

**CIVIL SOCIETY –
A NEW SOLUTION BEYOND STATE AND MARKET?**

CIVICUS CIVIL SOCIETY INDEX REPORT FOR GERMANY

2005

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ACKNOWLEDGEMENTS

Even if the general availability of data on civil society is comparatively good, in relation to other social areas, relatively little knowledge has been generated about civil society in Germany. For example, the recommendation of the United Nations (UN) Statistics Office, to generate national statistics records for the sector has not been implemented in Germany. Also, available surveys are often run in parallel and not systematically recorded.

As a result, the task of compiling the available material for an international comparative analysis is clearly as challenging as it is difficult. Furthermore, CIVICUS: World Alliance for Citizen Participation pursued an even more ambitious goal with its Civil Society Index (CSI) Project.¹ Using numerous indicators, the strength of civil society was evaluated not only in economic and organisational terms, but also with regard to the normative and functional roles that are ascribed to civil society in democratic theory. The resulting assessment is intended to be comparable across different country circumstances and contexts.

The challenge of conducting the study in Germany, using the prescribed research design and preparing the results for comparison at the international level was willingly accepted by the Maecenata Institute of Philanthropy and Civil Society, at the Humboldt University in Berlin. Aside from assessing a large number of individual studies, which provided answers to the specific indicator questions, a media analysis was sub-contracted and an assessment of the results was conducted by representatives of civil society.

The final report, submitted in German and English, includes the full study conducted within the CIVICUS CSI framework. The final report is generated on the basis of a 300-page working report which contains the results of the secondary analysis, as well as the assessments of the two National Advisory Groups (NAGs). This report was disseminated to project participants, interested persons and organisations in Germany and then submitted to CIVICUS. Of the more than 50 participating national teams, the Maecenata Institute was incidentally one of the first to submit its final report in full. Apart from this report, other publications are also planned by the Maecenata Institute.

We are thankful to the members of the project's Scientific Advisory Group as well as the members of both NAGs. Particular thanks are due to Ms. Sabine Reimer, who was in charge of the project on the part of the Maecenata Institute. She managed the entire research process and the quality of the results is mainly her merit. We would also like to thank our student aide, Maximilian Kirchner for his assistance on the project. Further thanks go to the international project management at CIVICUS, in particular CIVICUS Secretary General Kumi Naidoo and CSI Project Manager Volkhart Finn Heinrich for their friendly co-operation.

Finally, we owe thanks to the Mercator Foundation in Essen, whose institutional support to the Maecenata Institute in the years 2003 to 2005 made this research project possible.

Berlin, November 2005
Rupert Graf Strachwitz
Director of the Maecenata Institute

¹ For a profile of CIVICUS: World Alliance for Citizen Participation, see the Appendix.

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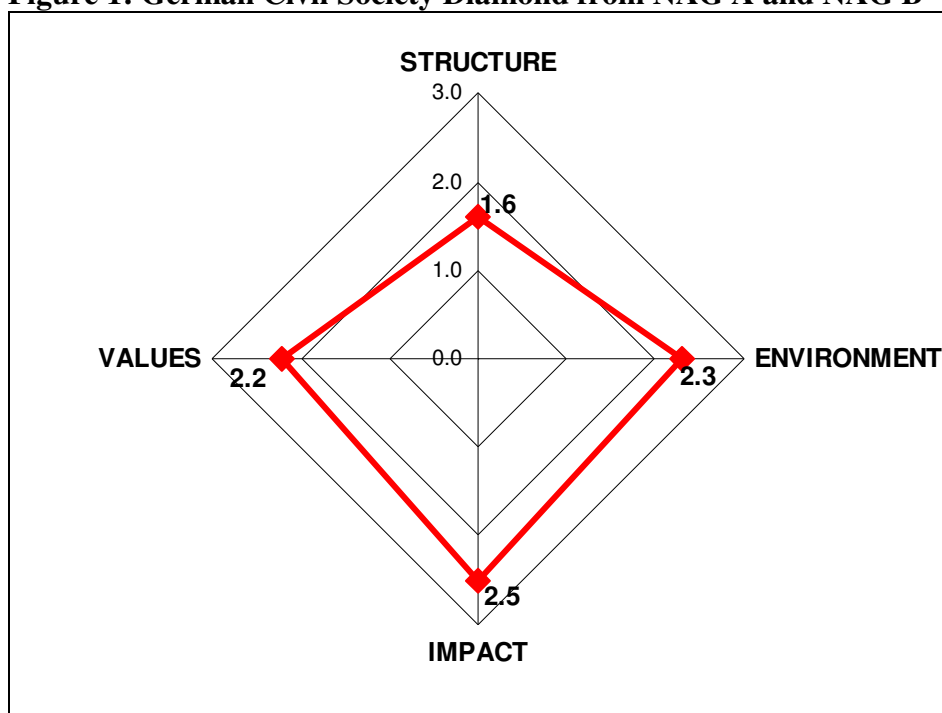
ABM	Arbeitsbeschaffungsmaßnahme (job-creating measure)
ALLBUS	Die allgemeine Bevölkerungsumfrage der Sozialwissenschaften (General population survey of social sciences)
AO	Abgabenordnung (German Fiscal Code)
BAG	Bundesarbeitsgemeinschaft der Unabhängigen Erwerbsloseninitiativen (Federation of independent unemployment initiatives)
BAGFW	Bundesarbeitsgemeinschaft der Freien Wohlfahrtspflege (Association of independent charitable institutions)
BBE	Bundesnetzwerk Bürgerschaftliches Engagement (Federal network of civic participation)
BDS	Bundesverband Deutscher Stiftungen (Federal association of German foundations)
BIP	Bruttoinlandsprodukt (gross national product--GNP)
BMFSFJ	Bundesministerium für Familie, Senioren, Frauen und Jugend (Federal Ministry for Families, the Elderly, Women and Youth)
BSM	Bundesarbeitsgemeinschaft Sozialmarketing (Federal labour association for social marketing)
BUND	Bund für Umwelt und Naturschutz Deutschland (Association for the environment and protection of nature in Germany)
CDU	Christlich Demokratische Union Deutschlands (German Christian Democratic Union)
CPI	Corruption Perceptions Index
CS	Civil Society
CSI	Civil Society Index
CSO	Civil Society Organisation
CSU	Christlich Soziale Union Deutschlands (German Christian Social Union)
DIN	Deutsches Institut für Normung (German Standards Office)
DZI	Deutsches Zentralinstitut für soziale Fragen (Central German institute for social issues)
EFC	European Foundation Centre
EU	Europäische Union (European Union)
e.V.	eingetragener Verein (registered association/society)
FAZ	Frankfurter Allgemeine Zeitung (German daily newspaper)
FDP	Freie Demokratische Partei Deutschlands (German Free Democratic Party)
GdBR	Gesellschaft des Bürgerlichen Rechts (civil-law association)
GDR	German Democratic Republic (East Germany)
GmbH	Gesellschaft mit beschränkter Haftung (limited liability company)
Hdi	Human Development Index
IfD	Institut für Demoskopie Allensbach (Institute of Demoscopy in Allensbach)
ISO	International Organisation for Standardisation
JHP	Johns Hopkins Comparative Non Profit Sector Project
KPD	Kommunistische Partei Deutschlands (German Communist Party)
LSVD	Lesben- und Schwulenverband in Deutschland (Association of lesbians and gays in Germany)
NAG	National Advisory Group
NATO	North Atlantic Treaty Organisation
NGO	Non-Governmental-Organisation
NIMBY	Not In My Back Yard
NPD	Nationaldemokratische Partei Deutschlands (German National Democratic Party)
NPO	Not for Profit Organisation
PDS	Partei des Demokratischen Sozialismus, ab Juli 2005 Die Linkspartei (Democratic Socialism Party; The Left Party as of July 2005)

