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Planetary Constitutionalism: Constitutional Utopia for Post-Crisis, Post-Transitional and Post-Apocalyptic World*

Konstytucjonalizm planetarny. Utopia konstytucyjna dla pokryzysowego, potransformacyjnego i postapokaliptycznego świata

ABSTRACT

The article provides for an outline of a theory of planetary constitutionalism. Planetary constitutionalism is conceived as an alternative to dark constitutionalism the latter, being form of governance based on fear politics. Planetary constitutionalism, while currently utopia, is conceptualized as constitutional model for post-crisis, post-transition and post-apocalyptic world. It is proposal for universal, transgenerationally just, and post-anthropocentric society. The paper explains the concepts of constitutional polycrisis and constitutional polytransition, as well as various aspects of the theory of planetary constitutionalism as alternative to global constitutionalism, anthropocentric constitutionalism, and hierarchical, territorially entrenched constitutionalism.

Keywords: constitutional polycrisis; constitutional polytransition; global constitutionalism; transnational constitutionalism; constitutional apocalypse; post-anthropocentric constitutionalism

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INTRODUCTION

We are living in semi-permanent crisis that is paralleled by range of transitions. A multitude of crises is mushrooming since the beginning of the 21st century. The crises range from security, migration, financial and pandemic crises to many hot, cold and hybrid wars. Moreover, there are potentially emerging crises that are related to climate change, energy, artificial intelligence (AI), post-human challenges and beyond. They are accelerating in recent years with visibly increasing thresholds since 2019 and 2024, and with apparent climax in the next few years.

These crises overlap and produce the phenomenon of constitutional polycrisis.[1] Constitutional polycrisis as "the new normal"[2] profoundly challenges the constitutional ordering schemes of Modernity. It is having detrimental effects on constitutional axiology, constitutional design and constitutional performance. Constitutional polycrisis shapes the constitutional imaginaries of crisis and fear.[3]

Moreover, we are experiencing multi-layered transitions. They produce complex shift – a constitutional polytransition[4] – towards a new civilization and seem to be on the edge of reaching a point of climax and no return. This is particularly visible with regard to the AI, the trends towards technological reordering of constitutionalism and the new approaches to consciousness. Whether this new civilization shall be better, worse or just different from the current one remains to be seen. This paper is a proposal for a better version of the constitutional future. Since this proposal is abstract, theoretical, dependent on many variables, and to an extent speculative, it is drafted in the form of constitutional utopia. Hence, it is a theoretical hypothesis and not a strict prediction about the parameters of a post-crisis and post-transition world.

The embeddedness of modern constitutional orders in constitutional polycrisis and constitutional polytransition promotes apocalyptic *Zeitgeist*. Globalization, time-space compression, and especially the massive technological revolution (IT, AI and beyond)[5] are profoundly overburdening both the constitutional models for ordering of constitutional orders and the conceptual and theoretical epistemic

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[1] See M. Belov, *The Conceptual Shapes of Constitutional Polycrisis: Deconstruction, Asymmetries and Post-Modern Anxieties of Constitutional Normalcy*, "Irish Jurist" 2023, vol. 70, pp. 393–410; idem, *Rule of Law in Europe in Times of Constitutional Polycrisis, Constitutional Polytransition and Democratic Discontent*, "Diritto pubblico comparato ed europeo" 2023, vol. 3, pp. 875–884; idem, *Rule of Law and Democracy in Times of Transitory Constitutionalism, Constitutional Polycrisis and Emergency Constitutionalism: Towards a Global Algorithmic Technocracy?*, [in:] *Rule of Law in Crisis: Constitutionalism in a State of Flux*, ed. M. Belov, London 2023, pp. 21–47.

[2] See idem, *The Constitutional Imaginaries of Crisis and Emergency: Between Battle of Narratives and Entanglement in Quantum Constitutionalism*, [in:] *Legal Imaginaries of Crisis and Fear: Dark Constitutionalism*, London 2025 (forthcoming).

[3] *Ibidem*.

[4] See idem, *Rule of Law in Europe in Times of Constitutional Polycrisis…*

[5] See idem, *Rule of Law and Democracy…*

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and explanatory matrixes that are supposed to be giving sustainable shape of the constitutional phenomena in times of post-democracy[6] and authority meltdown. The normative ideologies of the constitutional orders are also lagging behind. Altogether, the result is conceptual impotence, constitutional sclerosis, and even deconstitutionalization.[7]

To sum up, the lack of novel paradigm that is capable of serving as a reliable and adequate epistemic and ordering scheme of the new world order may lead to an age of post-constitutionalism. Post-constitutionalism is context in which powerful new phenomena with huge constitutional relevance are unfolding unrestrained without being either properly explained and conceptually shaped by constitutional theory or normatively pacified through constitutional regulation.

This paper shall begin with an outline of the main aspects of constitutional polycrisis and constitutional polytransition. Subsequently, it shall explore the parameters of the concept of planetary constitutionalism that is non-speciesist, post-anthropocentric, consciousness-centred, generationally inclusive and universal.

The main claim shall be that planetary constitutionalism, in contrast to previous versions of global and purely anthropocentric constitutionalism,[8] must be able to frame a sustainable constitutional order that can assure post-crisis and post-transitional stabilization of a just world constitutional order. This model can eventually overcome the deficiencies of other schemes for ordering of constitutional orders – national, global and (neo)regional – while also taking into account the emergence of a new phase of the constitutional civilization produced by the current technological revolution, the upcoming moral, ontological and axiological reorientation and reorganization of the world, and the forthcoming civilization shift that shall trigger the necessity for reassessment of fundamental categories of constitutionalism and constitutional law, including its anthropocentric heritage.

[6] For the concept of post-democracy, see C. Crouch, *Post-Democracy*, Cambridge 2004.

[7] See M. Belov, *Anxieties of Distrust and Uncertainty as Factors for Constitutional Polycrisis in Post-Modern Algorithmic Society*, [in:] *Algorithmic Transformation and Diffusion of Power: Trust, Conflict, Uncertainty and Control*, eds. I. Spiecker gen Döhmann, C. Burchard, Baden-Baden 2025, pp. 242–245; idem, *Implosion of Constitutional Order and Demise of Authority in Times of Constitutional Polycrisis, Emergency Constitutionalism and Constitutional Polytransition*, [in:] *Constitutional Polycrisis and Emergency Constitutionalism*, ed. M. Belov, London 2025 (forthcoming).

