



SHIPWRECK WITH FRIENDS
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Vous êtes embarqué – “we are embarked.” A line from Pascal, picked up by Friedrich Nietzsche in the late nineteenth century, and then again by another German philosopher, Hans Blumenberg, in the late twentieth. Blumenberg made it the epigraph of his cult classic, *Shipwreck with Spectator* – a slender little book built on a brilliant, if idiosyncratic idea. Blumenberg presented *seafaring* as a paradigmatic “metaphor for existence.” Life is a sea voyage: Blumenberg could show how this image persisted but also evolved from antiquity down to the present, with each new formulation capturing changing understandings

of what it means to be alive and in the world. The ancients warned that one risked shipwreck by forsaking the security of dry land – humanity’s natural domain – in the restless pursuit of adventure or fortune. By the time Nietzsche was quoting Pascal, however, something fundamental had shifted. Gone was the option of staying coddled in the safety of the harbor: in being alive, we were already far, far out on the high seas. “Now, little ship, look out!” Nietzsche wrote in *Die fröhliche Wissenschaft*: “there is no longer any ‘land.’” We are all always already embarked.

The little ship of my life arrived in Berlin at a moment of especially acute landlessness. An old life lay behind me, dissolved; the new was still formless. I tried to get my bearings – tried to wrangle the stars into readable constellations – but I was further out to sea than I realized. I thought a lot about the relationship between feeling and thinking. In certain moments, we sense their antagonism. But I became ever more conscious of the root they share in a fundamental awakensness or responsiveness to the world – that state in which our deep-lying sensing organs are turned outwards, exposed to the elements.

The year at Wiko was still young when Barbara asked if I would give the year’s first public lecture, attached to the meeting of the *Beirat*. I flinched. My work might not be the best suited to a public lecture, I demurred. It tends toward the conceptual. Not many pictures. “Don’t underestimate our Grunewald Publikum,” came the smiling reply. Right. Well, one potential lecture, I mooted tentatively, might grow from some work I have done on metaphor in international law. It showed how interwar jurists invoked a string of striking metaphors to conceptualize the semi-standing, or half-personhood, of a range of new subjects in international law, including minorities, mandated territories, and individuals. Could international law admit non-state subjects, subjects that might have rights but not the full capacity to wield them? Jurists reasoned through analogies to unborn children, slaves, or even – in what emerged as Thorsten’s favorite – the unfinished characters in Luigi Pirandello’s modernist drama *Six Characters in Search of an Author*. The research reflects my interest in bringing the full range and richness of humanities methodologies to bear on the study of law, not least through an attentiveness to language and to problems of time and temporality. As my conversation with Barbara drew to a close – both of us smiling now, talking about metaphor – she threw in, almost as an afterthought, “Have you read Hans Blumenberg?”

Ah, Blumenberg. Yes, I had. In my first year of graduate school we were assigned his *Legitimacy of the Modern Age*, a work as fat as *Shipwreck* is thin. I learned of *Shipwreck* then – often mentioned in the hushed tones of crush-ripe graduate students, their eyes

shining – and knew immediately that I loved it, though I had scarcely pressed back its front cover. But it languished on my reading list, neglected, a victim of the pressures of writing a dissertation and beginning one’s first teaching job. Oh, *how fitting*, I mused as I walked back to the Villa Walther, that here, now, in the first pause of that breathless, early-career scramble, it reemerged on the horizon and sailed right back to me. I thought about the books that wait for you, patiently: the books that know exactly the right moment to pounce. It arrived and scooped me up. With each page I read, I gained new companions in shipwreck – as though finding messages, sealed in bottles left bobbing in the ocean, from a long lineage of those reckoning with the landless life.

Blumenberg did not just soothe and delight. The re-encounter proved intellectually generative in unexpected ways, sending sparks flying sideways to my book project. Blumenberg’s work on metaphor was connected to his exploration of methodologies for the history of concepts. Metaphors, he felt, granted access to what could not be translated back (or forward) into pure conceptuality, what could not be reduced to abstract language – those aspects of the human life-world that were “conceptually irredeemable.” In “Prospect for a Theory of Nonconceptuality,” an essay he appended to *Shipwreck*, his interest lay in excavating precisely that buried stratum of stimulations and needs that *generated* theoretical curiosity – the life-world that sparked metaphors and that metaphors documented indirectly.

These methodological provocations spurred new ways of articulating what I was doing in my own book, currently titled *The Temporal Life of States*. It’s a book about the intellectual adventure of sovereignty in Central Europe in the hundred years after 1848. It follows attempts to square the Austro-Hungarian Empire – that complex, compound polity at Europe’s heart – with “modern” conceptions of state and sovereignty that turned on unity and singularity. How to translate the easy pluralism and particular temporality of dynastic imperium, with its many-bodied emperor-kings, into the abstract categories of nineteenth-century legal thought? The difficulties of that translation spawned bold experiments with sovereign form – both on the level of constitutional configuration (most dramatically with the creation of “dual” sovereignty in 1867) and academic theory (most famously in the thought of Hans Kelsen). Sovereignty was a problem for politics *and* for knowledge. I present a twinned history of orders of thought and orders of rule that extends through the empire’s last decades and then beyond its collapse in 1918. Those experiments with sovereignty, I show, had surprising afterlives in the domain of international law and order: Central European jurists had been wrestling with the legal beginnings and

ends of sovereignty long before decolonization turned the “birth” and “death” of states into a pressing global problem.

