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REDE BRASILEIRA
DIREITO E LITERATURA

THE POETICS OF SIGHT IN THE WORK BY J. SARAMAGO: CONSIDERATIONS ON LEGAL HERMENEUTICS¹

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ABSTRACT: This article aims at confronting and reflecting on different epistemological matrices, based on the *poetics of sight* identified in the literary productions by José Saramago. The analysis is focused especially on figurative and thematic elements from the novel *Blindness*. By explaining the dimensions of *seeing*, *looking* and *observing*, we seek to problematize the adoption, in the field of law, of postulates that link hermeneutics exclusively to rationality and objectivity as well as to the subjectivity of the interpreter.

KEYWORDS: epistemology; rationality; subjectivity; inter-subjectivity; historicity; “Blindness”.

INTRODUCTION

Understanding, interpretation and meaning have begun to acquire importance amongst the main epistemological questions from the last decades of the 19th century, when reactions began to appear to the rationalist model that, until then, had dominated the scientific practice of

¹ Some of the theoretical reflections hereby presented are included in the master’s thesis or in the doctoral dissertation by the author (Karam, 2003; 2008), and were presented at *XIII Jornadas de Direito e Psicanálise: Intersecções a partir de «Ensaio sobre a cegueira», de José Saramago (13rd Conference on Law and Psychoanalysis: Intersections from «Blindness», by José Saramago)*, later published in a book (Karam, 2017a).

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all fields of knowledge. The questioning on the application of epistemological criteria and methods of natural science to the investigation of human and social phenomena grounded the criticism made to the positivist conception.

The theory of Science by W. Dilthey (1986, 1903) – which postulated that the facts of nature are explained by their causes, and the facts of history and culture are understood by their meaning – has acquired relevance among the historical and philosophical approaches that have been postulated since the end of the 19th century. It has also had profound consequences in the field of Human Sciences, and especially in Philosophy: his idea of human life implied, according to J. Ortega y Gasset (1983), that Philosophy should be forced to assume that man has no nature, but history.

Paradoxically, the new discoveries in the field of Physics, followed by other areas of the empirical-mathematical sciences, in the early years of the 20th century, produced the most significant shock in the modern scientific paradigm, revealing its limits and structural inadequacies:

A. Einstein's theory of relativity resulted in the conception of the four-dimensionality of space; the formulations of W. Heisenberg's quantum mechanics with the *uncertainty principle*, and the work by N. Bohr have shown that the explanation of physical phenomena depends on the observer's point of view and that the laws of Physics are only probabilistic; the investigations of K. Gödel, questioning the rules of mathematical logic, deprived of value and importance the rigor of measurements; the theoretical innovations in the fields of Microphysics, Chemistry and Biology – such as the theory of dissipative structures and the *principle of order through fluctuation* of I. Prigogine, the concept of *autopoiesis* by H. Maturana and F. Varela, the *theory of catastrophe* by R. Thom – transformed the image of a universe previously conceived as predictable and stable (Karam, 2008, p. 40).

Thus, a deep epistemological reflection expands, and the first question that every area of knowledge had to face, during the 20th century, was how to overcome the limitations imposed by the scientific-rationalist paradigm and, as a result, to define with which epistemological matrix it could thus operate.

In addition to the above context, the field of Law – which is of particular interest to us here and especially in relation to the hermeneutics – is also urged, from the ontological-linguistic turn, to problematize its

classical interpretive models³, to question its conception of truth and to recognize that law is language.

With the present article, which does not intend to directly address such aspects, we seek only to confront and reflect on the assumptions of different epistemological matrices, based on the *poetics of sight* identified in the literary works by José Saramago, as well as on the figurative and thematic elements extracted from his novel *Blindness*, explaining the dimensions of *seeing*, *looking* and *observing*, and problematizing the adoption, in the field of Law, of postulates that link hermeneutics, exclusively, to rationality and objectivity as well as to the subjectivity of the interpreter.

In order to do so, this paper is split into four sections: in the first one, some recurrent aspects from the novels of J. Saramago are stated, with privilege to those that make possible to characterize a *poetics of sight*; In the second chapter, dedicated to the dimension of *seeing*, classical figurations of blindness are examined in the context of Greek mythology, as well as light as a metaphor of reason, based on Plato's postulates. Thus, the aim is to identify the origin of the trajectory that led to the primacy of rationality in Western cultural tradition, such primacy which still hinders the science and the practice of Law; As for the third section, whose focus falls on the dimension of *looking*, the gaze is analyzed from the perspective of the representations and identifications of the self, drawing on the notions of Aristotle and Merleau-Ponty and fixing on psychoanalytic assumptions provided by S. Freud and J. Lacan; And finally, in the fourth section, the dimension of *observing* is linked to memory, cultural tradition and narrative construction, in which inter-subjectivity and historicity gain emphasis.

J. SARAMAGO AND HIS *POETICS OF SIGHT*

In his *Cadernos de Lanzarote*, on April 29, 1994, Saramago writes: “I sat down to work on *Blindness*, an essay that is not an essay, a novel that may not be a novel, an allegory, a «philosophical» tale” (1998, p. 183).

