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5 Conflicting Narratives of Blasphemy, Heresy and Religious Reform: The Jatho Affair in Wilhelmine Germany

In 1896, Andrew Dickson White (1832–1918), the American historian, diplomat and co-founder of Cornell University, published his magnum opus, *A History of the Warfare of Science with Theology in Christendom*, a book that reconstructed the gradual emancipation of science from the influence of the Christian churches. On hundreds of pages, White framed modern history as a continuous battle between science and religion in which scientists would eventually triumph over theologians. "In all modern history," he claimed, "interference with science in the supposed interest of religion, no matter how conscientious such interference may have been, has resulted in the direst evils both to religion and to science – and invariably [...]."[1] His narrative, later known as the 'conflict thesis', perfectly illustrates classic secularisation theory.[2] This theory maintains that as a result of modernisation and rationalisation, societies become less attached to religious authorities and institutions, prompting – as Max Weber famously put it – a 'disenchantment' of the world.[3] Scholars from various fields have challenged secularisation theory in recent years pointing at the historicity and political normativity of the concept.[4] They showed how the latter emerged in Europe

1 Andrew Dickson White, *A History of the Warfare of Science with Theology in Christendom* (London/New York: MacMillan and Company, 1897), vol. 1, vii. See also John William Draper, *History of the Conflict between Religion and Science* (New York: D. Appleton, 1874).

2 On the revision and historicity of White's and Draper's conflict thesis, see John H. Brooke, *Science and Religion: Some Historical Perspectives* (Cambridge: Cambridge University Press, 1991); Peter Harrison, *The Territories of Science and Religion* (Chicago: Chicago University Press, 2015); Roland Numbers et al., *The Warfare between Science & Religion: The Idea that Wouldn't Die* (Baltimore: Johns Hopkins University Press, 2018); James C. Ungureanu, *Science, Religion, and the Protestant Tradition: Retracing the Origins of Conflict* (Pittsburgh, PA: University of Pittsburgh Press, 2019).

3 Recent theoretical approaches distinguish between three processes of secularisation: (1) functional differentiation of society, (2) a decline in church attendance and religious ties, (3) the privatisation of religion and religious practice.

4 Olaf Blaschke, ed., *Konfessionen im Konflikt. Deutschland zwischen 1800 und 1970: Ein zweites konfessionelles Zeitalter* (Göttingen: Vandenhoeck und Ruprecht, 2002); Manuel Borutta, "Genealogie der Säkularisierungstheorie: Zur Historisierung einer großen Erzählung der Moderne," *Geschichte und Gesellschaft* 36, no. 3 (2010); Steve Bruce, ed., *Religion and Modernization: Sociologists and Historians Debate the Secularization Thesis* (Oxford: Clarendon Press, 2001); Lisa

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in the 1840s as a powerful narrative promoted by liberal elites to justify the separation of Church and State, decree the authority of scientific rationality, and legitimate civic emancipation.[5]

Even if secularisation theory has shaped Western conceptions of modernity since the nineteenth century, religion long continued to have a significant impact on society and culture. This also applies to Wilhelmine Germany, a period in German history spanning the years 1890 through 1918. Whilst church attendance declined during this era, especially among the upper and middle classes, the Wilhelmine bourgeoisie began to embrace alternative forms of religion and spirituality.[6] Olaf Blaschke even called the long nineteenth century a "second confessional age" to emphasise the revival of confessional traditions and demarcations among Protestants and Catholics in Germany during that time. It was a period marked by a strengthening and centralisation of church power, a homogenisation of the confessional sphere, professionalisation of the clergy, and increasing involvement of lay people in religious culture.[7]

A similar trend can be seen in the study of nineteenth-century secularism and freethought. Whereas its history has long been told in terms of a triumph of reason over belief, recent scholarship points to its religious roots and dimensions.[8] Secularism was, as Laura Schwartz puts it, "a manifestation of a highly religious age".[9] German secularism was not only rooted in the free church communities of the pre 1848-era, but also shaped and contributed to key concepts of religious culture, such as the German notion of "Jenseits" (the beyond).[10] Todd Weir even defined nineteenth-century secularism as a fourth "confession" competing with established religious communities for privileges, rights and political

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Dittrich, "Europäischer Antiklerikalismus – eine Suche zwischen Säkularisierung und Religionsreform," *Geschichte und Gesellschaft* 45, no. 1 (2019); Friedrich Wilhelm Graf, *Die Wiederkehr der Götter: Religion in der modernen Kultur* (Munich: C.H. Beck, 2007); Carolin Kosuch, "Freethinkers in Modern Europe's Secularities: Introduction," in *Freethinkers in Europe: National and Transnational Secularities, 1789–1920s*, ed. Carolin Kosuch (Berlin: De Gruyter Oldenbourg, 2020).

5 Borutta, "Genealogie der Säkularisierungstheorie"; Graf, *Wiederkehr der Götter.*

6 Thomas Nipperdey, *Religion im Umbruch: Deutschland 1870–1918* (Munich: C.H. Beck 1988), 130–145; Rebekka Habermas, ed., *Negotiating the Secular and the Religious in the German Empire: Transnational Approaches* (Oxford/New York: Berghahn, 2019).

7 Olaf Blaschke, "Das 19. Jahrhundert: Ein Zweites Konfessionelles Zeitalter?" *Geschichte und Gesellschaft* 26, no. 1 (2000).

8 See Dittrich, "Europäischer Antiklerikalismus," 5–36.

9 Laura Schwartz, *Infidel Feminism: Secularism, Religion, and Women's Emancipation, England 1830–1914* (Manchester: Manchester University Press, 2013), 22.

10 Todd Weir, "The Secular Beyond: Free Religious Dissent and Debates over the Afterlife in Nineteenth-Century Germany," *Church History* 77, no. 3 (2008).

resources.[11] Whilst secularist and freethought organisations opposed the religious ideas represented by the various officially recognised churches, they fought for a new concept of religion and spirituality that better suited modern society.[12] In that sense, the history of secularism reveals that the 'religious' and the 'secular' are fluid (rather than fixed) categories that are constantly being reshaped in relation to each other.[13]

Among the most radical opponents of the Christian churches in Imperial Germany were the German Freethinkers League (*Deutscher Freidenkerbund*) and the German Monist League (*Deutscher Monistenbund*). As mentioned above, German freethought was rooted in free church communities such as the "Deutschkatholiken" and "Protestantische Lichtfreunde," which had emerged during the pre-1848 era and opposed orthodoxy, dogmatism, and the cult of relics that was particular to the Catholic Church.[14] Although secularist associations had limited membership – in its heydays, in 1912, the German Monist League counted roughly 6,500 members – they had great influence on Wilhelmine bourgeois culture. Whilst their leaders belonged to the upper middle class, the so-called "Bildungsbürgertum," most members were decidedly middle class: teachers, artisans, merchants, physicians, engineers, and writers.[15] Wilhelm Bölsche and Bruno Wille, two founding members of the Monist League, belonged to

11 Todd Weir, *Secularism and Religion in Nineteenth-Century Germany: The Rise of the Fourth Confession* (Cambridge: Cambridge University Press, 2014).

12 Lisa Dittrich, "European Connections, Obstacles and the Search for a New Concept of Religion: The Freethinker Movement as an Example for Transnational Anti-Catholicism in the Second Half of the 19th Century," *Journal of Religious History* 39, no. 2 (2015); Borutta, "Genealogie der Säkularisierungstheorie," 347–350.

