

History matters: The emergence of Germany's welfare associations – origins, founding ideals, and relevance for the nonprofit sector

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Abstract and motivation

The German welfare associations stand in a tradition that far predates their founding. We still see the influence of that tradition in Germany today and presumably in other western countries as well. This paper sheds light on the emergence of these organizations. It tells the story of the circumstances of their founding, their trajectory, and highlights how their specific situation is reflected in their ideological orientation.

Germany's welfare system is dominated by six umbrella organizations called *Spitzenverbände der Freien Wohlfahrtspflege* (Central Associations of the Free Social Welfare). Since the first one was founded over 150 years ago, their environment has changed, as have the challenges they face. From social enterprises themselves, they have time and again phased challenges, both from the social sector and from the changing society. The way they have dealt with this is not only of interest for scholars of civil society organizations, but organizational scholars and nonprofit researchers in general.

Special attention is paid to two specific organizations, the *Paritätischer Wohlfahrtsverband* and the *Deutscher Caritasverband*: the first one being an ideologically liberal and plural organization, and the later a religious one (Catholic). King, Felin, & Whetten emphasized the importance of this kind of comparative organizational analysis (2009). For the purpose of this paper and as an aid to understanding, a section at the beginning of the paper will give an overview of the current situation of the welfare associations, their importance to the German nonprofit sector, and their characteristics as organizations.

This portrayal of the welfare associations and their trajectory is the basis for an analysis on how the founding principles of an organization influence them over time. This aspect is theoretically affiliated with the imprinting literature (starting with Stinchcombe (1965), to more recently Johnson (2008) or Marquis & Tilcsik (2013)). This in combination with the specific contrast of the case selection makes the analysis universally relevant. The juxtaposition of a specifically liberal and plural organization with a religious catholic one also opens up a line of questioning on the lines of what Žižek called the "postmodernist trap" – the illusion that we

live in a 'post-ideological' condition. (1989, p. 7) This aspect of ideologies¹ is very much in line with the theory of imprinting (Stinchcombe, 1965, p. 169). With a rise of ideological discord from several sides, the question of what role they play in organizational imprinting in general and specifically for the nonprofit sector is worth looking into.

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¹ Ideologies here being understood broadly as “clusters of beliefs, values, rituals, and symbols” (Starbuck, 1982, p. 3).

1. Introduction: Social welfare in Germany

The way social welfare is organized varies widely from country to country. Amongst the European welfare states regimes, Germany is fittingly placed in the so called corporatist Bismarckian welfare regime (Esping-Andersen, 1990; Klenk, Weyrauch, Haarmann, & Nullmeier, 2012). Under Germany's first chancellor Otto von Bismarck, the first social insurance policies were introduced (Ebbinghaus & Visser, 2000, p. 281). This was aimed at calming down social disturbances and to put pressure on the business model of voluntary social insurances by unions and church-based worker associations. Regardless, it led to the introduction of public health insurance in 1883, accident insurance in 1884, and disability and retirement insurance in 1889 (later changed into pension insurance).

Prior to that however, two of the predecessors to today's *Spitzenverbände der Freien Wohlfahrtspflege* (Central Associations of the Free Social Welfare, SVFWP), or *Wohlfahrtsverbände*, had already been established: the *Central-Ausschuss für die Innere Mission der Deutschen Evangelischen Kirche* in 1848, predecessors to the Protestant Welfare Association, and the *Komitee der Fünf*, which was the predecessor of the Red Cross.² Beginning at the middle of the 19th century, a large network of foundations and associations emerged. The *Wohlfahrtsverbände* we have today came out of this development and unified several of the early organizations under their respective roofs.

The term "free welfare" already gives insight into the image those organizations had of themselves: free from the state, coming out of civil society. In fact, there was much uproar when a false rumor about plans to integrate the welfare associations into a state apparatus – especially from the *Paritätischer*: "Defense against the intended socialization and municipalization, preservation of freedom and independence of free welfare, influence on the drafted laws concerning patient care."³

The *Spitzenverbände* are umbrella organizations. Their thousands of member-organizations have numerous legal entities, e. V. (registered association) being the majority. Those members which have to generate capital, usually choose the legal form of *GmbH* (limited liability company), or more recently *gGmbH* (public benefic limited liability company). Despite a professionalization of the whole sector, there is still a voluntary aspect to this type of work. Volunteers can to this day wield a lot of influence on the leadership level in the welfare organizations. (Roth, 2013, p. 5)

² Although the German Red Cross sometimes also dates itself back to the founding of the *Badischer Frauenverein* in 1859 or the battle of Solferino in 1859, which triggered the global Red Cross movement.

³ „Abwehr der beabsichtigten Sozialisierung und Kommunalisierung, Erhaltung der Freiheit und Selbständigkeit der freien Wohlfahrtspflege, Einflussnahme auf die die Krankenpflege betreffenden Gesetzentwürfe.“ (Langstein, 1927, p. 219)

Since the introduction of compulsory long-term care insurance in 1995 and the breaking up of a legal preference for the *Wohlfahrtsverbände*, there has been an increase of private, for-profit actors entering the market of providing nursing care and other fields traditionally almost exclusively held by the *Wohlfahrtsverbände*. This has created pressure on them, seen as a push for more commercialization of the third sector. But who exactly are those associations?

2. Introducing the *Wohlfahrtsverbände*

The *Wohlfahrtsverbände*, while being omnipresent in Germany, are not very well known outside of the country. Especially in an international context, they are rarely present in academic analysis or even part of the conversation about civil society. While the German third sector is relatively well known, both historically and contemporary (see for example Anheier & Seibel (2001) from whom I draw heavily), the special role of the welfare associations is rarely highlighted. For the analysis of their contemporary position and self-image, it is important to understand their role in Germany's social welfare sector and their historical development. This chapter will provide an overview of who these associations are, what their position in the German social welfare sector is, and how they got to this dominant position.

2.1. Six *Spitzenverbände* – Central Welfare Associations

Today, there are six *Spitzenverbände*, which are at the center of social welfare in Germany: the *Arbeiterwohlfahrt* (Workers' Welfare Association, AWO), the *Deutscher Caritasverband* (German Caritas Association, DCV), the *Deutscher Paritätischer Wohlfahrtsverband* (German Equal Welfare Association, DPWG), the *Deutsches Rotes Kreuz* (German Red Cross, DRK), the *Diakonie Deutschland – Evangelischer Bundesverband* (Social Service Agency of the Protestant Church in Germany, DW), and the *Zentralwohlfahrtsstelle der Juden in Deutschland* (Central Welfare Office of the Jews in Germany, ZWST). All of them were founded between 1848 and 1924 and organized under one umbrella organization in 1924, the *Bundesarbeitsgemeinschaft der Freien Wohlfahrtspflege* (Federal Working Group of the Free Social Welfare, BAGFW). Other associations, such as the DV (*Deutscher Verein für öffentliche und privat Fürsorge*), additionally give them a forum to organize and coordinate – not only amongst each other, but with ministries, regions, universities, or businesses.

Between the six of them, they employ roughly 1.5-2 million people with as much as 1.5-3 million additional volunteers (Fritsch et al., 2011), and generate annual revenue of at least 38

billion Euro. (Falter, 2010) This is about as much as the five highest revenue generating US-charities generate together as listed by Forbes.⁴

Name	Denomination/ Affiliation	Founded	Employees	Facilities
Workers' Welfare Association (AWO)¹	Social Democrats	1919	211,727	13,000+
German Caritas Association (DCV)²	Roman Catholic	1897	617,193	24,391
German Equal Welfare Association (DPWG)³	None	1924	545,000	42,915
German Red Cross (DRK)	None	1863	158,458 ⁴	8,182 ^{4*}
Social Service Agency of the Protestant Church in Germany (DW)⁵	Protestant	1848	464,828	30,093
Central Welfare Office of the Jews in Germany (ZWST)⁶	Jewish	1917	120	n/a

Table 1: Overview about the *Spitzenverbände*; Sources: ¹AWO Verbandbericht 2015 (2016), ²DCV (2016), ³Paritätischer (2010), ⁴DRK(2015), ^{4*}Boeßenecker & Vilain (2013) ⁵Diakonie (2015), ⁶Boeßenecker & Vilain (2013).

This organizational setting is (almost) unique to Germany, and is hugely important for providing social welfare services. The *Wohlfahrtsverbände* are amongst the “largest nonprofit organizations worldwide” (Anheier & Salamon, 2006, p. 90), and they vary a lot in terms of the social environment out of which they were founded. They are all organized as associations, with most of their members being either associations themselves, or (charitable) limited companies.

