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A WOMAN OF THIRTY OR SO: THE AGES OF THE CONSTITUTION[1]

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Abstract: This paper analyzes a so-called inconsistency in the novel *A Woman of Thirty*, by Honoré de Balzac: the age of *Julie*, the supposed leading character, does not fit the chronological framework of the narrative. Even though this inconsistency has been pointed as a possible a flaw in the creative process of the novel, it is hard to believe that, after many editions, Balzac himself would not have noticed the problem. Thus, this paper proposes a new interpretation of this apparent inconsistency, based on a different concept of time, supported by contemporary Physics, which accepts a certain simultaneously of past, present, and future. This concept also allows us to see the Constitution as a significative coexistence of the past we had and the future we wish to have in the present of the legal practice.

Keywords: Honoré de Balzac; Time and Law; Constitution; Resignification; Narrative.

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INTRODUCTION

How old is the Constitution of the Federative Republic of Brazil? For a minimally well-informed Law practitioner, the evident answer is "thirty years old" [3]. However, Balzac made me suspicious of such an easy answer, as there might be many different answers for a question like that.

When he wrote *The Woman of Thirty*, Balzac brought to light one of the most recognized works of the French literature, maybe not due to the narrative, which is known by few, but mostly because of the main trait of the leading character: her age. In Portuguese, there is a widely used adjective based on the author, *balzaquiana*, which, according to *Aurélio* dictionary, means "a woman of thirty years of age or so" (Ferreira, 2010, translated). The lack of precision of the lexicographer is interesting, as the dictionary is usually so precise: thirty years of age *or so*. What does "or so" mean to that age? Are we talking about five, fifty, five-hundred years of age, then? I think this apparently imprecise definition might seem to be an error by the author of the dictionary, however, it is perfectly accurate to refer to a "*balzaquiana*" as a woman of thirty years *or so*. That is because *Julie*, the character whose age is the title of the novel by Balzac, is not necessarily thirty years old. To understand that statement, we should refer to the novel itself.

THE WOMAN OF THIRTY

The first chapter of the novel translates to *Early Mistakes*. It is 1813, in two days' time, Napoleon would depart with his soldiers to war. *Julie*, the leading character, is together with her father, in the Tuileries Garden, to watch the army's formation. It is just an alibi: *Julie* is actually there to see her fiancé, the Colonel (and Count) *Victor D'Aiglemont*. Her father disapproves the engagement, as he thinks *Victor* is an empty person, a void man, who has a spiritless joy about himself, which could never fulfill his daughter's needs. After some time, *Julie*'s father dies, and the couple gets married. France is then being invaded by the English and their allies,

[3] The first version of this study was made when the Constitution celebrated its thirtieth anniversary. However, as suggested by the paper itself, the age of a constitution must not be defined only by the year of its promulgation.

and, before joining Napoleon's armies once again, the Count leaves his wife to be taken care of by his aunt, the Countess of *Listomère-Landon*, a seasoned woman, able to read people's souls, who quickly realizes there is something wrong with *Julie*. *Julie* was then a weakened woman, who had defeated her father in the battle for her marriage with the Count, but who had lost the war: she did not love *Victor* after all. When coming back to the house of the *Countess*, from inside their carriage, *Victor* and *Julie* see an English officer, mounted on his horse, marching by the carriage, as if he were protecting *Julie*. When the husband is gone, the Englishman stands guard outside the house of the *Countess*, who soon understands he had fallen in love with *Julie*. But the Countess can see something else: *Julie* would also never love the Englishman. She would never love any man, as she was incapable of doing so. Even so, the Countess means to stop the Englishman from seeing *Julie* though the window, as she wants her nephew to be happy. After a while, a message from *Victor* arrives for *Julie*: Napoleon was about to fall, and she should run to meet him in Orleans, as he is now a deserter who supports Louis XVIII and had become his general. The journey to Orleans is a dangerous one, since there are enemies all over the way, either English or Napoleon troops. Somebody has to protect her during the journey, and the perfect person to do so is *Arthur Ormond, lord of Grenville*, the English officer who had fallen in love with *Julie*. Time passes, and *Julie* has her first child, a daughter named *Hélène*, in 1817[4]. *Julie* is then extremely sick and, to make matters worse, because of her motherhood, *Victor* has become cold to her and had found a mistress, *Madame de Sérizy*. *Julie* is now even lonelier, and *Hélène* is the "only good left in her life" (Balzac, 2015, p. 67, translated). One day, in 1821, *Victor*, *Julie*, and *Arthur*, now seen as a family friend, are in the field, and *Arthur*, who had healed *Julie* of her illness, confesses he had thought of killing *Victor* to stay with her. *Julie* says she would never be his lover and tells him to forget his feelings for her. Then, *Victor* falls in love with her again, but there is no intimacy left between them both. She now lives a protocol life, manages the finances of the family, takes care of the child. One afternoon, she receives tragic news:

[4] Nothing is more important in the novel than those dates, so the reader should be attentive to them.