13 See Talal Asad, *Formations of the Secular: Christianity, Islam, Modernity* (Stanford: Stanford University Press, 2003), 1–17; Kosuch, "Freethinkers in Modern Europe's Secularities," 13–33.

14 On the history of the free religious communities in Germany, see Andreas Holzem, *Kirchenreform und Sektenstiftung. Deutschkatholiken, Reformkatholiken und Ultramontane am Oberrhein 1844–1866* (Paderborn: Ferdinand Schöningh, 1994); Friedrich Wilhelm Graf, *Die Politisierung des religiösen Bewußtseins. Die bürgerlichen Religionsparteien im deutschen Vormärz: Das Beispiel des Deutschkatholizismus* (Stuttgart: Frommann-Holzboog, 1978); Sylvia Paletschek, *Frauen und Dissens. Frauen im Deutschkatholizismus und in den freien Gemeinden 1841–1852* (Göttingen: Vandenhoeck & Ruprecht, 1990).

15 Christoffer Leber, *Arbeit am Welträtsel: Religion und Säkularität in der Monismusbewegung um 1900* (Göttingen: Vandenhoeck & Ruprecht, 2020), 55–75; Frank Simon-Ritz, *Organisation einer Weltanschauung: Die freigeistige Bewegung im Wilhelminischen Deutschland* (Gütersloh: Kaiser, 1997).

the Wilhelmine avant-garde and had a great impact on naturalistic currents in literature and theatre.[16]

As one of the most outspoken organisations, the German Monist League polarised Wilhelmine public opinion and invited serious scandal. From the 1870s onwards, zoologist and Darwinist Ernst Haeckel (1832–1919) propagated Monism as a universalistic worldview based on Darwinism and the natural sciences. Haeckel maintained that spirit and matter – be them animate or inanimate – possessed identity and celebrated Monism as the "link between religion and science," which could overcome typical Christian dichotomies such as the separation of body and soul as well as of life and the hereafter.[17] In 1906, Haeckel founded the German Monist League with the support of natural scientists, artists, writers, philosophers and even theologians. Before that, he had already provoked conservative believers and church representatives by calling God a "gaseous vertebrate" and proclaiming himself "Counter Pope".[18] Both monists and freethinkers were ready to insult religion and commit blasphemies for the purpose of questioning church authority and demanding full civil rights, including freedom of speech.[19]

Monism not only attracted critics of the churches but also its representatives. Albert Kalthoff (1850–1906), for instance, was a liberal Lutheran pastor from Bremen who became the first president of the German Monist League and sought to reform Christianity from the inside. As a result, Monism became a vehicle to express blasphemies and heresies alongside a means to initiate religious reform. It thus became an umbrella for two types of church criticism. On the one hand, monists rejected the privileges accorded to established religion and derided Christianity for being incompatible with scientific premises; to add weight to

16 On Monism in Bölsche's and Wille's prose, see Monika Fick, *Sinnenwelt und Weltseele: Der psychophysische Monismus in der Literatur der Jahrhundertwende* (Tübingen: Niemeyer, 1993).
17 Ernst Haeckel, *Der Monismus als Band zwischen Religion und Wissenschaft: Glaubensbekenntnis eines Naturforschers* (Bonn: Emil Strauß, 1892).
18 Ernst Haeckel, *Die Welträtsel: Gemeinverständliche Studien über Monistische Philosophie* (Bonn: Emil Strauß, 1899), 333; "Der X. Internationale Freidenker-Kongreß in Rom (20.–23. September)," *Das freie Wort* 5, no. 13 (1904).
19 On the history of Monism and the secularist movement around 1900, see Leber, *Arbeit am Welträtsel*; Gangolf Hübinger, "Die monistische Bewegung: Sozialingenieure und Kulturprediger," in *Kultur und Kulturwissenschaften um 1900, vol. II: Idealismus und Positivismus*, ed. Gangolf Hübinger, Rüdiger vom Bruch, and Friedrich Wilhelm Graf (Stuttgart: Steiner, 1997); Olaf Breidbach, "Monismus um 1900 – Wissenschaftspraxis oder Weltanschauung?," in *Welträtsel und Lebenswunder. Ernst Haeckel – Werk, Wirkung und Folgen*, ed. Erna Aescht et al. (Linz: Verlag Oberösterreichisches Landesmuseum). Paul Ziche, ed., *Monismus um 1900: Wissenschaftskultur und Weltanschauung* (Berlin: Verlag für Wissenschaft und Bildung, 2000).

their argument, they occasionally resorted to blasphemies. On the other hand, liberal Protestants embraced Monism to achieve changes within the existing religious structure, often standing accused of heretical behaviour.

Kalthoff was not the only theologian associated with Monism. In 1911, the figure of Carl Jatho (1851–1913) drew widespread interest in and beyond German Protestant circles.[20] A Lutheran pastor from Cologne, Jatho believed in the unity of God and the universe, refused the notion that Jesus ever existed, and replaced the Christian doctrine of salvation with the Nietzschean concept of self-redemption. The Prussian Union of Churches (*Altpreußische Landeskirche*) subsequently accused Jatho of denying the traditional belief in Christ's historical existence, refuting transcendental ideas, and violating the Apostle's Creed.[21] By accusing Carl Jatho of heresy under the newly introduced "heresy law" (*Irrelehregesetz*), it hoped to purify its own ranks and protect the faithful from religious error – harnessing itself against the symbolic violence hailing from dissent.

This chapter uses the Jatho Affair as a lens to shed new light on the conflict between Christian religion and science-based secularism in Wilhelmine Germany, in which heresy and blasphemy occupied a prominent role – both as an act of protest and as a form of imagined violence. It argues that the debate over one pastor's dissenting religious views turned into a much larger debate on the freedom of belief, of Protestant identity, and confessional orthodoxy. This discussion took place against the backdrop of the 1871 law prohibiting blasphemy, which was enacted by the German Empire, and the 1910 heresy law that was the product of the Lutheran Church's crackdown on internal dissent. Whilst conservative Protestants saw in Carl Jatho a heretic violating established religious ideas, freethinkers, monists and other secularists praised the rebellious pastor as a pioneer of religious freedom and a moderniser of Christianity – one, who could help construe a new concept of religion that would meet the needs of modern society.

The chapter first discusses the offence of blasphemy in the German penal code and then shifts perspective to the Jatho Affair as well as the heresy legislation. After providing an overview of Jatho's religious views and teachings, I will summarise his trial in summer 1911. Special emphasis is given to the question of why the Lutheran Church drafted a heresy law roughly forty years after the im-

20 On the Jatho Affair, see Thomas Martin Schneider, "Der Fall Jatho: Opfer oder Irrlehrer?" *Kerygma und Dogma* 54 (2008); Manfred Jacobs, "Jatho, Carl Wilhelm," *TRE* 16 (1987); Siegfried Kuttner, *Als die Welt nach Köln schaute: Ein Carl-Jatho-Lesebuch* (Cologne: C. Roemke, 2003); Lucian Hölscher, *Geschichte der protestantischen Frömmigkeit in Deutschland* (Munich: C.H. Beck, 2005), 356–368.