⁴ Barrett 2014 - Forbes List of 50 Largest U.S. Charities, sorted by highest total revenue. (Lutheran Services in America, total revenue: 20.98 bn USD / 19.53 bn EUR; YMCA of the USA, total revenue: 6.612 bn USD / 6.156 EUR; Goodwill Industries International, total revenue: 5.178 bn USD / 4.821 EUR; Catholic Charities USA, total revenue: 4.337 bn USD / 4.037 EUR; Salvation Army, total revenue: 4.316 bn USD / 4.018 bn EUR; overall: 41.423 bn USD / 38.567 bn EUR, assuming an exchange rate of 1 USD = 0.93 EUR)

2.1.1. Workers' Welfare Association (AWO)

The AWO was founded in 1919 out of the social-democratic workers movement. Then and today, it stands for local as well as state-based approaches to address social problems. In 1933, the Social Democratic Party (SPD) and the AWO were forbidden by the national socialists and their assets were ousted.⁵ The AWO was re-founded in 1946, but was not allowed in East-Germany. Since German reunification, the AWO is now present in all of Germany. Its focus lies on all aspects of social work, such as retirement homes, caring for handicapped people, child and youth care, hospitals, refugee care as well as international relief and development efforts, amongst others. (Boeßenecker & Vilain, 2013; Eifert, 1993; Niedrig, 2002; Schmid, 1996)

2.1.2. German Caritas Association (DCV)

The DCV was founded in Freiburg in 1897 and is the welfare association of the Catholic Church. As such, it gets additional backing from the church, upholds Catholic values and is subject to religious working-law. It is the single biggest employer in Germany, and many of its organizations and members are connected to the regional parishes. Other than the secular welfare associations, the DCV is internally not separated by *Bundesland*, but by diocese. Caritas is "*kirchlicher Grundvollzug der Kirche*" (Manderscheid & Hake, 2006, p. 8; "ecclesial basic enforcement of the Church"). The DCV focusses a lot of its efforts on social work, hospitals, disabled people, retirement homes, kindergartens, addicts, or refugees. It is also responsible for the church's international relief, development efforts, and spiritual guidance in its facilities. (Boeßenecker & Vilain, 2013; Frie, 1997; Schmid, 1996; Weiß, 1992)

2.1.3. German Equal Welfare Association (DPWG)

The DPWG is an umbrella organization of independent organizations of social work. It was founded under the working title of "Fifth Welfare Association" and saw itself as the outsider welfare association. From the beginning, the DPWG had a focus on openness and a special emphasize on the "free" aspect of social welfare in Germany – which for them meant independence from the state. Today we can still see the openness in the way member organizations stay much more independent than in the other welfare associations. This is embodied in the name *Paritätisch*, which means "Equal", both for its members and people in

⁵ This was not the first time the party was forbidden. The *Sozialistengesetz* (1878-1890) under Bismarck forbade socialist and social democratic organizations, which was before the founding of the AWO but underlines the background the workers organization had at the time of their founding.

society, regardless of denomination, political convictions, or approaches to social welfare. (Boeßenecker & Vilain, 2013; Hollweg & Franke, 2000; Merchel, 1989; Schmid, 1996)

2.1.4. German Red Cross (DRK)

The International Red Cross came out of the *Komitee der Fünf* by Swiss citizens in Geneva, 1863. This served as the impulse for national Red Cross organizations across the world. The *Württembergischer Sanitätsverein* is the first Red Cross organization in Germany, founded that same year. Much of this initiative in Germany developed under the patronage of upper-class and noble women⁶ to give employment opportunities to women. Especially the nurses in the Red Cross were at this early step from social voluntary engagement to full-time work. (Sachße & Tennstedt, 1980, p. 235) Today, the DRK is both welfare association and national relief organization. It is both responsible for social welfare in Germany with health care or its network of blood donation services, and part of the worldwide Red Cross efforts of disaster and refugee relief. (Boeßenecker & Vilain, 2013; Riesenberger, 2002; Schmid, 1996; Schomann, 2014; Wörner-Heil, 2010)

2.1.5. Social Service Agency of the Protestant Church in Germany (DW)

The DW is the welfare association of the Protestant Church in Germany. It was founded in 1848, then under the name *Innere Mission*, which makes it the oldest of the welfare associations. At the time they were focused on solving the social need of their time in a Christian fashion. Like the DCV and the DRK, the DW was not dissolved during the Third Reich. However, the suffering after World War II led to the foundation of a second Protestant welfare association in 1945. The two united in 1975 into what today is the DW. The DW is involved in many areas of social welfare in Germany, amongst them youth and family support, hospitals, retirement homes, handicapped support, help for addicts, integration of immigrants, and education at protestant universities and universities of applied sciences. (Boeßenecker & Vilain, 2013; Deutsches Historisches Museum & Diakonisches Werk der Evangelischen Kirche in Deutschland, 2007; Frerk, 2012; Schmid, 1996)

⁶ This affiliation to nobility holds even today. Many of their directors come from the former higher nobility. (Roth, 2013, p. 5) Also the charitable knightly orders / relief organizations *Malteser* and *Johanniter* traditionally have aristocratic ties. (Demel & Schraut, 2014, p. 27)

2.1.6. Central Welfare Office of the Jews in Germany (ZWST)

The ZWST was founded in 1917 as an umbrella organization for all Jewish welfare organizations. In 1934 it was first force-integrated into the *Reichsvertretung der Deutschen Juden* (Reich's Deputation of the German Jews) and then force-dissolved in 1939. It was re-founded in 1951 to help rebuild Jewish life in Germany. Today it represents most Jewish communities in Germany and supports the strengthening of Jewish identities and helps with the integration of Jewish immigrants. Even though it is a member of the BAGFW, quantitatively the ZWST only plays a minor role when it comes to overall welfare in Germany. (Boeßenecker & Vilain, 2013; Gruner, 2002; Schmid, 1996)

2.2. Spheres of activity

Together, the welfare associations have a wide range of spheres within society where they operate and provide welfare in various ways:

	1970	1990	2000	2012
Number of people helped	2,151,569	2,624,923	3,270,536	3,702,245
Facilities and services	52,474	68,466	105,295	93,566
Employees	381,888	751,126	1,1164,329	1,673,861
Volunteers				About 2.5 m

Table 2: Development of the activities of the *Spitzenverbände*;

Source: (Bundesarbeitsgemeinschaft der Freien Wohlfahrt, 2014)

The BAGFW differentiates between eight spheres of activity for the SVFWPs. For 2012, we see the following distribution of activities:

Sphere of activity	Facilities	Beds/ accom.	Full time employees	Part time employees
Medical social work (<i>Gesundheitshilfe</i>)	7,481	192,005	232,870	159,318
Youth welfare (<i>Jugendhilfe</i>)	38,367	2,076,693	151,641	211,309
Family assistance (<i>Familienhilfe</i>)	4,570	41,082	9,392	21,914
Elderly care (<i>Altenhilfe</i>)	18,051	520,727	132,902	321,075
Handicapped aid (<i>Behindertenhilfe</i>)	16,446	509,395	135,944	181,009
Help for exceptional situations (<i>Hilfe für besondere Situationen</i>)	8,830	53,650	18,464	20,534

Other help (<i>Weitere Hilfen</i>)	9,914	242,447	33,369	27,406
Education and training centers for social and nursing professions (<i>Aus- und Fortbildungsstätten für soziale und pflegerische Berufe</i>)	1,636	66,246	13,112	12,602
Self-help groups and groups of civic engagement (<i>Selbsthilfegruppen und Gruppen des bürgerlichen Engagements</i>)	35,469		7,460*	
Total	105,295	3,702,245	727,694	946,167

Table 3: *Spitzenverbände* spheres of activities in 2012; Source: (Bundesarbeitsgemeinschaft der Freien Wohlfahrt, 2014, p. 14); *Not separately identified as full- or part-time.

Medical social work is a traditional area of work for the welfare associations. The market pressure from private providers has led to a decrease of facilities and accommodations compared to 2008, but the number of employees has increased despite this trend. This includes hospitals, information centers, and ambulant services such as rescue services. While most fulltime employees work in the area of medical social work welfare, youth welfare comes in second, and has overall the most facilities and accommodations by far.

Explanation is needed for “Help for exceptional situations” and “Other help”: “Help for exceptional situations” includes care for refugees, addicts, homeless, or unemployed – anything that concerns people in a special problematic situation. “Other help” includes those services which do not fit into the larger areas, for example housing for employees, food services (*Tafeln*), or social supermarkets. Help for refugees into Germany has largely increased over the last months, but this is not reflected here due to the slow nature of data publication in the welfare sector.