Arthur was hiding outside the window of a mistress to protect her honor, as the husband of the woman had arrived, so the Englishman got sick because of the cold, which led him to die.

The second chapter of the novel, *A Hidden Grief*, tells the story of a family that lives by a river near Paris, in 1820. The main character is a lady of 26, who suffers due to a hidden reason. A priest goes to visit the tormented woman, wanting her to confess, with the intention of making her feel more comfortable with her own thoughts. However, she had been raised by an Enlightened man, her father, since her mother had died in hear early childhood, so she was fonder of reason than religion. Instead of confessing her sins, she talks to the priest, and tells him that "a man she loved, young and generous, whose desires she had never fulfilled in order to obey the laws of the world, had died to save what the world calls 'the honor of a woman'" (Balzac, 2015, p. 102, translated). She also adds that in her view, marriage was only a reason for women to suffer: "for men, freedom; for women, duty [...] Marriage, as conceived nowadays, seems to me like a legal prostitution" (Balzac, 2015, p. 110, translated). But the secrets she reveals to the priest, in this sort of confession, go on: her daughter, *Hélène*, is not the child of her husband, *Victor*, and she does not love her daughter, she only takes care of the child with all her heart, and could sacrifice her life for *Hélène*. Only by the end of the chapter do we discover that this leading character is the same *Julie* from the first chapter.

The third chapter inspires the title of the novel, and is called *At Thirty Years*. It is 1821 now. *Julie* is at the house of *Madame Firmiani*, where she meets *Charles de Vandenesse*, a man of thirty, just like *Julie*, who thinks she is charming. *Charles* thinks "is it sorrow, is it happiness that grants this woman of thirty, this happy or unhappy lady, the secret of such an eloquent presence?" (Balzac, 2015, p. 125, translated). Then, the narrator answers the question asked by *Charles*:

> A woman of thirty years of age has irresistible traits for a young man. [...] Indeed, a young lady has too many illusions, too little experience, and sex is too close to love for a man to feel flattered; however, a lady [of thirty] knows the extension of the sacrifices the has to do. Where one is dragged by curiosity, by loveless seduction, the other obeys a conscientious feeling. The former gives in, the latter makes a choice. [...] For a

> young lady to be a lover, she must be a depraved woman, so we flee in horror at some point; a woman, though, has countless ways of fixing her power and dignity. [...] The young lady has only one coquetry and believes she has done it all when she undresses; a woman [of thirty] has many and hides behind a thousand veils; at the end of the day, a woman pets all vanities, and the novice only flatters one. Within the woman of thirty there is indecision, horror, fear, disturbance, and tempest, which will never be found in the love of a young lady. [...] The woman of thirty satisfies everything, and the young lady, otherwise, satisfies nothing (Balzac, 2015, p. 127, translated).

Julie is charming to his eyes, but *Charles de Vandenesse* is not like the other men of his age, who are led by feelings: *Charles* is focused on ideals, which makes him able to see the dark abyss of the human soul. In his third visit to *Julie*, he seems to know everything about her: she is not capable of love, she had made him understand that "she was unhappy and lonely in life, and that if it were not for her daughter, she would deeply desire death. Her life had been [...] perfect resignation" (Balzac, 2015, p. 131, translated). And *Julie* herself reveals in the following year, 1822, the reason for her sorrow:

> Exactly three years ago, the one who loved me, the only man whose happiness could be the reason for my sacrifice, passed away, dying to save my honor. Before giving myself up to a passion to which fatality had driven me, I had been seduced by something that deviates so many girls, by a man who is blank but good-looking. Marriage dashed my hopes, one by one (Balzac, 2015, p. 133, translated).

Then we find out that the woman for whom *Arthur* had sacrificed his life was none but *Julie* herself.