REP	Die Republikaner (Republican Party)
SOEP	Das Sozio-ökonomische Panel (The socio-economic panel)
SOWIBUS	Sozialwissenschaften-BUS (social sciences survey)
SPD	Sozialdemokratische Partei Deutschlands (German Social Democratic Party)
SZ	Süddeutsche Zeitung (German daily newspaper)
TI	Transparency International
UPJ	Unternehmen Partner der Jugend (measures promoting youth)
WEED	World Economy, Ecology & Development
ZWST	Zentralwohlfahrtsstelle der Juden in Deutschland (Central charity office for Jews in Germany)

EXECUTIVE SUMMARY

The Civil Society Index (CSI) Project was conducted in Germany from 2003 to 2005. In order to record information on the approximately 70 indicators included in the project, an extensive secondary analysis, as well as a media analysis, were conducted. On the basis of a comprehensive report, the CSI indicators were discussed, evaluated and scored by two National Advisory Groups (NAGs) set up especially for the project. To determine if there were any potential effects of group composition or group dynamics on the indicator scoring exercise, two separate groups were established. However, no crucial differences were apparent between the two groups, in terms of their scoring results. Wherever differences became apparent, they were attributed to different interpretations of key terms or different perspectives. For example, one NAG had a more international perspective on the findings, and on average scored the indicators slightly more positively. The scores from both groups were then averaged for international comparison. The data, scores and assessments were included in an extensive German research report (Reimer 2005a). The assessment results can be depicted in the Civil Society Diamond as indicated below: (See figure 1 below.)

Figure 1: German Civil Society Diamond from NAG A and NAG B



On a scale of 0 to 3, a score of 1.6 was awarded for the structure of civil society, 2.3 for the environment, 2.2 for values and 2.5 for the impact dimension. Thus, one notices a striking difference between the relatively low score for structure and the relatively high score for the impact dimension.

Within the structure dimension for Germany, particularly negative ratings were awarded to the extent of volunteering, membership in associations, non-partisan political action and community action among the population. It is interesting to note that, if people get involved the number of hours they invest is high. However, this does not apply to membership numbers or the share of personal income donated to charity. The low scores are in part

attributable to the rules for assigning scores, or in some cases to the rather “American” approaches behind the features (for example: the “Collective Community Action” indicator). The financial and human resources available to civil society organisations (CSOs) are also rated as poor. Of particular note is the well-known division of German civil society into two sub-sectors: one sub-sector that is predominantly state-financed and one sub-sector that is mostly financed by service fees. On the other hand, the involvement of CSOs in umbrella associations and the communication and co-operation among them is rated positively, even if it does not tend to be cross-sectoral. This also applies to the extent and quality of civil society’s infrastructure.

The NAG evaluated the environment in which civil society exists in Germany as good to excellent. In particular political rights, party competition, confidence in the rule of law, decentralisation, the socio-economic environment and financial support to CSOs by the state are rated as excellent; and other indicators also achieve some very good evaluations. No individual feature was rated so poorly as to deem it an actual obstacle to the development of civil society.

Based on the evaluation by the NAG, the values practised and represented in German civil society largely correspond to the values upon which the CSI Project is based. However, the extent of corruption within civil society, the financial transparency of CSOs and efforts regarding equal opportunities for men and women were rated low.

The impact of civil society in Germany on broader society is rated as very high. For example, the social relevance of CSOs’ activities is regarded as high. This is extraordinary, when it is considered that, according to surveys conducted among the population, unemployment is seen as a very important issue, and CSOs cannot legally contribute directly towards promoting economic growth. However, the issue is addressed by some CSOs through advocacy activities. The social relevance of CSOs’ activities is also regarded as high: this includes activities regarding marginal groups or those requiring assistance.

INTRODUCTION

Within the context of various theoretical and political discourses, the idea of civil society has recently gained attention and importance.² For example, civil society organizations (CSOs) are attributed an increasingly important role in the context of globalisation and the nation state's limited ability to govern effectively. Civil society is also included in the debate about restructuring the welfare state, and expectations are being placed on the activities of CSOs, as a substitute for formerly state-provided services. A scholarly and political discussion is currently taking place about a new functional division between the state, the market and civil society. Social transformation processes in the organisation of the state, the market and family are interpreted as heralding deeper institutional change. This change includes the area of civil society, whereby "the term of citizen or civil society [...] has become a type of magic formula in recent debates, which, although hardly formulated, is supposed to solve practically all control and integration problems of, not only the state but also of the market." (Münkler 2004: 9, own translation).³

What information is available about the shape of civil society in various countries? What is known about civil society's structure, environment, values and impact and how are these factors evaluated by CSOs? This report presents the results of a comprehensive effort to gather and evaluate existing information on German civil society. The report not only collates this information, but also links civil society research aspects and aspects referring to questions not linked to civil society research directly. Hence, the following questions emerge: Does a certain environment have a positive or negative influence on civil society? Does a "strong" civil society contribute to a positive social order (however "strong" is defined)? What constitutes a strong structure of civil society? Is this reflected in high rates of participation and a high density of CSOs? Is there a connection between issues such as, trust in institutions, membership and active participation? If so, what type of connection exists?

Report structure

This report presents the results of the CSI Project in Germany, in terms of four basic dimensions: structure, environment, values and impact, on the basis of existing data and evaluations by representatives of CSOs.⁴

Section **I** gives an overview regarding the project background **(1)** and approach **(2)**.

Section **II** outlines specific aspects of civil society in Germany **(1)** and describes the civil society definition in the context of the CSI **(2)**.

Section **III** is divided into four parts, which correspond to the four main dimensions of the CSI. The evaluations and assessments of the National Advisory Groups (NAGs) are indicated here and the results of the secondary analysis are presented.

Section **IV** summarises the most important findings emerging from the study.

² See criticism by Skocpol/Fiorina 1999.

³ See Priller/Zimmer. For example Priller and Zimmer speak of the third sector (Priller/Zimmer 2001c: 9f).

⁴ This is a brief version of the extensive German research report. The latest studies as available at editorial deadline were added to the report. No claims regarding a full coverage of all available studies are made.