Over time, the peak for facilities was in 2004 with 133,956 overall. Employees and accommodations have however steadily increased. The only area that has strongly decreased in recent years is that of family assistance, which since 1970 has declined in terms of both facilities and accommodations, and has again reached the same level of employees as in 1970, after it peaked in 2000. Medical social welfare has decreased facilities and accommodations in recent years, but increased employees.

What we see overall is that since reunification, the number of employees has increased for all of the five *Spitzenverbände*. This is not only due to the reunification and a start in activities in former East Germany, as the *Spitzenverbände* have increased their employees across all

Länder and not just in the new ones. So over all in Germany, there seems to be an increasing need for social welfare, which the welfare associations are addressing by increasing their efforts.

2.3. Other providers of welfare – the Muslim organizations

Next to the *Spitzenverbände*, there are a number of other welfare providers. Amongst them is an increasing group of Muslim organizations, which have not (yet) united into one *Spitzenverband*. One reason seems to be that the special concept of welfare, how it developed in Germany, can be difficult to be put together with the Muslim tradition. The German corporatist model stands against the more individual Muslim provision. (Aksel, 2015)

The question whether there should be a Muslim central association is a recurring one. The demand for specifically Muslim welfare provision is increasing. Especially with the influx of predominantly Muslim refugees and Muslims being a strongly growing part of the population in Germany, this trend is likely to continue. (Ceylan & Kiefer, 2016)

2.4. The principle of subsidiarity

“The principle of subsidiarity forms the economic and political bedrock of Germany’s nonprofit sector [...]” (Anheier & Seibel, 2001, p. 4) It says that actions should be taken at the most local level possible. The principle is not only essential to understand the organizational structures of the *Wohlfahrtsverbände* – which are organized more or less loosely with strong individual members – it is also seen as an ethical principle. (Dölken, 2013) It was first described by Nell-Breuning, who called it “*Grundsatz des hilfreichen Beistands*” (1976, p.7; basic principle of helpful assistance) and laid the foundation for the development of the welfare associations. These social welfare foundations stood in the tradition of “*pia corpora*” or “*pious foundations*”, derived from the Roman canon law. (Fowler, 1902, p. 11; Reicke, 1933, p. 251)

What is important to keep in mind, is that the subsidiarity principle is explicitly rooted in Roman Catholic social teachings (Gabriel, 2014), but with accepted importance for the provision of welfare in Germany also from the Protestant church (Goos, 2014). It is not surprising that the original formulation of this principle comes from Oswald von Nell-Breuning (1976), a Jesuit and Catholic theologian. This is one example which emphasizes the strong impact of religion on the German welfare system. A narrow, religious understanding of subsidiarity has not been without resistance: “[T]he self-help movements of the 1980s and

the new social movements of the 1970s were first developments towards a wider interpretation of subsidiarity.” (Anheier & Seibel, 2001, p. 6)

Today, the subsidiarity principle is proving difficult to implement on the European scale. (Borries & Hauschild, 1999) The welfare associations are defending this principle, especially in the context of increasing influence from the EU, which does not always want to uphold it in social welfare. They see an infringement of this principle as interference into Germany’s welfare system and an attack on the “free” aspect of the “Free Social Welfare Associations.”

3. Conceptualizing the Free Social Welfare Associations

As Anheier and Salamon (2006) illustrate, the sector they call nonprofit has developed very differently in certain countries, due to their history.⁷ Drawing from the comparison between the USA and Germany (Anheier & Seibel, 2001) they demonstrate how the USA developed under a “Tocquevillian patten” (Anheier & Salamon, 2006, p. 90), whereas Germany’s sector was shaped by the principles of self-administration, subsidiarity and *Gemeinwirtschaft* (communal economics). The German idea of volunteering (*Ehrenamt*) comes close to the Anglo-Saxon concept, but still maintains characteristics of having developed in an autocratic society, thus being more a system of “honorary officers” (Anheier & Salamon, 2006, p. 97).

Contrary to the USA, civil service / volunteering in Germany is less connected to individual fates, and more towards market failure and structural problems on a societal scale. (Manderscheid, 2006, p. 59) Other than in the Anglo-Saxon model, the German social model is guided by the two principles of structural plurality and social balancing. (Gabriel, 2007) Gabriel sees the aspect of structural plurality as especially important for religious organizations in the future, to keep their legitimacy. These differences in development justify a closer look at the specifics of the *Spitzenverbände* in the context of the third sector in Germany.

Since nonprofits are “not prohibited from earning profits” (Hansmann, 1987, p. 28), the label also applies to the German welfare associations. The six *Spitzenverbände* are all organized as so called “*eingetragener Verein (e.V.)*”, meaning registered association, and identify as nonprofits.⁸ Hansmanns four-way categorization of nonprofit firms⁹ (1987, p. 28) only partially fits to the welfare associations. The reason is that the *Spitzenverbände* are only umbrella organizations, under which’s roof they bring together entities that may fit in one or the other

⁷ Historically, this view of a “third sector” can be problematic or misrepresentative. The modern triad of state, market, and third sector is a product of our more contemporary way of looking at society.

⁸ Current economization trends in the German welfare system seem to trigger a new way for some of these organizations to see themselves. Some are starting to see themselves also as employers and business with influence in the local economy not only as welfare providers.

⁹ Already an interesting choice of words, as the term “firm” is usually used in a commercial setting.

category. In the German context, the Red Cross does not fit so easily into the category “donative”, since the *Spitzenverband* has several hospitals and other commercial organizations as members, generating profits and paying membership fees. As a *Spitzenverband*, it does not mainly rely on donations.¹⁰

The structural-operational definition of the nonprofit sector by Anheier and Salamon (2006, p. 95) covers five aspects. The organizations should be organized, private, self-governing, nonprofit-distributing and non-compulsory. Even though linguistically the term “nonprofit” does not cover the German aspect of *Gemeinnützigkeit*, which would be closer to the term “civil society oriented”.¹¹ Based on those criteria the *Wohlfahrtsverbände* are part of the nonprofit sector.¹²

As nonprofits, they have to rely on a large share of good will. (Frumkin, 2002, p. 18) However, this assessment ignores a great portion of nonprofits that still generates revenue to support itself. As umbrella associations, the *Spitzenverbände* are nonprofits, but their members have a lot of different legal forms. Even though there is a large voluntary nature to them (Bundesarbeitsgemeinschaft der Freien Wohlfahrt, 2014: about 2.5 million volunteers in 2012), they do also employ a great number of people (Bundesarbeitsgemeinschaft der Freien Wohlfahrt, 2014: 727,694 full-time, 946,167 part-time in 2012) and generate large revenue (Falter, 2010 estimate: at least 38 billion). And while most of the sector is in fact non-coercive, there can be a (soft) coercive nature to them in practice.¹³ So, just because they are *gemeinnützig* does not mean that they share the “free choice” aspect in all regards, as some of them do “demand” something. However, it is debatable if that already makes them loose the “moral high ground” as Frumkin argues. (Frumkin, 2002, p. 18)

Frumkins second mark of a nonprofit “unclear lines of accountability” also does not hold for an *eingetragener Verein*, as that form requires those organizations to be registered, form a corporate body, must have a clear charter and a steering committee. At the membership meetings, members vote on the decisions of the steering committee,¹⁴ which means there is accountability: it is to the members of the association. This does not diminish the argument

¹⁰ For 2015 the DRK association had total revenue of almost EUR 173 million, with a total of over EUR 48 million in donations, inheritance, and forfeits. (Deutsches Rotes Kreuz e.V., 2015, p. 63)

¹¹ The terminology on translation German third sector terms into the English language, as all translations, is an interpretation – and one that might differ on the focus one wants to have. This is especially true when translating single words/constructs or short phrases (Sechrest, Fay, & Zaidi, 1972), as will be the case in this work. For the most part, translations will follow those established by Anheier & Seibel (2001) and only deviate, if a translation does not seem to carry enough of the German meaning of the concept over into English.

¹² Rather than calling them nonprofit organizations however, I would like to refer to them as “civil society organizations”, a term that catches a larger variety of organizations internationally and has become more and more used (Frumkin, 2002, p. 22). In line with the current literature on the third sector in Germany, the term “nonprofit” seems to be preferred.

¹³ One leading representative of the *Paritätischer* for example complained how in some areas only Catholic kindergartens exist, which favor Catholics: “Unless you are in the Church, your kids will not get a place there.”

¹⁴ One leading representative of the *Paritätischer* said: “At an association it is clear [...] the highest authority is the meeting of members.”

that many parties have stakes in those organizations, just the same as any other organization, but the lack of accountability is absent when it comes to most nonprofits in Germany which operate under this legal form.