In the fourth chapter, *The Finger of God*, *Julie* and *Victor* had moved to the countryside, and have two children: *Hélène* and *Charles*, whom the mother favors, as is evident due to the way the two children are dressed. The narrator is now homodiegetic[5], an observer of *Julie* and her children, and of the hidden tragedy that is to come: far from their mother's care, the rivalry between the two children reaches its climax, and, unseen by anyone else, *Hélène*, who hates her brother, pushes him

[5] *Homodiegetic* is the concept used by Gérard Genette to designate a narrator that takes part in the story. For more details, see the article "Cervantes, Borges, and I: Who is the Author of the Constitution?", by Marcelo Campos Galuppo (2018).

into a river, and he drowns to death. The narrator explains the behavior of the girl: "*Hélène* had probably avenged her father. Her jealousy was probably the blade of God" (Balzac, 2015, p. 149, translated) [6]. Two or three years later, *Charles de Vandenesse* is at *Julie*'s house. *Victor D'Aiglemont* is out to take *Hélène* and the other son, *Gustave*, *Julie*'s third child, to the theater. *Charles* wants to be alone with *Julie* to woo her and so that they could enjoy privately the adultery, but an inconvenient notary who had had dinner with them does not realize their desire and insists on staying to discuss business. *Victor* comes back with the children before planned, because *Hélène* had seen something that led her to break down at the theater. *Gustave* is the one who narrates what had happened:

> There was in the play a little good boy who was alone in the world, because his daddy had not been able to be his daddy. Then, when he gets to the top of the bridge above the river, an evil bearded man in black throws him into the water. At that point, *Hélène* started to cry and sob; everyone in the room shouted at us and my father had to take us out (Balzac, 2015, p. 153, translated).

A new story begins in chapter five, *Two Meetings*. A general moved out of Paris to live in the countryside with his family, the wife and four children. One night, the general and his wife hear a noise in the house. The servants had gone out for a wedding party, and they fear there is a burglar in the house. The general then finds a man who is running away from the police under the charge of having killed the *Marquis de Mauny* in a duel. The general accepts to hide the man in his house, but his daughter *Hélène* (only now do we realize it is the same family as before) finds the man and, attracted by his mysterious life, wants to join him in his quest, even if she does not love him. It is their first meeting. The general, *Victor*, now *Marquis D'Aiglemont*, threats to lock her away in a monastery, she, who is his favorite child. *Hélène* then flees with her lover on Christmas Evening. The *Aiglemonts* are deeply surprised by new events: financial speculation leads the family to bankruptcy, and *Victor* departs to America for fortune. Six years pass by and, "days before Spain recognized the independence of the American republics" (Balzac, 2015, p.

[6] *Victor d'Aiglemont* Always though that *Julie*'s child was not his, and *Hélène* stood on her father's side.

188, translated), that is, 1836, he sends message to his family informing of his return, now a rich man. The ship he is returning on is attacked by a Colombian privateer known as the *Parisian Commander*. All of the ship's crew and passengers are thrown overboard, but when *Victor* is about to be cast to his death, the pirate recognizes him: *Victor* is his wife's father. *Hélène* had become a pirate, and was happy, with four children. *Hélène* says that when the charges on her husband (who is also called *Victor*[7]) expire, they intend to go back to France. *Victor d'Aiglémont* asks her why she ran Away, to which she replies "This secret does not belong to me. [...] Had I the right to tell it, even so I might not want to. I suffered unspeakable evils for ten years of my life..." (Balzac, 2015, p. 207, translated). When saying their goodbyes, *Victor* "kissed his *Hélène*, his only daughter, with that enthusiasm typical of soldiers" (Balzac, 2015, p. 207, translated). This was probably the second meeting. Or, perhaps, the second meeting had been another one: "After reestablishing his fortune, the marquis dyed of exhaustion. Some months after his death, in 1833, his wife had to take *Moïna* [their youngest child, who only then appears in the narrative and who, due to health problems, needs to go to a healing farm] to the Pirineus thermal waters" (Balzac, 2015, p. 209, translated), when they meet a castaway woman with a child, both very sick. It is *Hélène*, who has one last wish that can no longer be satisfied and she understands it: she wanted to see her father. Then, *Hélène* has a secret to tell her younger sister, *Moïna*: "I am a mother. I know *Moïna* must not... Where is my child? – *Moïna* entered the room, driven by curiosity. – My sister [...], the doctor... It is all useless. [...] Ah! Why did I not die at the age of sixteen, when I wanted to kill myself! Happiness is never found out of the law... *Moïna*... you..." (Balzac, 2015, p. 212, translated), and she dies before being able to reveal the secret to her sister.