I CIVIL SOCIETY INDEX PROJECT AND APPROACH

1. PROJECT BACKGROUND

The Civil Society Index Project (CSI) aims to record the “state” of civil society in countries around the world. The CSI is co-ordinated by CIVICUS: World Alliance for Citizen Participation in co-operation with partner organisations in around 50 countries.⁵ In Germany, the project was implemented by the Maecenata Institute of Philanthropy and Civil Society, at Humboldt University in Berlin. A list of all participating organisations and countries is included in the Appendix.

The Civil Society Index Project intends to increase *knowledge on civil society*, encourage *dialogue between those involved* and, above all, create a *platform* for further research activities and policy measures, both nationally and internationally.⁶

The project is broken into two steps. The *first step* involves recording information on civil society using an indicator system and secondary data analysis. When necessary, primary data collection methods are also used. With regard to the generation of information, CIVICUS outlines the following potential tools (CIVICUS 2003: D1): a) Secondary Data Analysis, b) Regional Stakeholder Consultations, in which civil society stakeholders complete a questionnaire and participate in a consultation discussing its main findings (ibid. D3f), c) Community Sample Surveys, in which face-to-face interviews are conducted with members of the community (obtained by a layered selection) (ibid. D 39 f), d) Fact-Finding, which is a study of “grey literature” and expert interviews (ibid. D63f) and e) Media Analysis (ibid. D73f).

The *second step* is the evaluation of the state of civil society by stakeholders using the indicator system and the information gathered in step one. A National Advisory Group (NAG) is set up for this evaluation. According to the CIVICUS concept, the number of participants in the group should be 12. Participants are selected on the basis of a CIVICUS checklist, which includes categories of CSOs. Furthermore, four participants should come from business, government, academia and the media (ibid. A4, B5). The group is tasked with evaluating the extent to which the features described in each indicator exist in Germany. For this evaluation, the group uses the draft report, which contains the available information. An ordinal scale of “0” (not at all prevalent) to “3” (very prevalent) is used to calculate the scores for the dimensions and sub-dimensions. The results for the four dimensions are then illustrated in a Civil Society Diamond.

The project *Outputs* are:

1. Country reports based on the collected data and indicator scores,
2. A cross-national data set and
3. “Civil Society Diamonds” - graphic depictions of the CSI assessments in participating countries.

⁵ This refers to an approach aligned towards civil society within the framework of the nation state. For “global” approaches, see also e.g. Ezzat 2005.

⁶ Methodological issues are not addressed in this report. For more information, see the long report as well as Reimer 2005b.

2. PROJECT APPROACH

The core of the CSI project is an indicator system, which is used to collect information and guides the stakeholders' evaluation in the respective countries. The indicator system was developed by Helmut K. Anheier and CIVICUS.⁷ It disaggregates the state of civil society into four different dimensions which are in turn broken down into sub-dimensions and then into more than 70 indicators.⁸ The four dimensions are:

1. Structure;
2. Environment;
3. Values and
4. Impact.

Basic information on the third sector is recorded in the *Structure* dimension. This includes the share of citizens involved in civil society, as well as their social make-up and the intensity of their commitment. It also includes basic characteristics of CSOs in Germany and the relations among them. The *Environment* dimension refers to the political, legal, socio-economic and socio-cultural context in which civil society exists. The *Values* dimension assesses the values practised and promoted by civil society. For example, this includes the extent to which CSOs' activities are guided by the principle of transparency. The *impact* dimension considers the roles performed by civil society, with regards to business, politics and society. This includes, for example, the social relevance of activities performed by CSOs, as well as the extent to which CSOs are successful in developing and implementing accountability mechanisms towards the behaviour of the state and the economy (Anheier 2004). A table of all indicators, sub-dimensions and dimensions is included in the Appendix.

A *Scientific Project Advisory Group* was established to support and guide the CSI Project in Germany.⁹ Specific tasks included evaluating the CSI report, identifying relevant research studies and providing advice for setting up the NAG.

For pragmatic reasons, such as personnel and financial resources, as well as due to the reasonably good availability of data, by international standards, the data gathering was conducted on the basis of a secondary data analysis. A wide range of studies and publications were used, including information sources suggested by CIVICUS (2003/2004; 2004), results from a literature review, as well as specific studies recommended by the Scientific Advisory Group. Priority was given to international studies, more recent studies and long-term studies. Particular consideration was given to the report of the Enquete Commission, the Freiwilligensurvey of 1999 and the publications by the Johns Hopkins Comparative Non Profit Sector Project (JHP). It goes without saying, that no claim is made that the assembled information is fully exhaustive. Particular difficulty transpired in summarising the indicators. Another problem was represented by the fact that, while there was an abundance of material available for some features of civil society, there were also varying operationalisations, which made the results difficult to compare. Also, information was lacking in some areas,

⁷ For fundamental project information, see, e.g. www.CIVICUS.org/new/default.asp.

⁸ An index was recently drafted on the basis of the JHP data. It includes the dimensions of Capacity, Sustainability and Impact. Germany is assigned an overall value of 46 out of 100 putting it 12th. The indices are distinguished on the basis of sources to which reference is made (the CIVICUS CSI applies an evaluation, the Hopkins GCSI applies the collated data) as well as regards its focus. For the Hopkins Global Civil Society Index (Hopkins GCSI), see e.g. Salamon 2004: 12-14.

⁹ See the Appendix for a list of members.

particularly for indicators under the Values and Impact dimensions. Thus, in some cases, examples were used for illustrative purposes. These were found through Internet research. Furthermore, results of the media analysis were included.¹⁰

In addition to the secondary data analysis, the Institute of Journalism and Communication Research, at the College of Music and Theatre in Hanover, was commissioned to implement a media analysis to establish how German civil society is represented in the media (Arnold 2004). The *Frankfurter Allgemeine Zeitung* (FAZ), *Süddeutsche Zeitung* (SZ) and *Bild* newspapers (not including the Sunday editions) were examined from October through November 2003 and February through March 2004. Amongst others, the media analysis recorded the frequency that individual CSI indicators were covered (frequency analysis). Moreover, it assessed how civil society is depicted in the media (e.g. positively, negatively, ambivalently or no evaluation).

To conduct the scoring of CSI indicators by civil society actors and stakeholders, the Scientific Project Advisory Group recommended constituting two separate NAGs in order to make any potential group-dynamic processes in the NAG scoring meeting as visible as possible. Information on the project and the draft report were distributed to the NAG members in advance, and the meetings took place in Berlin on 6 and 7 October 2004, at the Maecenata Institute. The indicators were discussed by each NAG on the basis of the draft report, and the NAG discussions and results were recorded in a report (Kirchner 2004: 92).