Nevertheless, the term “nonprofit” originated from the Anglo-Saxon context with its focus on the financial aspects of the organizations in the third sector even though it is now more and more being defined “in a way that is meaningful in other countries as well as the United States” (James, 1987, p. 398). As Howell and Pearce (2001) argue, with reference to the work of the Johns Hopkins Center for Civil Society Studies, which Anheier and Salamon draw heavily from: “The most notable feature of this debate within the donor institutions is the influence of U.S. readings of its democratic past [...]”(2001, p. 39) and more specifically: “Together, these four influences, de Tocqueville, pluralism-elitism, Putnam’s work, and the Johns Hopkins Center – deriving essentially from U.S. experiences, studies, and reflections – have shaped much of the debate and assumptions around civil society and democracy.” (Howell & Pearce, 2001, pp. 50–51)

New organizations, such as the welfare associations at the time of founding, but also current Social Entrepreneurs, “do not therefore seek merely to strengthen existing democratic institutions or to defend civil society against the state, but rather to promote new forms of participation where they can have a say in deciding what form progress and development should take.” (Howell & Pearce, 2001, p. 51) Especially in a country with a dominant state, such as Germany in the late 19th century, this aspect of creating areas for civil society is very relevant, as will be shown in the section about the historical roots of the welfare associations. The civil setting in which the welfare associations emerged is a continuation of the bourgeois public sphere Habermas identifies tracing back to the seventeenth and eighteenth centuries.(Habermas, 1965) The new spaces enabled citizens to come together and engage in debate with public officials.

Anheier and Seibel (2001, p. 28) identify three conflicting ways of how the relation between the state and large parts of the third sector in Germany is being viewed:

- A corporatist arrangement by which the state extends into the area of social services and welfare
- A tool for the churches and other political forces to control a vital area of social welfare
- An efficient, responsive and decentralized system with the advantages of both private and public involvement for societal benefits

The first aspect certainly applies to the welfare associations. They are the embodiment of this corporatist arrangement and helped to develop and shape it. The second aspect as well,

with a special emphasize on the DW and the DCV (churches), and the AWO (political). However, the BAGFW is a tool for all members to influence social welfare policy, and the six arguably have a stronger influence on policy than other members of the third sector – both individually and as a group. The special situation of the Catholic Church and the Protestant churches however deserves emphasize. In Germany, the churches are public law entities. Their internal affairs are regulated by their own religious law (in the case of the Catholic Church canonical law) and they maintain their own tax offices. Germany is probably unique in the strong position the churches take in having their own service and labor law. (Lehmann, 2006, p. 33)

The two church-affiliated welfare associations have a special situation even amongst the welfare associations. They can be supported by their churches, but also have to uphold certain internal regulations that are in line with their religious affiliation. Support from the church to a Caritas-facility can be direct, by financing part of the efforts, or indirect, for example through not collecting fees for usage of property. (Manderscheid, 2006, pp. 49–50) These ideas are certainly in line with Hansmanns remark that nonprofit institutions are “commonly supplied by an existing organization that is already well established and well financed – such as a major religious sect”(1987, p. 39). Even though “sect” is not the appropriate term to refer to the organizations of the Caritas¹⁵, the principle is still solid.

Anheier and Salamon (2006, p. 106) build on Esping-Andersens (1990) characterization of welfare regimes to characterize nonprofit organizations that developed either under a liberal, a social democratic, the corporatist, or the statist model. According to Esping-Andersen, Germany is characterized by the corporatist model: “In Germany, the state, backed by powerful landed elements and in cooperation with a relatively weak urban middle class, responded to the threat of worker radicalism by forging an agreement with the major churches beginning in the latter nineteenth century to create a state-dominated social-welfare system that nevertheless maintained a sizable church-and hence nonprofit-presence. This agreement was ultimately embodied in the concept of ‘subsidiarity’ as the guiding principle of social policy.” (Anheier & Salamon, 2006, p. 108)

The strength of those patterns in the corporatist model appears to vary. However, in the case of Germany, the patterns seem to be stable. The welfare associations as well as the rest of the nonprofit sector continue to be a vehicle for implementing government policies and providing social welfare. However, there has been some change from that situation, starting with the introduction of compulsory long-term care insurance in 1995. In combination with the

¹⁵ A “sect” is commonly defined as a group of people whose beliefs differ from an ideologically close, but larger religious group, a sub-believe if you will, whereas the Roman-Catholic Church, with which the Caritas associates, is the world’s largest single religious body and the largest Christian church, as of 2015. In fact, the whole expression “major religious sect” is a bit of an oxymoron.

breaking up of a legal preference for the welfare associations, this has led to an increase of private, for-profit actors entering the market of providing nursery care and other fields traditionally almost exclusively held by the welfare associations. The resulting pressure is seen by many as a push for more commercialization of the third sector overall and may already have triggered a shift towards a more mixed self-image between economic and social organization in certain areas of the welfare associations.

Clemens (2006) shows the line between associations such as the welfare associations as substitutes for government action, as argued by Douglas (1983), and Smiths and Grønbjergs (2006) argument on complementing and collaborating between associations and governments. Historically for the German case, this seems to fit to the welfare associations. In the beginning, they started out as substitutes for government actions, even to challenge the government by providing services that the government refused and only later introduced out of political strategy.¹⁶ After then being established under the Weimar Republic and then (re-)emerging in modern Germany, they were and are a strong part of civil society. The collaborating idea fits well into the principle of subsidiarity, which is at the heart of the way the *Wohlfahrtsverbände* are organized. Thus they acted as agents of change, initially against the will of certain established elites, just as McCarthy observes for the USA (2003), and early on helped shape the German social welfare system.¹⁷

Walzer (1983) argues that ideally associations should be decoupled from the privileges we find in other social spheres. However, many of the *Wohlfahrtsverbände* were founded out of an elite set of people. The *Paritätischer* came out of a milieu of (mostly) Jewish chief physicians, and the DRK had close relations to the (former) German aristocracy, even though this connection today is reduced and more democratized. (Maubach, 2009, p. 98) However, on the whole they are membership organizations, and as such over time “built two-way bridges across classes and places and between local and translocal affairs” (Skocpol, 2003, p. 226).

¹⁶ By Bismarck, to undermine the strength of the social democratic movements.

¹⁷ Following Edwards, they started as social movements to some extent: “When civil society networks join forces on a scale and over a time-span significant enough to force through more fundamental change, they can be classified as social movements.” (2009, p. 406)

4. History of welfare in Germany, founding environment for and development of the *Wohlfahrtsverbände*

As Anheier and Seibel (2001, p. 4) put it: “In essence, large parts of the German nonprofit sector have become economically important because they were socially and politically so – most clearly in the case of the Catholic and Protestant churches and their corresponding systems of welfare associations, and the *Arbeiterwohlfahrt* (Workers’ Welfare), with close links to the union movement and the Social Democratic Party (SPD).”¹⁸ (Emphasis in the original.) But how did the welfare associations develop into such a strong position in Germany? To look into this closer, the following section will retrace their historical development, with focus on the *Caritas* and the *Paritätischer Wohlfahrtsverband*.

4.1. Origins and background

Looking to Thomas Aquinas (1225-1274), and thus underlining the Catholic impact on German ideas on welfare, “poor” is someone who does not own property and who is unable to support himself through labor. This is the idea on which the late medieval idea of “the poor” was founded. In practice, there were no clear standards or guidelines to measure someone’s level of poverty and indigence. Support was mostly given as alms. The church almost had a monopoly in receiving donations for the poor and then distributing them, with reducing poverty being a goal, but a sub-goal to the elevation of the soul of the donor. (Sachße & Tennstedt, 1980, p. 29)

With the strengthening of the cities in the 15th and 16th century, welfare provision slowly shifts from the church to regional civil institutions. This is the origin of the concept of welfare provision out of a civil impulse for Germany. (Sachße & Tennstedt, 1980, p. 23) Foundations become a way for citizens to establish welfare provision in their name outside of the churches. Begging, at times and in certain regions even an established profession, is being increasingly forbidden. Civil institutions are established to distribute money based on neediness, according to social logics. A social bureaucracy emerges.

Following the Thirty Years' War, political power becomes more centralized in the hands of the respective regional powers. This includes a stronger regulation for the treatment of the poor. The secularization of the state further takes caring for the poor away from religious organizations and closer to policy decisions by the state. Cities lose their individual power to make their own policies, giving more and more decision power to an increasingly centralized

¹⁸ It is interesting to see that the three welfare associations named here are also the three that have strong denominational/ideological affiliations.

state. Following war and hunger, general poverty increased significantly during the second half of the 19th century. In Berlin for example, 1,384 out of 62,856 working able residents were counted as “poor” in 1750 (about 2.2%), and 12,254 out of 131,419 in 1801 (about 9.32%)¹⁹. (Bratring, 1804, pp. 61–73)²⁰

In the emerging industrial revolution, poverty is seen as non-work. To combat poverty, work duty is introduced. Not only through workhouses²¹, but also at home should be enough work to keep everyone busy and productive. Honorary work (*Ehrenamt*) becomes established. Work is given to those not able to find work on their own. Work is the cure all, and the poor should better their situation through it. Though, productivity declined towards the end of the 18th century, especially in the field of food production. This led to mass hunger and poverty, when the German economy was transformed from feudal division to an industrialized society (pauperism).