Then the last chapter of the novel starts, *The Old Age of a Guilty Mother*. It is June, 1844, and *Julie*, now a woman of fifty, lives together with *Moïna* and her husband, whom she knows since childhood, *Alfred de Saint-Hereen*, the son of *Charles de Vandenesse*, who died not long ago. *Moïna* despises her mother, who does everything for the love of her

[7] Hélène's relationship with her father is profoundly oedipal.

daughter, or at least for her attention. *Julie* suffers in her loneliness and is happy with the sheer presence of *Moïna*, unaware of her only living daughter's feelings for her. *Julie*, however, despises *Alfred*, as she suspects him of something so horrible that can never be revealed. One day, *Julie* feels sick, *Moïna* comes to rescue her, but it is too late, and *Julie* dies in her arms, at the very moment when *Moïna* first understands the heart of her mother.

What secret had *Julie* kept to the end about *Alfred*? It was not about his past or origin, but about the past and origin of *Moïna*: She suspected *Moïna* could be the daughter of *Charles de Vandenesse*, thus the sister of *Alfred*. This is never stated clearly in the novel (Balzac is not Eça de Queirós!), but it is implied, since none of *Julie*'s children is actually *Victor*'s. So, she had not approved of their wedding because she was aware that it was, in fact, incestuous.

THE AGES OF *JULIE*

What interests us the most is: how old is *the woman of thirty*, how old is *Julie*? It is wrong to just answer "she's thirty". In fact, the novel tells the story of the character's life from 1813, when she is apparently nineteen or twenty years old, until 1844, when she is "about fifty" years old. One hypothesis is that the thirty-year aspect is about a certain specific moment of *Julie*'s life, perhaps the most decisive or fundamental one, the most important one. As we will see, this hypothesis can only lead us to contradiction, as it is very hard to decide *when it was* that *Julie* was thirty years old. My hypothesis is that this mystery is revealed when one understands that the leading character of *A Woman of Thirty* is not the woman, *Julie*, but the *thirty years*. Balzac's novel is filled with dates, especially years, and it indicates that perhaps the story is not about *Julie* at all, but about time, about its effect over people's lives, about to what extent time can redeem and punish one's actions, and about the promises it makes flourish just to frustrate them later. Time, which leads *Julie* to the type of freedom granted to nineteenth-century women; time, which transforms her into a beggar, the most melancholic of heroines, with that feeling of "a painful depression, a cessation of interest to the outside world, the loss of the ability to love, the hindering of all activity and self-

esteem, expressed in reprimands and offenses to oneself, reaching a delusional expectation for punishment" (Balzac, 2015, p. 172, translated), a situation in which what was lost is not the object of libidinal investment, as in grief, but the very self that invests libido (Freud, 2010, p. 175). Time flows continuously in some cases, but in others it translates into disjointed moments, leading Balzac to a condition of indecision as to who *Julie* is in the end. Is it the same woman throughout the novel or a different person each chapter? Indeed, Balzac does not know this answer, or at least he stated not to know so. Perhaps she is each and every one of these women with no unifying threads of life. Perhaps she is the thread itself, tying together the lives of these different women. In the *Preface of the Béchet Edition*, Balzac writes:

> Several people asked whether the heroine of *The Meeting*, *A Woman of Thirty*, *The Finger of God*, *Two Meetings* and *Atonement* was not, as several names, the *same character*. The author was unable to state a definite answer to that question. But perhaps this rationale is present in the title that gathers all those Scenes. The character that goes through, so to say, the six stages of the *Same Story* is not a face, but a thought nonetheless (Balzac, 2015, p. 19, translated).

When we get to the chapter titled *A Woman of Thirty*, it becomes even harder. The title corresponds to an age which is simply different to the character's. Balzac starts the chapter by stating that "*Vandenesse* had recently been appointed by one of the plenipotentiary ministries sent to the Laybach congress" (Balzac, 2015, p. 119, translated). Researching about this episode in History, it is evident that it happened in 1821, in attempt to hinder the revolutionary forces in the Kingdom of the Two Sicilies[8]. But in the previous chapter, *A Hidden Grief*, Balzac states that *Julie* was twenty-six years old (Balzac, 2015, p. 100) in 1820 (Balzac, 2015, p. 98). So, in 1821 *Julie* must be twenty-seven years old at most, even though Balzac states that "the marquise, then at thirty, was a beauty, although frail and too delicate" (Balzac, 2015, p. 123). How come she added three years to her age after one year had passed?

