al. focus on the more mundane side of large-scale anticipatory government action: that aimed at securing energy provision through diverse means, including, not least, through shifting legally supported temporal stances of anticipation and resilience, as well as the incorporation of alternative temporalities such as prior preparedness.

The next cluster of chapters takes us from a topic or theme to a temporal orientation: 'Topologies of law and time'. Topologies of time will be familiar to those who have engaged with the work of Barad or Serres and the final two

chapters in the collection, by Irene van Oorschot and Sameena Mulla, provide a springboard for legal scholars to the alternative approach to time these thinkers proffer. Michel Serres, in particular, has challenged modern notions of developmental, historical time by proposing that the past is not out of date (Serres and Latour, 1995, p. 48). He argues that what moderns believe to be progress since thinkers such as Lucretius, for example, is no more than the result of a trick we play with time such that we always place ourselves at the summit of time (the spatial equivalent would be in the middle of the universe) (Serres and Latour, 1995, p. 44). Serres introduces an alternative way of understanding time beyond succession. As he puts it, time percolates or flows in turbulent ways. It is this that allows him to put the thought of Lucretius and modern theories of fluid dynamics 'in the same neighbourhood' (Serres and Latour, 1995, p. 57). Such a move away from geometric regularity in time arises from Serres's 'non-metrical' or 'topological' approach, which he explains through the well-cited example of the crumpled handkerchief:

> If you take a handkerchief and spread it out in order to iron it, you can see in it certain fixed distances and proximities. If you sketch a circle in one area, you can mark out nearby points and measure far-off distances. Then take the same handkerchief and crumple it, by putting it in your pocket. Two distant points suddenly are close, even superimposed.
>
> (Serres and Latour, 1995, p. 60)

Within Science and Technology Studies, the topological approach has assisted investigations into the crumpled temporalities of objects. As Amade M'charek's work on race and DNA reference sequencing argues, objects are not timeless and motionless, but rather can be understood as folded, encompassing and enacting layers of history that can strike back unexpectedly (M'charek, 2014).

Irene van Oorschot's chapter, *Doing times, doing truths: The legal case file as folded object* (Chapter 12), takes up the challenge of thinking law's times topologically. Van Oorschot undertook ethnographic research in a Dutch criminal court dealing with simple, non-exceptional cases with the intention of approaching judging as a set of human and non-human practices. As part of this research, she followed around 15 cases, reading the case file and attending relevant court sessions and meetings. In reflecting on this research, van Oorschot focuses on the case file itself, what she terms a 'recalcitrant legal actor' and its role within Dutch criminal procedure in effectively gathering multiple temporalities in the service of creating legal truth. Drawing on M'charek's concept of the 'folded object', van Oorschot argues that legal case files mediate 'epistemic access to "what really happened"' (this collection, p. 231), anticipating their own future and creating areas of visibility and opaqueness in service of its legal rationality. As she puts it: 'By folding, ordering, and sorting different temporalities, the case file is, however, both what allows procedure and facts to be 'kept apart' as much as it presents the possibility of such temporal interferences, and with these, the undoing or unmaking of a case' (this collection, p. 244).

Sameena Mulla's contribution, *Topological time, law, and subjectivity: a description in five folds* (Chapter 13), also works through law's topological effects, asking in particular how topological time can help in understanding law's relationship with violence. By placing Mulla at the end of an arrangement of chapters that began with 'social time', we aim to re-emphasise the often shocking and extensively exclusionary effects of temporal ordering. Mulla's own research has been into forensic interventions in cases of sexual assault in the US, in which, as she puts it: 'divergent configurations of space and time mark the nexus of clinic and courtroom, reshaping the relationship of care to investigation, and projects of healing to projects of justice' (this collection, p. 247). Once again, tracing time as topology is a means of following how legal rationalities travel through encounters, institutions and forms of engagement. Mulla's reflective essay weaves together three temporal modalities – forensic time, criminal time, and biographical time – through accounts of her own experience of nearly drowning, research on forensics and in conversation with Pradeep Jeganathan's work on the role of checkpoints in Sri Lanka in anticipating violence.