[8] For the concept of anthropocentric constitutionalism, see J.O. Adenitire, R. Fasel, *Anthropocentric Constitutionalism*, [in:] *Animals and the Constitution: Towards Sentience-Based Constitutionalism*, Oxford 2025, pp. 3–31.

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CONSTITUTIONALISM BETWEEN CRISIS AND POLYCRISIS: TOWARDS CONSTITUTIONAL DARKNESS[9]

Constitutional orders are usually stretched between conflict and consensus. This is especially true for democracies, which are conflict-driven forms of governance. Constitutional conflict is structurally embedded in Western Modernity. In democratic regimes, conflict is even precondition for the functioning of the model due to its pluralism and polycentrism and its openness for integration of internal dissensus.[10] Elections, political party competition, civic engagement, parliamentary procedure and constitutional justice are all phenomena which assume the utility, permissibility and normalcy of political and social conflict that is reshaped, channeled and institutionalized as constitutional conflict. Hence, viable and non-fictitious democracy can be defined as a form that allows for free expression of dissensus. It normalizes conflict and creates conflictual forms and procedures for political engagement. In a sense, conflict is key marker not only of liberal democracy, but of the Western Modernity in general.

In authoritarian orders internal conflict is generally officially suppressed. It is anti-systemic and thus masqueraded as inexistent under the authoritarian constitutional imaginary of socio-political unity and strong, hierarchical and unchallengeable authority and leadership. Nevertheless, conflict is a necessary element for the functioning of authoritarian orders as well. Here conflict is based on the Schmittian distinction between "friend" and "enemy",[11] the latter being either external or internal.

In both cases, conflict is not equal to crisis. Conflict resembles the normal combustion of the engine of politics, while crisis can be compared to explosion of the system. Hence, crisis is typically considered as anti-systemic phenomenon that needs to be avoided. Indeed, crisis occurs objectively throughout history. It seems to be almost permanent companion to constitutional development since the emergence of constitutional orders. There are various constitutional imaginaries of crisis, conceptualizing it as singular, linear or cyclic event.[12] Crisis is perceived as an objective phenomenon or as an event that is deliberately triggered by human activity and intent. In that regard, crisis can be framing paradigm for constitutional history with deep conceptual, pragmatic, institutional, imaginary and anthropological dimensions.

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[9] See M. Belov, *The Concept of Dark Constitutionalism*, [in:] *Legal Imaginaries…*

[10] See idem, *Constitutional Foundations of Peace and Discontent*, [in:] *Peace, Discontent and Constitutional Law: Challenges to Constitutional Order and Democracy*, ed. M. Belov, London 2021, pp. 15–30.

[11] See C. Schmitt, *The Concept of the Political*, Chicago 2007, pp. 19–80.

[12] M. Belov, *The Constitutional Imaginaries of Crisis and Emergency…*

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Indeed, the rationalist normative ideology, that is the pillar of modern Western Westphalian constitutionalism,[13] claims to be able to predict, reduce and contain crisis via rational, logical, systematic and – typically written – rules. Nevertheless, constitutionalism is not only conflict-driven but also crisis-driven phenomenon. The constitutions are maps of conflicts, roadmaps for coping with conflict and crisis, and documents of crisis awareness and remembrance. They are imprints of crisis memory politics. The constitutional design and the constitutional institutions (human rights, state institutions and beyond) are drawn as scars of traumatic experience. They are drawings and carvings of fear stemming from the past, contained in the present and anticipated in the future.

In a sense, the constitutional present, if conceived as "constitutional everywhen"[14] or permanent *Jetztheit*,[15] is the focal point and the ever-present climax of the crisis, fear and emergency stemming from both the past and the future. Thus, constitutional space-time is similar to a constitutional pluriverse of fractional segments of history that are paradoxically both independent stretches of space-time and coalescent phenomenon of constitutional space-time compression in the constitutional everywhen, amounting to transtemporal and transspatial singularity. Thus, constitutional space-time is a composite phenomenon that includes multiple timelines and scenarios, which is acquiring singularity when one of them is chosen by the will of the constitutional players or due to entrenchment in path-dependencies. These path-dependencies are also result of volitional manifestations that are frequently predetermined by reasons related to crisis and fear. In most cases, crisis and fear are both real and imaginary phenomenon thus being dependent on the constitutional imaginaries stemming from dark constitutionalism.[16]

[13] For the Westphalian, post-Westphalian and neo-Westphalian constitutionalism, see idem, *Three Models for Ordering Constitutional Orders*, "Pravni Zapisi" 2022, vol. 13(2), pp. 361–387; idem, *Constitutional Nationalism and Constitutional Globalism on the Edge of Westphalian and Post-Westphalian Constitutionalism: The Bulgarian Case*, [in:] *Essays in Honour of Kostas G. Mavrias*, ed. M.G. Kalyviōtou, vol. 1, Athens 2022, pp. 221–251; idem, *Judicial Dialogue – Westphalian or Post-Westphalian Constitutional Phenomenon?*, [in:] *Judicial Dialogue*, ed. M. Belov, The Hague 2019, pp. 25–51; idem, *Global Rule of Law Instead of Global Democracy? Legitimacy of Global Judicial Empire on the Edge between Westphalian and Post-Westphalian Constitutionalism*, [in:] *The Role of Courts in Contemporary Legal Orders*, ed. M. Belov, The Hague 2019, pp. 99–133; idem, *The Challenges to Westphalian Constitutional Geometry in the Age of Supranational Constitutionalism, Global Governance and Information Revolution*, [in:] *Global Constitutionalism and Its Challenges to Westphalian Constitutional Law*, ed. M. Belov, London 2018, pp. 13–55.

[14] More about the concept of everywhen, see A. McGrath, L. Rademaker, J. Troy (eds.), *Everywhen: Australia and the Language of Deep History*, Randwick 2023.

[15] See R. Sherwin, *Constitutional Over-Belief: Affective Intensity as a Function of Law's Legitimation*, [in:] *Legal Imaginaries…*

[16] See M. Belov, *The Concept of Dark Constitutionalism…*

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From that perspective, constitutions are containers of crisis and fear. They are loaded with imaginaries of crisis and fear. They are transgenerational bridges for passing through various typical forms of disaster. Constitutions are entrenched in real or invented traditions of crisis and fear. They are tools for coping with anticipated fears and frameworks of collective archetypes of crisis and fear.

Despite or maybe because of this conflictual and crisis-driven ontology, constitutions have anti-crisis teleology. Traditionally, their goal is to prevent the occurrence of new crises and to minimize conflict using it as a driving force for social and political development and not as a trigger of failure, rupture and malfunctioning of the socio-legal order. Thus, constitutions are typically conceived as anti-apocalyptic devices. They are expected to produce anti-cyclic effects on the various crises that might occur and overburden the constitutional order.