21 Jacobs, "Jatho," 545; Ernst Rudolf Huber and Wolfgang Huber, *Staat und Kirche im 19. und 20. Jahrhundert* (Berlin: Duncker und Humboldt, 1990), vol. III, 759–761.

perial penal code criminalised blasphemy. My chapter then reconstructs the ambivalent reception of the Jatho case in the conservative, liberal and secularist press, which ranged from accusations of heresy to criticism that the Lutheran Church would silence reformist voices within its own ranks. The last part of the chapter deals with the reception of the Jatho Affair among members of the German Monist League. Drawing on the accounts of two key figures of the movement, it shows that monists projected different objectives onto Jatho. Wilhelm Ostwald, the League's president between 1911 and 1915, read Jatho as a radical critic of the Lutheran Church who aimed to replace Christianity with a modern, scientific worldview; Max Maurenbrecher, on the contrary, saw the pastor as a religious reformer whose teachings echoed a new monist piety that was detached from Christian or biblical roots.

The Offence of Blasphemy in the German Penal Code

The liberalisation of the press in the nineteenth century prompted a renewed interest in and persecution of religious offences, including blasphemy and heresy. Whereas the offence of blasphemy belonged to the terrain of the State, heresy was overseen by the Church. Although legal steps were frequently taken to curb sexually or religiously offensive content, and an anti-blasphemy law had been inserted in the German penal code in 1871, blasphemous comments were a recurrent feature in Wilhelmine art, literature and the press. Arguably the most famous case was Oskar Panizza's satirical play *The Love Council* (*Das Liebeskonzil*, 1894).[22] In this anti-Catholic play, God is depicted as an argumentative old man with a vindictive character who made a deal with the devil to punish Rodrigo Borgia (1431–1503), or Pope Alexander VI, for the sexual escapades at the papal court by spreading syphilis across the world. For his blasphemous depiction of God, Jesus Christ (here portrayed as a weakling) and the Virgin Mary (here a dominatrix), Panizza was sentenced to one year imprisonment. At the same time, *The Love Council* was censured and banned throughout Germany.[23]

22 Oskar Panizza, *Das Liebeskonzil: Eine Himmelstragödie in fünf Aufzügen* (Frankfurt am Main: Fischer, 1976).

23 On the case of Oskar Panizza, see Michael Bauer, *Oskar Panizza – Exil im Wahn: Eine Biografie* (Munich: Allitera Verlag, 2019); Michael Bauer, *Oskar Panizza: Ein literarisches Porträt* (Munich/Vienna: Hanser, 1984); Peter Brown, "The Continuing Trials of Oskar Panizza: A Century of Artistic Censorship in Germany, Austria, and Beyond," *German Studies Review* 24, no. 3 (2001).

Panizza's case was part of a much broader trend in Imperial Germany that saw socialists, anarchists and secularists stand accused of blasphemy.

The history of blasphemy as an "imaginary crime" penalised by the state is younger than one might suspect; blasphemy was not debated within the Catholic Church until the thirteenth century.[24] Most of the church fathers and theologians (like Thomas Aquinas, Bonaventura, Alexander of Hales, Petrus Lombardus, and Bernardino of Siena) defined blasphemy as the act of denying what belongs to God, or ascribing something incorrect to Him and His nature.[25] Since ancient times, the prohibition of blasphemy aimed at nothing less than to preserve the honour of God and to protect the community from divine punishment, such as fires, plagues, floods, and bad harvests.[26] The European kingdoms started to prosecute blasphemy as a criminal offence from the fourteenth century onwards, just as the idea of the grace of God as the foundation of the monarchical order was gaining more significance.[27] In the Age of Enlightenment, new rational arguments came forward to justify the prosecution of blasphemy, such as ensuring public peace or protecting morality in society.

Although blasphemy had been a crime in most of the states composing the Holy Roman Empire, it had been largely absent from nineteenth-century jurisprudence, before making a spectacular return in the German imperial penal code of 1871. Its introduction was animated by concerns for public morality, social order and political stability. The German Emperor Wilhelm I regarded the Christian religion, and especially the Lutheran Church, as a stabilising force that needed protection from the 'dangers' of socialism and materialism. The blasphemy paragraph (§ 166) was based on the assumption that the churches guaranteed and legitimised the monarchical order, with throne and altar forming mutually supportive entities. Attacking religious beliefs and communities could henceforth attract a prison sentence of up to three years. A special feature of German blasphemy legislation was that it protected religious communities – be them Catholic, Protestant or Jewish. This aspect followed from the fact that the German Empire was a multiconfessional state, which included a huge Catholic community and a small Jewish minority (forty and nearly one per cent of the

24 Gerd Schwerhoff, *Zungen wie Schwerter: Blasphemie in alteuropäischen Gesellschaften, 1200–1650* (Konstanz: UVK, 2005), 27–36.

25 Alain Cabantous, *Geschichte der Blasphemie*, translated by Bernd Wilczek (Weimar: Verlag Hermann Böhlaus, 1999), 13.

26 Barbara Rox, *Schutz religiöser Gefühle im freiheitlichen Verfassungsstaat?* (Tübingen: Mohr Siebeck, 2012), 16–24.

27 Jacques de Saint Victor, *Blasphemie: Geschichte eines "imaginären Verbrechens"*, trans. Michael Halfbrodt (Bonn: Bundeszentrale für politische Bildung, 2017), 24–27.

population respectively). That the imperial penal code defined blasphemy in relation to religious communities, rather than the faith itself, points to the 'confessionality' of German blasphemy legislation.

Between 1882 and 1903, more than 6,900 blasphemy trials took place in Germany, which equals 329 trials a year. Public statements that God was a "bloodless ghost" and Jesus the "first socialist" often led to a heavy fine or even to a prison sentence.[28] Prosecutions under § 166 were in some cases combined with indictments under the Lex Heinze, a law from 1892 that criminalised the publication of "lewd literature".[29] These legal responses to blasphemy point to "changing views of the sacred" that have shaped and regulated modern societies.[30] Prosecuting blasphemy offered an opportunity to stabilise the moral-political order of society. So did heresy.

The Case of Carl Jatho: Dealing with Heresy in the Lutheran Church

Almost forty years after the introduction of the German blasphemy law, the Lutheran Church of Prussia passed a heresy law to deal with dissent within its own ranks. Whereas blasphemy was the terrain of the State, heresy was sanctioned by the Church to discipline its own officials. The first clergyman to fall victim to the new heresy law was Carl Jatho. Born to a Lutheran pastor in Kassel in 1851, he had served in the Franco-Prussian War before studying theology in Marburg and Leipzig. After completing his studies, Jatho moved to Bucharest (Romania) in 1876 to become a parish priest. Nine years later he returned to Germany and became a pastor in Boppard, a small town along the Rhine river near Coblenz; in 1891, he became head of the community of Cologne's *Christuskirche*.[31] There Jatho gained fame for his moving sermons, which made him ex-

28 Werner Tschacher, "Von der Gotteslästerung zur Störung des öffentlichen Friedens: Grenzverschiebungen in der Geschichte der Blasphemiegesetzgebung," in *Jeux sans Frontières? Grenzgänge der Geschichtswissenschaft*, ed. Andreas Fickers, Rüdiger Hauge, Stefan Krebs and Werner Tschacher (Bielefeld: transcript, 2018), 289.

29 Gerd Schwerhoff, *Verfluchte Götter: Die Geschichte der Blasphemie* (Frankfurt am Main: Fischer, 2020), 320.

30 David Nash, *Blasphemy in the Christian World: A History* (Oxford: Oxford University Press, 2010), 1.

31 For more information on Jatho's life, see Jacobs, "Jatho," 545–548; Hans Hohlwein, "*Jatho*, Carl," *Neue Deutsche Biographie* 10 (1974), 367; Schneider, "Der Fall Jatho," 78–97; Kuttner, *Als die Welt*.