[8] See https://en.wikipedia.org/wiki/Congress_of_Laibach. Accessed on September 12, 2020.

According to professor Eliane Moraes, "a possible key to understanding so many recurrent contradictions of chronology is to know how Balzac worked" (Moraes, 2015, p. 9). As one of the most fruitful authors of French literature, Balzac wrote eighty-five novels, besides short stories, essays and novellas, which were reorganized and originated what he called *The human comedy*, a scrutiny of the many-faced human soul and character. He did it all in a very short time, from 1829 to 1845, that is, within sixteen years. To do so, it is known that he worked in a frantic rhythm, almost as a factory of fiction. Several times he did not even write entire novels, but notes, short stories, which were later added to a novel, as was the case of *A Woman of Thirty*. So, errors of consistency, or, more technically, problems of mimetic verisimilitude, were part of the process and unavoidable in such texts.

It is a very simple hypothesis: Balzac made a chronological mistake. In fact, it is a too simplistic hypothesis: *A Woman of Thirty* underwent four publications revised by Balzac: the first one, from 1832, the Béchet edition, when the novel was still called *Same Story*. The second one was the Werdet edition, of 1837. The third one, the Charpentier edition, dates from 1839. The fourth one was the Furne edition, of 1842. Could it be that Balzac simply did not realize the chronological inconsistency? The lack of verisimilitude seems to be not within the text, but in the history of its publications made to explain such inconsistency. Balzac himself declares to be aware of these apparent contradictions. In the preface of the Béchet edition, he states: "There would be stronger inconsistencies throughout the work if the author were forced to have more logic than the events of life. [...] Why would one try to explain by logic what must be understood by feeling?" (Balzac, 2015, p. 20, translated).

My intention is to propose a different reading here. I do not know if what I see was indeed thought by Balzac himself, which would be irrelevant anyway. As Antoine Compagnon says,

> several are the implications and associations of details which do not contradict the main intention, but whose complexity is (infinitely) more particular, and which are not intentional in the sense of being premeditated. However, it is not because the author has not thought of it that it is not what he meant (which he had, at a distance, in mind). The realized meaning is, nevertheless, intentional in its entirety, since it accompanies an illocutionary act that is intentional. The author's intention is not reduced, therefore, to a project or to a fully conscious premeditation [...]. Art is an intentional activity [...], but there are different intentional activities that are not premeditated nor conscious. To write, if it is possible to compare, is not the same as to play chess, an activity in which every movement is calculated; it is more like to play tennis, a sport whose detail of movement is not predictable, but whose main intention is firm, nonetheless: to throw the ball towards the opposite side of the net, so as to make it difficult for the opponent to throw it back. The author's intention does not imply attention to every detail in writing, nor does it configure a different event which precedes or accompanies the performance, according to the deceiving duality of thought the language. Having the intention to do something – either throwing back a ball or writing verses – does not demand consciousness nor project (Compagnon, 2006, p. 91, translated).

Therefore, the interpretation I propose, as previously announced, now reinforced, is as follows: *Time* is the main character of *A Woman of Thirty*, and *Julie*, just like the rest of us, unifies all of her ages at the same time. How is that possible?

WHAT TIME IS FOR US

When we think of time as an ordinary phenomenon, we tend to see it as a continuous aspect of life, as a universal, regular, unidirectional steadiness. However, the most recent studies of Physics[9] have demonstrated that, even though we conceive it like that, this is not really the way time behaves. The general theory of relativity tells us that mass distorts space-time, so that time flows slower near huge masses, such as black holes. Thermodynamics tells us that entropy determines a univocal direction only for those systems that are organized in such a way as to

[9] I am based mainly on the book by Carlo Rovelli (2018), *The Order of Time*.

allow the transfer of heat from a hot body to a cold one, however, once the temperature of the bodies (or particles) is equalized, the transference unidirectionality of heat (and time) ceases. The special theory of relativity tells us that velocity decelerates time as it also alters space-time. Planck's quantum mechanics indicates that time is granular, because if we divide time into smaller and smaller fragments, we reach the smallest possible fragment (10^{-44} seconds), beyond which it is no longer possible to subdivide time, because the electron could assume two positions simultaneously at the atomic level, so that time does not flow continuously, but makes small leaps, and it is impossible to determine the instant because electrons do not have a precise location between one position and another, being scattered in a cloud of possibilities , in an overlapping of positions, and materializing at a precise point only when in relation to something, such as an observer.