To sum up, in contrast to conflict, which is systemic, residual and generative, crisis is traditionally supposed to be exceptional. In recent decades, however, crisis has gradually become the "new normal". This tendency generally commenced since the beginning of the 21st century but gained momentum with the COVID-19 pandemic.[17] The multitude of crisis that emerged in recent decades together with their profound impact on the constitutional order with its axiological and institutional dimensions have produced a phenomenon that can be defined as constitutional polycrisis.[18] Constitutional polycrisis has fostered emergency constitutionalism[19] as an increasingly important mode of governance transforming emergency into normalcy. This tendency has led to the establishment of dark constitutionalism where (un)constitutional politics of crisis, fear, hate and despair is carving out a new dark constitutional anthropology. Hence, constitutional polycrisis and dark constitutionalism are the intellectual, imaginary and pragmatic paradigms that predominate the constitutional *Zeitgeist* and *Weltanschauung* in the first half of the 21st century and especially the COVID-19 and post-COVID-19 period.

[17] See idem, *The Role of Fear Politics in Global Constitutional 'Ernstfall': Images of Fear under COVID-19 Health Paternalism*, [in:] *Populist Constitutionalism and Illiberal Democracies: Between Constitutional Imagination, Normative Entrenchment and Political Reality*, ed. M. Belov, Cambridge 2021, pp. 187–221.

[18] See idem, *The Conceptual Shapes of Constitutional Polycrisis…*; idem, *Rule of Law and Democracy…*

[19] See M. Belov (ed.), *Constitutional Polycrisis…*

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CONSTITUTIONAL POLYTRANSITION STRETCHED BETWEEN CONSTITUTIONAL APOCALYPSE, POST-CONSTITUTIONALISM AND CONSTITUTIONAL RENAISSANCE: TOWARDS DARK OR PLANETARY CONSTITUTIONALISM?

In parallel to constitutional polycrisis and the tendency for establishment of dark constitutionalism based on social control through politics of negative feelings (mostly fear, anger and hate, but also despair), another phenomenon is unfolding in recent decades. It can be defined as constitutional polytransition.[20] Similarly to crisis, which has been running in parallel to all human history, transition is also not something new. Multitude of transitions have occurred throughout history. These transitions have marked, framed and determined the various periods of constitutional history. Many of them were of pivotal importance for its trajectory. The constitutional civilization itself is a product of the transition from the late medieval aristocratic civilization based on feudalism and land ownership and entrenched in hierarchy, traditional and charismatic authority,[21] and obedience entrenched in traditional schemes of power to industrial Modernity grounded in the normative ideologies of rationalism and humanism,[22] and presupposing the existence of human agency, autonomy and free will.[23]

Nevertheless, we are currently experiencing multitude of transitions. Their magnitude, importance and overlap produce the phenomenon of constitutional polytransition. The most important among them are the transitions from Westphalian to post-Westphalian and neo-Westphalian constitutionalism,[24] from territorial to post-territorial and aterritorial constitutionalism,[25] from sovereigntist to post-sovereigntist constitutionalism, from humanist to post-human, post-anthropocentric and transhuman constitutionalism, from national to transnational constitutionalism,

[20] See M. Belov, *Rule of Law in Europe in Times of Constitutional Polycrisis…*

[21] See M. Weber, *Soziologie. Weltgeschichtliche Analysen. Politik*, Berlin 1968, p. 151 ff.

[22] See M. Belov, *Humanism and Rationalism as Fundamental Normative Ideologies of Constitutionalism*, [in:] *Human Rights – 70 Years Since the Adoption of the Universal Declaration of Human Rights*, eds. M. Novkirishka, M. Belov, D. Nachev, Sofia 2019, pp. 69–90; idem *Post-human Constitutionalism? A Critical Defence of Anthropocentric and Humanist Traditions in Algorithmic Society*, [in:] *The IT Revolution and Its Impact on State, Constitutionalism and Public Law*, ed. M. Belov, London 2021, pp. 15–41.

[23] See idem, *The Role of Fear Politics…*

[24] For these concepts, see the literature cited above.

[25] See M. Belov, *Territory, Territoriality and Territorial Politics as Public Law Concepts*, [in:] *Territorial Politics and Secession: Constitutional and International Law Dimensions*, ed. M. Belov, London 2021, pp. 15–45; idem, *Rule of Law in Space of Flows*, [in:] *Rule of Law at the Beginning of the Twenty-First Century*, ed. M. Belov, The Hague 2018, pp. 97–141.

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from physical to digital and algorithmic constitutionalism,[26] from liberal-democratic to non-liberal populist and technocratic-oligarchic constitutionalism, etc.[27]

While many of these transitions are compatible with the overall idea of constitutionalism as an ordering framework of liberty and autonomy, others threaten to go beyond constitutionalism as such. Hence, we are facing the danger not just of the emergence of post-liberal democracy or post-democracy[28] but even for the establishment of post-constitutionalism.

The main factors for this post-constitutional perspective are the deconstitutionalization, constitutional erosion and the establishment of dark constitutionalism. Deconstitutionalization consists in the lack of regulative impact of the constitutions and constitutional law over phenomena with huge constitutional relevance that fly under the radar of traditional constitutionalism. Clear examples are the role of transnational corporations and AI as well as the trends towards global algorithmic technocracy.[29] Constitutional erosion consists in the tendency for fading away of the regulative role of constitutional law and the constitution over phenomena that are generally regulated by them, but the normative provisions are getting outdated and incapable of coping with the trends of socio-political and technological development. The result might be loss of regulative impact, deconstitutionalization and constitutional twilight.[30] Last but not least, dark constitutionalism is form of (anti)constitutionalism which is grounded in (un)constitutional politics of fear, anger, frustration, hate and despair. In other words, dark constitutionalism is a regime of emotional oppression through dark emotional policy leading to dark constitutional anthropology. It is a form of non-freedom misusing the forms and procedures of constitutional law for the sake of emotional domination and control via entanglement through dark feelings, emotions and constitutional imaginaries.[31]

The current age is transformative in structural, civilizational and imaginary aspects. It is marked by quantum constitutionalism as phenomenon grasping the certainty about uncertainty of transformation of constitutional potential into con-

[26] See G. De Gregorio, *Digital Constitutionalism in Europe*, Cambridge 2024; E. Celeste, *Digital Constitutionalism: Mapping the Constitutional Response to Digital Technology's Challenges*, "HIIG Discussion Paper Series" 2018, no. 2; O. Pollicino, *Judicial Protection of Fundamental Rights on the Internet: A Road Towards Digital Constitutionalism?*, Oxford 2021; G. De Gregorio, *Digital Constitutionalism in Europe: Reframing Rights and Powers in the Algorithmic Society*, Cambridge 2022.

