

“Pulpit Law” (December 10, 1871)

Abstract

As the *Kulturkampf* [cultural struggle] with the Catholic Church escalated in the early 1870s, Bismarck, supported by anticlerical liberals, passed a series of laws against what he regarded as the undue influence of Pope Pius IX on German politics. The so-called “Pulpit Law” of 1871, supplementing the existing Penal Code, marked the beginning of a broad onslaught on the prerogatives of the Catholic Church in Germany. This law criminalized any public statements by clergy that might threaten “the public peace.”

Source

Imperial Law Concerning the Supplement to the Penal Code for the German Reich from December 10, 1871

Single article

§ 130 of the Penal Code for the German Reich is supplemented by the following § 130a:

Any cleric or other minister of religion shall be punished with imprisonment or incarceration for up to two years if he, while exercising his occupation or having his occupation exercised, makes state affairs the subject of announcements or discussion in public before a crowd, or in a church, or before any number of people in some other place designated for religious gatherings in such a way that endangers the public peace.

Source: *Reichsgesetzblatt*, 1871, p. 442; original German text reprinted in Ernst Rudolf Huber and Wolfgang Huber, eds., *Staat und Kirche im 19. und 20. Jahrhundert. Dokumente zur Geschichte des deutschen Staatskirchenrechts*, vol. 2, *Staat und Kirche im Zeitalter des Hochkonstitutionalismus und des Kulturkampfes 1848–1890*. Berlin: Duncker & Humblot, 1976, p. 528.

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