Hence, two phenomena are especially important for my argument. Let us suppose we are watching the final match of the Brazilian Soccer Championship on television. At that very moment, we see a goal being scored. Are we really *witnessing* a present event, then? Why did the neighbors shout "goal" before we saw it on TV? Did that goal happen the moment I watched it, the moment they shouted "goal", or some time before all that? It is even easier to see when we talk about greater distances. Imagine someone in Alpha Centauri is watching me at the market here on Earth. If the image is transmitted at the speed of light, it will take 4,37 years for it to reach the audience in that solar system, which is relatively close to ours. So, when someone there watches me buying groceries on their TV, are we talking about a past or a present event? Whose point of view matters the most in order to determine whether something is in the past or in the present? When the scene is watched, the event is in my past, but it is the present of those aliens. When I am shopping for food, it is my present, but their future. Me and that supposed alien simply do not share the same temporality in that situation, as stated by Carlo Rovelli. And the only way of escaping this lack of simultaneity is to adopt an extended, uniform, artificial idea of present, so, the idea that

"there is a well-defined now in every part of the universe is therefore an illusion, an illegitimate extrapolation of our experience" (Rovelli, 2018, p. 45).

Another interesting phenomenon, not related to Physics, but to social life, explains why a uniform, unidirectional, artificial temporality has substituted the real, discontinuous, formed of *quanta*, time of Physics. If we understand that a day is divided into twelve hours and a night in twelve hours more, the lasting of life varies according to the seasons. In winter, the night hours are longer than the morning ones, and in summer, the morning hours last longer than the night ones. However, throughout the centuries, social time has become more invariable and uniform, which is supported by the Physics of Newton, which understands time as an absolute and universal constant. This process started long before Newton, in the 13th century, when mechanical clocks were invented and began to control people's lives, and the time of nature was substituted by the pace of those first clocks, to whom the hours last uniformly, regardless of the season. So, a uniform hour, day and night, however artificial, substituted the course of nature. Then a new change took place six centuries after that, when locomotives and the telegrapher were invented. At that moment, it became necessary to uniform the clocks *in relation to one another*, so that the clock at a train station in, say, Lisbon, had to mark the same exact hour as the one at the station of Coimbra, so the trains and the passengers' communication could flow. Time thus became a great fiction.

If time, as our society sees it, when we hit the button of our alarm clocks in the morning and when we last kiss our partners at night before sleep, if time, a constant rhythm that steals life from us, second after second, but democratically and identical to all, if this time does not actually exist, why do we still even see it like that? What exactly do our clocks measure? Is it something that flows ever onwards, never backwards, like an arrow, in our daily experience?

The best answer seems to be still a famous one, given by an African thinker, Augustine of Hippo, in the 4th century. Saint Augustine argues that time can be past, present, or future (Agostinho, 2017, p. 315). The

future time obviously does not exist, as it may never come to be. We all expect to come back to our homes at the end of the day, but it might never happen. Also, past does not exist, because, when it existed, it was present. Tomorrow the reading of this text will be in your past, but, while you were reading it, it was indeed your present, whereas tomorrow this event will no longer exist, except as a memory or in these pages as vestiges. Therefore, the only real possibility left is the present time. However, for it to really exist, it must be so short that it cannot be divided, because, if it is divided, it becomes past and future[10]. So, in order for it to be indivisible, the present time, the instant, cannot have a duration: if it has a lasting period, then it is two parts: past and future, which we have established that do not exist at all[11]. And a time that has no duration, in reality, has no existence. Thus, objectively speaking, present, past, and future have no existence, something that contemporary Physics confirms, especially regarding that notion of time as an arrow ever moving forward from past to future. What do we call time, then? Augustine has an answer: what exists indeed is not the set of three times, called past, present, and future,

> but perhaps it should be as follows: the times are three, the present of the past, the present of the present, and the present of the future. These three, indeed, dwell within the soul, somehow, and I cannot see them elsewhere: the present memory of the past, the present vision of the present, the present expectation of the future (2017, p. 320, translated).

In other words, time does not objectively exist in the world, but subjectively in the mind; time is the way our minds recognize reality. This subjective time allows for the development of memory, which, inside a narrative, grants sense to the acts of knowing and existing. As Augustine

[10] Quantum mechanics, as I said, challenges this assumption in that it predicts an indivisible minimum time, which lasts 1^{-44} seconds. However, this data disregards the human experience, therefore it does not make Augustine's argument untrue.

