

# RELIGIOUS ORGANIZATIONS AS PROVIDERS OF SOCIAL SERVICES IN GERMANY

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## The Role of NGOs in Germany

The main characteristic of a free, democratic country is the presence of a strong civil society and activity of many non-governmental organizations (NGOs). People associate freely and try to manage their lives or their environment together by organizing in groups and organizations trying to influence politics on the local, national, or international level.

The social system of the Federal Republic of Germany is guided by the principle of solidarity, which governs the establishment of a close-meshed net of social services and facilities created to provide help for people with health and social needs and which is ensured by governmental and non-governmental agencies. It is also shaped by the principle of subsidiarity, which encompasses the following:

- Tasks that can be taken care of by a community of a lower order should not be assumed by a community of a higher order;
- The community of a higher order should support the community of a lower order in fulfilling its tasks independently, also through financial support; and
- The motto should be: Allow as much self-reliant responsibility (individual contribution) as possible and only as much responsibility (support) of community levels of a higher order as necessary.<sup>1</sup>

The implementation of the principle of subsidiarity is guaranteed by a legal provision which stipulates that at the service provider level, non-governmental social service agencies will take precedence over govern-

mental agencies, if the services provided by non-governmental agencies are adequate and appropriate. As a result, individual citizens preserve their freedom of choice. Each individual may seek help from the specific social service that suits his or her need best, with respect to its professional concept and religious or ideological outlook.

The great number of non-governmental social services and facilities offering assistance are organized by several non-governmental/voluntary social welfare agencies. The social arms of the two major churches are *Deutscher Caritasverband* (German Caritas Association) and *Diakonisches Werk der Evangelischen Kirche in Deutschland* (Service Agency of the Protestant Church in Germany), respectively, while the social-democratic labor movement gave rise to *Arbeiterwohlfahrt* (Workers' Welfare Association). Other central national organizations are *Deutsches Rotes Kreuz* (German Red Cross) and *Zentralwohlfahrtsstelle der Juden in Deutschland* (Central Welfare Office of the Jews in Germany). *The Deutscher Paritätischer Wohlfahrtsverband* (German Non-denominational Welfare Association) embraces over 10,000 independent social organizations, institutions, and self-help groups.

## Caritas Germany: An Example

Caritas Germany (*Deutscher Caritasverband*, DCV) was founded in 1897 by Lorenz Werthmann and is the charitable association of the Catholic Church in Germany. The organization comprises twenty-seven Diocesan Caritas Associations totaling 636 Caritas associations at various local levels, 262 charitable

religious communities, and nineteen Federal Catholic Professional Associations. In accordance with the principle of subsidiarity, the Local Caritas Associations, the Diocesan Caritas Associations, as well as the Federal Catholic Professional Associations are autonomous and independently responsible for their activities. The German Caritas oversees 25,699 establishments of different types, (such as homes for the elderly). These establishments employ over 500,000 people; about another 500,000 volunteers work to fulfill the mission of the Caritas in Germany. To give just one example of the prevalence of religious social services providers, 25 percent of all children in Germany who attend a day-care center go to a Catholic establishment.

Caritas, with its branches and their participating members, has three essential functions as a charity association of the Catholic Church: The German Caritas Association takes part in defining social policy in Germany, is an important provider of social services, and deploys efforts toward tapping into solidarity potentials. In other words, Caritas in Germany takes part in shaping social reality in Germany, first, by seeing its role as advocate of the disadvantaged and as an actor of civil society, participating in shaping and promoting social policy; second, through its services and facilities, Caritas provides social services in all sectors of social welfare, education, and health, on an out-patient, partially in-patient, and in-patient basis; third, Caritas promotes societal solidarity. All three functions of Caritas are closely interconnected and characterize the Association's relationships with state and society.

### Precedence of NGOs

Practically speaking, precedence of non-governmental agencies means that, for example, when a non-governmental agency is planning a nursery, a hospital, or a facility for disabled people, the governmental agencies will stand aside instead of establishing their own facility. About 1 million full-time staff are employed in just under 70,000 facilities run by non-governmental social welfare agencies, adding up to 2.5 percent of all persons in gainful employment in Germany. They are supported by nearly 2 million volunteers. In addition, commercial companies are tending to increase their activities in the non-govern-

mental social and health sectors.