[27] See M. Belov, *Constitutional Transitions and Transitional Imaginaries: Bridging Legacies of the Constitutional Past and Aspirations for the Constitutional Future*, [in:] *Constitutional Traditions and Constitutional Transitions: Legal and Socio-Legal Perspectives*, eds. M. Belov, M. Florczak-Wątor, Cheltenham 2024; idem, *Rule of Law in Europe in Times of Constitutional Polycrisis…*

[28] See C. Crouch, *op. cit*.

[29] See M. Belov, *Rule of Law and Democracy…*

[30] This metaphor is used in P. Dobner, M. Loughlin (eds.), *The Twilight of Constitutionalism?*, Oxford 2010.

[31] See M. Belov, *The Concept of Dark Constitutionalism…*

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stitutional reality.[32] It will lead to massive reshaping of constitutional axiology (values and principles), constitutional design, constitutional pragmatics and performance, and constitutional imaginaries. The cumulative effect of constitutional polycrisis and constitutional polytransition is to some extent unpredictable. This is one of the reasons for defining the current age as moment of quantum transformation.

Hence, there are various scenarios and timelines for the development of the world in general and constitutionalism in particular in the next few years. The implosion of constitutional orders, the melt down of authorities and the massive disruption of ontological, epistemic and organizational constitutional schemes for maintenance of legitimacy, efficiency and authority of power are very likely to occur. They may jointly produce not just ruptures of timelines, path-dependencies and patterns of development, but even a constitutional apocalypse.

The result may be dark constitutionalism and post-constitutionalism, where new forms of authoritarianism and totalitarianism based on emotional oppression, non-liberty, dependency and emotional control under the new technological conditions and global context shall thrive. This can happen in the form of national, regional, transnational, supranational and global models for total control based on politics of dark feelings. Usually, such regimes of non-freedom are justified with security and safety concerns produced by real or imaginary, traditional or novel threats to core human assets, e.g. life, physical integrity, health, property, etc. Thus, post-transitional darkness may be grounded in the context of fear politics as a device for production of efficiency and security-based obedience.

However, a more positive scenario is also eventually possible under certain conditions. For example, the constitutional future may consist in inclusive and post-anthropocentric constitutionalism that is based on free will, moral, political and social autonomy, mental sovereignty, agency, entangled consciousness, awareness and liberty as key codes for organization of a truly global society. In the next part of this paper, I shall outline the main features of such model. I shall call it planetary constitutionalism. This model constitutes, at the current stage, more a utopian version for organization of a global society. It consists in an enlightened guess for a possible timeline for the near future that may eventually be produced via collective effort and choice for a better and more just world. Thus, under certain conditions, scenarios and timelines, planetary constitutionalism may serve as an epistemic and ordering scheme and matrix of a post-transitional, post-crisis and eventually post-apocalyptic world.

[32] For the concept of quantum constitutionalism, see idem, *Constitutional Semiotics: The Conceptual Foundations of a Constitutional Theory and Meta-Theory*, Oxford 2022, pp. 31–49; idem, *The Constitutional Imaginaries of Crisis and Emergency…*

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PLANETARY CONSTITUTIONALISM AS POST-CRISIS, POST-TRANSITION AND POST-APOCALYPTIC ORDERING SCHEME

Planetary constitutionalism is based on reconceptualization of several forms of constitutionalism that are predominant today. These are anthropocentric constitutionalism and hierarchical, territorially entrenched constitutionalism. It is also reconsidered and adjusted version of global constitutionalism[33] redesigned as world ordering matrix of a properly universal society. Last but not least, it is alternative of dark constitutionalism since both dark constitutionalism and planetary constitutionalism can be substantial models of global post-transition governance, especially in the case of deep distortion of the current world order. In that regard, planetary constitutionalism is a demanding, maximalist, and at the moment utopian version of bright constitutionalism.

It must be noted that planetary constitutionalism itself is part of a dichotomic contrasting with dark constitutionalism only in its capacity as a version of bright constitutionalism. The principle antipode of dark constitutionalism is bright constitutionalism, and this conceptual distinction is explained elsewhere.[34] Moreover, planetary constitutionalism is neither inevitable nor even necessarily achievable. It is just a hypothesis that may eventually stem from one of the possible scenarios and timelines of the forthcoming constitutional development of a world in rupture, crumble and transition. Hence, it is more likely that we are entering a phase of dark constitutionalism rather than having a phase of bright constitutionalism, hypothetically shaped as planetary constitutionalism.

In that regard, planetary constitutionalism is currently a constitutional utopia. Nevertheless, speculating about its eventual emergence as well as its content and forms is useful because it allows a theoretical reconstruction of a model that requires attention and shows possible strands that deserve to be pursued. Hence, the outline of planetary constitutionalism as a hypothetical model for reorganization and reconstruction of post-crisis, post-transition and post-apocalyptic world may serve as a basis for discussion of its feasibility and desirability.

Let's start the construction of the concept of planetary constitutionalism with a summary of its main features. It is a model that should be based on post-anthropocentrism, non-speciesism,[35] universalism and transgenerational justice. This is due

[33] See idem, *Global Constitutionalism and Its Challenges…*

[34] See idem, *The Concept of Dark Constitutionalism…*

[35] For the concept of speciesism and critical debates related to it, see e.g. N. Banach, M. Stel, *Reducing Speciesism: An Intervention to Change People's Attitudes and Behavioral Intentions*, "Anthrozoös" 2024, vol. 37(5), pp. 925–938; F. Albersmeier, *Speciesism and Speciescentrism*, "Ethic Theory Moral Practice" 2021, vol. 24, pp. 511–527.

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to the fact that excessive anthropocentrism,[36] nationalism and generational egoism are among the key factors for ecological and environmental failure, wars, excessive financial debt, inability to cope with migration in efficient but also just ways, etc.