³ In this sense, see the criticism that Rafael Tomaz de Oliveira (2013) offers in his doctoral dissertation, when addressing the phenomenon of judicial decision.

These words, which refer to the plurality of literary genres, seem to denounce that, since the origin of its writing, the *Blindness* is marked by the rupture with culturally established parameters, whether in relation to literary forms or to our own understanding of human nature and social institutions.

In the novel *Blindness*, the plot tells of the unusual event of a white blindness that reaches, with the exception of the doctor's wife, all the inhabitants of a great unidentified metropolis. The report concentrates on the struggle of a group of seven characters for survival – first in the old premises of an asylum in which they had been quarantined, and then in a city where bodies rot in the streets, there is a shortage of food and the stench pervades the air – and by the end of the epidemic, one by one, everyone regains sight.

From a formal point of view, it is evident the recurrent use of epigraphs – in the case of *Baltasar and Blimunda* (1989), *Blindness* (1995) and *All the Names* (1997), which are accompanied by the indication of titles of works that do not exist – one can also see the existence of other peculiarities that are present in the whole of Saramago's works and that deserve to be highlighted.

From the discursive point of view, there is in *Blindness*⁴ the usual transgressions in Saramago's texts, used since *Raised from the ground* (1982), a work published in 1980. Such grammatical transgressions are heavily marked by suppressing punctuations that, traditionally used in written language, should indicate the change of speaker.

The effect of this innovative punctuation – which often subverts grammatical rules and prevailing syntagmatic models –, in addition to the long extension of paragraphs, is aimed at the approximation of written discourse to orality.

In the works of Saramago it is also evidenced the use of omniscient narrators, which structure the discourse of different enunciators. In *Blindness*, the narrator centralizes the discourse through different strategies. Often explicitly, the narrator assumes the responsibility of reporting events that were previously told by one of the characters,

⁴ Although the characteristics to be pointed out are presented in other works by Saramago, all examples are taken from *Blindness*.

From this point, except for a few loose comments that could not be avoided, the old man's account of the black sale will no longer be followed by the letter, being replaced by a reorganization of the oral discourse, oriented toward the valorization of information by the use of a correct and adequate vocabulary (1995, p. 122),

justifying what determines the linguistic choices,

It is a reason for this change, not foreseen before, the expression under control, not vernacular, used by the narrator, which almost disqualified him as a complementary reporter, important, no doubt, because without him we would not have a way of knowing what happened in the outside world, as complementary reporter, we were saying, of these extraordinary events, when it is known that the description of any facts only has to gain from the rigor and ownership of the terms used (1995, p. 122-123).

At other times, the narrator constructs the discourse by simulating, also explicitly, that the enunciator is one of the characters,

If the blind man charged with writing off the ill-gotten gains of the wicked had decided, by the effect of an enlightening illumination of his dubious spirit, to move to this side with his writing-boards, his thick paper, and his puncture, he would now be busy writing up the instructive and regrettable chronicle of the bad passing and many other sufferings of these new and ruthless companions. He would start by telling where he had come from (1995, p. 159, highlighted for the purpose of analysis).

The “intrusive” narrators of Saramago's novels are a constant presence in the discourse, and although they are not characters in the story, they do not shy away from presenting opinions as well as expressing their thoughts and issuing judgments.

This “intrusive” behavior can also be seen in the predominantly ironic tone of the discourse, and in some situations the narrator deals with the reporting of hypothetical events, of what could have happened but did not occur.

In this way, the author seems to denounce that every discourse is open to innumerable possibilities and that, to some extent, every discourse is fictional:

There are no witnesses, and if there were no evidence that they were called to these reports to tell us what happened, it is understandable that someone asks how it was possible to know that these things happened thus and not otherwise, the answer to give is that *all the reports are like those of the creation of the universe, nobody was*

there, no one watched, but everybody knows what happened (1995, p. 253, highlighted for the purpose of analysis).

In addition to the presence of several speakers, which print in the text its polyphonic character, it can be noted that Saramago explores, to the last consequences, the alternation of voice focalizations⁵. The characters are exposed in their smallest gestures and thoughts. The narrator offers the reader not only the constant confrontation between the thoughts and feelings of the characters, but also what he, the narrator, thinks about them and also anticipates the possible inferences of the reader about what is being narrated.

Regarding blindness, it is impossible not to recognize the importance that the topic of sight acquires in the fictional universe of Saramago, constituting what is here called *poetics of sight*.

The doctor's wife and Blimunda (from *Baltasar and Blimunda*, 1987) are easily associable characters. Blimunda is endowed with a fantastic power that enables her, when she is fasting, to see through matter, visions that she often prefers not to have. In the same way that Blimunda, the doctor's wife, "the woman with excessive eyes, who was born to discover desires" (1987, p. 180), with "eyes that can see everything" (1987, p. 53) is the only character from *Blindness* who keeps her sight intact, the one who has the "responsibility to have eyes when others have lost them" (1995, p. 241), who "was born to see the horror" (1995, p. 262). In the dynamics of the narrative, she functions as an eyewitness that reinforces the reader's involvement with the narrated events.

