

THE WELFARE STATE AND THE RELIGIOUS DENOMINATIONS IN GERMANY¹

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I INTRODUCTION

As compared to other European nations, Germany is “the country with the lowest level of national political continuity, but the highest level of socio-political continuity” (Kaufmann 2003: 304). Because of the country’s pioneering role in social legislation, which goes back to the time of the birth of the nation state with the foundation of the German Empire in 1871, the welfare state in Germany has continued to develop organically while political regimes have come and gone. This proposition of socio-political continuity relates mainly to three aspects: the structures of the social insurance schemes, the corporatist settlement in the field of labour relations and the organisation of welfare provision on a non-state basis. It is a matter of continuity in “evolutionary change” (Leisering 2000), which, despite some marked changes in individual areas, has so far tended to avoid fundamental restructurings of the system. The following paper enquires into the extent to which the religious culture of mixed denominations – originally with a Protestant majority but a strong admixture of Catholic elements in the population – has been one of the factors that have shaped the specifically German way in which the welfare state has developed. First we will look at the part played by the religious factor during the formative phase of the German welfare state – see Section 2 below. In the following step, we will turn to its further development under the impact of significant interventions by players linked to the religious denominations (Section 3). Some concluding remarks will then follow (Section 4).

¹ The wording of this paper draws upon a pre-existent comprehensive study of the subject by the authors (Gabriel and Reuter 2013).

2 CREEDS, CONSTELLATIONS AND CONFLICTS DURING THE FOUNDATION PHASE OF THE GERMAN WELFARE STATE

So what were the circumstances that led to Germany becoming the global pioneer in the field of social insurance? The German welfare state above all others has shown itself to be very unwilling to depart from any given path once it has started out along it, so that the constellation during the breakthrough phase had particularly long-term consequences. In the German case especially, the general conditions of profound social change that are summed up in such terms as pauperisation, industrialisation and urbanisation do not appear to be sufficient to account for its characteristic features. Although top-down modernisation, initiated by the state, had started early in Prussia and the other territories of its sphere of influence, removing large sections of the population from the traditional structures both of the social hierarchy and also of welfare provision, industrialisation started considerably later than it did in Britain or France (Ritter 2010: 60–86; Kaufmann 2003a: 259–269). Thus it may be assumed that socio-economic development, although indeed a necessary condition for the rise of the German welfare state, nevertheless does not furnish a sufficient explanation for it (Tennstedt 1997a; Schmidt et al. 2007: 126). One factor in the complex mesh of contributing conditions was a tradition of thought, which had arisen very early, that assigned the state a crucial role in the solution of “the social question” (Kaufmann 2003b: 13–39). This term “the social question” provided a convenient heading under which the unresolved consequences of social change were analysed and discussed in Germany at an earlier date and more persistently than in other countries, with the state being attributed an interventionist role as an intermediary in social relationships in order to solve the problems. The distinction defined and analysed by Hegel between the state and (bourgeois) society, and the first formulation, by Lorenz von Stein, of a theory of modern welfare provision as state intervention in social conditions with a view to reaching a compromise between competing interests, are to be viewed in this context (Maier 2002: 25). Lorenz von Stein’s ideas were taken up by some influential players in the administrative echelons of the young German Empire and transmitted via them to Bismarck, and so came to provide the background against which the first system of state social insurance in the world was devised.

It has been pointed out more and more frequently in recent research that the German welfare state owes its specific features not only to class divisions, but also to the lines of tension in German society arising out of the rift be-