Moreover, nationalism has a coordination problem of scale. It cannot solve global problems on national level. Key examples are the climate change, the just distribution of wealth, the equitable and fair energy management, the global migration, the reduction of armament, the exploration of space, etc. In fact, nationalism was born in order to solve such coordination problems of scale stemming from the medieval feudal fragmentation of the world. It has produced feasible variant of the territorial state capable of framing huge national economy, unified administrative and tax realm, and strong military power. However, similarly to the need for territorial expansion that has born nationalism, nowadays there is next wave of determinants that produce necessity for a global and also post-territorial framing of power. Thus, the forthcoming post-transitional world will most probably be truly global. It will be shaped via global model that shall, however, be a form of either dark or bright, e.g. planetary, constitutionalism.

Last but not least, current constitutionalism is generationally insensitive and unjust. Modern constitutionalism has fundamental flaws with regard to planetary and ecological justice,[37] redistributive justice and transgenerational justice. These issues can eventually be addressed by planetary constitutionalism after a decisive push via radical rupture of the current legal, political and constitutional order.

Planetary constitutionalism must rest upon specific constitutional axiology organized around autonomy, agency, free will, mental sovereignty, awareness of consciousness entanglement[38] and mutual recognition. These values are also key elements of current forms of bright constitutionalism. However, planetary constitutionalism must promote them on universal scale and safeguard them as substantial elements of a truly and sustainably just world order. Hence, these values must become proper core of a universal constitutional ethos and not just be conceived as constitutionally desirable goals.

Planetary constitutionalism must be form of universal societal constitutionalism that functions through mutual recognition and inclusion of all conscious beings in a just and sustainable global political ecosystem. Hence, this is a form of governance that is grounded on the archetype of freedom and not on the archetype of coercion and obedience. Moreover, it has to be inclusive of the transgenerational interests. Planetary constitutionalism is a global order that is based on free will, free

[36] See A. Pelizzon, A. Ricketts, *Beyond Anthropocentrism and Back Again: From Ontological to Normative Anthropocentrism*, "Australasian Journal of Natural Resources Law and Policy" 2015, vol. 18(2), pp. 105–124.

[37] *Ibidem*.

[38] See M. Belov, *The Constitutional Imaginaries of Crisis and Emergency…*

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choice and recognition of equitable diversity. Again, these features currently define planetary constitutionalism as a constitutional utopia rather than a fully-fledged pragmatic model. Nevertheless, such utopia is useful for contrasting both the current age of constitutional polycrisis and constitutional polytransition and the rise of dark constitutionalism. Hence, planetary constitutionalism is an abstract variant of bright constitutionalism in a post-crisis and post-transition setting.

Humanism (in conjunction with anthropocentrism), together with rationalism, is one of the two main normative ideologies of constitutional Modernity. The coordinate scheme of all constitutions is stretched between two main phenomena – the individual (conceptualized as human being, citizen or person with alternative legal status) and the public power (state, supranational organization such as the EU or subnational level of power). Hence, the human being is at least one of the two suns around which the planetary system of the constitution rotates. Thus, humanism naturally produces an anthropocentric constitutional order.

Anthropocentrism is grounded in various ontologies – religious or secular – which presuppose the supremacy of the human being over all other conscious beings. Thus, the superiority of human consciousness is elevated into determinant of the anthropocentric constitutional order. Moreover, the constitutions have anthropocentric teleology and axiology. They are meant to be devices that serve exclusively the human being and promote the individual or collective well-being of the human species.

To sum up, anthropocentric constitutionalism presumes the monopoly of the human being over consciousness defined in terms of reason and rationality. Hence, consciousness is embedded in the intellectual tradition and normative framework of modern rationalism. In the history of Western civilization initially it had religious explanations and justifications, while since Modernity it is directly or indirectly entrenched in materialistic determinism. In any case, reason as a specific form of consciousness serves as the criterion for inclusion or exclusion of the realm of entities entitled to have rights. The reasonableness of the legal persons' behavior is derivative from the rationality of the humans that serve as agents forming their will.

Anthropocentrism results in several normative ideologies with a framing role for constitutionalism and the constitutional models. The most important of them are the evolutional supremacism of mankind, the human exceptionalism and the physical (biological) predetermination of the mental realm. Anthropocentrism, justified by both humanism and rationalism as normative ideological pillars of constitutionalism, the constitution and constitutional law, is the ultimate legitimation device of the constitutional status of the human being. It is the source of its moral and legal entitlement to human rights (and duties). It is the reason for the existence of constitutional goals streamlined to promote the progress and prosperity of the human being and the collectives it forms, joins and uses for its higher purposes (e.g. the legal persons, the society, the state).

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The anthropocentric teleology focused on territorially entrenched constitutional present is overwhelming. It is imposed and justified even at the expense of transgenerational justice and equity, preservation of the planetary equilibrium, environmental protection,[39] and spill-over effects to other nations beyond the realm of validity of the specific constitution. In this sense, anthropocentrism may be transnationally and transgenerationally unjust. This is because it disproportionately favors the interests of the current generations to the detriment of the interests of future generations. Moreover, anthropocentrism may be detrimental for the environment, the other conscious beings sharing the planet and for the reproductive capacity of the Earth. The reason is again the asymmetric preference of the human interests entrenched in territorial and spatial constitutional present over the above-mentioned types of interests. Hence, excessive anthropocentrism can also be in interspecifically and planetary unjust.[40]

The current age is marked by the raising awareness and intensified research regarding the broader aspects of consciousness conceived as phenomenon beyond instrumental rationality and anthropocentric narratives.[41] There are visible tendencies towards post-humanism,[42] post-anthropocentrism[43] and transhumanism,[44] as well as increasing claims from animal law perspective.[45] Thus, the Anthropocene needs to be

[39] See H. Kopnina, H. Washington, B. Taylor, Piccolo J.J., *Anthropocentrism: More than Just a Misunderstood Problem*, "Journal of Agricultural and Environmental Ethics" 2018, vol. 31, pp. 109–127; C. Speed, *Anthropocentrism and Sustainable Development: Oxymoron or Symbiosis?*, "WIT Transactions on Ecology and the Environment" 2006, vol. 93, pp. 323–332; S. Borràs, *New Transitions from Human Rights to the Environment to the Rights of Nature*, "Transnational Environmental Law" 2016, vol. 5(1), pp. 113–143.

[40] See also P. Burdon (ed.), *Exploring Wild Law: The Philosophy of Earth Jurisprudence*, Adelaide 2011.

[41] See R. Penrose, E. Severino, F. Scardigli, I. Testoni, G. Vitiello, G.M. D'Ariano, F. Faggin (eds.), *Artificial Intelligence Versus Natural Intelligence*, Cham 2022; F. Faggin, *Irreducible: Consciousness, Life, Computers and Human Nature*, London 2024. For some novel reflections on constitutional consciousness, see M. Belov, *Constitutional Consciousness: Finding a Black Cat in a Dark Room Through Semiotic Epistemology of Imprints in 'Shadow Constitutionalisms'*, [in:] *Legal Consciousness*, eds. J.v.H. Holtermann, M. Krešić, M. Novak, Cham 2025.