Drawing on the same passages from the conversation between Serres and Latour on the 'crumpled handkerchief' as we have cited earlier, Mulla points out that in describing topological time Serres was also engaged in disputing a concept of time as succession that was inherently violent, being fundamentally about war. As Chakrabarty has shown, the trick of succession, being temporal, spatial and political, is closely linked with imperialist expansion (Chakrabarty, 2009), yet linear time's conceptual stickiness makes it hard to rethink. Indeed, Bruno Latour picks up on such a difficulty in his conversations with Serres, if from a very different angle:

> BL   It's obvious to us moderns that, as we advance in time, each successive stage outstrips the preceding one.
> MS   But that's not *time*.
> BL   That's what you need to explain to me – why this passage of time is not time.
> MS   That's not time, only a simple line . . . It's not even a line, but a trajectory of the race for first place – in school, in the Olympic Games, for the Nobel Prize. This isn't time, but a simple competition – once again, war. Why replace temporality, duration, with a quarrel?
>
> (Serres and Latour, 1995, p. 49)

Within modern universal time, within a struggle to gain a foothold at the summit of progress, proposing that one stage or period has been succeeded by another involves feats of destruction and contestation: warring, quarreling. By arguing that these processes are not about the inherent qualities of time, as such, Serres also replaces an over-emphasis on naturalised succession in our understanding of linearity with politics and struggle. Mulla picks up on this, noting Serres's membership of the war generation. For her, topological time helps us to understand not only the confluence of time and space, but in relation to law

specifically, it is suited to the task of accounting for legal subjectivities shaped by violence.

Encountering legal times

The chapters gathered in this edited collection, then, investigate a range of legal knowledge and techniques for their temporal effects. Legally regulated high office – the human instantiation of legal decision-making in the judge for example – supports the infrastructure of shared time (Greenhouse). The very definition of time is contested legally through international legal struggles over coordinated time that are mediated through patchy technical advances (Birth). Legal precedent, as it unrolls through litigation, creates time-spaces of adjudication by analogising between cases (Ashton). Time limits, debates over statutes of limitations and rules of criminal procedure instantiate practical and epistemological barriers for state action relating to endemic gendered harm (Enright). Contracts and contracting practices modulate the relationship between constructed legal spheres of private and public responsibility, emerging as clusters of temporalizing action in the world of work (Hayes, John) and – through mortgages and efforts to restructure them – in the world of home ownership (Ashton), with oppressive social effects. Criminal procedure instantiates and shapes concepts of delay in historic sex abuse cases (Ring) and creates case files as folded legal objects that crumple together multiple times and places (van Oorschot). Forensic procedure creates boundaries between care and investigation (Mulla). Legal prohibitions on alternative medicines construct biomedicine as 'modern' and the knowledge practices of colonised others as archaic (Cloatre). Registration conjures disjuncture and temporal dissonance between land and its title, overwriting pre-existing techniques that fostered an uneven linearity (Keenan) and access to land itself is underpinned by, among other legal techniques, the temporality of narrative and grammar (Painter). In turn, legislation shapes energy infrastructures temporally (Silvast et al.) and creates temporally defined categories of child workers (half-timers) to defuse trade rivalries (John).

These contributions not only advance interdisciplinary studies of time and temporal regulation in their chosen areas, but show, in detail, how legal modalities of time emerge and have effects within wider clusters of social and political action. Specifically, as we describe below, they demonstrate: (1) law's diverse roles in maintaining linear historicist models of time; (2) law's participation in the materialisation of times; and (3) the unsteady effects of temporal pluralism and 'polytemporalities' in law. In these ways, the studies contained in this collection serve to de-naturalise the 'time' in law and time scholarship, instead positioning time as something that can be enacted and materialised.

First, then, it is clear that many contributors share the goal of examining and undermining the presumption of external linear time in the historicist mode. Developmental, universal, linear time, however inconsistent and diversely achieved, provides foundational challenges for contemporary interdisciplinary scholarship on law, time and temporalities and the futures, pasts and presents with which we