Additionally to the similarity of the characters, in *Baltasar and Blimunda* Saramago also distinguishes seeing from looking: "She uses each one of her eyes to see what she can, or what is consented, or only a small part of what she would wish" (1987, p. 86); "this is the day of looking, not only of seeing, because such small act is what the ones who have eyes do, as another quality of the blind" (1987, p. 81).

⁵ By *voice focalizations* we mean both the way in which the enunciator is explicit or implicit in his/her discourse, as well as the choices that operate in the plane of vision (what they see, or fail to see and how they see it, or how they fail to see it, respecting the imaginary dimension of «seeing») and of the voice (how they say it, or fail to say it); including, therefore, in addition to other aspects, omniscience, forms and grammatical persons used in the discourse, direct and indirect speech, etc.

Also in the *The History of the Siege of Lisbon*, the subject of sight arises, both in the figure of the blind muezzin, who has the ability to look at what his eyes cannot see. In one of the recurrent comments by the narrator, which is of particular interest, in referring to normal vision, he states that:

To see, to look and to observe are different ways of using the organ of sight, each with its own intensity, even in degenerations, for example, to look without seeing, when a person finds himself in a mood, commonplace in the old novels, or to see and to take it for granted, if the eyes from fatigue or annoyance defend themselves from uncomfortable overloads (1989, p. 166, highlighted for the purposes of this study).

It then draws attention to the fact that

Only the act of *observing* can come to be the *full sight*, when at a given point or successively, attention is concentrated, such thing happens either by deliberation of one's will or by a kind of involuntary synesthetic state in which what is seen requests to be seen again (1989, p. 166, highlighted for the purposes of this study).

Finally, the narrator offers a detailed description of the act of "full sight":

thus moving from one sensation to another, holding back, gazing, as if the image had to reproduce itself in two distinct places of the brain with a time difference of a hundredth of a second, first the simplified sign, then the rigorous drawing, the sharp, imperious definition of a thick yellow brass handle, shiny, on a dark, varnished door, which suddenly gains absolute presence (1989, p. 166).

The precision with which, in *The History of the Siege of Lisbon*, the narrator presents the difference between seeing, looking and observing can be useful to understand the words in the epigraph of *Blindness* – "If you can see, look. If you can look, observe" – mainly because the epigraphs "serve as a credential and letter of course", as Saramago says in *Cadernos de Lanzarote* (1998, p. 458), as well as essential for understanding the allegorical character that blindness assumes in the novel, which is the main thread of the three reflective exercises presented as follows.

TO LOOK: BLINDNESS AND LIGHT AS METAPHOR FOR REASON

The first exercise proposed here has as a starting point, the confrontation of blindness, as it is configured in the context of *Blindness*, with the traditional senses that it acquires in the cultural tradition. Becoming blind or blinded has been a *leitmotif* of Western literature, characteristic of both great tragic characters from the mythical universe, Oedipus and Tiresias, as well as of great poets – no less mythical – like Homer and Camões, and it has been manifestly linked to knowledge⁶.

In the case of Oedipus, the extent of the tragic situation stems from the combination of innumerable facts. *Not knowing* who he is, not having *known* his mother and having, as a man, *known* her body⁷. As for Tiresias, blindness, in its various versions, is provoked by *seeing* and *knowing* what should not be known⁸. It is compensated for by his foreseeing power, which, like his mental faculties, according to the myth, remained intact even after his death⁹.

There is also, in Homer, the relation between physical blindness and spiritual gifts, although in this case it is the inspirational power bestowed upon him by the Muses – daughters of Zeus and Mnemosyne, the goddess of Memory –, which is the reason why everything Homer narrates is seen as true. According to Arnold Hauser, the blindness of the old blind singer of Chios “represents only the outward sign of the inner light of which he is endowed and allows him to see things which others are not able to see” (1972, p. 91).

The symbolic character of blindness is thus observed, since it gives the diviner and the poet the gift of clairvoyance. Referring to the temporal aspect of the “sight of the invisible” – to the fortuneteller, it allows access to the future; to the poet, the access to primordial truth –, Vernant states that:

⁶ In contemporary literature, the character George in Umberto Eco’s novel *The name of the rose* (2005) seems to preserve such a characteristic as a blind guardian of the library.

⁷ Given the role played by the doctor’s wife in the novel *Blindness*, it is interesting to note that in *Oedipus at Colonus* the unfortunate king of Thebes becomes an old beggar guided by the hand of his sister daughter, Antigone (Sófocles, 1998).

⁸ Be it in the version in which the blindness of Tiresias is provoked by the sight of his mother and the goddess Athena bathing naked together, whether in that on Mount Cithero he encounters two serpents copulating and becomes a woman, there is the presence of sexual knowledge (According to Brandão, 1992).

⁹ According to *Odyssey*, XI, v. 90-137 (Homero, 1992).

“Blinded to the light, they see the invisible. The god who inspires them discovers, in a kind of revelation, the realities that escape the human eye” (1990, p. 46).

Apparently, in the homogeneous world of closed civilizations – in Lukacs’ terminology – in which there is “neither the separation of the self from the world nor the opposition of the self and the other” (s.d., p. 31), there is only outer darkness generating inner light.