Without enough opportunity for people to be productive members of the workforce and lifting themselves out of poverty by the virtue of their work alone, a new type of poverty welfare is needed as well. “Pauper”, that was the one who was poor, who was being ruled.²² His opposite being the “potens”, the one who ruled. Pauper were those people that needed support and protection. Sachße and Tennstedt identify two levels of poverty: the breadline, under which poverty is crushing (estimated 20% of the city’s population), and the line under which life befitting one’s rank is not possible any more (estimated 50%). (1980, pp. 27–28)

Thanks to the *Allgemeines Landrecht für die Preußischen Staaten* (General state law for the Prussian states), associations became legal in 1794 – at least within the Prussian territory, and under the condition that they would further the general good. (Anheier & Seibel, 2001, p. 34) At the time, this represented a step away from aristocratic privilege and towards equality and the emerged bourgeoisie. In other parts of Germany, associations were not welcomed in such a way.

The Napoleonic Civil Code for example, which applied to the area of the *Rheinbund* (Confederated States of the Rhine), forbade any association of more than 20 members. In practice however, mutual-aid societies were mostly left alone by the governments, as long as

¹⁹ Counting the total number of “*Herren und Weiber*”, “*Diener und Gesellen*”, and “*Lehrlinge*” for both years.

²⁰ Another small but telling sign of poverty during the late 18th and early 19th century were “social rebels”(Hobsbawm, 2007) – vagabonds, gangs, bandits, operating all over Germany. Hobsbawm argues that the emergence of those bandits entailed an element of rebellion against the social injustices of the rigid feudal system. Quantitatively however, their numbers are insignificantly small.

²¹ With merging jails and workhouses, the produced output of those poor incarcerated there becomes an important source of finance for the respective institution. In some cases, a factory is set in those facilities. The same is true for orphanages. (Sachße & Tennstedt, 1980, pp. 117–119) At the same time, they can serve as places for vocational education. Quantitatively however, they did not play a huge role in caring for a large number of the poor.

²² In English, the Latin word still survives.

they stayed away from politics (Pilbeam, 2014, p. 55) and there is even evidence to suggest that after 1830, the article was seen as “defunct” by certain groups after the 1830 revolution in France (Pilbeam, 2013, p. 35) – raising the question of how strong it was being seen in the *Rheinbund*.

Out of the emerging bourgeoisie, the abolition of aristocracy, and the idealism of German philosophy, came Masonic lodges as “first true ‘associations’ as opposed to ‘corporations’”. (Anheier & Seibel, 2001, p. 36) Over time, associations developed more and more into a widely applied form for organizing social needs, be they political (*Burschenschaften*; fraternities), physical/patriotic/religious (*Turnvereine*; gymnastic associations), educational/cultural (*Museumsvereine*; museum associations), and, eventually, social (*Wohlfahrtsverbände*; welfare associations).

Social welfare began focusing on the *Bedürftige* (deserving poor), and was mainly provided by the two churches and eventually their respective welfare associations. At the beginning of their founding, the legal status of “associations” was of great importance. In an authoritarian political regime, under which German civil society started to emerge in the mid-19th-century, the idea of citizen-organizations contributing to the public welfare was a new one. To think of this in more contemporary terms, one could almost draw a comparison to the rush of “start-ups” we see in certain areas today. In fact, Münsterbergs description of the cycle of founding these associations could have been written about some-a (social) start-up. (Münsterberg, 1897)

With this, we see the bureaucracy increasing control of the poor, or at least trying to. More effort is being made to exclude the undeserving poor, meaning those not really in need and trying to cheat the system. In many areas, begging is made illegal. This is difficult to enforce, partly due to the continuously existing sense of the people that giving to the poor is the duty of a Christian, (Sachße & Tennstedt, 1980, p. 109) and cooperative-civil self-help systems emerge. Those are complemented by civil systems, financed by taxes, fees, and public donations.

The *Elberfelder System* incorporated the idea of helping people to help themselves. It was introduced in 1853 in the city of Elberfeld and subsequently adopted in cities all over Germany. It became a model for how to deal with the poor in the first half of the 19th century. *Ehrenamt* in public welfare provision was one of the main reforms in the *Elberfelder System*, as well as having enough poverty workers to focus on just a few families and know their needs, have regional offices in different parts of a city, and provide payments as short as possible. (Sachße & Tennstedt, 1980, pp. 214–222)

The work was carried out only by volunteers and unpaid labor. At its heart was the concept of bourgeois engagement in the community. The system spread within a few decades to 170 German cities, as well as many large cities outside of Germany, and influenced welfare systems as far as the USA or Japan. The system offered a way to integrate help outside of the state system on the community level. (Deimling, 2002) However, at the end of the 19th century the increased need for welfare was too much for the system and many, especially larger, cities returned to a more centralized approach with trained welfare workers, the so called *Straßburger System*. (Krabbe, 1989, p. 101)

The involvement of voluntary workers increased the input people from the petite bourgeoisie get, instead of the philanthropic involvement of the grande bourgeoisie. This was not done purely out of noble intentions, as citizens in many cities had the duty to accept unpaid positions in municipal administrations. Still, mass poverty was a real concern and fighting it protected the security of the cities.²³

An increasing drive towards organizing social concerns in associations marked a move away from aristocratic privileges towards a more powerful bourgeoisie, especially the *Bildungsbürgertum* (upper educated bourgeoisie, as opposed to the “petite bourgeoisie”).²⁴ By the time the first welfare association was founded in 1848, associations had become “the organizational backbone of the bourgeoisie as a self-conscious societal actor” (Anheier & Seibel, 2001, p. 42). Welfare provision was however also an area of cooperation between bourgeoisie and aristocracy. Especially women of both backgrounds were involved here. One example is the *Badischer Frauenverein*, which fittingly later became a member of the Red Cross. Founded in 1859 on the initiative of the Great Duchess Luise von Baden, it grew into a strong regional provider of welfare. In 1908, every sixth grown women in Baden was a member of the association or of one of its sub-organization. (Demel & Schraut, 2014, p. 107)

With more centralization of the welfare provision, the principle of the locally caring for the poor is continued. The *Reichspolizeiverordnungen* from 1530, 1548, and 1570 are upheld in this regard in the *Preußisches Allgemeines Landesrecht* in 1794. More clearly, the *Preußisches Armenpflegegesetz* in 1842 refers to the *Unterstützungswohnsitz*, the place of residence, as reference point to where someone should be supported. This is mirrored in the *Unterstützungswohnsichtgesetz des norddeutschen Bundes* in 1870. This principle of long-duration-residence as reference point was given up in the 1924 *Reichsfürsorgepflichtversorgung* for the regular point of residence. (Giese, 1962, p. 112) The

²³ Associated charities in the United States originated from the *Elberfelder System*, but adjusted to local conditions. (National Conference on Social Welfare, 1880, pp. 125–126)

²⁴ The social democratic movement in Germany came primarily out of the liberal bourgeoisie and the churches. (Anheier & Seibel, 2001, p. 46)

state getting more involved in welfare provision did not mean an end to private or church-based efforts.

4.2. Emergence of the welfare associations

Germany experienced a substantial change at the end of the 19th and the beginning of the 20th century – politically, socially, and economically. The previously relatively homogeneous bourgeoisie became more diverse, with much of the societal power ending up in the hands of the emerging/strengthened *Großbürger* (Grand Burghers) in the form of factory owners or industrialists. The resulting mass poverty laid the floor for a field of philanthropic activities and social engagement. An important factor for the state involvement was the heavy inflation between 1914 and 1923, which destroyed the endowments of many German capital asset foundations²⁵ making it all but impossible for them to continue their work. (Kilian, 2008, p. 658; Liermann, 2002, p. 283)

The mid-19th century saw a strong emergence of associations, in which citizens organized. The Red Cross movement sparked many associations in Germany. The most prominent was however the *Preußischer Vaterländische Frauenverein*, also focusing on fighting poverty and sickness. Other associations organized in the *Deutscher Frauenbund* developed in a similar fashion and direction. What drove them was a fear for the fatherland and the civil-national order, both being threatened by turmoil from within. Other associations focused on hygiene and public health, especially due to cholera and pocks outbreaks as well as typhus.