[42] See R. Braidotti, *The Posthuman*, Cambridge 2013; S. Herbrechter, *Posthumanism: A Critical Analysis*, London 2013; P.K. Nayar, *Posthumanism*, Cambridge 2014; A. Pelizzon, A. Ricketts, *op. cit.*; S. Susen, *Reflections on the (Post-)Human Condition: Towards New Forms of Engagement with the World?*, "Social Epistemology" 2021, vol. 36(1), pp. 63–94; M. Belov, *Post-human Constitutionalism…*

[43] See H. Kopnina, *Anthropocentrism and Post-Humanism*, [in:] *The International Encyclopedia of Anthropology*, Hoboken 2018.

[44] For example, see S.L. Sorgner, S. Hawkins, *On Transhumanism*, Pennsylvania 2022; P. Corby, *An Innate Despair: The Philosophical Limitations of Transhumanism and Its Misplaced Hope in Human Enhancement*, "The Linacre Quarterly" 2024, vol. 92(2).

[45] For example, see R. Fasel, S. Butler, *Animal Rights Law*, Oxford 2023; S. Donaldson, W. Kymlicka, *Zoopolis: A Political Theory of Animal Rights*, Oxford 2013; A. Peters (ed.), *Studies in Global Animal Law*, Cham 2020.

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reshaped in order to include – or at least recognize – other forms of consciousness[46] while also admitting the quantum features of consciousness[47] and the possibility of integral intelligence.[48] Post-anthropocentric conceptualization of consciousness, non-local consciousness[49] and quantum entanglement of consciousness are hypotheses that deserve the attention of the scientific community. If properly defined and scientifically proven, they may trigger redefinition of anthropocentric constitutionalism.[50]

Post-anthropocentric conceptualization of consciousness consists in defining consciousness as broader category available also to non-human intelligence, e.g. animals and AI. It perceives consciousness – instead of rationality – as key criterion for granting entitlement to recognition under constitutional law. It must be noted that recognition does not immediately and automatically mean granting of rights. Indeed, there are important issues with such an approach that are still hard to be solved. Animals – especially some of them – might be conscious and self-aware, thus possessing agency and a degree of mental autonomy. Nevertheless, they are not sufficiently rational in order to be entitled with rights that they do not understand and cannot apply themselves without a guardian. Reversely, the AI may be rational (even more rational than some humans in some spheres of knowledge), but it is questionable whether it will reach the necessary degree of self-awareness to be granted rights (beyond principle recognition). Hence, the AI has a high degree of rationality and agency, but not yet an adequate degree of autonomy and free will.

Naturally, granting recognition to animals and especially to the AI is not only a matter of autonomy, agency and free will. It is also existential moral, social and political choice with huge structural consequences for the constitutional order and for humanity.

The use of consciousness (instead of rationality) as a criterion for granting recognition as member of a post-human set of agents has important consequences. It may serve as a tool for the creation of a more inclusive concept of constitutionally relevant consciousness and as a first barrier for entry into the realm of constitution-

[46] For a sentience-based approach to constitutional empowerment, see J.O. Adenitire, R. Fasel, *Sentience-Based Constitutionalism*, [in:] *Animals and the Constitution…*, pp. 32–76.

[47] For example, see F. Faggin, *op. cit*.

[48] For example, see the position on integral intelligence of the Vatican available here: https://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_ddf_doc_20250128_antiqua-et-nova_en.html (access: 15.8.2025).

[49] For example, see S.R. Hameroff, A.W. Kaszniak, A.C. Scott (eds.), *Toward a Science of Consciousness: The First Tucson Discussions and Debates*, Cambridge 1996; M. Nahm, *The Arcane Nexus: Assessing the Roots of Non-Local Consciousness*, 2025, https://www.researchgate.net/publication/387998127_The_Arcane_Nexus_Assessing_the_Roots_of_Non-Local_Consciousness (access: 15.8.2025).

[50] See also N. Biswas Mellamphy, J. Vangeest, *Human, All Too Human? Anthropocene Narratives, Posthumanisms, and the Problem of "Post-Anthropocentrism"*, "The Anthropocene Review" 2024, vol. 11(3), pp. 599–613.

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ally recognized subjectivity, while the rationality being used as a second barrier for granting proper constitutional rights. Such two-track post-anthropocentric constitutional order oscillating around the conceptual axis "consciousness–rationality" has two advantages. It allows for taking into account the agency, mental autonomy and self-awareness as key factors for ascription of constitutional rights. Moreover, it is precursor for the establishment of a more just and inclusive constitutional order, considering the existence of non-human intelligence.

There are several main strands of arguments which aim at justifying the entitlement to rights of entities beyond the human being. These arguments are partially deconstructing the traditional parameters of the constitutional Anthropocene so carefully constructed in the Western world in the age of Modernity. These are the animal rights perspective, the integral intelligence and planetary consciousness perspectives, and the AI perspective.

The animal rights theory is multidiscoursive and multilayered attempt at critical deconstruction of the holistic anthropocentrism of modern constitutional law. Its variants range from suggestions for improvement of animal rights protection through ideas for rights ascription to animals up to full reconsideration of the human being as sole owner of the constitutional rights entitlement. Various arguments have been proposed by the proponents of animal rights.[51] They typically concern the need for animal protection beyond Anthropocene, the moral obligation for preservation of species beyond speciesism and the post-utilitarian upgrade of all rational beings as holders of constitutional rights. Indeed, many of these arguments lack clarity regarding both their theoretical construction and practical feasibility and impact. This is mostly because they are embedded in ecology protection narratives and critical legal perspectives. Instead, they may look more solid if grounded on the concept of consciousness. In fact, if one admits the entitlement of non-human species to be in possession of constitutional protection via constitutional recognition, this can be much more reasonably done via recourse to the concept of consciousness. Indeed, while not all beings are rational and reasonable as humans, they are still conscious. Moreover, they are nodes of a network of planetary consciousness defined by Pope Francis as integral intelligence.[52] The entitlement to constitutional recognition due to possession of consciousness, self-awareness and agency may be a game changer in the critical reconsideration of speciesist constitutionalism and in the promotion of reasonably constructed post-anthropocentric constitutionalism.