tween the religious denominations (Manow and Kersbergen 2009; Manow 2008; Kersbergen 1995). Although Bismarck's turning to socio-political ideas was linked to a turning away from liberalism and to the end of the hot phase of the "Kulturkampf", the "culture conflict" with the Catholic Church between 1871 and 1878, his social legislation aimed at the same time to win over not only the socialist but also the Catholic working classes for the state. The Catholic workers, who had set up labour organisations at an early date, felt themselves pushed to the fringes of the young state in a double fashion: as Catholics and as workers. They formed part of the Catholic movement that grew up in the second half of the 19th century as a religious defence movement. Together with the Centre Party and the Catholic trade union and workers' association movement this grew into a many-faceted and powerful network of organisations. At the time when Bismarck was preparing to introduce his social legislation, one of his advisers, the Protestant and conservative social politician Herrmann Wagener, came up with the slogan that the social insurance schemes would confront the "social Pope" in Rome with an effective "social Emperor", a formula that was occasionally taken up by Bismarck himself (Tennstedt 1997b: 257). There was an intention in conservative Protestant circles to exploit the social legislation to push back the influence of the Catholic Church and the support it had from the Catholic workers, but these attempts were just as unsuccessful as the parallel efforts aimed at socialist labour and the Social Democrats. The influence of social Catholicism on the social insurance schemes was, however, for the most part indirect. By contrast to the Liberals, the Catholics had taken up a positive stance towards the state's playing a role in social policy since the change in socio-political direction brought about by Bishop von Ketteler, and in principle supported it (Iserloh 1975). At the same time they rejected out of hand any idea of social insurance schemes being centrally funded by the state, as was envisaged by Bismarck. In this, their views coincided with positions held by critics of Bismarck in the civil service, such as the Lutheran Theodor Lohmann. The politicians of the (Catholic) Centre Party supported the accident insurance scheme, which was the project closest to Bismarck's heart, and helped to get it adopted. They also supported the health insurance scheme, which was mainly Lohmann's project. The majority of Centre Party parliamentarians rejected the invalidity insurance and old-age pension schemes, because they involved subsidies from the Imperial Treasury; though in the end a minority of the party helped the bill to be carried by a small margin (Ayaß 2006: 51-55). A strong direct influence of social Catholicism on an item of social legislation can be identified in the case of industrial safety (Aschoff 1997;

Ayaß 2006: 38–51). Here, thanks to an obstructionist policy by Bismarck over a period of many years, the German Empire was lagging behind developments in Britain, Austria and Switzerland. The young Emperor William II sought conflict with Bismarck in this area, using as one of his weapons the technical expertise in the field of Catholic social politicians such as Franz Hitze.

To summarise, it may be said that the development of the welfare state was a field in which a complex constellation of political power interests and players with a wide variety of different world views facilitated an innovation of major importance in world history, the ideas behind which had been circulating in the socio-political discourse since the middle of the century. This great innovation was built around two lines of tension in German society: class tensions and the rift between the religious denominations. The social legislation created an institutional framework that crossed both of these fault lines, and turned them into driving forces behind further social development in Germany.

3 THE INFLUENCE OF THE RELIGIOUS DENOMINATIONS ON THE DEVELOPMENT OF THE GERMAN WELFARE STATE

Religious factors influencing the German welfare system can be identified in terms of the institutions representing them; in respect of these, it is necessary to distinguish between two levels. On the one hand there is the interaction between players drawn from a particular denominational background and the social policy of the state, and on the other the provision of welfare services by voluntary associations in the “third sector” between the state and commercial enterprises.

3.1 STATE SOCIAL POLICY

As far as *state social policy* is concerned, it is important to note that Protestantism, with its pattern of organisation into provinces corresponding to the political states of Germany, was an established state church during the founding period of the welfare state, and had risen to be the denomination of the governing elites. Although this prevented the Protestant church from becoming a political player independently of the state, it nevertheless implied considerable opportunities to exert an informal influence on the state bureaucracy. It was individual representatives of the clergy, the academic world and the higher civil service who developed a sensitivity to the social question,