However, the universe represented in Saramago’s text has little in common with the closed and perfect *kosmos*, of assertive truths, where the laws of harmony prevail, to which both *physis* and men are subject. The world of Saramago – our world – is no longer inhabited by gods or heroes. The rupture between the self and the world has long been broken, and there is nothing left but to attempt to represent this fragmentation.

Such a rupture results from the passage from mythic thought to rational thought, which was inaugurated by philosophical speculations and which introduced the conception that *aletheia*, truth, is an effect of *logos*¹⁰, and is linked to rationality and systematic investigation.

The allegory of the cave can help as a starting point. It allows one to understand the transposition that occurs between physical blindness as a gift of clairvoyance, presented by mythical representations, to light as a metaphor of reason, which, since Plato, has marked Western culture.

It is by its contemplative configuration, in which vision is related to knowledge, that one can distinguish the transposition of *looking*, which originally integrates the sphere of the sensible, into the sphere of the intelligible.

Both in *Timaeus* ([s.d.]), when affirming that “the sight is for us the cause of the greater good” and that “It is from the sight that Philosophy comes to us” (47a, b), as in the metaphorical constructions of the allegories of the Sun (VI, 507b to 509d), the divided line (VI, 509d to 511e) and the cave (VII, 517a-c), which are in the *Republic* (1993), Plato argues that *contemplation* of ideas is the ultimate purpose of eyesight.

¹⁰ It should be noted that this Greek term includes in its meanings both the sense of *reason*, *logic*, *intelligence*, and the sense of *word*, *language*, *speech*, and *discourse*, the latter being revived by M. Heidegger (1995) – the same as the sense of *aletheia* as *disclousure*.

Plato (1993), through the allegory of the cave – Book VII of *Republic* – sets forth the distinction between the world of the shadows in which most of the men live (they are chained, hindered from the truth – eyesight represents knowledge) and the world of light, the sun, whose contemplation enables authentic wisdom.

The image – it is emphasized here that every image is linked to seeing – of the ascension of the soul to the region of light, of true reality, fulfills the metaphor of the elevation of the sensible world to the intelligible one.

In the Platonic conception, sensations and perceptions are particular and contingent, and knowledge must be universal and necessary. Using the analogy, Plato explains “the dual nature of the soul and its aptitude for two distinct modes of knowledge, intellection and sensation” (Goldschmidt, 1970, p. 93).

According to Novaes, since Plato, several authors have argued that sensitive knowledge is vague, confusing and inadequate and that

Sensitive reality can never produce knowledge because sensitive things are at once dissimilar, many and multiple in themselves. He who allows himself to be seduced only by the senses must take the risks of uncertainty or lose himself in what he sees. The senses, like the passions, disturb the soul and without temperance, lead to vice and madness. The man who contemplates is absorbed by what he contemplates. For this reason, Plato invites us to distrust the perception, the drives and the whims of the body. Stability and harmony are in the supersensible world, in the transcendent ideas, separated from the sensitive, they are immutable, generic (1997, p. 10).

In *Phaedo*, Plato, by the mouth of Socrates, points to the uselessness of the data from eyesight and hearing and affirms that only through the death of the body and the senses can the philosopher contemplate the pure truth. The latter is only accessible to those who

address themselves to every reality by means of thought as far as possible alone, without interference of sight or any other sense, without drawing any of them with reasoning, but they should seek, using the pure mind withdrawn in itself, the most possible of the eyes and ears and, as it were, of the whole body, as of a thing that hinders, which does not allow the soul to acquire truth and intelligence, when it is associated (1963, p. 147).

It should be noted that Plato is sufficiently explicit in exposing the idea that the body and senses are obstacles which must be overcome by one who seeks to attain truth – permeable only to “thought”, “reasoning”, “pure mind”, and “intelligence”.

The Platonic doctrine reproduces the double representation of sight, since the *eidos*, inaccessible to corporeal eyes, can only be known by reason, and it is the rational sight, devoid of the senses and the body, which leads to the evidence, the essence and certainty; thus, it is no longer the seer, much less the poet – expelled from the Republic – who holds the powers of access to the truth, but the philosopher.

It may be concluded, therefore, that in Plato, inasmuch as reason is symbolized by the light of the sun, light represents the clairvoyance obtained by the primacy of reason, which enables the exit from the world of shadows, from the bondage of the senses, and from the mere appearance of beings.

Perhaps because blindness is associated with darkness, it seems evident that in the cave myth, blind would be those who remain in it. However, some authors have pointed out that in the Platonic text the sunlight dazzles the eyes of the ones who dared to look at it, to the point of leaving him with sore eyes and seeing nothing in the shadows.

For Gerd Bornheim, “when faced with the sun, man not only suffers, perhaps to return and take refuge in the world of shadows, but he runs the risk of losing his ability to see, to be completely blind” (1989, p. 48).

In this sense, it should be emphasized that: if the normal eyesight allows to perceive the multiple, the diverse, the color; the absolute lack of vision reduces the sensory capacity of apprehension, of analogical relation with the outside world – beings and things remain intact behind a black veil that covers their appearance –. And to see everything white, in turn, does not mean not to see, it means, exactly, to see everything white, that is, to see all the things dissolved in one, without the possibility of perception of the multiple, the variation, the difference, the alterity.