grapple (see also Johns, 2016). It is not just that historicism and linear time do not represent the widest range of temporal possibilities in social life; rather, the idea of time as a container holding natural processes and social interactions is under significant critique across the chapters in the present collection. Many of the technical means by which law works have the effect of instantiating an orientation to a constructed past, present, or future in linear or teleological form, and several chapters engage with linear, monumental time, providing fresh insights along the way into law's collaborative role in its production (e.g. Greenhouse, Enright, Painter, Ring, Keenan). For example, Greenhouse's work on social time brings to the fore the role of power and authority in enunciating politics as time itself. Time results from power and agency and is shared, collective and contested. Orientations to a future or a past – for example attempts to reset the time of succession on the US Supreme Court – are not the result of social adjustments to an external temporality but always instead the materialisation of political struggle by other means. The very notion of high office, Greenhouse shows us, is an unsteady attempt to settle the juxtaposition of mortality and the need for succession through the exercise of public authority. As such, we might view linear arrangements in law and politics – concepts of succession in office, for example – as the materialisation of social struggle, as much as we understand them as disciplinary techniques.

Law's linearity and forward moving teleology, it is often argued, are achieved as a result of one of the archetypal modes of Western law: the common law's reliance on precedent and its own understanding of its capacity to generate certain stances towards history (Parker, 2015, 2011). Common law certainly jurisdictionalises time (or temporalizes jurisdiction), as Ashton shows, but law also works to make stark 'cuts' in time, attempting to move social debate 'forward' in the face of historic harm through the workings of common law doctrine (Ring), as well as creating a fore-shortened and self-referential future through legal innovations such as land title registration (Keenan). It is perhaps law's performative nature that is especially difficult to grapple with, as Painter indicates: the self-instantiating effects of colonial land acquisition and title can only be understood via speech act theory and attention to grammar and narrative.

The construction of a social issue as a 'legacy' from a now outdated past (Enright) can also be seen to have been secured through legal tactics as much as anything else. Being out of, behind or in between times is a temporality worthy of legal analysis, as Cloatre's unpicking of the modern times of biomedicine and its connections with law shows. Criticising the legal construction of stasis or out of time-ness within assumptions of linear national time can help to keep alive multiple alternative narratives and experiences. David Scott argues eloquently that: '(t)he past's leavings haunt the present, even if inchoately like the distant sound of indecipherable thunder' (Scott, 2014, p. 96). Yet as Enright, Ashton, Ring and Cloatre all show, the ongoing effects of widespread social harm are not often inchoate, even though they do haunt the present. Instead, social injustice is often constructed as 'out of time' with linear norms, but experienced as near at hand, physically experienced in the body and structured through law.

Working beyond linear time requires understanding it as created, real, yet non-definitive of time more broadly. As such, the second theme we would like to highlight is the potential for understanding legal temporalities as materially entangled and dependent on the particularities and contingencies of legal objects and subjects.[6] As we have seen, many currents of sociological thought provide space for understanding temporality in material terms. Actor-network theories emphasise the 'sorting' of times in a move that aims to dislodge time from the background of social life and instead trace its emergence as a result of interrelationships of human and non-human actants (Latour, 1993, p. 76). Within an agential realist account, furthermore (Barad, 2007), linear time can be one result among many performative human-social-material intra-actions. As such, it is possible to understand temporalities – including legal temporalities – as emerging from subjective experiences and socio-material practices (e.g. Grabham, 2016).

Several chapters in the collection pick up on this theme, developing new and distinctive approaches to the analysis of both law and time. For example, telephone-based electronic monitoring systems are seen to interact with zero hours contracts to foreshorten pay for homecare workers (Hayes) and land registration systems, managed now through large electronic databases produce the forward, out-of-synch orientation of dis-embedded title (Keenan). Energy infrastructure is legislated, managed and built through temporal horizons of prior preparedness and resilience (Silvast et al.). Legal objects – or objects that have become legal – themselves enact crumpled temporal horizons, ranging from the collapsed temporalities of case files in criminal legal proceedings (van Oorschot) to international debates over the leap second, which evolve in dialogue with new technological developments in time metrology (Birth). Two chapters directly engage with the task of thinking legal temporalities topologically, allowing for an approach to legal-material culture that is based on the unsteady temporalities of chaos theory and proximity rather than the regular geometric time of Euclidean thought (Mulla; van Oorschot). Taken together, we hope these chapters provide inspiration for further productive reflections on law's materialisation of time and temporalities.