creating intellectual discussion forums such as the “Verein für Socialpolitik” (“Social Policy Association”) in 1872 and the “Evangelisch-Sozialer Kongress” (“Protestant Social Congress”) in 1890. However, the precise nature of the third way between economic liberalism and socialism that the bourgeois Protestant social reform movement was hoping to be able to follow remained a matter of dispute. Bismarck’s social reforms too bore the mark of the dichotomy between conservatives and liberals. The Chancellor himself described the social insurance laws as being the expression of a “state socialism which is no more than a logical consequence of the modern Christian idea of the state”, and as “practical Christianity realised in legislation” (quoted after Zitt 1997: 209). It is however important not to overlook the fact that Theodor Lohmann, the ministerial civil servant who played a leading role in the drafting of Bismarck’s paternalistically motivated social legislation, was at the same time his leading opponent: although Lohmann, a lawyer who came from a background in the Lutheran revivalist movement and who saw himself as an heir to the social liberal tradition of Lorenz von Stein, was in favour of compulsory insurance, he otherwise pursued the programme of a conciliatory policy towards labour on the basis of private law institutions (social partnership between the two sides of industry, preventive industrial safety and joint administration of the insurance funds by the workers, with entitlement based on contributions). In the case of health insurance, he was largely able to realise his ideas; but his opposition to accident insurance through compulsory membership of the industrial accident insurance associations led to a breach between him and Bismarck. The end of the monarchy and of the church’s established status in 1919 put the majority in the Protestant church at a psychological distance from the Republic and deprived at least the conservatives among its social reformers of the backing they had hitherto enjoyed from a church that had been a political institution on the level of central government.

That German Catholicism contributed so productively to the development of the welfare state was a result of the conflict-laden situation whereby Catholics who were involved in social and charitable work had to defend themselves in an anti-statist manner against the hegemony of the Protestant Prussian state, in an anti-socialist manner against the class struggle ideology of the Social Democrats, and in an anti-individualistic manner against (market) liberalism; and so discovered the field of social policy as a new opportunity to make their presence felt (Große Kracht 2005). Unlike socially orientated Protestantism, the Catholic social movement not only had an autonomously constituted ecclesiastical organisation behind it; it also had the

support of the Catholic workers' associations and of a mass grass-roots organisation embracing all levels of society in the "Volksverein für das katholische Deutschland" ("Popular Association for Catholic Germany"). Furthermore, political Catholicism had a relatively homogeneous political party that shared its world view: namely the "Centre Party", which had emerged strengthened from the Prussian "Kulturkampf" and in 1881 became the largest party in the Reichstag. The Centre Party's social policy aimed in particular at achieving enhanced industrial safety and workers' rights, and the party was involved in the drawing up of social legislation. Here too there were disagreements with regard to the extent of state intervention: a minority of the Centre Party led by Franz Hitze helped to push through the state subsidy for the workers' pension scheme in accordance with Bismarck's conception, whereas the majority of the parliamentary party rejected this element of "state socialism" - under the leadership of Georg von Hertling, who in this matter took the same line as Lohmann.

The military defeat in the First World War and the fall of the old regime left the monarchist/conservative nationalist Protestant milieu on the losing side, requiring it to reposition itself with regard to a now secular state dominated by the former "enemies of the Reich", the Social Democrats (SPD) and the Centre Party - a challenge that was taken up only by that minority among Protestants who cultivated a pragmatic republicanism. One of these was Friedrich Naumann, formerly a clergyman in the church welfare organisation, who as leader of the non-socialist left-wing Deutsche Demokratische Partei (DDP) made a major contribution to the establishment of basic social rights and the further development of the welfare state through his participation in the National Assembly that drafted the Weimar constitution (Naumann 1964: 573 ff.). The Republic offered Catholics new opportunities to play a role in shaping policy, and in particular social policy: in the "Weimar coalition" the Centre Party was the second strongest party group, after the SPD and before the DDP, with the Catholic priest and political economist Heinrich Brauns serving as Minister of Labour from 1920 to 1928. It was this ministry that pressed ahead with the further development of labour law, of the corporatist social insurance system and of the dual responsibility for welfare services.