[11] Quantum Mechanics can also explain this. There is an indivisible time because a particle can assume two simultaneous positions in the atom at the same instant, so the particle can be in a temporal position in two atoms at the same time. If we conceive it as a chain, it could be in any position simultaneously.

says, "my childhood which is no more dwells within a past time which is no more; but the image of it, when I remember and see it, it is inside a present time, because it is there in my memory" (2017, p. 318, translated). And it is also this subjective time that allows for the development of causality, which, by anticipating the future in the present, prevents us, fragile beings, from the dangers of the Universe, so threatening and offensive in the past. As Augustine says, "when one says that the future events are seen, perhaps they are seen not in themselves, as they are not still there, that is, they are future, but present for the one who sees them" (2017, p. 319, translated). More than the measure of movement, the change that occurs in things, time is the way we perceive and experience this change. And it is because time exists in our mind that future, present and past can coexist in an eternal to-come.

Time is the product of an evolutionary acquisition of our brain, which allows us to adapt in the world, by foreseeing the causalities of the future, anticipating the consequences of acts and events, and also allowing us to signify our existence in the world, through memory, responsible for transforming those discontinuous events of our existence into a narrative, a life, as Carlo Rovelli (2018, p. 138) puts. The brain is a time machine, as it takes the events from the past (we call it *experience*) and sends them into the future (we call it *foreseeing*). This is what makes us not only

> a mere set of independent processes, in successive moments. [...] We are histories of ourselves. Testimonials. I am not this instantaneous mass of meat lying on the couch, typing the letter 'a' on my laptop: I am my thoughts, filled with evidence of the sentence I am writing now, I am the cares of my mother, the serene sweetness of my father raising me, my teenage trips, my readings that stratified in my brain, my loves, my moments of despair, my friendships, the things I wrote, what I heard, the faces that were imprinted in my memory [...]. I am this long novel that is my life (Rovelli, 2018, p. 138, translated).

But I am also my future: I am the one hoping to get home and meet my wife who will ask how my day went. I am the one who hopes to see Egypt. I am the one who hopes, perhaps unfoundedly, one day to retire. Please note: I am all of that at the same time, my past and my future. I

simply am not my present, that would be impossible in a discreet time, as it does not exist anymore, it has already passed.

PAST, PRESENT AND FUTURE OF THE CONSTITUTION

All of that is visible in the work of Balzac, an artist that deals with the crisis of installation in the contemporary era marked by the French Revolution. Born ten years after the taking of the Bastille in 1799, he was five years old during the Reign of Terror and died in 1850, the same year as the death of the last king of the Restoration period, Louis Philippe, a period of comings and goings, from Republic, to Kingdom, to the Napoleonic Empire, to Kingdom and then Republic again, just like a musical formula: A – B – C – B – A, in which the future and the past seemed identical. Was time doomed to be trapped in a circle or would progress finally triumph in France? Balzac has a pessimistic answer: "we are dispossessed of the future by the Revolution" (Balzac, 1996, p. 1245, translated). For this reason, time in Balzac, "by ceasing to incarnate a certain naturalness [...], problematized its relation with the future under the figure of destiny [...]. For Balzac, it was not possible to adhere to a conception of 'homogeneous and empty time' [...], the only possible means [...] for believing in progress" (Ielpo, 2012, p. 172, translated). Time becomes a problem for Balzac.

Let us return to *Julie* and *A Woman of Thirty*. How old is *Julie*? The most probable answer, the only one that brings verisimilitude and mimesis to the work of Balzac, is: she represents all of her ages at the same time, the past and the future ones. She retains and remembers the past in the present, and in it the anticipates and expects the future. All of her life is focused on this point in which she dwells.

All of this confirms Ricoeur's thesis on mimesis. Ricoeur understands that the intelligibility of a text rests on a triple mimetic activity, which he calls prefiguration, configuration and refiguration. First, as a condition of meaning in any text, even before the action takes place, there is a narrative structure inherent to life itself, a structure that, thanks to temporality, makes the world intelligible: the intelligibility of events depends on the fact that they fit into a time frame. In a second mimetic moment, these events need to be configured by the author through a series

of mediations, so that they are transformed into a fabric through an ordering act of reason. At last, there is a third moment of mimesis, in which the reader decodes the text and its mysteries, refiguring it in his or her mind, and completing the work initiated by the author through the fusion of his or her interpretative horizon with the author's own horizon: "From the author, the past of the pre-narrative structure extends into the present. Through the reader, the past of the pre-narrative structure and the present of the narration extend into the future" (Ricoeur, 1994, p. 110, translated). Because of this, when the reader's mind and Balzac's mind meet *Julie*'s mind, she is nineteen, twenty-six, thirty, and fifty at the same time.