The final theme that connects the contributions is that of the plurality of legal temporalities. Social science literature, and interdisciplinary scholarship in law, traces multiple experiences and enactments of temporalities across legal fields (e.g. Benda-Beckmann, 2014; Benda-Beckmann and Benda-Beckmann, 2014; Griffiths, 2014) showing how plural legal temporalities can co-exist and interact. For example, drawing on ethnographic research on the regulation of fisheries in the Canadian Maritimes, Melanie Wiber has explored the temporal dissonance occurring between various levels of environmental and fisheries regulation, from local to national. She proposes that temporal pluralism and temporal dissonance can be understood through using ideas of 'syncopated rhythms' to analyse changes in tempo between fishermen's daily livelihoods and governance practices (Wiber, 2014). Contributing to this literature, the present collection encourages a focus on understanding how plural legal temporalities come to be materially shaped,

for example, by distinct legal technologies or via apparently non-legal interventions, in a similar vein to Haraway's insistence on a polytemporal account of 'worlding'. Furthermore, as the contributions make clear, it can be useful not only to follow these plural temporal orders but also to understand what happens when they interact (or not) with one another in producing new ontologies. This involves analysing apparently homogenous temporal orders (Enright; Cloatre) as potentially fragile and most probably hiding a multiplicity of dissonant stories. It also requires describing and accounting for the moments when apparently unified or linear narratives break down, and the means by which this breaking down happens (Painter), evidencing alternative stories and worldviews. We might name the clash between temporal orders as a disjuncture or being 'out of synch' (Keenan), 'hesitant' or 'out of joint'.[7] Other temporal genres that we have already met along the way might themselves inevitably reference a plurality of times: the delay of whose time against what time, for example (Ring), a half-timer as opposed to a full-timer (John), the time-spaces of equity as juxtaposed with the time-spaces of criminal law in responses to mortgage claims in the US (Ashton). Ultimately, what the contributions to this collection point to, in various ways, is the productive potential of what Haraway would term 'staying with the trouble': acknowledging multiple dissonant temporalities, refusing easy either/or options when it comes to time, and instead grappling with the contradictions of the 'at-the-same-timeness' of many social conflicts and dynamics (Haraway, 2016).

Concluding remarks

As we conclude this introduction, we would like to note that analysing the 'making' of legal temporalities, if anything, only intensifies our accountability and responsibility to act in and on the world in ways that work towards social justice. The chapters collected together here can help to prompt fresh theorising of law's participation in establishing normative, exclusionary and even fatal patterns of living with and engaging with others. All the contributions in some way touch on the politics of exclusion, disenfranchisement or oppression, whether through analysing subprime mortgages, land title, zero hours contracts, symphysiotomy, child sex abuse, forensic responses to sexual violence, the construction of criminal cases, alternative medicines, the provision of energy or the politics of high office, for example. Yet what emerges, we hope, is the possibility of a pragmatic legal politics of time, inspired by Haraway's work on the Chthulucene, in which the task of thinking beyond linear temporalities involves following the uneven consequences of questioning radical futures, and understanding the stakes of creating emancipatory non-linear or subversive alternatives. Such an approach prompts an intensified focus on questions of ethics and action that reach beyond notions of developmental progress, allowing us to acknowledge stasis, for example and refusing foundational moves towards enacting complex social harm as 'legacy' (Enright, this volume). Instead, what many of these chapters call for is something akin to what Jack

Halberstam has offered as the pedagogic value of failure as a means of establishing reparative thinking and practices (Halberstam, 2011; Shahani, 2013).

The work of establishing alternative temporal orientations is often grounded in practices of doing time otherwise, as much as it results from critique and analysis. Writing about the promise of black quantum futurism (BQF), which draws on quantum physics, futurist thought and conceptions of time and space from black/African traditions, Rasheedah Phillips notes that BQF practitioners consciously work to subvert chronological time (Phillips, 2015, p. 12). BQF is hence an intentional set of practices as well as an alternative theory of time. Furthermore, Rebecca Coleman has proposed an 'inventive feminist theory', which emphasises the performativity of feminist interventions in describing and acting on our worlds (Coleman, 2014, p. 42). Conscious practices of subversion and invention bring to mind what Barad would call an ethico-onto-epistemology (Barad, 2007, p. 185) or an ethical politics of practice, knowledge and many-species 'worlding' (Haraway, 2016). In destabilising ontologies of natural, linear time, we are left with the question of what to do next and asking and answering this question must be grounded in specific empirical analyses that facilitate grounded responses. Haraway might term such interventions 'speculative fabulations' of time, in which we conceive new futures and temporal orientations as much as following or researching them, and in which we reflect on our roles, as scholars, in creating times as much as we study them.