After the fall of the Nazi dictatorship the two churches were among the few organisations that remained intact, and they enjoyed a particular degree of moral credit. Political Catholicism played an influential part for decades in the newly established Christian Democratic Party, the leading party of government until the end of the 1960s, interdenominational though it claimed

to be, whereas Protestants were scattered across the whole of the party spectrum. Employee codetermination, the particularly controversial topic of the post-war period, received support from both churches, though this did not extend to the trade unions' demand for complete parity. With regard to the years following the establishment of the Federal Republic, it may be said (with a certain degree of oversimplification) that the Protestant influence was stronger in economic policy, while the Catholic influence made itself felt more in social policy.

As early as the 1920s the bourgeois Protestant milieu – at the time marginalised in respect of the opportunities it had to exert political influence – had turned its attention, in its quest for a “third way”, to the “ordoliberalism” project of Walter Eucken, Wilhelm Röpke and others, which was critical of state interventionism and the welfare state. According to the theories of this school of political economy, social policy tasks are largely fulfilled by the market, as long as it is reined in by state-regulated competition rules.² The preference of influential Protestant players for this socio-economic model on the one hand, and their anti-totalitarian reservations with regard to a state monopoly in welfare on the other (e. g. Dibelius 1949) explain why post-war Protestantism initially held itself aloof from the welfare state, though this attitude was soon to dissipate. The broadening out of ordoliberalism into the “social market economy”, which was supported by an interparty consensus in the Bonn Republic (Müller-Armack 1956), found acceptance not only in the Protestant arena but among Catholics as well – albeit with a strong emphasis on the regulatory framework laid down by the state and the deliberate control of market processes in the interests of the less well-off.

The “initial spark” (Hockerts 2011: 74) that set off the epoch-making pension reform of 1957 came from the socio-Catholic milieu, even if the ground had been prepared for it by an expert report of interdenominational origin.³ This proposal for pensions to be financed strictly out of current contributions and linked to the development of wage levels originated with Wilfried Schreiber, Director of the “Bund katholischer Unternehmer” (“Federation of

² Cf. the so-called “Bonhoeffer Memorandum” originating in circles close to the Freiburg ordoliberalism scene and among representatives of the Confessing Church (In der Stunde Null 1979).

³ Chancellor Konrad Adenauer deliberately entrusted the formulation of the “Rothenfels Memorandum” on the comprehensive reorganisation of the welfare system to a commission of four people: two Catholic and two Protestant social scientists (Hans Achinger, Joseph Höffner, Hans Muthesius, Ludwig Neudörfer) (cf. Hockerts 2011: 72).

Catholic Entrepreneurs"). It was based on the socio-ethical idea of the "intergenerational contract", which however Schreiber himself had originally planned to be a "contract of solidarity between two generations and another two generations" (Schreiber 1955: 28): people in employment were not only to pay contributions to finance the retirement incomes of those no longer working, but were also to be obliged to pay for a proposed children's and young people's "pension" or benefit to support those not yet in employment, and so to ensure that the system was demographically stable. However, only the first of these "intergenerational contracts" was actually realised.

In the young Federal Republic, the interdenominationally held position that property ownership should be more widely spread was reflected by measures to promote voluntary saving, the building of homes and asset formation. However, it was soon recognised that in a developed capitalist industrial society an enhanced level of "asset formation in the hands of the workers" can by no means be a substitute for a comprehensive social security net. The 1973 Memorandum "Die soziale Sicherung im Industriezeitalter" ("Social Security in the Industrial Age") (Kirchenkanzlei of the EKD 1978: 115 ff.) consigned the post-war scepticism with regard to the welfare state to history. In this text published by the EKD's Chamber for Social Order, among the members of which was Gerhard Weisser, a leading expert in social policy and co-author of the SPD's epoch-making Godesberg Programme, the Protestant Church expresses its unequivocal support for the welfare state within the context of democracy and the rule of law, and for a well-developed system to secure the whole of society against the major social risks.