A new way of looking at social problems as societal rather than given by god emerged in the 19th century, which could be addressed politically. (Arnim, 1995) Science was supposed to be the foundation for new approaches and show the way on how to deal with those issues. (Erdberg, 1903, 1911) Hygiene was one of those issues, where science was to have a lot of potential to improve living conditions. (Göckenjan, 1998) Next to experimental and bacteriological hygiene however came also the idea of social hygiene, the normative science of hygiene amongst social groups.²⁶ (Grotjahn, 1915)

This academization of normative aims was a move from the bourgeois center of society to advance their norms. A number of welfare associations at the time were founded with this aim in mind. This meant a shift away from the religiously motivated actors towards the politically minded organizations, amongst them for example the *Deutscher Verein für öffentliche Gesundheitspflege* (later: *Deutsche Gesellschaft für Hygiene*). There was

²⁵ As opposed to the institute foundations which were not as vulnerable to the inflation.

²⁶ The idea of “social hygiene” was part of the theories on eugenics, racial hygiene, and the degeneration problem. Grotjahn saw it as the duty of a physician to fight those problems. (Grotjahn, 1915, p. 522)

however no clear rift between those two sides, as organizations such as the *Evangelisch-Sociale Kongress* and the Catholic *Verband für sociale Kultur- und Wohlfahrtspflege* illustrate, which were part of the scientific oriented social reform movement despite their religious affiliations. (Sachße & Tennstedt, 1988)

The late 19th century changed the requirements for welfare. The growth of cities to before unheard of size came with a stronger segregation between classes, and the need for more provision for the needy. The expansion (with adjustments) of the *Elberfelder System* from the Rhineland to other parts of Germany helped, as concentrating more power in the hands of the central government. Local associations further helped to tackle social problems, especially in larger cities and started to merge. The *Deutscher Verein für Armenpflege und Wohltätigkeit*, founded in 1880 was a platform for cooperation between city-based welfare providers. It remained a forum for discussion up until World War I. A critical change was the move away from mainly volunteer-based welfare provision to professional care takers. Especially women profited from this, as a large field for employment opportunities opened up for them. (Sachße, 2004)

The amount of local and private welfare was however increasingly seen as dangerous. Tendencies in cities tried to reconcile private and public welfare and rationalize their actions. Public welfare provision then was given the task of steady and reliable welfare provision, whereas the private organizations were tasked with trying more experimental ways of providing welfare.²⁷ The “extension ladder theory” by Webb (1914) illustrates how voluntary organizations were to supplement the services provided by public organizations. (Kramer, 1981, p. 39)

World War I ushered in a new way of dealing with the poor. Before, social welfare had been seen in the context of being an addition to worker insurance. This changed with the war, as it brought with it a new type of poverty. War welfare became an integral part of social welfare. War poverty and inflation insured a high demand for welfare provision and at the same time destroyed the financial basis of many welfare organizations. More social groups became depended on help. During the war, unemployment increased and put pressure on families. Later, there was an increasing demand of welfare from families whose men had died. Organizations were founded to provide war welfare. The aftermath of the war in the area of welfare provision meant a strong increase of power for the central government. The state took more responsibility and centralized the welfare provision. Welfare provision became a task of the state, the welfare state.

²⁷ In a sense one could argue that this reflects part the current debate between social entrepreneurs and the established welfare associations. The argument of being more suited for experimental areas the welfare associations are not covering as for example been made by the representative of a social start-up at a panel at the Sozialkongress 2016.

The centralization began with the *Länder* which gave legislative frameworks to provide welfare in. On a national level, specific areas of welfare we defined, such as war survivor help, social retirement help, or child help. With the new constitution of 1919 (*Die Verfassung des Deutschen Reichs*) came a strengthening of groups that had previously been less powerful, namely social democrats, Catholics, and women. (Sachße & Tennstedt, 1988, p. 82) Catholics profited from Protestantism being seen as the religion of the upper classes who had lost the war (Stephan & Leube, 1931).

4.2.1. The Caritas

The *Kölner Ereignis*²⁸ (Cologne Event) in 1837, the revolution of 1848, and the following culture war between Prussia and the Catholic Church under Pope Pius IX lead to the development of a political Catholicism. It coincided with the Catholic Milieu, but both lost their hold on society. For the Caritas this meant the emergence of three intermingled paths: the founding of female religious orders and congregations, the establishing of local Caritas groups (increasingly associations), and the founding of asylums for the sick and the poor. (Frie, 1997)

A tendency to associate grasped the Catholic milieu, and more and more regional and national Catholic associations were founded. To organize closer amongst each other and integrate with public organizations, the Catholic welfare association was founded in 1897, at the time under the name *Charitasverband für das katholische Deutschland* (Charitas association for the Catholic Germany). It was founded in Freiburg by Lorenz Werthmann, a theologian and priest, who wanted to raise the profile of Catholic welfare work.

Bucher explains how the Catholic Church after the Council of Trent, and especially from 1848-1958, moved towards the idea that the institution is at the center of salvation. (2006, pp. 14–15) It is this time, during which the Caritas is founded and develops as an organization both for taking care of the helpless, and spreading faith – emphasized by the name Caritas, which is not only the name of the organization but of the whole concept of christian charity.²⁹ Still, the Caritas is not the same as the church – both structurally and in the eyes of the population.

²⁸ The *Kölner Ereignis* marks a highpoint of the conflict between the Catholic Church and the Prussian state over the integration of the predominantly Catholic areas *Rheinland* and *Westfalen*, since 1815 western territories of protestant Prussia.

²⁹ Thomas Aquinas saw “caritas” as the greatest of the virtues. (Summa Theologica, Second Part of the Second Part, Question 23). In this context it is noteworthy that when writing about the organization, the name “Caritas” is capitalized, as opposed to when referring to the concept “caritas”. This is consistent with the literature and used to avoid confusion. If you will, and from the point of view of the Catholic Church: Caritas is lived caritas.

The influence of religious organizations in welfare provision has decreased since the end of the middle ages. That is not to say that it has become small. Churches had – and in many cases still have – both a direct and an indirect influence in the welfare provision. Priests directly were involved in decisions and the practice of welfare efforts, and indirectly by preaching about compassion that they generally mobilized a sense of caring. To this day in Germany the two biggest welfare associations are church-affiliated. The process of moving this area towards a more public way of dealing with it has steadily been going on.³⁰

The *Allgemeines Landrecht für die Preußischen Staaten* (1794) included priests in the poverty commissions. However, the *Reichsdeputationshauptschluss* (1803) ousted many of the Church's' properties as part of the secularization of Germany. This included foundations and significantly reduced the Church's' power in welfare provision. At the same time however, there was a new push in the Catholic milieu, especially in the *Rheinland* and *Westfalen*, towards voluntary engagement in welfare. (Gatz, 1971)

At the end of the 19th century, religious organizations still dominated the healthcare provision. In Prussia in 1885 for example, 22.59% of nurses were part of the protestant welfare association, 49.51% catholic, 3.19% from the Red Cross, and 24.71% were not affiliated with an association. (Wernich, 1891, p. 477) This is particularly interesting, as there were far fewer Catholics in Prussia than Protestants. The extension of private religious welfare was seen favorably at the time, as their help was needed to provide for the needy on a scale that was not possible to be reached by the state alone. (Grotjahn, 1908)

Nonetheless, the religiously motivated welfare was a major driver of the changing way welfare was to be organized in Germany. The beginning was made by the Protestant *Innere Mission* in 1848. On the Catholic side in the late 19th century, a large amount of welfare organizations were either founded or amended, 24,000 people alone were active in the area of healthcare. (Guttstadt, 1900)

The reestablishment of religion in the welfare system was supposed to counter the moral decay of society, which was seen as the result of secularity and the communist worker movement. The two churches were of the same mind in this regard. Especially in Prussia however, the Protestant church was in a much stronger position to defend their views, because most of the influential decision makers and state officials were protestant. The Catholic Church however had been suppressed during the *Kulturkampf*.

Catholic society had more to prove in Prussia and great efforts followed. The *Volksverein für das katholische Deutschland* had 805,000 members as well as 15,000 at its height before

³⁰ However, growing numbers of Islam-based welfare organizations and calls for a Muslim *Spitzenverband* will likely lead to more rather than less religion in Germany's welfare provision.