Our argument here is that studying legal temporalities should involve understanding how times as well as laws and legal knowledges are constituted; how they come to matter. This type of analysis does not merely trace the discursive production of time but instead understands temporal ontologies as materialised and enacted through legal as well as other means, with attendant ethical implications (Loewen Walker, 2014). When we perceive matter and time unfolding in a mutual process, the question of ethics exists at every moment or stage:

> In an important sense, in a breathtakingly intimate sense, touching, sensing, is what matter does, or rather, what matter is: matter is condensations of responses, of response-ability … Matter is a matter of untimely and uncanny intimacy, condensations of beings and times.
>
> (Barad, 2015, pp. 401–402)

As an object of study, then, it is clear that the analysis of law yields distinct routes into understanding time more broadly and the current collection aims to clarify and develop this. Yet our proposal involves more than bringing law into the picture. Instead, drawing on the chapters collected here, we suggest that studying the variegated means by which law and time materialise and developing a consciousness of the temporal genres that law helps to create are important ways of registering and working with what Barad would term the 'call to respond and be responsible' (Barad, 2007, p. 182) by uncovering and acting on law's timely response-abilities.

Notes

1 As David Engel put it, writing in 1990 about analysing time in studies of courts and litigation across cultures: 'That certain fundamental social concepts will be altered or transformed over time (including the concept of time itself) should ... be a source of interest rather than despair' (Engel, 1990, p. 336).
2 This is the AHRC-funded network Regulating Time: New Perspectives on Regulation, Law, and Temporalities: https://www.kent.ac.uk/law/time/.
3 As Scott puts it, the collapse of the Grenada revolution: '[S]ignalled ... a collapse of the very conditions of a generation's experience of political time, an organization of time in which past-present-future were connected in a chain of progressive succession so that the past gave way to future in uniform and unfailing rhythms of dialectical overcoming' (Scott, 2014, p. 108).
4 These explorations of powerful temporal concepts, norms and assemblages have been inspired by concepts of time found in the work of sociologists Pierre Bourdieu (Bourdieu, 2000) and Henri Lefebvre (Lefebvre, 2004), for example, and the philosophy of Karen Barad (Barad, 2007), Henri Bergson (Bergson, 2008, 2007), Rosi Braidotti (Braidotti, 2002), Gilles Deleuze (Deleuze, 2004), Elizabeth Grosz (Grosz, 2005, 1999), Donna Haraway (Haraway, 2016, 1991) and Michel Serres (Serres and Latour, 1995), among others.
5 As Nadine El-Enany has shown, the Lutfur Rahman judgment simultaneously racialised and temporalised Rahman's Muslim supporters in the area as 'backwards', indicating the extent to which racial legal categories in the UK continue to be created through temporalizing moves (El-Enany, 2016). See further: Nadine El-Enany (2017), 'Racial and Spatial Injustices in the Tower Hamlets Coup' in Emma Patchett and Sarah Keenan (Eds.), *Spatial Justice and Diaspora*, Eastbourne: Counterpress, 134–144; http://criticallegalthinking.com/2015/05/16/why-muslims-cant-trust-the-legal-system/.
6 See also, for example, Parfitt (2018); Ros Williams: *Blood in the Archive: The Anticipatory Logic of Umbilical Cord Blood Collection*, paper delivered at the *Diagnosing Legal Temporalities* workshop, University of Kent, 2015 (see Williams, 2018); Iwan Morus: *Time Out: Telegraphing the Victorian Future*, paper delivered at the *Time, Regulation and Technoscience workshop, University of York, 2016*. For details of these events, see the Regulating Time network website (fn 2 above).
7 See also Sonal Makhija: *Temporality of Law and Waiting*, paper delivered at the 2016 conference *The New Legal Temporalities? Discipline and Resistance across Domains of Time*, University of Kent; Ruth Fletcher *Hesitation and Appointment Time on the Abortion Trail*, paper delivered at *New Legal Temporalities* conference 2016.

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