Among the long-term consequences of the caesura in social history that occurred around 1970 (when cultural liberalisation and emancipation movements came to prevail, accompanied by a growing awareness of the limits of economic growth) was the way the churches began to see themselves more and more as intermediary organisations of civil society, reacting very sensitively to distributional injustices, rampant mass unemployment and growing neoliberal criticism of the welfare state. The paradigmatic climax of this development was the Joint Statement of the Catholic and Protestant churches on the economic and social situation in Germany, which was published, after a lengthy process of public consultation, under the title "Für eine Zukunft in Solidarität und Gerechtigkeit" ("For a Future in Solidarity and Justice") (Kirchenamt of the EKD and Secretariat of the German Bishops' Conference 1998). This sees the combating of unemployment as the major task of social policy, and pleads for the benefits provided by the established social security instruments on the one hand to be made "poverty-proof", and on the other

hand to be reduced for the better-off in favour of supplementary private provision. In contrast to the labour market programme of an “activating social policy” adopted in 2005, the churches do not, in this 1998 document, fundamentally reject the concept of people taking private responsibility for their own well-being; but they generally emphasise the primacy of security systems founded on the principle of solidarity.

3.2 THE DUAL SYSTEM OF WELFARE SERVICES IN GERMANY

In the field of *the provision of welfare services* (cf. Sachße/Tennstedt 1988: 152 ff.; Kaiser 2008: 58 ff.) the separation between welfare provision by the civil authorities and by the churches had been effected as long ago as the *Reichsdeputationshauptschluss* – the Final Recess of the Deputation of the Holy Roman Empire – of 1803. In the decades thereafter, as state and society grew more and more diverse and the churches became subject to the influence of religious renewal movements, this brought about a significant increase in the number of private bodies offering assistance to the needy on the basis of Christian motivation. Like the civil welfare provisions, these activities took place on the local, parochial level, though not as activities of the official church, but with the legal form of voluntary associations or societies staffed by religious communities and lay people serving on an honorary basis. For the “Centralausschuss für die Innere Mission der Deutschen Evangelischen Kirche” – the “Central Committee of the German Protestant Church for the Home Mission”, set up in 1849 on the initiative of Johann Hinrich Wicherns, the combating of social distress was originally, as the organisation’s name indicates, seen as an instrument serving the objective of a re-Christianisation of society. The “Central Committee” acted as a coordinating body without any central operational management tasks; it was not until 1920 that a “Central Association for the Home Mission” was set up. The “Caritasverband für das katholische Deutschland”, on the other hand, the “Charitable Association for Catholic Germany” established by Lorenz Werthmann in 1897, was from the beginning, in a manner analogous to the hierarchical organisation of the Catholic Church itself, intended to act as a centralised umbrella association for Catholic social work, while other associations took care of missionary tasks. The two churches’ social associations thus played pioneering roles in the establishment of centralised organisations covering the whole field of non-state welfare services. In the “Deutsche Liga der freien Wohlfahrtspflege”, the “German League of Free Welfare Organisations”, which was set up in 1924, they set the tone in relation to the other member associations, including above all the “Zentrale Wohlfahrtsstelle der deutschen Juden” (“Central Wel-

fare Organisation of German Jews”), the German Red Cross and the organisation that later became the “Paritätischer Wohlfahrtsverband” (“Equalitarian Welfare Association”). The church associations were able to ensure that the concept of the subsidiarity of state welfare to privately organised activities prevailed in welfare legislation adopted during the Weimar Republic, resulting in a “neo-corporatist reconfiguration” of the whole field of welfare (Kaiser 2008: 78).