Blumenberg proved a happy interlocutor. Rather than take sovereignty as a particular *idea* or *thing*, I present it as a *problem*, a stimulus, eliciting ever-new attempts to solve, to theorize, to understand, and to order. I saw with new clarity that I was tracking not fixed or finished ideas, but the collective *reach* for them. Each particular constitutional configuration, like each academic theory, struggled to contain or tame its object, never quite finding coherence or fixing meaning, never quite achieving political or intellectual stability. The result was a remarkably creative archive of legal thought that still resonates today. In recovering that history, I am attentive to the affective *desire* for order and logical coherence and the *experience* of its elusiveness, treating these things not as a kind of incidental backstage to a “real” history of law or ideas, but as the meat of the story itself. Precisely the “non-arrival” of the concepts gave them their historical dynamism. My book thus moots some new ways of approaching the intellectual history of the state – as a rolling, restless project of public reasoning in which order-making and sense-making are intimately intertwined. In this connection and others, I hope it will be read not only as a contribution to Habsburg history and the history of international law, but also as an experiment in the history of concepts.

This book and its author could have sailed into no happier harbor than Wiko. Not only because of the fellowship’s unparalleled thoughtfulness and the stimulation of the other Fellows, but in the constellation of its permanent intellectual community: from the overlaps with Barbara’s work to the chance to talk to Lorraine Daston about knowledge and epistemology, to Christoph Möllers about law and intellectual history, to Stephan Schlak about *Begriffsgeschichte*, and to Franco Moretti about metaphor and analogy (and life). What a profound pleasure, to reflect on the arc of ideas and careers with Dieter Grimm and to savor his recollections of teaching law amid Bielefeld’s methodological ferment. Daniel Schönplflug and I, meanwhile, walked and talked our way, it felt, right across the world. In a broader, slightly more ineffable sense, I had the feeling of (re-)immersing myself in German intellectual life of the present *and* the past – of feeling the proximity of so many of the characters who have been significant for me. Figures like Blumenberg and Koselleck and countless others have a palpable presence on Wallotstraße not only in a shared discursive horizon, but often also in anecdote and lived experience, in the Fellows’ library, or in Wolf Lepenies’ tales of encounters on the Wiko terrace. To think with them at Wiko is an intimate experience.

Spring brought the shipwreck of the whole world. One day, the pandemic was a little wave that looked so far away; the next it crashed over us all with staggering destructive force. Grunewald grew very still, its quiet ruptured only by the occasional ambulance siren wailing softly in the distance. I lie: there were the birds. The birds who filled Villa Walther's ear-awnings with song – such full-throated, gurgling, joyous song. One grew so attentive to the spring. I began running in the woods, watching the lakes in the early light and in the last light, watching the exploding rash of green, watching the trees, flushed with new loveliness, gleaming in that crystal air. Everywhere life swelling and bursting, undeterred by the suffering consuming the human world. I drank of the spring as deeply as I could, more deeply than I ever have, because I had to. From the window of my study – on the top floor at the back of Villa Walther's *Altbau* wing – I faced a large flowering chestnut tree. I hadn't noticed it so much in the autumn. Now, day by day, I watched its tapered branches stir to life with rapt attention. Soon it was covered with a teeming mass of white flowers, smiling in the breeze – truly a wild abundance of flowers, a crown for every tip and twig. Those flowers kept me company, like five hundred necessary friends.

Blumenberg tells us that shipwreck – as seen by a spectator on dry land or experienced by a survivor – is often figured as the initial philosophical experience. In one prominent iteration, it is the spectator's distance from the distressing scene and the security of her own footing that enables the tragedy to be turned into knowledge: a parable of the philosopher's relationship to reality. Especially at the height of the pandemic's storm, it was as though the incredible Wiko team set out to stage this parable in living form. Ensnared in our villas, with lunches delivered personally to our doors, it sometimes felt like we were watching the calamity at a distance, gazing out across Grunewald's vast green sea to the wrecked world beyond from an embarrassingly safe and tranquil shore. My gratitude for the extraordinary care we received cannot be overstated. (My mother, too, is now a Wiko fan for life). Of course, the pandemic wrought sorts of damage from which no Wiko magic could save us. As the structural nature of the crisis grew ever clearer and we began to reckon with a radically changed world of many-sided loss and loneliness, there could be no such thing as distance. The world storm moved inside, even if the virus itself did not. A little more like one modern radicalization of the seafaring metaphor from Blumenberg's catalogue, born when a gloomy Jacob Burckhardt confronted the impossibility of objective knowledge and concluded that “we ourselves are the waves.”

As *Shipwreck with Spectator* moves, in its final section, into the twentieth century, the metaphor's adaptations concern the foundations of human thinking. The impossibility of

presuppositionless knowledge, of tracking back to the absolute beginnings of thought, are captured in the image of language with its syntactic rules as “a ship in which we find ourselves – on the condition that we can never enter a harbor.” Any repairs or investigations or rebuilding can be done only on the high seas, while needing to stay afloat. The pre-giveness of language, in other words, means that “knowledge cannot go back behind life.” There was something telling, I thought, as I read these last sections, in the way that Blumenberg had slid from seafaring as a metaphor for existence to seafaring as a metaphor for knowledge. But on reflection, that association hovers over the whole history. To live and to know are entangled all the way through. Or, as the philosopher Wilhelm Windelband phrased it a little more giddily in a line that appears in my own book, “the question of the nature and possibility of knowledge still carries within it all the riddles of existence.” The moments when we feel that in our bodies are little splinters of transcendence. I experienced Wiko’s gift as an invitation to spend more time than usual swimming unabashedly toward that light.