II CIVIL SOCIETY IN GERMANY

1. SPECIFICS OF CIVIL SOCIETY – HISTORICAL BACKGROUND

Figure 2: Country Information

<p>Western European Country, Member of European Union Recent History: In 1949 the two German states Federal Republic of Germany and German Democratic Republic (GDR) were formed. 1990 reunification took place; the former GDR became part of the Federal Republic of Germany. Form of government: federal parliamentary democratic republic Language: German Most prevalent religion: Christianity Population 2002 (in millions): 82,4 Population growth 1975-2002 (in %): 0,2 Human Development Index (HDI) and Ranking 2004: 0,925 (19th) Unemployment rate (in %) 2002: 8,1 (Human Development Reports: http://hdr.org/statistics/data/cty/cty_f_DEU.html; http://www.nationmaster.com/country/gm/, Information zum HDI: http://de.wikipedia.org/wiki/Human_Development_Index)</p>

German Civil Society has a long tradition, which continues to shape it to this day. Some central aspects are described in Priller/Zimmer (Priller/Zimmer, 2001: 14, 15; Zimmer/Priller, 2004: 45 ff.).

A main characteristic of German civil society is the principle of subsidiarity. Originating in catholic moral philosophy, its application dates back to the 1930s, when it received

prominence as part of attempts against the totalitarian state. The principle aims at strengthening the responsibility of individuals. However, in the 1960s it was also applied to organisations. Thus CSOs operating in the social and health sectors were given priority over state institutions or businesses, and the state committed to supporting them financially.

¹⁰ Please refer to the Appendix for a Table of key studies, as well as to the bibliography for a full list of sources.

As a consequence, Germany's civil society is divided into two parts: on the one hand there are subsectors such as culture, which are financed by fees and donations, and on the other hand there are social and health sub-sectors, which are primarily financed by the state, and are characterised by a generally close relationship with the state.

Looking at organisations in terms of history, foundations have a long tradition, as do associations, dating back to the 19th century. For a long time, associational life in Germany was divided among distinct socio-cultural milieus, particularly the catholic and social-democratic ones. In the 1970s, new types of associations emerged, such as new social movements and local citizen's initiatives, which focused on specific issues, such as the environment. The reunification of Germany in 1990 presented new opportunities and challenges to civil society in Germany. The major mobilisation of East German citizens in a movement that brought about regime change in the East Germany, the German Democratic Republic (GDR), soon ebbed away, even though it led to the founding of a large range of small, often informal advocacy activities. Other parts of civil society established in Western Germany were transferred to the former GDR. The recent years have witnessed growing public attention and interest in the concept and practice of civil society and civic engagement in Germany.

2. THE CONCEPT OF CIVIL SOCIETY IN THE CONTEXT OF THE CIVIL SOCIETY INDEX PROJECT

Understanding the terms civil society and civil society organisation

While the term *civil society* can be placed in the sphere of political theory and has a normative, typically positive connotation, the term *third sector* comes from the area of organisational sociology and has an empirical connotation (Anheier/Priller/Zimmer 2000). Neither term is unambiguously defined. Civil society's essential features are its normative perspective and its reliance on a particular institutional environment. The third sector concept refers to the area between the market, state and family.¹¹ According to Anheier et al. the third sector can be regarded as the institutional core of civil society.¹²

The CSI Project employs the term *civil society organization*. This is understood to be a "generic term including all forms of people's associations within civil society – formal or informal" (CIVICUS 2003: A3, CIVICUS 2003/2004: A4).

The term civil society organisation (CSO) is currently not widely used in Germany. It is more common to use the term *Not for Profit Organisation (NPO)*, which can be distinguished from companies and official authorities in accordance with the distinctions between the sectors of the market, the state and the third sector (Strachwitz 2000: 19-41). The classification criteria for NPOs are not always unambiguous; nevertheless a core area can be defined. Strachwitz classifies NPOs by their legal form, as registered associations or associations, incorporated foundations or limited companies, as well as special forms, such as non-profit stock

¹¹ This definition is what the term civil society is based on in the CSI Project. The Project does not however pursue any organisational approach. See CIVICUS 2003: B4.

¹² Reference is made here to approaches which do not assume distinctions in terms of the spheres of market, state and civil society, for example within the framework of the research project by Timon Beyes and Urs Jäger. See Beyes/Jäger 2004. See also Reimer 2004b: 79-80.

corporations, civil-law associations, non-incorporated foundations, unregistered associations or associations and non-profit co-operative associations (ibid. 31).

The following five criteria are used to define NPOs in the *Johns Hopkins Project (JHP)*:

- They are **organised**: they possess some institutional reality;
- They are **private**: institutionally separate from government;
- They are **non-profit-distributing**: not returning any profits generated to their owners or directors;
- They are **self-governing**: equipped to control their own activities and
- They are **voluntary**, at least in part: they involve some meaningful degree of voluntary participation, either in the actual conduct of the agency's activities or in the management of its affairs

(Salamon/Anheier 1997: 9.; Priller/Zimmer 2001a: 11).

The JHP also excludes political parties and churches. Organisations affiliated with the church are however included.

In the CSI Project, in cases of uncertainty, organisational forms should be included rather than excluded (CIVICUS 2004: 1). Since the project does not merely focus on organisations, as indicated by the term third sector as the institutional core of civil society, the criterion of organisational structure, employed by the JHP, is not used by the CSI. Both formal and informal forms of civil society are included in the assessment; and professional associations and business associations are not excluded, even if the criterion of 'voluntariness' (used to define NPO in JHP) is not always met by these organisations. Churches, trade unions and self-help groups are also included in the CSI concept of civil society. Thus, according to the CIVICUS definition, civil society comprises all forms of associations, formal and informal, where people act for any non-profit-making purposes in a public sphere, which are affiliated to neither the state nor the market. The task of including informal types of organisations appears to be particularly difficult. Even if informal organisational types are often not featured in the report, due to a lack of data, they are nevertheless considered in the concept, because of the logic of the CSI, and to highlight this lack of information. However, the specific purposes of the activities, which these organisations pursue, are not specified by the definition. Consequently, not only organisations working for the "public good" (however defined) are seen as part of civil society. Even if the CSI Project uses normative criteria as a basis, particularly in terms of dimensions 3 (values) and 4 (impact), both the positive and negative components of civil society should be included in the assessment. This makes it possible to assess the degree of civility in civil society.¹³

The broad definitions of civil society and CSOs were critically discussed by the Project Scientific Advisory Group and by the NAGs, as well as in the context of other project presentations. Some involved in the discussion were of the opinion that organisations leaning towards the political right or extremist right could not be included in civil society, as they do not contribute to the principle of democracy. However, the CSI approach strives towards an analytical rather than normative understanding of civil society, and is an attempt to record the "actual status" of civil society. The normative approach is included in the project itself. For example, the values dimension examines how tolerant, non-violent and democratically-

¹³ For discussion on terms, see Reichhardt 2004.

organised civil society is.¹⁴ Other points for discussion were the extent to which churches, employer and employee organisations and political parties form part of civil society. The extent to which these organisations consider themselves part of civil society is not taken into consideration in this approach. The project follows the sectoral division of state, market and civil society (and family), and uses this division to categorize organisational types, although such an approach might run the danger of treating civil society as a residual category, which comprises those organisational types, which do not belong to other sectors. For example, it is assumed that the tasks of trade unions significantly extend beyond employee representation. Political parties must be seen as part of civil society in terms of their history, as well as their legal form. Political parties are included in the definition of civil society because of the extent of citizen participation, and therefore party-associated political involvement in local party groups and other party structures. In terms of assessment, at least one NAG somewhat restricted broad recording.