The non-governmental social welfare agencies would not play such a major role in Germany if they had not been given priority in the provision of social services and if government had not committed itself to funding the non-governmental services through legislation. These services and facilities finance themselves by drawing on their own funds, including fees paid by the social insurance institutions or by bodies responsible for social assistance, youth welfare, etc., in return for services provided, and by government grants which are especially important for longer-term investment purposes, such as building hospitals and day-care centers. More than half of the services offered in the field of social work in western Germany are provided by the non-governmental sector.

### Problems with the Principle of Subsidiarity

Despite its appeal, the principle of subsidiarity has two main drawbacks: (1) The government might entirely withdraw from its responsibility and leave everything up to the voluntary welfare initiatives, groups, and associations in order to save money; (2) the voluntary welfare bodies might lose their individual profile/identity if they rely too heavily on government support. To avoid these pitfalls, institutionalized modes of cooperation should be established in order for voluntary welfare bodies and government authorities to negotiate the areas of action and define who is responsible for fulfillment of which tasks. Furthermore, voluntary welfare bodies must require a solid basis of their own funds in order to be able to "afford" their individual identity.

### Competition among NGOs

The organizations responsible for social services in Germany are competitors; such competition ensures the freedom of choice of disadvantaged persons. In Germany, the competition between social services has been shaped in a specific way, which is called a social tripartite system. There is a tripartite relationship among the destitute persons, the state, and the service providers. The state grants a social service to the disadvantaged person, but does not provide this service on its own. Instead, it enters into contractual relationships with the service providers, e.g., estab-

ishments run by Caritas, on service standards and cost reimbursement. And the destitute person has the right to choose for him/herself which service provider he/she will use to claim the state's promise, or in other words, which provider he/she chooses. Generally speaking, the service provider will receive cost reimbursement only once the person entitled to a service has actually chosen the provider's offer. It links the state's responsibility for providing social services with a pluralistic offer of providers and thus with the right to choose for the users.

Competition must ensure the freedom of choice and of action. NGOs desire to be independent providers, and not instruction-bound mandates of the state's social policy. Competition should enable revenue levels on par with the service and should prevent the case in which it might be possible to generate income disproportionate to the services provided—and this at the cost of social security systems.

Competition ensures quality, enables innovation, and adapts the structures of the offer and the deployment of investments and personnel to the needs of the clients.

### The Advantages of a Pluralistic Social Welfare System

Some people wonder about the advantages of such a pluralistic social welfare system. Because people are different, they have different needs. These needs are satisfied as much as possible by providing the legally guaranteed right to choose in the social sector as well. The agencies in the social and health care sectors offer their services in different ways and thus compete with each other, an effect which helps to improve the standard of support services. The non-governmental social welfare agencies also play an important role when it comes to appealing to the people, to shaping social awareness, and to motivating the population to commit themselves to voluntary social work—a social conscience cannot be established by government decree. In addition, the voluntary agencies function as pressure groups in politics and administration, both in shaping the social code as well as in asserting the specific interests of those affected. This makes them important mediators, partners, and co-designers of the social welfare

state.

### Advocacy Function of NGOs

Regarding the advocacy function of NGOs three aspects must be distinguished.

#### POLITICAL ADVOCACY FUNCTION

One of the basic functions of NGOs in the social sector is to perceive the interests of people in need and to make their interests a public, political issue. By drawing attention to social problems, pushing for political solutions, and contributing expertise, the social NGOs work to shape state social and socio-political developments. The representation of interests for the benefit of the disadvantaged is mainly directed toward legislators, governments, administrative bodies, and the public. The NGOs fight for just socio-political and economic conditions. In an attempt to overcome emergencies, they establish and support volunteer networks and self-help groups. In this regard, the NGOs see themselves as partners of politics. When NGOs fulfill their task of advocating for the disadvantaged, they also serve to build or uphold societal and social peace.

#### ADVOCACY FUNCTION IN SOCIAL SERVICES

The second dimension of advocacy is manifested through the services and facilities of the social NGOs, in which people receive help according to their individual circumstances. The whole concept of aid includes not only alleviating apparent need, but also speaking up for the disadvantaged in the facilities and services. That means that the advocacy function should also be carried out in the facilities and services of the social NGOs themselves. Their own facilities and services should be a role model for fulfilling state requirements. Discrimination of any kind must be eliminated by making services and facilities open in an intercultural sense and by granting aid to people who cannot provide reimbursement.

#### INDIVIDUAL ADVOCACY FUNCTION

The third dimension of advocacy is the individual advocacy function. It can be seen whenever social services, staff members, or volunteers become

personal advocates for the disadvantaged. In general, this type of advocacy takes the shape of guaranteeing social rights of the disadvantaged in state and public institutions. Social NGOs guarantee that people in need are not completely at the mercy of public administration.