The National Socialists’ attempt to eliminate the dual structure of welfare was successful only up to a point. The church welfare associations were the only ones that had not been banned by the regime, so that after 1945 they had a considerable lead in terms of organisation. The fact that the activities of the church-based assistance organisations virtually replaced state welfare structures in the period immediately after the end of the war won them a high level of acceptance. The enshrinement of the subsidiarity principle, and thus of the primacy of the “free” or voluntary welfare organisations, in the social legislation of the Federal Republic stifled the objections to a “benefits state” with ubiquitous responsibilities that had initially been virulent in both churches. On the Protestant side, however, the threat to the churches’ charitable and welfare work that had been experienced during the “Third Reich” led to a movement to integrate the “Diakonisches Werk der EKD”, as the church’s welfare organisation has been called since 1975, more closely into the main structures of the official church. The present-day umbrella organisation of the non-state welfare associations is the “Bundesarbeitsgemeinschaft der freien Wohlfahrtspflege”, the “National Council of Voluntary Welfare Organisations”, which apart from the organisations mentioned in the previous paragraph also embraces the “Arbeiterwohlfahrt”, the “Workers’ Welfare Association” originally founded by the SPD but now independent. The two church welfare associations (cf. Fix and Fix 2005) are the biggest private employers in the Federal Republic: they currently have almost 1,000,000 people working for them, and each individually has more employees than all the other four associations put together: the Catholic Caritas more than 495,000 and the Protestant Diakonisches Werk some 450,000.⁴ Apart from Judaism, the non-Christian religions have as yet hardly made any impact on the German scene in the field of organised and professional social work.

The faith-based players on the corporatist welfare stage, value-orientated as they naturally are in view of their affiliations, are facing challenges arising

⁴ Cf. <http://www.bagfw.de/wir-ueber-uns/mitgliedsverbaende/>, accessed on 10. 4. 2012.

out of two developments: in the first place the establishment of state-sponsored social markets, which force the church associations into competition with commercial providers, and secondly the potential conflict between the faith-based philosophy informing the associations' activities on the one hand and the declining affinity with the church and increasing professionalisation of the staff on the other.

4 CONCLUSION

For Germany and the path it has taken into the modern age the welfare state possesses an exceptional significance that is scarcely matched in any other country. In Germany, influential thinkers at a very early date assigned to the modern state a crucial responsibility for the fate of the individual and for solving the social problems that arose during the difficult transition to the modern world. It was in Germany that central features of the modern welfare state were practically invented in the form of social insurance systems, and for the first time anywhere in the world were organised by central government. Whereas the political side of German history is characterised by caesuras, upheavals and discontinuities such as no other comparable country has experienced, the welfare state forms a line of continuity that has held up through all the changes in political systems. Launched as a conservative project, the German welfare state has succeeded in coping with the tensions in German society arising from its two major fault lines and subjecting them to the constraints of a common institutional framework.

In the first case, compromise agreements between capital and labour have been negotiated and the interests of the two sides of industry reconciled innumerable times within the framework of those instruments that govern industrial relations in accordance with the principles of the welfare state. After the military and political catastrophes of 1918 and 1945, the welfare state idea offered the opportunity for society to make a new start. And once again, on the occasion of Germany's rebirth as a nation state after 1989, the German welfare state proved itself to be a crucial integrative force without which the peaceful reunification could scarcely have succeeded.

The second fault line brought under institutionalised control by the German welfare state is that between the religious denominations in Germany. Thanks to their particular concept of the state, it was elites with Lutheran backgrounds that set German society off on its specific path towards the welfare state. In their struggle to obtain social acceptance in a country with a

Protestant majority, German Catholics discovered in the welfare state a prime instrument through which they could pursue political and social emancipation. Thus the denominational constellation of German society made an essential contribution towards enabling the welfare state to become the line of continuity in Germany. It is to the denominational rift that the German welfare state owes its most outstanding feature, over and above its track record of successful compromises achieved in the world of work: namely the diversity of its institutions and players. The German welfare state is characterised in a very special way by these two features: the reconciliation of interests in industrial relations, and the diversity of its providers. Against this background it becomes clear why there is so much at stake for Germany in the present-day struggles over the future of a welfare state that faces challenges from so many quarters. With their policy of “dynamic immobility” (Lessenich 2003) the political elites responsible for the welfare state in Germany are attempting to adapt to the changed conditions in European and global politics, while at the same time, as far as possible, holding fast to the line of continuity.

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