Number of selected CSOs in Germany

This section deals more closely with the term civil society organisation (CSO) and its meaning. To what extent do different types of CSOs exist in Germany? The following table provides an overview of the number of organisations by type: civic action groups, self-help groups, foundations and associations. It is apparent that associations are most strongly represented. However, to what extent they will remain the most dominant form of organisation in Germany remains to be seen.¹⁵

Figure 3: Selected CSOs in Germany

Form of organisation	Number	Year
Registered associations	574,359	2003
Self-help groups	70,000	2003
Citizens' initiatives	10,000 – 20,000	2000
Foundations (excl. church foundations)	12,940	2004
Networks / Interest Groups registered in parliament's "lobbying list"	1,746	2002

Sources

Braun et al. 1996: 87; Bundesverband Deutscher Stiftungen e.V. (BDS) 2005: X; Enquete Kommission 2002: 236, 239; Guggenberger 2000: 43; Priller / Zimmer 2001b: 34.

Internet sources: www.vereinsdaten.de/vereinsstatistik/2003.

Community actions, voluntary action, volunteer work and charitable giving

A variety of terms, such as community action, voluntary action or, for more formal types, voluntary work, are used in the discourses and studies on charitable giving in Germany. The Enquete Commission refers to *civic engagement* as the civic dimension of volunteering in political, social and other contexts (Enquete Kommission 2002: 73 ff). This term also intends to distinguish between community action and other types of action, which do not share its civic dimension. Other criterion for civic engagement is that it takes place in the public

¹⁴ On the issue of approaches to civil society, see also Roth 2003a.

¹⁵ The Enquete Commission leaves this open (Enquete Kommission 2002: 68f, 109f).

sphere and its effects are supposed to extend beyond the motives of those involved. The Enquete Commission also mentions the term civil society in the context of a new allocation of tasks between civil society and the state; here, reference is made to the concept of an ‘activating state’.¹⁶ In terms of quantitative studies on civic engagement, the Enquete Commission primarily used the *Freiwilligen* survey and the Socio-Economic Panel (SOEP). The *Freiwilligen* survey distinguishes between the concepts of active participation and voluntary involvement. *Active participation* is interpreted as “being active in associations, groups and organisations” (Rosenblatt 2000: 39, own translation). On the other hand, *voluntary involvement* is distinguished by the fact that “voluntary, unpaid tasks and work” are undertaken (ibid. 44, own translation).

The two types of involvement recorded in the SOEP are, “*voluntary work in associations, associations or social services*” and “*participation in civic action groups, parties and community policy*” (Enquete Kommission 2002: 63; Erlinghagen/Rinne/Schwarze 1997: 9.). Voluntary work comprises the following features:

- is an unpaid activity,
 - benefits the general public or third parties and
 - is incorporated within an organisational framework
- (Erlinghagen/Rinne/Schwarze 1997: 4, own translation.).

As becomes clear in the studies discussed above, different definitions of involvement were used in each case (Behr/Liebig/Rauschenbach 1999).¹⁷ While existing empirical studies can only be relied on to a certain degree, an attempt should be made to apply a broad interpretation of involvement – parallel to the broad interpretation of a CSO in which this involvement takes place. Accordingly, involvement should be defined as an action which does not take place for purely selfish reasons (this includes involvement within the framework of self-help groups) in formal organisations or informal groups outside the family and workplace. This report applies a wide interpretation of the term involvement, which seeks to embrace all concepts upon which the various studies were based.

¹⁶ There is no further distinction between the terms civil society and civic society here. For a distinction between the terms civil society and civic society, please see Enquete Kommission 2002: 59, footnote 3, Sondervotum des sachverständigen Mitglieds Rupert Graf Strachwitz. For a distinction between the terms activating and permitting state see Schuppert 2000.

¹⁷ The Appendix includes a table outlining some key studies and their concepts.

III ANALYSIS OF GERMAN CIVIL SOCIETY

In this section, the bulk of the information and data collected during the course of the project and the evaluation by the NAG are presented. The analysis is structured along the individual dimensions, sub-dimensions and indicators. This section is divided along the four dimensions: **Structure, Environment, Values and Impact**. At the beginning of each sub-section, a graph provides the scores for the sub-dimensions on a scale from 0 to 3. Findings for each sub-dimension are then examined in detail. A separate box also provides the scores for the individual indicators for each sub-dimension.

1. STRUCTURE (1.6)

The structure dimension includes information on the breadth and depth of individual civic engagement, and the socio-demographic composition of CSO members. On the organizational level, it also examines the degree of CSOs' organisation, affiliation and resources. According to the media analysis, structure plays a role in 49% of the articles, and resources available to CSOs is the topic most frequently reported on.

Table III.1 Sub-dimensions of Dimension: Structure

Ref.#	Sub-Dimension	Score
<u>1.1</u>	Breadth of Citizen Participation	<u>1.2</u>
<u>1.2</u>	Depth of Citizen Participation	<u>1</u>
<u>1.3</u>	Diversity of Civil Society Participants	<u>2</u>
<u>1.4</u>	Level of Organisation	<u>1.9</u>
<u>1.5</u>	Inter-Relations	<u>2.5</u>
<u>1.6</u>	Resources	<u>1</u>

1.1. Breadth of Citizen Participation (1.2)

One aspect of the structure of civil society is the extent of citizen participation in Germany, in terms of the breadth of membership, donations of time and money, political participation and the extent of local civic activity.

Table III. 1.1: Indicators of Sub-dimension: Breadth of Citizen Participation

Ref. #	Indicators	Score
<u>1.1.1</u>	Non-Partisan Political Action	<u>0.5</u>
<u>1.1.2</u>	Charitable Giving	<u>2</u>
<u>1.1.3</u>	CSO Membership	<u>2.5</u>
<u>1.1.4</u>	Volunteer Work	<u>2</u>
<u>1.1.5</u>	Collective Community Action	0

1.1.1. Non-Partisan Political Action. Political activity is frequently broken down into partisan and non-partisan forms. In the World Values Survey, participation such as, signing petitions, participating in boycotts, authorised political demonstrations, wild strikes and/or occupation of buildings are recorded as non-partisan forms of political activity (Rucht 2003: 116). About half of all Germans indicated in 1999 that they had been politically active in at least one of these activities during the course of the past 10 years (ibid. 115). The primary point of concern is that the rate of participation is likely to be inflated since participation in

demonstrations during the political changes in the former GDR is included. As a result, the extent of non-partisan political action in today's Federal Republic cannot fully, or accurately, be examined by the World Values Survey data. Thus, even though the results of the secondary data analysis pointed towards a positive assessment, the NAGs were critical and assigned a low score of 0.5 to this indicator.