World War I, the world's largest organization center.³¹ (Klein, 1998; Sachße, 2004, p. 154) The organization had a strong mobilization potential in the Weimar Republic, especially with women who for the first time had the vote. Inner-Catholic debates about over-organization in the welfare landscape in the 1920s took their toll and significantly reduced the size of the organization. In 1933 it was closed in a police action by the Nazi-regime.³²

Many of the newly founded welfare associations are then Catholic. Following the *Kulturkampf* in Prussia, most of these activities center on healthcare provision. This was helped along by the introduction of public health insurance in 1883. (Sachße & Tennstedt, 1980, p. 227) When the Caritas was founded, there was already support from Pope Leo XIII for these kinds of organizations. Until the outbreak of WWI, Catholic social work expanded, professional associations were founded, and the central Caritas associations grew into the Catholic Church's welfare associations in Germany. The council of German Bishops (Episcopate) accepted the Caritas thusly in 1916.

The social Catholicism saw society as an organism; build by the cells of families. Social change and integration of the lower social classes should come through the families. Catholicism was not able to reign top down, as the Prussian state was Protestant. Therefore it needed to organize itself more bottom up, growing in local associations, mobilizing the Catholic part of the population. This was threatened by the Social Democrats. (Greschat, 1980, p. 198) The emergence of secular movements from the middle classes during the 19th century brought with it a social critique, directed against capitalism, large cities, and championed a more individual lifestyle, championing such trends as vegetarianism and naturopathy – the so called *Lebensreform* (life reform)³³. (Sachße & Tennstedt, 1988, p. 17)

The Caritas did not have a strong standing at the beginning of the 20th century. There was a general push of expansion and fusion in the religious welfare associations during World War I. The increasing demand of war welfare provision put pressure on the whole system and increased interference by the state, which was not of religious nature. Particularly the Caritas needed to expand, since their focus up until 1914 had been on developing their expert knowledge.

In the beginning there was resistance in the Caritas to unifying under one roof, and only few regional associations were founded in the first 7 years. It was World War I, inflation, hunger, and general need in the beginning of the 20th century in Germany that helped shape the

³¹ It was declared illegal in 1933

³² This was however not because the organization fought against the regime. Even though initially opposed, they tried to co-exist with the regime at first. The Nazis however, who wanted to put a damper on the strong German Catholic organizational structure wanted to set an example, smashed it anyway.

³³ One example of this was the vegetarian naturopathy institution Monte Verità in Switzerland, a so called "vegetable cooperative" - <http://www.monteverita.org/>

Caritas into one of the *Spitzenverbände*. A strong internal conflict line remained between theologian and practitioners, who feared a push towards more clerical influence. Thus, not every association joined happily.

The sense of unifying under one roof was aided by the *Reichsjugendwohlfahrtsgesetz* in 1922³⁴ (National Youth Welfare Law), which was the first attempt to homogenize and regulate youth welfare in Germany, and the *Reichsfürsorgepflichtverordnung* in 1924 (Federal Public Assistance Order)³⁵. The Weimar Constitution of 1919 had in article 9 given the responsibility for welfare to the state. The laws on youth welfare and public assistance were amended again in 1924 with the *Reichsgrundsätze über die Voraussetzungen, Art und Maß der öffentlichen Fürsorge* (Federal Principles on conditions, type and level of public welfare) – which was however not judicially enforceable.³⁶ The Caritas profited from the state attention on the issue, as well as close ties to the *Reichsarbeitsministerium* (Federal Work Ministry). While in 1918 the association had not received any state support, this quickly grew to 45% (1925) and 64% (1932) of their income. (Frie, 1997)

The relationship between the Church and the Caritas was not resolved³⁷, financing was not secure, and regional growth was slow. (Eder, 2010, p. 133) Werthmann needed bring the organization closer to the Church, which could offer both financial support and access into all dioceses. However, the Church was still quite skeptical of the layman organization. The Bishop Conference accepted the Caritas as legitimate association for the Catholic Germany in 1916. But this came at the price of the autonomy of Werthmann as leader.³⁸ The bishops had gained more influence over the organization, and the Caritas had gained more resources and access. The Caritas in Bavaria resisted the centralization until 1921, when they joined the central association and the Caritas was finally named *Deutscher Caritasverband*.

What we see in the debates around the re-structuring, are both the idea of federalism and of subsidiarity: Thomas Nörber, Archbishop of Freiburg: “The main work must always be carried out in the periphery, i.e. by the individual associations, which therefore should not be disturbed in their idiosyncrasy. On the other hand, the task of the Central Union is to ensure that everything is done in order and in the right spirit, that no needs are overlooked, and that no work is done twice.” (own translation, (Eder, 2010, p. 134))

³⁴ While being an important signal nationally, important parts of the law were abrogated in 1924. They were only re-introduced in 1953.

³⁵ In the self-image of the BAGFW, those two laws were the foundation of the welfare associational system we still have today. See: <http://www.bagfw.de/ueber-uns/freie-wohlfahrtspflege-deutschland/selbstverstaendnis/>

³⁶ The *Bundesverfassungsgericht* (Federal Constitutional Court) decided in 1954 that that the Constitution of the Federal Republic of Germany now guaranteed a judicially enforceable legal right of German citizens to those social welfare benefits by the state.

³⁷ It had been rocky from the beginning, when Joseph Schmitz, auxiliary bishop of Cologne – where the *Charitas* was to be founded at the church congress – declined the honorary chairmanship and called the *Charitas* unfeasible. (Eder, 2010, p. 131)

³⁸ This included such aspects as budget control or approval of salaries.

The *Reichsverordnung über die Fürsorgepflicht* (1924) increased the recognition of the free welfare and the idea of subsidiarity in accordance with Catholic social teachings. (Sachße & Tennstedt, 1988, p. 152) The encyclical “Quadragesimo anno” of Pope Pius XI puts it as follows:

“79. As history abundantly proves, it is true that on account of changed conditions many things which were done by small associations in former times cannot be done now save by large associations. Still, that most weighty principle, which cannot be set aside or changed, remains fixed and unshaken in social philosophy: Just as it is gravely wrong to take from individuals what they can accomplish by their own initiative and industry and give it to the community, so also it is an injustice and at the same time a grave evil and disturbance of right order to assign to a greater and higher association what lesser and subordinate organizations can do. For every social activity ought of its very nature to furnish help to the members of the body social, and never destroy and absorb them.” (Pope Pius XI, 1931)

The new focus on free welfare away from the pure hierarchical assignment of tasks now also included a protection of the smaller organizations. This was driven by Catholic social teachings, and the need for a restructure to address the new challenges of the post-War times.

4.2.2. The Paritätischer Wohlfahrtsverband

The increase of welfare provisions after World War I did however also lead to a scattered organizational landscape. Many providers sprung up all over Germany, but there was little coordination. Wilhelm Polligkeit, later one of the (controversial)³⁹ re-founders of the *Paritätischer Wohlfahrtsverband* after World War II, gave an early impulse in the *Deutscher Verein* about the re-organization of welfare provision in Germany and within the *Verein* (1919/20). The *Deutscher Verein* (DV) became much more involved in shaping social provision laws and was renamed *Deutscher Verein für öffentliche und private Fürsorge*, now under the chairmanship of Polligkeit. (Krug von Nidda, 1961)

The Weimar Republic was an overall time of re-organization. For the welfare sector this meant that the associations adapted lobbyism, centralizing and formed syndicates. Many associations vanished during this time. Sachße and Tennstedt call these years until the world

³⁹ Even though not a member of NSDAP, he wrote favorable about compulsory sterilization, which was part of the Nazi eugenics, described vagrants as parasites on the peoples body, and called for a cleansing of the streets of old and frail vagabonds. (Klee, 2015, p. 468) The *Wilhelm-Polligkeit-Institut* in Frankfurt, founded in 1960, was renamed to “*Haus der Parität*”, after the dissertation by Stein (2009) had sparked a discussion about Polligkeits role in Nazi Germany.

economic crisis at the end of the 1920s the “founding years of a ‘welfare industrial complex’” (1988, p. 166). Of several “Deutschen Vereinen” in these years, only the *Deutscher Verein* under the leadership of Polligkeit survived. (Sachße & Tennstedt, 1988, p. 160) This also proved to be the breeding ground for the founding of the youngest of the six welfare associations, which today is called *Paritätischer Wohlfahrtsverband*.

The *Paritätischer* started out in 1919 as an association of hospitals and other healthcare facilities in Frankfurt under the name *Verband der Frankfurter Krankenanstalten*. In 1920 its headquarter was moved to Berlin, now as the *Vereinigung der freien privaten gemeinnützigen Kranken- und Pflegeanstalten Deutschlands*. In 1924, the *Vereinigung der freien gemeinnützigen Wohlfahrtseinrichtungen Deutschlands* was founded, incorporating the former medical association as a member. In the same year, the name was changed to *Fünfter Wohlfahrtsverband* – after them having the fifth rank in the national umbrella organization. (Langstein, 1927, p. 221) This was a cheeky way of demonstrating their “otherness”, as they saw themselves as a collecting basin for organization which did not quite fit in (or wanted to) with any of the other welfare associations. Since 1932 the organization is called *Deutscher Paritätischer Wohlfahrtsverband*.