The AI perspective was initially building-up on the arguments and approaches of the animal law perspective. Nevertheless, it is gradually emancipating from animal law and animal rights discourses. Typically, the proponents of AI constitutional rights

[51] See the literature cited above.

[52] See https://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_ddf_doc_20250128_antiqua-et-nova_en.html (access: 15.8.2025).

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use criteria such as rationality, self-reasoning, autonomy and adjustability to context. However, the most solid argument seems to be embedded in the concept of consciousness. In fact, AI may be the first form of both singular and networked consciousness. Thus, it poses the problem of the constitutional treatment of non-local consciousness, having repercussions also for human society. Indeed, there have been many scientific attempts at explaining collective consciousness. This has been done via recourse to archetypes and the collective subconscious[53] or dichotomies between the imaginary and the real.[54] Constitutional anthropology also has many achievements in this regard.

The concept of non-local consciousness suggests that there might also be dispersed and networked forms of consciousness, including hive-mind consciousness and collective consciousness. Thus, non-local consciousness might be really broad and multidiscoursive phenomenon framing some traditional understandings (e.g. the collective conscious, subconscious and unconscious,[55] the collective anthropology, the collective will,[56] etc.) with new phenomena produced by the technological and scientific development (e.g. the networked consciousness of the AI) or the integral intelligence and integral ecology.

Planetary constitutionalism must also be generationally inclusive. It must be platform for sustainable future and paradigm for transgenerational justice. Planetary constitutionalism must provide vision for the constitutional future that allows for regeneration of resources, protection of the chances of future generations, and even their representation in the constitutional present.[57] The problem of the representation of future interests via the representative democratic institutions, e.g. the parliaments or even through special institutions such as ombudsman or advisory council or board, deserves special attention.[58] More precisely, such institutions must safeguard the energy, financial, ecological and health interests of future generations. The range of issues that require attention is vast: from financial, energy and ecology stability

[53] See C.G. Jung, *Psychology of the Unconscious*, Eastford 2016.

[54] See J. Lacan, *Écrits*, New York 2007; C. Castoriadis, *ThThe Imaginary Institution of Society*, Cambridge 1987.

[55] See the literature cited above.

[56] See P. Hallward, *General Wish or General Will? Political Possibility and Collective Capacity from Rousseau through Marx*, [in:] *Political Uses of Utopia: New Marxist, Anarchist and Radical Democratic Perspectives*, eds. S. Chrostowska, J. Ingram, New York 2016, pp. 126–161.

[57] For example, see P. Lawrence, M. Reder, *Representing Future Generations: Climate Change and the Global Legal Order*, Cambridge 2025 (forthcoming).

[58] See M. Rose, *Institutional Proxy Representatives of Future Generations: A Comparative Analysis of Types and Design Features*, "Politics and Governance" 2024, vol. 12; P. Lawrence, *Representation of Future Generations*, [in:] *Routledge Handbook of Global Sustainability Governance*, eds. A. Kalfagianni, D. Fuchs, A. Hayden, New York 2019; D. Zwarthoed, *Political Representation of Future Generations*, [in:] *Towards the Ethics of a Green Future: The Theory and Practice of Human Rights for Future People*, eds. M. Düwell, G. Bos, N. van Steenbergen, London 2018.

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to protection against (excessive) gene editing, gender selection, physical and mental integrity, clean and non-harming food, air and environment, etc.[59]

To sum up, planetary constitutionalism is a model for non-speciesist, post-anthropocentric[60] and generationally inclusive post-crisis and post-transition future. It is constitutionalism "beyond anthropocentrism and speciesism" and "beyond generational egoism" providing for inclusive ordering and explanatory framework of all forms of consciousness – biological and artificial. It may serve as a framing paradigm that considers the existence of integral intelligence composed by human beings, other conscious species, as well as AI, duly treated on the basis of a set of existential criteria such as mental sovereignty, consciousness and dignity. In that regard, planetary constitutionalism considers the logic of integral ecology and integral intelligence proposed by Pope Francis[61] as well as the normative solutions and theoretical claims for animal rights,[62] planetary rights[63] and AI rights.[64]

Planetary constitutionalism is also a form of constitutionalism "beyond statehood".[65] However, it goes beyond theories of supranational constitutionalism, multilevel constitutionalism and global constitutionalism. It is a model for horizontal networking on global scale based on societal[66] and transnational constitutionalism. Planetary constitutionalism, in order to serve its peace-keeping function and to deliver a framing role of a universal society capable of solving global problems on global level, must provide for post-territorial and non-hierarchical constitutional network. It must use the network and circle and less the pyramid and hierarchy as explanatory and ordering matrixes of global constitutional geometry.[67] Thus, planetary constitutionalism is more societal than public power-centered model.

Planetary constitutionalism must be transterritorial and partially post-territorial. These are the preconditions that may allow for coping with transterritorial, aterri-

[59] See also F.E. Lorber, *Catalysts of Eco-Constitutional Evolution Peru's Landmark Ruling Bridges the Gap Between Anthropocentrism and Ecocentrism*, 10.4.2024, https://verfassungsblog.de/catalysts-of-eco-constitutional-evolution (access: 15.8.2025).

[60] For example, see A. Keating, K.C. Merenda, *Decentering the Human? Towards a Post Anthropocentric Standpoint Theory*, "Praktika" 2013, vol. 4(10), pp. 65–86.

[61] See Francis, *Encyclical Letter Laudato Si'*, https://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si.html (access: 15.8.2025).

[62] See A. Peters, *Animals in International Law*, Leiden 2023.

[63] See B. Latour, *Politics of Nature: How to Bring the Sciences into Democracy*, Cambridge 2004.

[64] See B. Tomlinson, A. Torrance, *A Universal Declaration of AI Rights*, 2024, https://ssrn.com/abstract=4879686 (access: 15.8.2025).

[65] For example, see P. Dobner, M. Loughlin (eds.), *op. cit.*; N. Walker, *Taking Constitutionalism beyond the State*, "Political Studies" 2008, vol. 56(3), pp. 519–543.

[66] See G. Teubner, *Constitutional Fragments: Societal Constitutionalism and Globalization*, Oxford 2012, pp. 38–42; J. Přibáň, *Constitutional Imaginaries: A Theory of European Societal Constitutionalism*, London 2020.

[67] See M. Belov, *Constitutional Semiotics…*, pp. 241–315.

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torial and post-territorial challenges. Planetary constitutionalism aims at regulating post-territorial, transterritorial and aterritorial phenomena in parallel to serving as framework for territorial phenomena. Planetary constitutionalism must be an explanatory and ordering matrix of the digital space as well as the spaces of flows.[68] This makes it constitutionalism "beyond spatiality and territoriality".