1.1.2. Charitable Giving. Charitable giving includes regular donations, defined as money given at least once a year to an NPO (Matzke 2001: 8). According to the TNS Emnid donation monitor, 41% of the total population aged 14 and above made donations in 1999. This percentage accounted for 37% (2000), 40% (2001) and 47% (2002) in subsequent years. For 2003, 45% was indicated.¹⁸ The Sozialwissenschaften-BUS (SOWIBUS) had similar figures in 1996, with 41% of the population in West Germany and 32% in East Germany having made donations (Priller 1999: 137). Moreover, reference is made to the scope of donations in kind, with 41% of East Germans and 35% of West Germans making such donations in 1996, which corresponds to an average monetary value of about EUR 107 (DEM 210) and EUR 148 (DEM 289), respectively (ibid.). In Germany, a total of EUR 3.87 billion was donated, with private donations accounting for 60%, inheritances for 20% and corporate donations for 20% (Fundraising aktuell online: 2005: 1). Older people are more likely to donate than younger people, individuals in permanent employment are more likely to make donations than the unemployed and individuals with higher incomes are likewise more likely to make donations than those with lower incomes. However, donations are not solely influenced by economic situations, idealistic values also play a significant role, for example, membership of a particular religion exerts influence on the likelihood of donations (Priller/Sommerfeld 2005).

1.1.3. CSO Membership. As explained above, the term "civil society organisation" is intended to be used as broadly as possible. In one of its representative surveys, the Institute of Demoscopy Allensbach (IfD) asked the following question: "Are you personally a member of an association, political party, civic action group, group or other type of organisation?" (Allensbach 2003:3, own translation). Although this question does not include informal alliances, all types of formally organised organisations should be covered. According to the study carried out in January 2003, 49% of Germans over the age of 16 are a member in at least one association or organisation.

1.1.4. Volunteering. Donations of time in Germany are discussed under various terms and concepts such as "civic involvement", "voluntary participation" and "voluntary work".¹⁹ Depending on the respective interpretations of such terms, various studies on the extent of involvement in Germany come up with different results, with rates fluctuating between 18% and 36%.²⁰ The regional differences in rates of involvement are noteworthy. Using data from

¹⁸ These figures are bound to include current events such as the floods of 1999/2002. For information on habitual and spontaneous donations, see also Meulemann/Beckers 2003.

¹⁹ See the brief section preceding the explanation of individual dimensions dealing with some of the terms applied for the project.

²⁰ The 18% mentioned here are communicated using the Time Budget Study (Federal Ministry for Families, the Elderly, Women and Youth; Federal Statistics Office 2003: 21). The 2nd Voluntary Survey in 2004 communicated a value of 36% (initial results available at: www.bmfsfj.de; for a brief summary, see also: Gensicke 2004:16-17); the 1st Voluntary Survey communicates a value of 34% (Federal Ministry for Families, the Elderly, Women and Youth; Rosenblatt 2000: 39).

the Freiwilligensurvey, the state of Baden-Württemberg with an involvement rate of 40% tops the list, with Berlin coming in last place with a rate of 24% (Priller 2002: 39-54).

1.1.5. Collective Community Action. This indicator examines the extent of civic engagement in the community, including participation in communal meetings or events, or involvement in solving community problems. According to the Freiwilligensurvey, in 1999, 5% of the population over the age of 14 participated in collective community activities, while 1% fulfilled certain tasks and functions within community organisations. In reality however, this percentage should be much higher as it includes activities which are assigned to other forms of participation in the study (for the study see Rosenblatt 2000: 43f). In the NAG discussions, reference was made to the fact that this “Collective Community Action” indicator deals with a distinctively American approach, which is difficult to apply to the context of Germany.

1.2. Depth of Citizen Participation (1)

This sub-dimension is concerned with the intensity of various forms of civic engagement. It complements sub-dimension 1.1. on breadth of participation. Thus, whereas sub-dimension 1.1 examines how many people are members of CSOs, this sub-dimension examines the intensity of such participation (i.e. how many organisations a person is a member of).

Table III. 1.2: Indicators of Sub-dimension: Depth of Citizen Participation

Ref. #	Indicators	Score
1.2.1	Charitable Giving	0
1.2.2	Volunteering	3
1.2.3	CSO Membership	0

1.2.1. Charitable Giving. The estimates performed by the Johns Hopkins Project (1991/1992) yielded 0.18% of the personal income of Germans was given to non-profit organisations (excluding religious organisations, excluding church tax) (Salamon/Anheier 1994: 63f). If donations to religious organisations are included, this percentage rises to 0.31% and to 1.2% if church tax is also included (ibid. 73, footnote 13).

1.2.2. Volunteering. How many hours do German citizens invest in volunteering per month? The amount of time invested in volunteering was estimated to be between 14.5 (1999) and 19 (2001/2002) hours per month in the various studies (see Rosenblatt 2000, Bundesministerium für Familie, Senioren, Frauen und Jugend/Statistisches Bundesamt 2001/02).

1.2.3. CSO Membership. This indicator examines the number of CSO memberships held by individuals. According to Wohlfahrtssurvey in 1998, 42% in West Germany and 62% in East Germany indicated that they were not a member of any CSO; 39% and 29% respectively were members of one organisation; 14% and 7% respectively of two organisations and 6% and 1% of three or more organisations (Zentrum für Umfragen, Methoden und Analysen 1999: 8). (See figure 4 below.)

Figure 4: Membership in organisations 1998 (as % age of population)*

Number of memberships	West Germany	East Germany
None	42	62
One	39	29
Two	14	7
Three or more	6	1

*Source: ZENTRUM FÜR UMFragEN, METHODEN UND ANALYSEN (pub.), ISI 22, July 1999: 8.

1.3. Diversity of Civil Society Participants (2)

Are there any social conditions which have an effect on whether, how and to what extent people get involved? What socio-demographic features do members of CSOs display? For example, are women more active than men? Or are there differences depending on qualifications and professional status? How are these socio-demographic features distributed at the level of functional and leadership positions in CSOs? What is the regional distribution of CSOs throughout Germany? These questions were dealt with under sub-dimension 1.3.

Table III. 1.3: Indicators of Sub-dimension: Diversity of Civil Society Participants

Ref. #	Indicators	Score
1.3.1	CSO Membership	<u>2</u>
1.3.2	CSO Leadership	<u>2</u>
1.3.3	Distribution of CSO	<u>2</u>

*1.3.1. CSO Membership*²¹. In Germany, there is a close link between socio-economic factors, such as income, education and professional status and civic involvement (Enquete Kommission 2002: 107). In terms of membership in organisations and associations, gender and education, in particular, exert an essential influence (Zentrum für Umfragen, Methoden und Analysen 1999: 9). As part of the second Freiwilligen survey, for which results are not yet fully available, the Centre of Turkish Studies at the University of Duisburg-Essen examined participation levels by Turkish citizens in Germany. According to this survey, 64% of Turkish residents in Germany are active although only 10% actually take on a formal position within a CSO.