In *Blindness*, the lack of sight is described as an “unfathomable whiteness that covers everything” (1995, p. 15) and indicates more than the absence of vision. It refers, using the nomenclature of *Gestalttheorie*, to the dissolution of the figure in the background.

White blindness not only reduces sensory ability, it “devours” objects and threatens the very existence of the outside world. In this sense, it should be remembered that one of the aspects highlighted by the narrator, when referring to the lack of utility that the walking sticks would have for the blinded by the epidemic, is precisely the fact that: “immersed in his own whiteness, the blind could reach doubting whether he would take something in his hand” (1995, p. 272).

As the text itself tells us, it is not a type of blindness that envelops the world in darkness – remembering that black is the result of the absence of light – but of a “whiteness so luminous, so total, that it devoured, more than absorbed, not only the colors, but the things themselves and beings, thus making them doubly invisible” (1995, p. 16).

This double invisibility is compatible with the dissolution of the multiplicity presented by the outside world into something unique and is also compatible with a blindness caused by the excess of light, which brings all the colors together.

The text is sufficiently explicit in this regard. We should point out to the way the first blind man is described, “immersed in a whiteness so luminous, so complete” (1995, p. 16), as opposed to the characterization of the state in which the doctor’s wife is when she goes down in the basement of the supermarket: “immersed in total darkness” (1995, p. 221), because in the case of the doctor’s wife, the visual incapacity is momentary and results from the absence of external light.

This context leads us to reflect on the dimension of *seeing*, considering that, in *Blindness*, the doctor’s wife is the one who sees when all the other people go blind.

TO SEE: SOURCE OF REPRESENTATIONS AND IDENTIFICATIONS OF THE SELF

The second reflective exercise consists in examining the dimension of *seeing* from the formulations of Aristotle on the *pleasure of seeing*. Then, the aim is to state, from the theoretical point of view, some elements of the metaphysics of the visible and the invisible as elaborated by M. Merleau-Ponty, as well as the psychoanalytical formulations from the Freudian concept of the scopic drive and the Lacanian conception of the *object petit a*.

Aristotle, in *De anima* (2001) and *De sensu* (1993), when comparing touch, hearing and sight, attributes to the sight a privileged position, since, from all senses, it is the most apt instrument for investigating the world. Sight is the one sense which distinguishes more quickly and reaches greater quantity and greater quality of objects, as well as their differences, being the one that impresses more strongly the things perceived in the imagination and the memory. In the opening of *Metaphysics* (2006), Aristotle indicates the relation between the vision and the *desire to know*:

All human beings naturally desire knowledge. This is indicated by the appreciation we experience for the senses, for, regardless of their use, we esteem them for themselves, and more than all others, the sense of sight. Not only aiming at action, but even when no action is aimed at, we prefer the sight – in general – to all other senses, it is the capacity of vision that best contributes to our knowledge of things and what reveals a multiplicity of distinctions (I, 980a 22).

But it is in Book X of the *Nicomachean Ethics* (1952), in which he deals with true happiness, that Aristotle addresses the *pleasure of seeing* and emphasizes that contemplation is the only activity compatible with perfect happiness, since “*the joy of knowing* is more pleasing than *the pursuit of knowledge*” (X, 7, 1152, griffe).

As for Merleau-Ponty – opposing radically the Cartesian tradition, which is based on the assumptions that no truth is provided by the perception of sensory qualities of objects and that only through reason can man reach the origin and the meaning of the real –, in drawing up a *figurative philosophy of sight* (Chauí, 1977), rejects the conception of seeing as an intellectual operation and the conception of the world as a representation or concept, arguing that

the sight is made in the midst of things and not outside them. That is why our perceptive faith does not deceive us when we experience vision as an astonishing reversibility between our eyes and things, the simultaneity of the active and the passive, the vision of things being made for us and us for them (1990, p. 59).

For A. Quinet (2002), when emphasizing the double position of man in the world, of a seeing self, but who is, first of all, seen – for M. Merleau-Ponty, the look of the other seduces, captures, alienates, in such a way that “the seer and visible mutually reciprocate, so that it is not known who sees and who is seen” (2000, p. 135) – Merleau-Ponty’s phenomenology provides

new elements for the understanding of the eyesight, elements that, developed by J. Lacan, were incorporated into the psychoanalytic conceptions that S. Freud had inaugurated in formulating the concept of the scopic drive.

With *Schautrieb*, the drive of seeing, S. Freud inscribes in Western culture a new conception of vision, which is no longer centered on the activity of seeing, whether linked to the sensitive attribute or to consciousness and thought, to perform functions related to *pleasure of seeing* and of *being seen*.

The genesis of the scopic drive, as described by S. Freud in *Three Essays on the Theort of Sexuality* (1981 [1905]) and in *Instincts and Their Vicissitudes* (1981 [1915]), comprises three stages: first, of the activity of seeing directed towards an external object; in the second, there is the renunciation of the object, with the concomitant reversion and inversion – the *reversion* to a part of the body itself and the *inversion* of the active purpose to the passive, that is, from looking to being looked at –; and finally, the third stage is marked by the search for another person, to whom the subject exhibits himself in order to be contemplated.