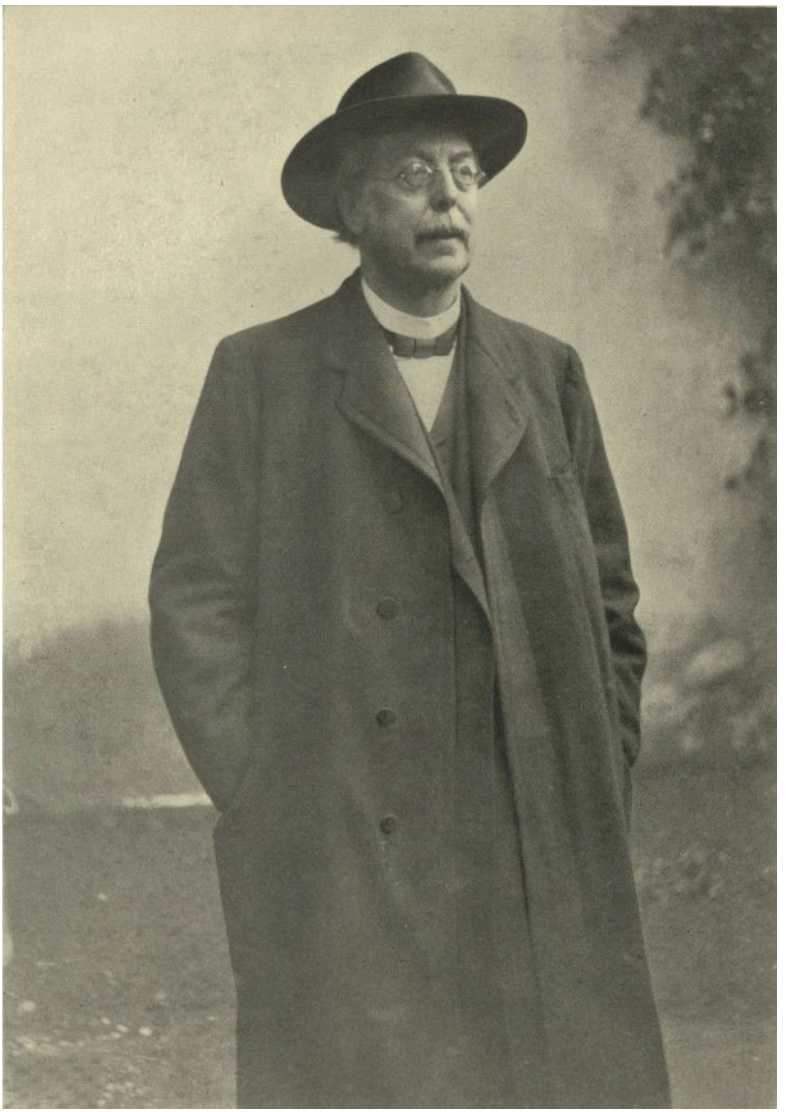

Fig. 6: 'Portrait of Carl Jatho,' published in *Carl Jatho: Briefe* (Jena: Eugen Diederichs, 1914). Photo courtesy of the Bayerische Staatsbliothek, Munich.

tremely popular among a bourgeoisie alienated from Lutheran orthodoxy. Eugen Diederichs, a famous publisher of avantgarde literature, printed multiple volumes of these sermons and thus helped Jatho become a well-known and popular figure in social reform circles. The latter also wrote numerous books on religious

and spiritual themes such as *Personal Religion* (1906), *The Joyful Faith* (1911), and *The Everlasting God* (1913).[32]

Jatho stood out for his radically subjective understanding of God, which he expressed by juxtaposing Christian belief with pantheistic, romantic and monist elements. He rejected the idea of Christianity as a revealed religion, seeing in it rather a historical phenomenon capable of change and progress. Jatho also believed in the identity of God and the universe, and maintained that Christ represented the "genius of mankind," reproduced in each human being. The London weekly *Saturday Review* questioned Jatho's radical thought as follows:

> The subjective experience of prayer necessitates the objective dogma of God. [...] If religious experience receives conflicting interpretations, then either the experience is different or the interpretation incorrect. Pure subjectivity would leave individuals trusting their own unexplained emotions and mutually regarding each other's belief as based on illusion. But it is evident that this situation tends to destroy a belief whose objective validity it has undermined.[33]

Jatho's rising star was viewed with growing scepticism by the High Consistory of the Lutheran Church in Prussia, which feared that he might violate fundamental beliefs and principles of the Church. That the pastor was rumoured to use his own creed during confirmation ceremonies instead of the apostolic one only increased suspicion among church authorities.

The heresy law that the Lutheran Church passed in 1910 strengthened the supervision of the Prussian clergy by the Church Council (*Oberkirchenrat)* and introduced a consultation procedure for views or practices considered to be theologically dissenting or even heretic.[34] By introducing this new law, officials demonstrated their obligation to make sure that the Gospel was preached according to the Scriptures and the confession of the Church. Priests charged with dissent would have to explain and justify their interpretation of the faith in front of an ecclesiastical court (*Spruchkollegium*).[35] This was the road that lay ahead for Carl Jatho. Before his trial started in June 1911, he had to provide

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32 Carl Jatho, *Persönliche Religion: Predigten von Carl Jatho* (Cologne: C. Roemke, 1906); Carl Jatho, *Fröhlicher Glaube. Ein Andachtsbüchlein* (Cologne: Paul Neubner, 1910); Carl Jatho, *Der ewig kommende Gott* (Jena: Eugen Diederichs, 1913); Carl Jatho, *Zur Freiheit seid ihr berufen: Die sechzehn Saalpredigten* (Jena: Eugen Diederichs, 1913).

33 W. Sparrow-Simpson, "A German Modernist: Carl Jatho," *The Saturday Review*, March 23, 1912.

34 Huber and Huber, *Staat und Kirche*, 759–761.

35 Before the introduction of the heresy law, the Lutheran Church prosecuted heresy as a disciplinary offence and equated it with other offences such as theft or abuse of authority.

an explanation around five different issues: his view on (i) the relation of God to the world, (ii) the revelation of Christianity, (iii) the meaning of guilt and original sin, (iv) the being of Christ, and (v) life after death. Since Jatho stuck to his heterodox views, the ecclesiastical court removed him from his ministry on June 23. It justified its decision by arguing that Jatho's teachings were incompatible with the confession of the Lutheran Church and that he had broken his oath of ordinance.[36] Jatho was thus ousted for professing heresies. Nevertheless, he continued preaching across Germany until his unexpected death from blood poisoning on March 11, 1913.[37] His fate not only raised the question about how to deal with dissent within the Lutheran Church but also touched on issues about institutional authority, lay participation and organisation. How could a pastor be accused of heresy if his congregations accepted his teachings? Should not the congregation have the exclusive right to denounce heresies?[38]

Conflicting Narratives

The Jatho Affair occurred at a time when debates about the limits of religious and artistic freedom took on a new quality in Imperial Germany. In 1879, German-Jewish impressionist painter Max Liebermann (1847–1935) was accused of blasphemy for his *Jesus at the Temple*, which had been exhibited at the international art fair in Munich. The artist had depicted Jesus as a poor Jewish boy dressed in shoddy garments addressing the elders at the Holy Temple (Luke 2:41–52). This naturalistic depiction of young Jesus, in rags and with an allegedly Jewish physiognomy, outraged conservative Christians who saw in it an act of blasphemy – forcing Liebermann to change the image.[39] Sixteen years later, the aforementioned artist Oskar Panizza was condemned for blasphemy on 99 grounds, with the plaintiff citing a desire to defend the Christian faith and moral order. Because German blasphemy law guaranteed the protection of all recognised religious communities, Jewish faith groups could initiate action too. In 1913, the Central Association of German Citizens of the Jewish Faith (*Cen-*

36 Jacobs, "Jatho," 546.

37 Ibid., 545.

38 Henning Theißen, "Die Partnerschaft von Amt und Gemeinde in einer Ökumene des Nordens," in *Ökumene des Nordens: Theologien im Ostseeraum*, ed. Heinrich Assel, Christfried Böttrich, and Henning Theißen (Frankfurt am Main: Peter Lang, 2010), 128.