In its founding charter, the association in all but the actual word puts plurality and independence from the state as its foundation: “Its purpose is to connect facilities and institutions of free welfare work and at the same time to promote their common interests in social and economic terms. It only pursues welfare purposes under exclusion of religious and political questions. [...] Every charity which is not run by the empire, the state, or the municipality, and has no commercial ambitions can become a member of the association, if it has its headquarter in Germany and by its nature should not be a member of one of the other central welfare associations.”⁴⁰ The association clearly positioned itself not to be affiliated with any ideology, other than being free of intervention and accepting members of all creeds. This is emphasized in a position paper in 1926: “The facilities and institutions developed from this ground unite in the fifth welfare association while keeping their individuality to work together in the service of charity.”⁴¹

⁴⁰ „Er bezweckt Einrichtungen und Anstalten der freien Wohlfahrtspflege im Dienste der Nächstenliebe zu verbinden und zugleich ihre gemeinsamen Interessen in sozialer und wirtschaftlicher Hinsicht zu fördern. Er verfolgt lediglich Wohlfahrtszwecke unter Ausschluß der konfessionellen und politischen Fragen. [...] Mitglied der Verbandes kann jede nicht vom Reich, den Ländern oder Gemeinden betriebene und keine wirtschaftlichen Geschäftsbetrieb bezweckende Wohlfahrtseinrichtung werden, die ihren Sitz in Deutschland hat und ihrem Wesen nach keinem anderen Spitzenverband der freien Wohlfahrtspflege [...] anzugehören hat.“ (Wohlfahrtsverband, 1925, p. 1)

⁴¹ „Die auf diesem Boden entstandenen Einrichtungen und Anstalten schließen sich im fünften Wohlfahrtsverband unter Wahrung ihrer Eigenart zur Zusammenarbeit im Dienste der Nächstenliebe zusammen [...]“ (Fünfter Wohlfahrtsverband, 1926, p. 1)

4.2.3. Consolidating the welfare associations in the system – or the system for the welfare associations

It was an entrepreneurial time, and the welfare associations used it. The *Wirtschaftsbund gemeinnütziger Wohlfahrtseinrichtungen Deutschlands* (Wibu) - founded in 1921 - was a buying syndicate to reduce costs for medical equipment. In 1923, a welfare bank (*Hilfskasse gemeinnütziger Wohlfahrtseinrichtungen Deutschlands*, Hika) was founded by the welfare associations to administer public funds provided for the welfare associations. (Deutsches Historisches Museum & Diakonisches Werk der Evangelischen Kirche in Deutschland, 2007, p. 201) Those funds were not exclusively used for welfare provision, but invested – in some cases quite risky. (Sachße & Tennstedt, 1988, p. 165) Ruin could only be averted by directing money from publicly funded projects towards the bank. Public spending increased fivefold between 1913 and 1929. (Abelshauer, 1987, p. 18)

In 1924 the *Deutsche Liga der freien Wohlfahrtspflege* was founded as a forum for the *Spitzenverbände*. Its contemporary successor is the *Bundesarbeitsgemeinschaft der Freien Wohlfahrtspflege*. The two large denominational organizations DCV and IM were the biggest contributors to the *Liga*. This enlargement was not seen without problem. The “welfare industrial complex” was criticized early as moving too far away from the people it was supposed to help. When the subsidiarity principle was – together with protection guarantees – put into law, this meant another strengthening of the welfare industry in favor of communal welfare provision. Interestingly, already then the western part of Germany had a higher distribution of welfare associations.⁴²

The growth of the sector, the increasing interweaving of free welfare and the public structures, as well as the subsidiarity principle during the Weimar Republic are what made the German welfare sector what and how it is today. This was based on the professionalization of the whole sector at the end of the 19th century away from a voluntary system to provide help for the “deserving poor”. The war had been elementary for this, as it had spread the demand for welfare more equally around.⁴³

4.2.4. Gleichschaltung : bringing society into line (1933-1945)

The time during the Third Reich was experienced different by the two associations. The *Paritätischer* became part of the *Nationalsozialistische Volkswohlfahrt* (National Socialist People’s Welfare), willfully and with “flying colors” as one of the current employees for the

⁴² The then finance minister Heinrich Braun called the west “overstaffed” with welfare associations. (Sachße & Tennstedt, 1988, p. 171)

⁴³ For a more extensive discussion of war as a way to level the playing field, see Scheidel (2017).

Paritätischer puts it – thus seizing to exist as a separate organization. This willingness is in strong contrast to the organizations previous commitment to plurality and charity. The protocol of the membership meeting during which the *Paritätischer* dissolves itself is full of references to “the Führer”, “us National Socialists”, opens with “Heil Hitler” and closes by singing the Horst Wessel song. (Deutscher Paritätischer Wohlfahrtsverband, 1934)

The DCV was seen as opposed to Third Reich policy and a potential “disruptive factor”, as Kaiser puts it (1991, p. 99). Still, the Caritas tried to find a way to work within the system. (Frie, 1997) State payments dried up and regulations increased, pushing members towards the church, from where money and solidarity could still be gotten. The Caritas became the center for charitable Catholicism. Thus the DCV was much closer to the church after the Third Reich than before: “more focused on parishes and the church, more organized, more hierarchical” (Frie, 1997). Despite not being forbidden like the *Arbeiterwohlfahrt* and having been an existing and persistent part of the Third Reich system, the anti-church policies of the regime instilled a sense of having been an “enemy of the system and embodiment of a victorious ideological alternative” (Frie, 1997).

4.2.5. Re-establishment and contemporary civil society (since 1949)

Today’s dominance of the welfare associations is also a result of their strong involvement during the rebuilding phase of Germany after World War II. (Frie, 1997) After the fall of the Third Reich, the Caritas played a strong role in reintroducing morality through Christianity to Germany.⁴⁴ Rebuilding both morally, but also physically for people or buildings was the forte of the DCV. In the eyes of the organization, those two endeavors became one. The re-found freedom once again stirred up voices which called for less authority within the association. When the *Bundesrepublik Deutschland* (Federal Republic of Germany, BRD) was founded in 1949, the *Paritätischer* had just a year ago been re-founded.⁴⁵

What followed is often called “the golden age of the welfare-state” from the 1950s until the 1970 (Kuhlmann, Schubert, & de Villota, 2016)⁴⁶, with their dominance being called into question first with the new social movements and self-help movement in the 1970s and 1980s, the introduction of social insurance and breaking of the preferential treatment of the 1990s, and the current pressure from calls for social innovation.

⁴⁴ One can of course argue about the inherent morality in Christianity, and about the fact that this “reintroducing of morality” comes from a former part of the Third Reich.

⁴⁵ Two years before that, in 1946, the *Arbeiterwohlfahrt* had been the first of the three forbidden welfare associations to be re-founded. The ZWST followed in 1951.

⁴⁶ The idea of epochal thinking is however not without controversy, with Wincott (2013) being one of the more recent authors calling this into question.

Starting from this point, the founding of modern day Germany in 1949 and the re-establishment of the welfare associations, this work aims at comparing the development of the *Caritas* and the *Paritätischer* in terms of how they dealt with four distinct topics within their field, and what role their pre-1949-history might have played. The following chapters will outline specifically which topics will be taken into account, and how the analysis will be conducted.

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5. Conclusion

The aim of this paper was to introduce the German Free Welfare Associations, to contextualize them within the general setting of the nonprofit sector, to shed light on their history and founding environment. As I have demonstrated, they were a vehicle for different civil groups at the time to create a space for them in the emerging civil society. I have also shown how the entrepreneurial environment was helpful for them as they fully took advantage in the space that became available, and how they engaged with policy and society as a whole to advance their causes.

Most importantly I have shown how they themselves shaped the space in which they emerged, and how their different founding situations are intertwined with their organizational ideology. This serves as the background for my analysis in the following chapters of my dissertation, where I will carve out the specific influence the trajectory has for how they dealt with or at least justified organizational decisions. For this I will conduct a quantitative text analysis on their respective membership magazines.

The trajectory I describe opens many questions, relevant for researchers from a variety of backgrounds, including organizational studies, social entrepreneurship, and civil society studies. How have welfare associations emerged in other countries? How do social entrepreneurs take their ideology into account? How does it impact them over time? And what are the consequences for civil society? I look forward to discuss these and other questions with fellow researchers, interested in nonprofits and civil society.

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