Such a description, initially analogous to that which Freud formulated in dealing with the pair of sadism-masochism, is increased by the following observation, which emphasizes the existence of a stage preceding those already described:

in the case of the scopophilic drive we find an even earlier stage [...] The scopophilic drive is, in effect, auto-erotic at the beginning of its activity; it has an object, but this object is part of the subject's own body. It is only later (by a process of comparison) that it is exchanged for an analogous part of the body of another (1981 [1915], p. 2046).

One can understand, in the Freudian scheme, the distinction between seeing and looking. Seeing refers to the self-preservation function – which, in turn, is related to the mastery drive (*Bemächtigungstrieb*¹¹) addressed to the outside world. Looking is implied in the auto-erotic origin of the scopic drive, which deviates from the activity of seeing and is linked to the desire and pleasure of the eye, unfolding in the erotic drive of looking and being looked at.

¹¹ It is the simple tendency to seize something, without necessarily involving aggressive intent or pleasure seeking.

There are two aspects that should be mentioned. The first refers to the double position, subject and object, implied in the original reflexive character of the scopic drive, which is indicated by J. Laplanche in emphasizing that the active forms (look) and passive (to be looked at) derive from a “a moment of self-reversal, «auto-erotic», in which the object was replaced by a fantasy, by an object reflected in the subject” (1985, p. 121). The second aspect refers to the destinies of the visual drive. K. Abraham (2000) points out that part of it becomes a drive to know – the *Wissstrieb*, originally related to childish sexual theories – and includes among its sublimating forms the investigative intellectual activity, the interest in the observation of nature, the taste for reading, the pleasure of traveling and meeting new places, artistic production as well as their contemplation.

The observation of K. Abraham refers to the fact that in Aristotle’s relations between the sight, knowledge and contemplation reappear in the Freudian thought.

If, as A. Quinet asserts, the Freudian concept of scopic drive “allowed psychoanalysis to reestablish a function of eye activity no longer as a source of sight, but as a source of libido” (2002, p. 80), it is from the postulated by J. Lacan that psychoanalysis overcomes the rationalist-scientific paradigm, breaking with the philosophical tradition that establishes the correspondance between the subject-who-looks and the object-that-is-looked-at. With J. Lacan, the eye, when acquiring the specific object status of the scopic drive described by S. Freud, ceases to be linked to the subject and becomes linked to the object.

Lacan’s theory of the eyesight focuses on the idea of an object¹² which looks at the subject and, more than that, arouses desire and causes anguish. It is about looking as an *object petit a*, an expression coined by J. Lacan (1992 [1960-1961]) to designate the object-cause of desire, which is also a source of anguish, because it conveys the fear of being lost in the subjection to the Other’s desire.

¹² An object which, according to J. Lacan (1992 [1960-1961]), is not part of the sensitive world and is not representable, and can only be identified as partial *fragments* of the body.

It is essential to return to the contribution of M. Merleau-Ponty's (2000) thought – through his formulation that from the *spectacle of the world* comes the sight that looks at the subject and that he does not see, but by which he feels affected – in the development of the Lacanian concept of the *Other*¹³, that differs, theoretically and graphically, from the *other* that is similar, specular or imaginary, implied in the representations of the self and the identifications¹⁴.

In *Blindness*, the paradigmatic situation of seeing involves the doctor's wife and becomes explicit in the excerpt from the novel in which she and her husband enter a church:

The doctor's wife said to her husband, You will not believe me if I tell you what I have before me, all the images of the church are blindfolded, How strange, why would it be, How would I know, may have been the work of some desperate one of the faith when he realized that he would have to blind like the others, may have been the priest himself here, perhaps he had rightly thought that since the blind could not see the images, the images should also fail to see the blind, The images do not see, You're wrong, *the images see with the eyes that see them*, only now the blindness is for all, You continue to see, *Every time I will see less, even if I do not lose sight I will become ever blinder every day because I will not have anyone to see me* (1995, p. 301-302, highlighted for the purposes of this study).

Blindness – which in this context refers to the indispensability of the other in the constitution of the subject, whether in the inaugural specular relation or in its later intersubjective relations – results from the radical impossibility of being seen, of not being able to be perceived by the other, and, thus, of seeing oneself and recognizing oneself, in one's humanity.

¹³ The *Other* corresponds to the symbolic order which, being anterior and external to the subject, determines it. After the elaboration of the imaginary record, influenced mainly by the studies of C. Lévi-Strauss, J. Lacan (1985 [1954-1955]) theorized his notion of symbolic registration, from which he developed a new formulation of otherness, introducing the concept of great Other, which comes to take center position in its conception of object relation. Based on the postulates by F. de Saussure, J. Lacan (1998b [1955]) establishes the link between the desire, the subject, the signifier and the Other, conceived, then, as the place where the subject is constituted, which is represented by the signifier in a chain that determines it. Such a determination bears correspondence with the unconscious, as described by S. Freud.