39 Jenns E. Howoldt, "Der zwölfjährige Jesus im Tempel. Das Bild und seine Entstehung," in *Der Jesus-Skandal. Ein Liebermann-Bild im Kreuzfeuer der Kritik*, ed. Martin Faass (Berlin: Reiter-Druck, 2009).

tral-Verein Deutscher Staatsbürger jüdischen Glaubens) sued antisemitic writer Theodor Fritsch (1852–1933) for insulting their religious community and encouraging antisemitic violence. Among others, Fritsch had called Jahwe "malicious" and "despicable".[40]

The Jatho Affair was different from these other cases in that it focused on purifying the religious (here Lutheran) community from within rather than protecting it against outside attack. With Protestantism the principal faith of the German Empire – and the faith of the ruling Hohenzollern house too – the prosecution of a pastor of the Luther Church sent shockwaves through the country and even provoked street protests in Cologne and Berlin. The *Berliner Tageblatt* stated on January 30, 1911: "[t]he Protestants of Cologne stand in unconditional loyalty to him [Jatho – C.L.] and would consider any touching of their wise and devoted pastor, who is held in high esteem by everyone, as a relapse into the medieval law of the fist!".[41] More than 45,000 citizens in Cologne signed a petition to demonstrate their solidarity with Jatho. It not only shows his enormous popularity among Cologne's bourgeoisie, but also reveals popular opposition against the heresy law. On January 29, 1911, roughly five months before the ecclesiastical court *(Spruchkollegium)* sanctioned the pastor, two demonstrations in favour of Jatho took place at the Gürzenich and the Reichshallentheater in Cologne, two of the city's biggest event locations. Protesters also started a donation campaign after he had lost his paid position in the Church. They even considered founding their own independent church.[42]

After the ecclesiastical court had disciplined Jatho for heresy, the affair turned into a media event as newspapers from across the political and confessional spectrum reported on the case.[43] His supporters regarded Jatho's removal

40 On the Fritsch case, see Inbal Steinitz, *Der Kampf jüdischer Anwälte gegen den Antisemitismus: Die strafrechtliche Rechtsschutzarbeit des Centralvereins deutscher Staatsbürger Jüdischen Glaubens (1893–1933)* (Berlin: Metropol, 2008), 95–100.

41 "Der Irrgeist am Rhein: Ein Besuch beim Pfarrer Jatho in Köln," *Berliner Tageblatt*, January 30, 1911.

42 "Kundgebungen für Jatho," *Kölner Stadt-Anzeiger. Abend-Ausgabe*, January 30, 1911; Jacobs, "Jatho," 546–47; Schneider, "Der Fall Jatho"; Huber and Huber, "Der Fall Jatho," 760.

43 A collection of the press coverage on the Jatho Affair is available at the Archive of the Protestant Church in the Rhineland, Düsseldorf, Coll. Pfarrer Carl Jatho 8SL 025. The following accounts provide an overview of the positive and negative responses to the Jatho Affair: Joachim Dietrich, ed., *Der Fall Jatho: Aktenstücke und Beurteilungen* (Berlin: Positive Union, 1911); Gustav von Rhoden, *Der Kölner Kirchenstreit: Pfarrer Jathos Amtsentsetzung im Lichte der öffentlichen Meinung. Nach den Quellen zusammengestellt* (Berlin: Martin Warneck, 1911); Arthur Bonus, *Wider die Irrlehre des Oberkirchenrats* (Jena: Eugen Diederichs, 1911); Erich Foerster, Johannes Kübel, and Otto Zurhellen, eds., *Zur Auseinandersetzung mit Jatho: Frankfurter Vorträge* (Frank-

from his ministry as a violent attempt by the High Consistory to eliminate dissenters through the authority of force – thus turning the relationship between religious offence and violence topsy-turvy; after all, heretics were usually considered as the ones causing disorder by spreading radical ideas. With Jatho now celebrated as a martyr for spiritual liberation, the Lutheran Church acquired the reputation of some latter-day papacy that freely disposed of dogmas, violence and repression.[44] Social democrat and theologian Paul Göhre (1864–1928) even saw Jatho's fate as proof of the steady "Catholicisation of the Protestant Church," recalling contemporary controversies about modernism in the Roman Church.[45] A liberal Protestant newspaper from Austria drew a similar analogy between ultramontanism and the Lutheran Church: "Rome has triumphed. Even if Jatho is not treated as bad as the modernists are by Rome, [...] there is essentially no difference between the ecclesiastical court and the Inquisition."[46] What Jatho's supporters described as violence resembles Johan Galtung's concept of structural violence, which draws on the forms of discrimination and oppression inherent to large institutions. Rather than physical violence, Jatho experienced the full weight of the long arm of the Lutheran Church as he was marginalised, silenced and forced to resign.

One of the most famous people to comment on Jatho's position was liberal theologian Adolf von Harnack (1851–1930).[47] Although he disagreed with Jatho's understanding of God, he defended freedom of preaching and was convinced that the Christian message of salvation reached believers regardless of their dissenting views. Conservatives condemned Harnack for attempting to mediate between the different parties involved in the Jatho Affair and hence called him "professor jumping jack".[48] They regarded the lonesome pastor as both a heretic

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furt am Main: M. Diesterweg, 1911); Joseph Gauger, *Der Fall Jatho und unsere kirchliche Lage*, 2nd ed. (Elberfeld: Buchhandlung der Evangelischen Gesellschaft für Deutschland, 1911); Karl G. W. Herbers, *Zum Fall Jatho: Ein offenes Wort zur Klärung* (Duisburg: Rhein- und Ruhrzeitung, 1911); Wilhelm Klauke, *Jatho's Verurteilung im Lichte der Wahrheit und Gerechtigkeit* (Frankfurt am Main: Wilhelm Greven, 1911); Otto Zurhellen, *Jathos Theologie und die religiöse Krisis der Gegenwart* (Tübingen: Mohr, 1911).

44 "Ecclesia triumphans?" *Das freie Wort* 11, no. 8 (1911): 281–283. On the image of the martyr, see *Evangelische Kirchenzeitung* 85 (1911), 227; "Jathoversammlung in Dresden," *Lehre und Wehre: Theologisches und kirchlich-zeitgeschichtliches Monatsblatt* 58 (1912), 329.

45 Paul Göhre, "Die Bedeutung des Falles Jatho," *Sozialistische Monatshefte*, July 27, 1911.

46 "Der Fall Jatho," *Evangelische Kirchen-Zeitung für Österreich*, July 15, 1911.

47 "Professor Harnack über Spruchkollegium und Fall Jatho," *Tägliche Rundschau* 31, no. 348, July 27, 1911.