It is impressive that the same happens with our Constitution. What we see in it is, at the same time, its past, its present and its future, but also our past, our present and our future, all at the same time, together, mixed, simultaneous. The Constitution is our conscience, in which, only due to artificial efforts, the past, the present, and the future become differentiated, however, their unity integrates our very identity in a coherent and consistent way. As Henriete Karam says, "it is in this self-awareness that a continuity of the self is maintained, despite its multiple faces. In fact, as one's entire history is present – since it is incorporated in one's current self –, shifting from the present to the past allows one to make present their whole having-been, and the past ceases to be seen as something that is no longer" (Karam, 2008, p. 564). This is what allows Bruce Ackerman to conceive the concept of *momenta* in the American constitution: the same text, the same signifier, with different meanings that succeed each other in time, all possible, as potentialities of the text itself: a *living constitution*, which transforms and reframes itself unceasingly, through a double influx made of constitutional courts and the people themselves (Ackerman, 1993).

As with Balzac's *Julie*, time is also the true author of the Constitution. It is time that produces, founds, reframes, interprets and expands the Constitution. And that is why we do not need a new Constitution to re-establish our society. The text is always re-establishing

itself, if we know how to look for in it, in the gaps between memory and expectation, what we are, what we were and what we want to be as a civilized nation. That alone can keep us from becoming melancholic like *Julie* was.

REFERENCES

ACKERMAN, Bruce. *We, the People*. Cambridge: Belknap, 1993. 3v.

AGOSTINHO (Santo). *Confissões*. Trad. de Lorenzo Mammì. São Paulo: Companhia das Letras; Penguin, 2017.

BALZAC, Honoré de. *A mulher de trinta anos*. Trad. de Rosa Freire Aguiar. São Paulo: Companhia das Letras; Penguin, 2015.

BALZAC, Honoré de. Lettre aux écrivains français du XIX[e] siècle. *In:* BALZAC, Honoré de. *Œuvres Diverses*. Paris: Gallimard, 1996. v. 2. Bibliothèque de la Pléiade.

COMPAGNON, Antoine. *O demônio da teoria*: literatura e senso comum. Belo Horizonte: UFMG, 2006.

FERREIRA, Aurélio Buarque de Holanda. *Dicionário Aurélio*. 5. ed. São Paulo: Positivo, 2010.

FREUD, Sigmund. Luto e melancolia. *In:* FREUD, Sigmund. *Obras completas*. Trad. de Paulo César de Souza. São Paulo: Companhia das Letras, 2010. v. 12. p. 170-194.

GALUPPO, Marcelo Campos. Cervantes, Borges e eu: Quem é o autor da Constituição? *Anamorphosis* – Revista internacional de Direito e Literatura, v. 4, n. 2, p. 407-424, jul./dez. de 2018. Doi: http://dx.doi.org/10.21119/anamps.42.407-424.

IELPO, Rodrigo. Balzac e a narração do presente. *Entreletras*, Araguaína (TO), v. 3, n. 2, p. 159-174, ago.-dez. 2012. Disponível em: https://sistemas.uft.edu.br/periodicos/index.php/entreletras/article/view/960. Acesso em: 20 set. 2020.

KARAM, Henriete. *Espaço-tempo e memória:* a subjetividade em «Le Temps rétrouvé», de M. Proust. Tese (Doutorado em Letras)-Universidade Federal do Rio Grande do Sul, Porto Alegre, 2008. 607 f.

MORAES, Eliane. Introdução. *In*: BALZAC, Honoré de. *A mulher de trinta anos*. Trad. de Rosa Freire Aguiar. São Paulo: Companhia das Letras; Penguin, 2015. p. 7-18.

RICOEUR, Paul. *Tempo e narrativa*: a intriga e a narrativa histórica. Campinas: Papirus, 1994, v. 1.

ROVELLI, Carlo. *A ordem do tempo*. São Paulo: Companhia das Letras, 2018.

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