¹⁴ It is the *other* as another self or as a representation of the *self*, marked by the prevalence of the dual relation with the image of the similar – notions developed by J. Lacan from the mirror phase and which are included in the texts *The Mirror Stage as Formative of the Function of the I as Revealed in Psychoanalytic Experience* (1998a [1949]) and *Family Complexes in the Formation of the Individual* (1987 [1938]).

Thus the essential element of the doctor's wife lies in the fact that she is unique, she imposes herself as someone different from all and each one, she is the representation of the subject, with all its subjective charge, with all its uniqueness psychic, which is the object of psychoanalysis.

TO OBSERVE: NARRATIVE CONSTRUCTION, INTER-SUBJECTIVITY AND HISTORICITY

The third and last reflective exercise consists in the analysis of the dimension of *observing* – word that refers to the action of redoing, improving, correcting, fixing the view, paying attention – and requires that one takes into account the multiple movements made by the vision, of extracting the parts and reintegrating the parts into the whole. Such displacements, which make it possible to contemplate both the totality and the particular, also promote the *re-vision*, in which memory is implied and acts in the sense of incorporating temporality and, consequently, historicity.

There are, in *Blindness*, two episodes that are paradigmatic of the dimension of *observing*. In both, the key element is the narrative construction and the way in which inter-subjectivity and historicity participate.

The first of these episodes is when the old man with the black blindfold proposes that each of his comrades in the ward tells what he was doing at the moment he got blinded, being sufficiently evident in the text the relationship between game, language and memory: “Let's go to a *game* [...] just *tell* each of us exactly *what you were seeing at the moment when you were blinded*” (1995, p. 130, highlighted for the purposes of this study).

In this threefold relation – game, language and memory –, it is verified that the importance of memory stems from the possibility of reanalyzing the lived experiences, of representing them through language and of reproducing them as an experience that can be shared with the other.

It is the representation of language as a game of meaning¹⁵ which, by making possible the expression of the individual as well as the social manifestation, involves subjectivity and inter-subjectivity. After all, by being organized by language, individual experiences can easily be evoked

¹⁵ The conception of language as a game is made explicit by H.-G. Gadamer (1997), in *Truth and method*, in addressing the relations between truth and linguistic processes.

and conveyed and, taken as a whole, constitute the collective heritage, a cultural heritage that integrates a horizon of shareable and shared meaning.

In this episode of *Blindness*, the last report is stated, according to the narrator, by an *unknown voice*, with which the other characters discuss:

The last one I saw was a painting, A painting, the old man with the black blindfold repeated, and where I was, I had gone to the museum, it was a field with crows and cypresses and a sun that gave the idea of being made with bits of suns, This looks like a Dutchman's doing, I think so, but there was also a dog sinking, he was already half buried, the unfortunate, As for this, it can only be by a Spaniard, before him nobody had painted so a dog, after him nobody else dared, Probably, and there was a wagon loaded with hay, pulled by horses, crossing a stream, There was a house to the left, Yes, Then it's by an Englishman, Yes, it could be, but I do not believe so, because there was also a woman with a child on her lap, Children on the lap of women is the most that is seen in painting, In fact, I have noticed, What I do not understand is how there could be in a single picture so many different paintings and so different painters, And there were men eating, There have been so many eating scenes, lunches and suppers in the history of art, that by this indication it is impossible to know who was eating, The men were thirteen, Oh, so it's easy, attention, There was also a naked woman, with blond hair, inside of a shell that floated in the sea, and many flowers around it, Italian, of course, And a battle, We are as in the case of food and mothers with children on their laps, not enough description to know who painted that one, Dead and wounded, It is natural, sooner or later all the children die, and the soldiers too, And a horse with fear, With eyes wanting to jump out of their sockets, Such and such, Horses are like that, and what other pictures were in this scene I did not know, I was blinded precisely when I was looking at the horse. Fear makes us blind, said the girl with the sunglasses, These are right words, we were already blind in the moment we were blinded, fear blinded us, fear will make us go blind, Who is talking, asked the doctor, A blind man, answered the voice, only a blind man, we have plenty here. Then the old man with the blindfold asked, How many blind will it take to make a blindness. No one knew how to respond (1995, p. 130-131).

The examination of this passage makes it possible to verify that the picture described constitutes an immense panel, in which various images produced by man to represent the world are mixed. The characteristics of each of the images and the themes corresponding to them serve as an indication of particular aesthetic and historical periods.

During the report, the *unknown voice* is constantly questioned: the non-explication of the interlocutors impels a collective and polyphonic character to the narrative that is being constructed. It shows that, just as personal memory is related to subjectivity, historical memory is related to inter-subjectivity, because it comprises the totality of culture, shared experiences, symbols and values.

Thus, the particular experiences recorded by each person's memory cannot dispense inter-subjectivity, which functions as a common reference system that allows them to be placed in the space of culture and in historical continuity.

The way inter-subjectivity and historicity operate in narrative construction and its link to the dimension of *observing* is also present in the second episode of *Blindness* to be evoked here: the passage of the meeting of the doctor's wife with the blind writer.