48 Maximilian Vanselow, "Professor Hampelmann," *Der Wahre Jacob* 656, September 12, 1911; *Kladderadatsch* 64, no. 33, August 13, 1911.

and blasphemer who deserved no such support.[49] Eugen Diederichs wrote in 1914 how Jatho's "completely undogmatic approach to the idea of Christ, blossoming directly from a purified humanity and bearing within itself the germs of eternal perfection, must have seemed to his orthodox opponents like blasphemy".[50] Conservative Protestants, whose faith was directly tied to the Gospel and closely followed official doctrine, perceived Jatho's teachings as a violent attack against their faith that deeply hurt their religious feelings.[51] Even the Catholic press voiced concern about Jatho's enormous popularity, fearing that his "god-denying worldview" would also inspire dissent among co-religionists: "It is difficult to imagine that a Catholic community with a shining firmness of faith would be able to survive next to a completely faithless Protestant community [...] and that is why we Catholics have every reason to find the events surrounding Jatho deeply concerning," a paper from Austria-Hungary lamented in July 1911.[52]

As a result of official actions, satirical journals did not grow tired of depicting the Lutheran Church as a repressive institution that did not tolerate, even actively stifled, religious dissent. A 1911 caricature published in *Kladderadatsch* shows Chronos, the Greek god of time, entering the courtroom where Carl Jatho is being prosecuted. Seeing the pastor wear a muzzle, he complains: "Damn, I have travelled 400 years in time for nothing!" The caricature compared the Lutheran Church with the Inquisition and criticised the ecclesiastical court for attacking someone with liberal views on religion; the muzzle was a clear reference to censorship. Another caricature from the same year depicted Jatho in clerical garments lying on the bed of "dogmatism". Next to his head, a member of the ecclesiastical court cuts off the beret traditionally worn by pastors. The scene alludes to the Greek mythological figure of Procrustes, son of Poseidon, who as a smith punished people by stretching them or cutting off their legs in order to make them fit into his iron bed. In this case, the image illustrated how Jatho's views had challenged dogmatism, forcing the High Consistory to silence him by cutting him short.

Not only in caricatures but also in reports and comments the liberal press used the art of irony when referring to Jatho as a "blasphemer," thereby exaggerating

49 Jacobs, "Jatho," 546.

50 Eugen Diederichs, ed., *Carl Jatho: Briefe* (Jena: Eugen Diederichs Verlag, 1914), xxv.

51 Articles against Jatho appeared in the *Kreuzzeitung*, *Reichsboten*, *Staatsbürgerzeitung*, *Deutsche Zeitung*, *Ostpreußische Zeitung*, *Schlesische Morgenzeitung*, *Tägliche Rundschau*, *Leipziger Neueste Nachrichten*, and *Hamburger Nachrichten*. For the press coverage, see Dietrich, ed., *Der Fall Jatho,* 39 – 41.

52 "Jatho," *Korrespondenz-Blatt für den katholischen Klerus Österreichs* 30, no. 13, July 10, 1911.

Fig. 7: 'In the Twentieth Century! (On the Jatho Affair),' published in *Kladderadatsch* 64, no. 28, July 9, 1911. Photo courtesy of the Bayerische Staatsbibliothek, Munich.

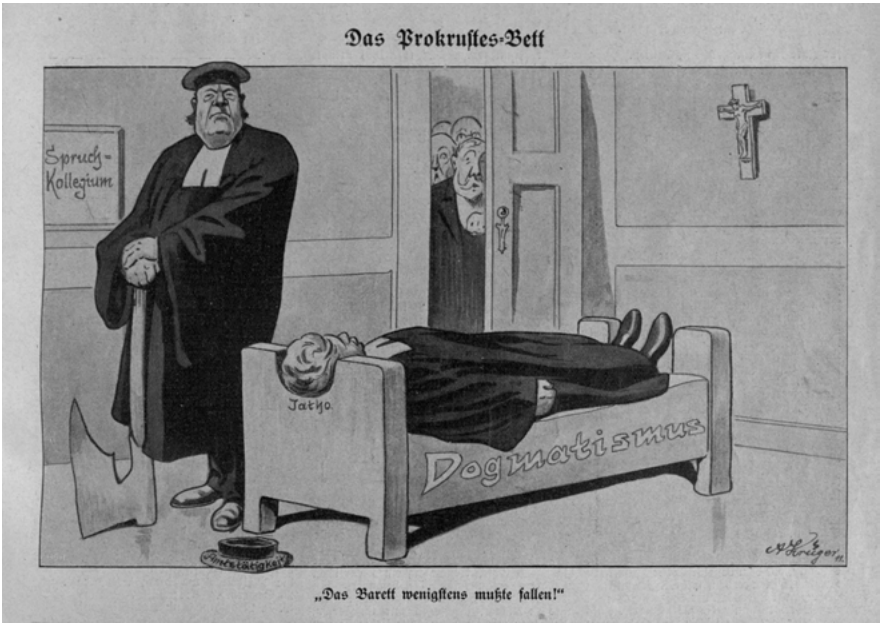

Fig. 8: Arthur Krüger, 'The Bed of Procrustes,' published in *Kladderadatsch* 64, no. 28, July 9, 1911. Photo courtesy of the Bayerische Staatsbibliothek, Munich.

the accusations of the Lutheran Church.[53] The term also served to allude to Jatho's courage in sticking to his unorthodox views and challenging the authority of the Church. A satirical poem from 1912, published in *Kladderadatsch*, recalled with bitter irony how the local church council (*Gemeinde-Kirchenrat*) of Barmen had banned Jatho from preaching at the funeral of a friend, citing his allegedly blasphemous views:

> O Barmen, beautiful town on the Wupper,
> You are fulfilled with truly pious spirit
> Wasn't it you snooping around
> To reveal pastor Jatho's disgrace?
> Your congregation
> Fills us with envy
> Because the church council
> Gave you back
> The sweet peace of mind

53 Numerous newspapers used the word "blasphemer" in their headlines to draw attention to the case, see for example "Der evangelische Ketzer," *Die Zeit*, June 25, 1911.

One day, bold pastor Jatho wanted to preach
At his friend's grave. What! Where? How?
He sought to fight the church
With his infamous blasphemy
Suddenly – what a blessing!
The church council
Confronted and opposed him
Shining with glory
Of the relieved congregation [...].[54]

Against the backdrop of resurrected blasphemy and heresy legislation, Jatho thus became the object for conflicting narratives about Protestant identity and the limits of religious freedom. Whereas conservatives discredited him as alternately as a blasphemer and heretic, justifying the ecclesiastical court's sanction as the only way to protect the Lutheran Church and prevent straying, liberals heralded him as a much-needed religious reformer. Fearing that the Lutheran Church was morphing into a pseudo-Catholic institution in which clericalism and dogmatism ruled supreme, they criticised the court's decision.

The New Reformation: Jatho, Monism and German Secularism

The Jatho Affair played a key role in the Wilhelmine secularist movement in general and in the monist movement in particular.[55] It revisited different aspects of monist identity – alternating between a spiritual dimension (Monism as an *Ersatzreligion*), a liberal element (its endorsement of laicism) and a radical feature (the replacement of Christianity with a scientific worldview). Some freethinkers saw in the affair a much older, smouldering conflict within German Protestantism that pitted the Prussian government's desire for a state church (*Staatskirche*) against the popular wish for a people's church (*Volkskirche*). Jatho's insistence on spiritual freedom made him a natural supporter of the latter, putting him at loggerheads with Protestant elites, whose proximity to the German Empire

54 "Der weise Kirchenrat," *Kladderadatsch* 65, no. 7, February 18, 1912.