1.3.2. CSO Leadership. In terms of the distribution of functional and leadership positions according to socio-demographic features, gender-specific features are of particular relevance (Zierau 2000: 140f).²² Of men involved in voluntary participation, 44% hold a leadership or board position, while 68% of women surveyed indicated a voluntary position which does not correspond with a board or leadership position (Central Archive for Empirical Social Research at the University of Cologne 1999: 29).

1.3.3. Distribution of CSO. This indicator deals with the regional distribution of CSOs. It focuses specifically on the spread of associations and foundations throughout the country.

²¹ The CSI Toolkit is only used to query the socio-structural context of members. This is expanded upon here to include the aspect of involvement.

²² See also 3.5. Gender equity within the civil society arena and civil society actions to promote gender equity.

The number of associations by postal code is depicted in the Association Statistics of 2001 (verein&more 2001).²³ A particular pattern, such as a North-South or East-West differential, was not discernable. If the density of foundations in relation to population numbers by state is considered, one can distinguish regions with fewer foundations, including the former East German states, Rhineland-Palatinate and Saarland and those with many foundations, such as Hamburg, Bremen and Bavaria (Bundesverband Deutscher Stiftungen 2001: 59f). The low density of foundations in East Germany is a consequence of the rather recent introduction of foundations to this part of the country, which only began after 1989. The high density of foundations in some of the old West German states is a consequence of their specific historical traditions, such as a strong liberal bourgeoisie in some regions and the crucial role of the church and local authorities, in others.

1.4. Level of Organisation (1.9)

The sub-dimension of “level of organisation” deals with the existence of umbrella bodies, the application of instruments for self-regulation, the infrastructure supporting CSOs and the international linkages.

Table III. 1.4: Sub-dimension: Level of Organisation

Ref. #	Indicators	Score
1.4.1	Existence of CSO Umbrella Bodies	3
1.4.2	Effectiveness of CSO Umbrella Bodies	2
1.4.3	Self-regulation	1.5
1.4.4	Support Infrastructure	2
1.4.5	International Linkage	1

1.4.1. Existence of CSO Umbrella Bodies. In their organisational survey, Priller/Zimmer come to the conclusion that 89% of the organisations examined in 1998 were a member of an umbrella organisation (Priller/Zimmer 1999: 12; Zimmer/Priller 2004). On average, organisations are members of 2.3 umbrella bodies. These results show that civil society is extensively linked in Germany, although this does not apply beyond individual sectors.

1.4.2. Effectiveness of CSO Umbrella Bodies. CSOs in Germany are relatively critical of the work and performance of their umbrella bodies. According to the organisational survey mentioned above, one in five organisations is dissatisfied with the performance of the umbrella or professional association that they are a member of (reference year: 1998). The main reasons for dissatisfaction include: poor representation of interests (62%), membership fees being too high (49%) and insufficient services (47%) (Priller/Zimmer 1999: 12). Particular criticism of the work of umbrella bodies is voiced in the fields of health, sport and social services.

1.4.3. Self-regulation. Not much information is available on the extent to which CSOs make an effort to apply self-regulatory instruments or how effectively they use them. However, a few examples can be cited, such as, the ‘donation license’ of the German Central Institute for Social Issues (DZI) (Ibrahim: 2003: 12-17). Since 2004, it has been possible for all

²³ The data refers to 2001 and is focused on evaluations primarily of the Association Register. Only registered associations were included for consideration, also including welfare associations. For 2003, a breakdown by area and postal code, but without any specific regional allocation, has been available at www.npo-info.de/vereinsstatistik.asp.

organisations collecting donations, which are recognised as tax-deductible in accordance with §§ 51 ff. of the German Fiscal Code (AO), to apply for and purchase this license on an annual basis.²⁴ With regards to professionalism and ethics of professional groups, the “basic rules governing the work of fund-raisers” can be cited in the area of fund-raising (www.sozialmarketing.de/Ethik___Grunds_tze.25.0.html, own translation). The European Foundation Centre (EFC) Code of Practice is an example of a code of conduct at the organisational level in the area of foundations (www.efc.be/codex/principles.html). In one of the NAG meetings, the application of instruments for self-regulation was regarded as being in their initial stages. However, it was concluded that Germany is relatively advanced when seen from an international perspective.

1.4.4. Support Infrastructure. This indicator deals with the extent to which civil society infrastructure exists and is provided by civil society itself. For example, how many CSOs provide services for CSOs and how effectively do they work? Since there is no extensive information available on this issue, examples can only be provided for illustrative purposes. Services provided by umbrella bodies for their members include information, lobbying or further education. Additionally, individual institutes and networks have been established with the goal of providing legal services to civil society or to provide services for CSOs. Examples of these institutes and networks include: the Stiftung Mitarbeit (www.mitarbeit.de), the Arbeitsstelle Aktive Bürgerschaft e.V. (www.aktive-buergerschaft.de), the Maecenata Institute of Philanthropy and Civil Society (www.maecenata.de) and the Bundesnetzwerk Bürgerschaftliches Engagement (BBE) (www.b-b-e.de). Furthermore, there are around 160 contact points for self-help groups (Enquete Kommission 2002: 299) in Germany and just as many offices for the elderly (*ibid.* 304). There are also around 180 volunteer agencies or centres and voluntary work exchanges (*ibid.* 310). In 2005, 248 contact and support points for self-help groups could be ascertained, of which 194 regard self-help support as a primary task, while 54 see it as a secondary task (NAKOS 2005: 20). Their work is aligned towards an average of 137 self-help groups per point. These examples illustrate the extent to which civil society infrastructure in Germany is widespread and well-developed.

1.4.5. International Linkage. This indicator deals with the percentage of CSOs with an international affiliation (e.g. via membership in international networks) and the level (local, regional, national, international) to which their activities refer. There is no direct information on the percentage of German CSOs with international affiliation. Examining the level of work, 64% of organisations taking part in an organisational survey indicated primarily communal/regional activity (Priller/Zimmer 1999: 11), while 33% regarded their activity as primarily referring to a cross-regional level.

Indications of a globalised civil society could be movements such as those by international social forums, for example (www.weltsozialforum.de). According to Salamon/Anheier the area of civil society is largely cut off from globalisation. The task and challenge faced by politics is to create the appropriate legal environment that permits trans-national civil society activity, while simultaneously safeguarding national interests (Salamon et al. 1999: 37-38). One particular problem outlined by the NAG was the fact that organisations with a local/regional/national alignment can also operate at the international level.

²⁴ This applies as of 2004. Before that, the donation stamp was only available to humanitarian-charitable organisations.

1.5. Inter-Relations (2.5)

To what extent do CSOs communicate and co-operate among themselves?