When he learned that the doctor's wife had not been blinded and was an eyewitness to everything that had happened in the quarantine, the writer, who although blinded did not stop writing, expressed his desire to know what she had been through, and says:

Suddenly it seems ridiculous to me all that I have been writing since we were blinded, my family and I, About what it is, About what we suffer, about our life, Each one must speak of what he knows, and what he does not know, he should ask, So I ask you, And I'll answer, I do not know when, one day (1995, p. 278).

The doctor's wife accompanies the writer to see where he works:

In the bedroom there was a small table, an oblong lamp on it. The dimming light that came in through the window showed, on the left, some blank sheets of paper, others in the right hand, fully written, in the center one that was in progress. There were two new ballpoint pens beside the lamp. She took the written pages, about twenty of them, and looked at the small calligraphy, the lines that went up and down, the words inscribed in the whiteness of the paper, engraved in blindness, I am in passing by, the writer had said, And those were the signs he was leaving behind (1995, p. 278-279).

We should highlight the writer's interest in life in its greatest completeness, his interest in human experience in its singularity as well as in its universality, because the particular situation is only a part of reality.

It is through the artistic manifestations – which, by their nature, bring together the expression of the self and the representation of the world – that one can acquire the awareness of the value that *observing* assumes in the *poetics of sight* that we find in the works of J. Saramago. Among these manifestations, stands out literature, which has the word as support, characterized by the possibility of polyphony and which combines the flexibility and constant renewal of language with images and themes already established in the cultural tradition (Karam, 2017b)¹⁶.

Finally, it should be emphasized that, in the context of literary theory – that is, of literature as a science –, more and more,

the concepts of horizon of meaning and inter-subjectivity are adopted, and this makes evident the importance – including in the very production of works – of the force of intertextuality and the facticity and historicity inherent in the writer, as well as consolidated conception that literary invention results from reading, interpretation and rewriting (Karam, 2017c, p. 1040).

It should be noted that such an understanding contrasts with the prevalence, in the science of Law, of theoretical constructs that are still linked to classical hermeneutics and, ignoring the *linguistic turn* and *narrative turn*, are unaware of the historicity and inter-subjectivity involved in the interpretive activity.

In short, while literary studies attribute to interpretation a central role in the creative process; Law is still susceptible to two figurative forms of blindness, since it tends to oscillate between the pretension of rationality and objectivity and the imposition of subjectivity, which is manifested in judicial decision-making¹⁷. This is the result of the solipsism that constitutes the maximum expression of a subjectivity that often denies the existence of external reality, the belonging of every subject to a community of speakers and their belonging in the cultural tradition.

¹⁶ The relevance of studies in law and literature and the deficiencies to be overcome, in the Brazilian academic context, regarding the use of adequate theoretical apparatus are pointed out by Trindade and Bernsts (2017). Also, some questions that involve the approximation between the legal science and the literary criticism were approached by Suárez Llanos (2017) and the relationship of literature to law and justice examined by Talavera (2015).

¹⁷ The issue of judicial decision and the production of the law itself are themes that Angela Espíndola (2016) examines in the article entitled “*Entre a insustentabilidade e a futilidade: a jurisdição, o direito e o imaginário social sobre o juiz*” (“Between Unsustainability and Futility: Jurisdiction, Law and Social Imagination on the Judge”).

FINAL CONSIDERATIONS

In the course of the study, we aimed at analyzing the *poetics of sight* in José Saramago's work to establish the correspondence between the dimension of *seeing* and light as a metaphor for reason, emphasizing that in *Blindness*, white blindness represents how, in the process of understanding and representing the world, reason despises the individuating notes of beings and objects and operates with concepts.

It is in the dimension of the looking that the vision is at the service of the apprehension of the totality and eliminates the particular, which would situate legal science, hostage, by its very nature, of rationality, normativity, to be overcome by law, in the examination of the concrete case, which requires that knowledge be linked to the understanding of reality and to the establishment of meaning proper to the narrative constructions, integrating to the hermeneutic process the spheres of inter-subjectivity and historicity, which are indispensable in a theory of decision.

It was also sought to establish the correspondence between the dimension of *seeing* and the representations and identifications of the self, represented by the terrible threat foreseen by the doctor's wife. It is in the dimension of *seeing* that one can situate the subject that is the object of psychoanalysis, a field in which the vision focuses on the individual in all depth and concentrates on subjectivity, without neglecting – in post-positivist theories – the function that inter-subjectivity plays in the imaginary construction of the self.

Finally, the dimension of *observing* was approached, which corresponds to the artistic manifestations, especially with literature, the privileged field of language and the narrative construction that, in its possible worlds, encompasses both the individual and the universal, contemplates both the cultural tradition and the disclosure to the new and the projection for the future.

Thus, if we consider the discursive nature and the narrative character of the law, the need to overcome the positivist paradigm and to reflect on the traditional models adopted by legal hermeneutics, without yielding to the imposition of the interpreter's subjectivity. It is also evident now how indispensable the dialogue between law and literature has become.

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Original language: Portuguese

Received: 02 Oct. 2018

Accepted: 28 Nov. 2018