55 On secularism and anticlericalism in nineteenth-century Germany, see Manuel Borutta, *Antikatholizismus: Deutschland und Italien im Zeitalter der europäischen Kulturkämpfe*, 2nd ed. (Göttingen: Vandenhoeck & Ruprecht, 2011); Horst Groschopp, *Dissidenten: Freidenkerei und Kultur in Deutschland* (Berlin: Dietz Verlag, 1997); Lisa Dittrich, *Antiklerikalismus in Europa: Öffentlichkeit und Säkularisierung in Frankreich, Spanien und Deutschland, (1848–1914)* (Göttingen: Vandenhoeck & Ruprecht, 2014); Weir, *Secularism and Religion*.

had them side with the State. Following his conviction in summer 1911, *Das freie Wort* wrote: "A Lutheran people's church cannot accept an 'infallible' ecclesiastical court. It demands truly religious personalities [who] live by their beliefs, not inflexible officials following doctrine."[56] Similarly to this journal, freethinkers depicted Jatho as the first victim – even martyr – of the Lutheran Church's heresy law and hoped that he would resign in order to publicly express his commitment to religious freedom.[57] Jatho's image of a "martyr" along with that of a "blasphemer" became a common *topos* in the liberal and freethinking press, used to send the message that Jatho was a free, radical, unapologetic spirit unwilling to compromise.

The Jatho Affair received much attention among members of the German Freethinkers League and the German Monist League. Introduced by Ernst Haeckel in the 1870s, Monism became a driving force in debates about the relationship between science, religion and modernity in fin-de-siècle Germany. As mentioned above, it described a scientific worldview seeking to overcome the dualist tradition of Christianity that separated body and soul, this world and the hereafter.[58] In 1911, Leipzig chemist and Nobel Prize laureate Wilhelm Ostwald became president of the German Monist League. Unlike Haeckel, Ostwald's Monism relied on the physical principles of energy and entropy, suggesting that all processes in the world derive from energy transformations.[59] Although Jatho explicitly distanced himself from the monists, Ostwald cited his pantheistic teachings about the identity of God and the universe as well as his notion of God revealing himself in evolution as a confirmation for his genuine Monism:

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56 "Ecclesia triumphans?" *Das freie Wort* 11, no. 8 (1911): 283.

57 Friedrich Steudel, "Zum Fall Jatho," *Das freie Wort* 11, no. 9 (1911): 333–338; Max Friedrichs, "Evangelische Kirche und evangelische Religion. Oder: Was lehrt der Fall Jatho?" *Ethische Kultur* (1911): 106–107.

58 Cf. Haeckel, *Welträtsel*. On Haeckel's Monism and the German Monist League, see Robert J. Richards, *The Tragic Sense of Life: Ernst Haeckel and the Struggle over Evolutionary Thought* (Chicago: University of Chicago Press, 2008); Mario A. Di Gregorio, *From Here to Eternity: Ernst Haeckel and Scientific Faith* (Göttingen: Vandenhoeck & Ruprecht, 2005); Breidbach, "Monismus um 1900"; Niles Holt, "Ernst Haeckel's *Monistic Religion*," *Journal of the History of Ideas* 32, no. 2 (1971); Bernhard Kleeberg, *Theophysis: Ernst Haeckels Philosophie des Naturganzen* (Cologne/Weimar/Vienna: Böhlau, 2005); Leber, *Arbeit am Welträtsel*; Todd Weir, "The Riddles of Monism: An Introductory Essay," in *Monism: Science, Philosophy, Religion, and the History of a Worldview*, ed. Todd Weir (Basingstoke: Palgrave Macmillan, 2012).

59 On Ostwald's energetic Monism, see Leber, *Arbeit am Welträtsel*; Andreas Braune, *Fortschritt als Ideologie: Wilhelm Ostwald und der Monismus* (Leipzig: Leipziger Universitätsverlag, 2009); Caspar Hakfoort, "*Science Deified*. Wilhelm *Ostwald's* Energeticist World-View and the History of Scientism," *Annals of Science* 49, no. 6 (1992).

> One is full of admiration for the man [Jatho – C.L.] who has understood, as a monist on the pulpit, to remain in harmony with his parish for so long without the occurrence of any difficulty. He, who in his preaching has long ago abandoned the dualistic opposition of God and this world and has translated his teaching into a new ethics according to which God is in man and man in God.[60]

Monists discussed the Jatho Affair in their weekly paper and joined other freethinkers in their campaign against the Lutheran Church – generating fresh publicity with their lectures and anticlerical polemics.[61] Ostwald himself authored two "Monist Sunday Sermons" that discussed Jatho's significance for the overall monist project. The first sermon underlined the historical importance of the persecution of the Cologne pastor. Ostwald here drew a parallel to 1517, suggesting that the Jatho Affair was "comparable to the event from which is normally dated the beginnings of Luther's Reformation, namely the posting of 95 theses to the Castle Church in Wittenberg. From this midsummer's day of 1911 onwards will be counted a great and far-reaching change in the church and religious life of all Germans."[62]

According to Ostwald, the case of Carl Jatho embodied the conflict between religious orthodoxy and historical evolutionism. He thereby relied on Auguste Comte's "law of three stages," which claimed that each civilisation goes through three phases of cultural evolution that correspond to the mental development of the human being.[63] Whilst in the theological stage man resorts to personified deities and the metaphysical stage sees the rise of abstract concepts such as nature, spirit or reason, the scientific (positivist) stage relies on observation, experiment and comparison to explain life in its totality.[64] Drawing on this tripartite division, Ostwald maintained that modern culture, including religion, was evolving towards the scientific level. He cited Jatho's teachings as proof that liberal Protestants were about to free themselves from the shackles of orthodoxy and enter a new, higher level of culture: "The journey that led us from Christ to Luther and now to Jatho will eventually reach the point where we monists currently

60 Alexis Schmidt, "Zwei Monisten auf der Kanzel," *Der Monismus* 6, no. 60 (1911): 263.
61 Ibid., 263–65; "Ecclesia triumphans?" *Das freie Wort* 11, no. 8 (1911); "Evangelische Kirche und evangelische Religion, oder: Was lehrt der Fall Jatho?," *Ethische Kultur* (1911).
62 Wilhelm Ostwald, *Monistische Sonntagspredigten* (Leipzig: Unesma, 1911), vol. I, 114.
63 On Auguste Comte's philosophy and sociology, see Gerhard Wagner, *Auguste Comte zur Einführung* (Hamburg: Junius, 2001), 59–63; Werner Fuchs-Heinritz, *Auguste Comte: Einführung in Leben und Werk* (Wiesbaden: Westdeutscher Verlag, 1998).
64 Ostwald wrote a biography about Comte and translated an early treatise of the French positivist thinker into German. Wilhelm Ostwald, *Auguste Comte, der Mann und sein Werk* (Leipzig: Unesma, 1914).

are, namely the scientific worldview, which acknowledges evolution as the basic principle of all life [...]."[65] Ostwald thus construed a historical teleology that pitched Jesus as the herald of Christianity, Luther as its reformer, and Jatho as the man to modernise Protestantism and turn it into a scientific worldview. In short, the Cologne pastor emerged as the point of departure for a new Reformation that undid Protestantism from its non-scientific elements and transformed it into a secular belief: Monism.