#### AN EXAMPLE: THE FIGHT AGAINST POVERTY

Poverty, unemployment, and lack of solidarity with marginal groups are persistent in western societies. Indeed, the number of recipients of social assistance in Germany has doubled over the last ten years alone. More and more people are no longer able to support themselves by working, drawing on their savings, receiving financial support from members of the family, or receiving benefits through the wage-financed insurance systems.

What is the answer of the NGOs? In recent years, non-governmental agencies have published several poverty reports and opinions to draw attention to the situation of poor people in Germany, a rich, industrialized country. In doing so, the organizations took on the role of advocates of the poor. Due to these poverty reports, even the government—beginning in the early 1990s—took note of the fact that there is poverty in Germany.

It was the NGO Caritas, until then seen as a more traditional type of voluntary welfare agency, which discovered a kind of poverty that had not been empirically studied and proven before. The Caritas Poverty Studies showed that in the years 1993 and 1996, for every four recipients of social assistance there are three people in hidden poverty, and this rate is even higher in eastern Germany. The hidden poor are people who have the right to subsistence aid but do not receive it.

According to all political parties, the hidden poor live below the guaranteed minimum level of existence. The political lobbying for the poor has been and still is one of the main tasks of Caritas Germany for more than one hundred years.

## Conclusion

In providing social services, religious NGOs in Germany work to shape and improve society and guarantee social rights. The German Caritas Association aims to protect the dignity of individuals, to foster a life of solidarity in a pluralistic world, and to commit itself worldwide to life in freedom, justice, and peace. As a charity organization of the Catholic Church, the German Caritas Association helps shape the life of the Church and society in general. Its actions lend credibility to Church proclamation in the public domain. As one of six members of the group of Non-Statutory Social Welfare Organizations in Germany, the German Caritas Association bears responsibility for molding a socially just society in Germany and in Europe. It is committed to the preservation of basic social rights throughout the continuing development of the European Union. The German Caritas Association is an advocate and partner of the disadvantaged; promoter of self-help and participation; provider of social services; and founder of solidarity. It cooperates with the other non-statutory social welfare organizations to shape public welfare. As a member of the international Caritas network, it supports people in need around the globe. It does this through political lobbying on every level and convincing the government of the need for social services or funding for social services. The political argument is based on the experience Caritas has had with the people in need. This is always a strong argument when it comes to crucial points in debates on social reforms. Caritas strives to achieve a high quality standard in social work.

The welfare associations in Germany serve solely non-profit and charitable purposes in accordance with the section "Tax-Deductible Purposes" of the German tax law. That means the associations have to work on the basis of selflessness. They have no interest in making profit. No single individual shall profit from disproportionately high payment or from expenditures that do not align with association purposes. The two Christian welfare associations of the Catholic and the Protestant/Lutheran churches obtain funds from the church tax. The churches spend around 20 percent of their church tax income for charitable purposes—one reason why Caritas and Diakonie are able to run so many social services.

There is no danger of replacing the state because the state is not the biggest player in providing social services. Furthermore, the welfare organizations are competitors on the social market. A welfare organization will run a service only if the reimbursement is ensured.

The Church and Caritas are only two of many players in a pluralistic state. The welfare organizations of the Catholic (Caritas) and the Protestant/Lutheran Church (Diakonie) are the two biggest welfare organizations in Germany. In their relationship with the state they have the same rights as the other four official welfare organizations (The Workers Welfare Organization, the German Non-denominational Welfare Association, the Jewish organization, and the Red Cross). The six welfare organizations are combined in a state approved umbrella organization (BAGFW). The most lobbying in social policy is done by this umbrella organization. So the question is not the separation between Caritas and the state. The question is the relationship between organizations of civil society and the state. Caritas is a natural part of civil society. Another separation concerns the relationship between the Church and Caritas in the public opinion. People do not distrust Caritas (only 6 percent), but many people distrust the Catholic Church (45 percent). Now, Caritas tries to confer part of its good image to the Church.

The German welfare system is unique in Europe. For example, in the northern European states the state sector dominates in providing social services. The strict implementation of the principle of subsidiarity in the social field has a long tradition in Germany in contrast to other European countries and a bright future.

## NOTES

<sup>1</sup> In accordance with In Quadragesimo Anno, Pope Pius XI, 1931.