Planetary constitutionalism does not presuppose the existence of a global or planetary super-state and thus does not require territorial jurisdiction on global scale. This is due to the fact that it is society-centered and community-centered in contrast to the public power centeredness of the predominant approaches of multilevel constitutionalism,[69] global administrative law[70] and even constitutional pluralism.[71]

The planetary constitutionalism project presupposes at least partial overcoming of political theology based on the distinction between "friend and enemy" and the adoption of all-encompassing paradigm of peaceful integration grounded on positive emotional politics instead of dark constitutionalism. It also suggests the fostering of societal constitutionalism[72] able to grasp, frame and order not just national, international and supranational hierarchical and public power centered relations, but also transnational and transpersonal constitutional relations, phenomena and constellations.

CONCLUSIONS

The age of polycrisis and polytransition will produce a new political order of a post-crisis and post-transition world. The main task for constitutional scholars is to try to avoid or at least minimize the effects of constitutional erosion and deconstitutionalization, resulting in dark constitutionalism and post-constitutionalism. Hence,

[68] See M. Castells, *The Rise of the Network Society*, Hoboken 2009, pp. 407–460; M. Belov, *Rule of Law in Space of Flows…*

[69] For example, see E.U. Petersmann, *Multilevel Constitutionalism for Multilevel Governance of Public Goods*, London 2017; G. della Cananea, *Is European Constitutionalism Really "Multilevel"*, "Zeitschrift für ausländisches öffentliches Recht und Völkerrecht" 2010, vol. 70, pp. 283–317; I. Pernice, *Multilevel Constitutionalism and the Crisis of Democracy in Europe*, "European Constitutional Law Review" 2015, vol. 11(3), pp. 541–562.

[70] For example, see S. Cassese, *Advanced Introduction to Global Administrative Law*, Cheltenham 2021; E. Chiti, B.G. Mattarella (eds.), *Global Administrative Law and EU Administrative Law Relationships, Legal Issues and Comparison*, Cham 2011.

[71] For example, see M. Poiares Maduro, *Contrapunctual Law: Europe's Constitutional Pluralism in Action*, [in:] *Sovereignty in Transition*, N. Walker, London 2003, pp. 501–538; idem, *Three Claims of Constitutional Pluralism*, [in:] *Constitutional Pluralism in the European Union and Beyond*, eds. M. Avbelj, J. Komarek, London 2012, pp. 67–84.

[72] See A. Golia, G. Teubner, *Societal Constitutionalism: Background, Theory, Debates*, "ICL Journal" 2021, vol. 15(4), pp. 357–411; G. Teubner, *Societal Constitutionalism: Nine Variations on a Theme by David Sciulli*, [in:] *Sociological Constitutionalism*, eds. P. Blokker, C. Thornhill, Cambridge 2017, pp. 313–340.

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the mission of constitutional theorists is to prevent the spread of dark constitutionalism and to try to promote positive alternatives such as planetary constitutionalism.

Planetary constitutionalism is an abstract model for post-transitional and post-crisis constitutionalism. Planetary constitutionalism is currently a constitutional utopia. It is a normative theory for reordering of constitutional order and reshaping of constitutional imaginaries, constitutional design and constitutional pragmatics. However, it can serve as a matrix for critical assessment of some of the tendencies, scenarios and timelines of constitutional apocalypse. Thus, planetary constitutionalism may be perceived as a holistic alternative containing a set of principle components against constitutional darkness shaped as authoritarian or totalitarian techno-oligarchy. It may be unique form of constitutionalism beyond statehood, speciesism, anthropocentrism, spatiality, territoriality and generational restraints. It may serve as legal model for unified planetary governance based on reconsideration of fundamental concepts such as territoriality of power, hierarchy as singular model for structuring power relations and reductionist approaches to consciousness.

Planetary constitutionalism is possible only after deep societal crash producing failure of established power lines and the constitutional models for their organization. It is post-crisis, post-transition and post-apocalyptic form of governance that follows the implosion of public authority, demise of the legitimacy of traditional constitutional models and schemes of power, and the deep rupture in the normal unfolding of constitutional space-time. In the context of normalcy or moderately intense crisis and transition, planetary constitutionalism shall remain a constitutional utopia.

These social, political and moral preconditions for transition to planetary constitutionalism resemble to an extent those of dark constitutionalism. This is due to the fact that dark constitutionalism is also enabled as a result of implosion of authority and crashing of traditional forms of democratic governance based on rule of law.

However, dark constitutionalism thrives also during crisis and transition. It may itself be transitional form of governance. Moreover, the transition to a durable stage of constitutional darkness can also be triggered by crisis with moderate intensity and not necessarily by constitutional apocalypse. Last but not least, there are historical experiences with certain forms of dark constitutionalism, e.g. the various totalitarian and authoritarian regimes. Thus, dark constitutionalism is both historical phenomenon and phenomenon that is gaining momentum at the moment with chances to endure in the near future.

In contrast, planetary constitutionalism is currently a theoretical speculation for more optimistic but less likely constitutional future. It requires much more substantial shift from traditional patterns of social, political and moral behavior for its achievement, while dark constitutionalism is already increasingly present. Hence, planetary constitutionalism is a constitutional utopia which usefulness is to highlight both the solutions and the shadows of the upcoming reality.

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ABSTRAKT

W artykule przedstawiono zarys teorii konstytucjonalizmu planetarnego. Konstytucjonalizm planetarny jest pomyślany jako alternatywa dla „ciemnego" konstytucjonalizmu, stanowiącego formę rządów opartych na polityce strachu. Konstytucjonalizm planetarny, będąc obecnie utopią, jest konceptualizowany jako model konstytucyjny dla świata pokryzysowego, potransformacyjnego i postapokaliptycznego. To propozycja powszechnego, międzypokoleniowo sprawiedliwego i postantropocentrycznego społeczeństwa. Autor wyjaśnia pojęcia polikryzysu konstytucyjnego i politransformacji konstytucyjnej, a także rozmaite aspekty teorii konstytucjonalizmu planetarnego jako alternatywy dla konstytucjonalizmu globalnego, konstytucjonalizmu antropocentrycznego oraz hierarchicznego konstytucjonalizmu określonego terytorialnie.

Słowa kluczowe: polikryzys konstytucyjny; politransformacja konstytucyjna; konstytucjonalizm globalny; konstytucjonalizm transnarodowy; konstytucyjna apokalipsa; konstytucjonalizm postantropocentryczny

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