Ostwald's reference to a new Reformation revisited a familiar trope that saw Monism as the fulfilment of Luther's reform ideas. Like other members of the German Monist League, he was convinced that the achievement of a scientific worldview could bring the German nation to a higher level, overcoming confessional differences and reducing the influence of orthodoxy on society. At the same time, the image of a new Reformation integrated Monism into a *longue durée* narrative that connected Luther and Bismarck (the political unifier of the German nation) with the monists (the nation's spiritual unifiers). Hannah Dorsch wrote in her pamphlet 'A New Reformation' (1907) that only Monism was able to overcome the shortcomings of liberal theology and to liberate people's minds from clerical coercion: "It is our task to revive the idea of the Reformation in its most fruitful form and to realise it in a modern, liberated shape. So many thousands of people across all countries have open and free souls [that are] ready to support this new kind of spiritual liberation."[66] Luther here appeared as the enlightener of the German nation, whose work could only be completed by Monism. At the same time, the teleological narrative from Luther, via Bismarck to the monists resembled elements of Prussian national historiography in the nineteenth century, which sought to prove the country's confessional, political and military superiority throughout history.

The perception of the Jatho Affair as a new Reformation illustrates how much monists and other freethinkers were culturally shaped by German Protestantism and confessional schism. They saw Protestantism as superior to ultramontane Catholicism, which was deemed the embodiment of superstition, conservatism and repression.[67] Whilst the dogmas of the Immaculate Conception of Mary (1854) and Papal Infallibility (1870) had confirmed the Catholic Church's retrograde nature, Jatho had demonstrated that Protestantism was capable of change and thus of aligning with modernity. As convincing as the narrative might have been for some, it clearly overlooked that the Protestant Church

65 Ostwald, *Monistische Sonntagspredigten*, vol. I, 120.

66 Hanna Dorsch and Arnold Dodel, *Eine Neue Reformation: Vom Christentum zum Monismus* (Brackwede: W. Breitenbach, 1907), 13.

67 See Leber, *Arbeit am Welträtsel*, 150 – 167.

had shown an astounding degree of conservatism and refusal to move with the times when it decided to persecute Jatho.

Although Ostwald regarded Jatho as the great reformer of Lutheran Protestantism, other monists held a different view. Max Maurenbrecher was a preacher at the free religious congregation in Nuremberg who propagated Monism as a "religion of this world" (*Diesseitsreligion*).[68] In 1911, he argued that Jatho's theology demanded a new religious language that would be free from biblical references. For him, the main question was not whether the Lutheran Church was capable of change, but how people like Jatho could emancipate themselves from the shackles of biblical semantics and find a language better suited to modern life. In Maurenbrecher's words: "A new piety has suddenly awakened, wilder, more sizzling, prouder than Christianity, a movement that will burst the Christian shell once it begins to stretch out and expand its lungs to breath by itself."[69] Maurenbrecher justified the decision of the ecclesiastical court by saying that the Lutheran Church had to commit its members to the Protestant confession in order to preserve its own integrity. That being said, he suggested that Jatho should leave the Church and join the monist movement; by resigning himself, Jatho would be able to make a statement in favour of spiritual freedom (Maurenbrecher's use of the term "monist piety" instead of religion or worldview fits this argument, since it stresses the non-dogmatic nature of monism). Again, the Jatho case served particular interests, if in a different way than had been the case with Ostwald. Whereas some saw Monism as a powerful tool to eradicate religion from society, others regarded it as a way to revive Christian belief and adjust it to modern times. Thus, the case of Carl Jatho provoked not only conflicting narratives about Protestant identity but also about monist belonging.

Conclusion

The ways in which nineteenth-century societies dealt with blasphemy depended on their confessional, social and political histories. Since the churches acted as religious and moral stabilisers of the monarchy, blasphemy legislation not only served religious, but also social and political ends. The German Empire (re)introduced the offence of blasphemy in its 1871 penal code to protect religious com-

68 On the term "Diesseitsreligion," see Charles Ferguson, *Diesseits-Religion: Denkschrift über die Prinzipien der Moderne* (Jena: Eugen Diederichs Verlag, 1903); Eugen Diederichs, *Aus meinem Leben* (Jena: Eugen Diederichs Verlag, 1938), 70 – 71.

69 Max Maurenbrecher, *Jatho: Dürfen wir monistische Frömmigkeit in christliche Hüllen verschleiern? Ein Vortrag* (Munich: Mendelssohn Bartholdy, 1911), 14.

munities in a country inhabited by Protestants, Catholics and Jews. Whilst blasphemy belonged to the terrain of the State, heresy was overseen by the Church to correct and sanction religious dissent. The heresy law published by the Lutheran Church in 1910 thus developed in the context of existing blasphemy legislation, which failed to discipline dissent among the clergy. This was exactly the moment when the Jatho Affair shook Protestant Germany.

The Jatho Affair illustrates the interconnectedness of blasphemy, heresy and religious reform in Wilhelmine Germany. Although Carl Jatho was extremely popular among the Rhineland bourgeoisie, his pantheistic views challenged both conservative Protestants and representatives of liberal Protestantism, who played a key role in Wilhelmine academic culture. As a result, the charge of heresy issued in 1911 was about far more than one pastor's dissenting religious views. Indeed, the Jatho Affair functioned as a lens to comment on Protestant (national) identity, on the role of religion in modern society, and on the limits of religious freedom. Whereas freethinkers, monists and his own congregation members celebrated Jatho as a reformer, critics condemned his teachings as heresy or even blasphemy. They agreed with the decision of the ecclesiastical court to remove the rebellious pastor from office in order to correct religious error and avoid straying from orthodox pathways. The violence that Jatho experienced was only indirect here; rather than being prone to physical assaults, he fell prey to attempts by Lutheran Church elites to silence and marginalise dissenters. This was a case of structural violence born from asymmetrical power relations that drew on centuries-old doctrines. At the same time, his persecution resulted from a sense of perceived violence and hurt religious feelings on the part of the clergy and conservative Christians alike.

Although Jatho would repeatedly deny involvement in the movement, his pantheistic belief in the identity of God and the universe revealed a surprising spiritual proximity to Monism. It was therefore hardly noteworthy that his prosecution for heresy echoed considerably among members of the secularist movement. Wilhelm Ostwald even celebrated the Jatho Affair as the modern equivalent of the Reformation, which had likewise given a great impetus to Germany's cultural development. In his eyes, Jatho was neither a heretic nor a blasphemer but an agent of reform, who had shown that liberal Protestantism could develop from a faith of revelation to a scientific worldview. That Jatho and his followers had little patience for scientific worldviews was an inconvenience that most monists and freethinkers gladly overlooked. Vice versa, conservative Protestants and Lutheran officials were keen to highlight their opponents' dissenting views, calling Jatho a blasphemer and heretic respectively, thereby ignoring that he always saw himself as a pastor of the Church first.

This chapter has shown that the Jatho Affair served as a projection for conflicting views about freedom of belief, Protestant identity and the role of religion in modern society. For those who defended the authority of the Lutheran Church, Jatho's teachings were not only heretical or blasphemous, but a danger to the integrity of the Church as a whole. Secularists, freethinkers and monists, on the contrary, saw Jatho as an inspiring reformer adapting religion expressly to the needs of modernity, even turning it into a secular worldview. Instead of following old doctrines they demanded an individual approach to religion which guaranteed freedom of expression and conscience. What one side experienced as an assault on their religious feelings, a sense of imagined violence worthy to be sanctioned as heresy or blasphemy, the other side celebrated as an important step towards spiritual emancipation that stretched back to the days of Martin Luther.

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