Table III. 1.5: Indicators of Sub-dimension: Interrelations

Ref. #	Indicators	Score
1.5.1	Communication	2.5
1.5.2	Co-operation	2.5

1.5.1. Communication. This indicator looks at the extent to which communication takes place among CSOs. One indication for the creation of communication opportunities is the establishment of infrastructural facilities. Communication takes place via a variety of media, such as web sites and newsletters (e.g. “Im Gespräch” (Stiftung Bürger für Bürger – Citizens for Citizens Foundation), miscellaneous publications (e.g. “Schriftenreihen Bürgerschaftliches Engagement und Europa der Bürger” (report on civic participation and Europe) distributed by the Social Ministry of Baden-Württemberg) as well as within the framework of seminars and working groups (e.g. several working groups of the network BBE). As far as the promotion of communication by associations between individual organisations is concerned, it can be assumed that sector-specific communication is very pronounced and far more prevalent than cross-sectoral communication. This is also clearly indicated by the fact that there is no cross-sectoral umbrella organisation for civil society in Germany. The Enquete Commission found that exchanges between and among CSOs still require more continuity (Enquete Kommission 2002: 240, 242, 243).

1.5.2. Co-operation. This indicator deals with the issue of co-operation by CSOs in terms of common matters. In the context of co-operation, in terms of civil society issues, reference is made to the networks already mentioned above. Various networks have been founded to coordinate the work of CSOs on specific issues. One example is the Bündnis für Demokratie und Toleranz (Democracy and Tolerance Alliance) (www.buendnis-toleranz.de), which was founded in 2000 by the Federal Ministry for the interior and the Federal Ministry of Justice. Thus, this alliance was not initiated by civil society itself, but by the state. Around 900 groups and individuals opposing xenophobic, racist and anti-Semitic actions co-operate within this network. Overall, CSOs’ efforts to cooperate, which are similar to, but more distinctive than communication among CSOs, are being made; however, it is difficult to increase them, expand upon them or make these efforts more consistent.

1.6. Resources (1)

This sub-dimension examines the extent to which CSOs obtain adequate resources for performing their respective tasks. Both financial and personnel resources are subsumed under this sub-dimension.

Table III. 1.6: Indicators of Sub-dimension: Resources

Ref. #	Indicators	Score
1.6.1	Financial Resources	<u>1</u>
1.6.2	Human Resources	<u>1</u>

1.6.1. Financial Resources. This indicator examines the extent of financial resources available to CSOs. Total income in the area of civil society can be estimated at EUR 69.23 billion (reference year 1995) (Priller/Zimmer 2001b: 202).²⁵ Civil society in Germany is financed by the authorities (64.3%), fees (32.3%) and donations (3.4%) (1995) (Priller/Zimmer 2001a: 28).²⁶ With only a few minor differences, German civil society's financing structure corresponds with the European structure. Civil society in Germany is primarily state-financed, which contrasts with civil society in the United States of America, which is largely financed by fees (Salomon et al.1999: 25). Nevertheless, there are significant differences among German CSOs according to subsector and organisational level. Of organisations in 1996, 37% indicated financial difficulties, and the percentage in East Germany (49%) was higher than in West Germany (35%) (Priller/Zimmer 1999: 18).²⁷ The decline in local government funding was cited as the main reason for these financial difficulties. The decline in public funding is likely to have strengthened considerably or will do so in the future.

1.6.2. Human Resources. A total of 2.5 million people are involved either on a full-time or voluntary basis in CSOs (1995). This corresponds to a full-time equivalent of 1.4 million people. Around 1 million people are employed on a voluntary basis (also full-time equivalents) (Priller/Zimmer 2001a: 17-18). Accordingly, the number of those employed in the third sector in Germany in 1995, as a percentage of total employment in Germany, was 4.9%. If voluntary work is included, this percentage rises to 8% (ibid. 22). However, the employment rate by sector varies widely: 38.8%, the largest share, are employed in the area of social services. The share of voluntary activity (27.2%) is also highest here (ibid. 27). In terms of organisation level, 48% of employees in 1998 were full-time, 25% part-time and 10% freelance. A further 17% are involved in negligible employment, within the framework of job creation measures or as conscientious objectors conscripted to do community work, practical placements or individuals taking time off from school and taking a voluntary social/ecological year.²⁸ The majority of organisations (83%) record a growth in their staff numbers, which is partially a consequence of job creation initiatives by the government.

²⁵ Priller/Zimmer exclusively refer to DEM as currency for this subsequent volumes. DEM 135.4 billion is referred to here. For facilitating understanding as regards the current currency applicable, figures are converted into EUR here with a conversion rate of EUR 1 = DEM 1.95583 in accordance with the European Central Bank (Duisenberg 1998).

²⁶ If voluntary activity is converted into monetary value and included, financing structures alter significantly with 36.2% of sector income accounted for by philanthropy – comprising monetary and time donations, 21.3% attributable to fees and 42.5% accounted for by the public sector.

²⁷ See also the considerations outlined in section 1.5.1. Indicator: Communication.

²⁸ Considerable differences can be observed in employment structure by area of activity (Priller/Zimmer 1999: 19-20).

Estimates regarding future development are largely positive, with 60% of organisations in 1999 estimating positive development, which was defined as stagnant or increasing, while around 25% anticipate employment slumps (Priller/Zimmer 1999: 22f). Volunteers are active in practically every organisation (93%), voluntary workers (persons involved without performing any particular function) were deployed in three out of four organisations (ibid. 25). The relatively low score awarded by the NAG indicates that personnel resources need not necessarily be regarded or evaluated as sufficient despite a high percentage of employment in the third sector and a positive employment trend among organisations. The difference between the organisational survey and the NAG assessment may also be attributable to the earlier date of the survey, as the application of job creation measures may have undergone a considerable decline in the period since the survey was conducted.

Conclusion

German citizens are rather limited in their voluntary participation, especially in the areas of local and non-partisan political participation and involvement. However, there are some connections between socio-demographic features and participation (particularly education); but they were evaluated to be relatively weak. A similar situation applies to the influence of gender in achieving a management or leadership position. Furthermore, if estimates are to be believed, organisations have access to fewer and fewer financial and personnel resources. The linkages among CSOs were evaluated as positive, particularly in the field of the institutionalised and relatively bureaucratic structures of umbrella and professional bodies. However, relationships among CSOs typically do not extend beyond the respective sectors, and links to international civil society were seen by the NAGs as limited. Civil society's level of organisation appears to be relatively high, for example instruments for self-regulation are used. In terms of its structure, German civil society can be observed as divided into two areas: state-financed areas, such as health or social services and areas such as culture.

2. ENVIRONMENT (2.4)

This section examines the external environment for civil society in Germany. It includes political, legal, socio-economic and socio-cultural factors, as well as the relationship between civil society and the market on the one hand and the state on the other. Of the articles examined, 49% reported on the environment in which civil society exists, with the political context addressed most frequently.

Table III.2. Sub-dimensions of Dimension: Environment

Ref.#	Sub-dimension	Score
<u>2.1</u>	Political Context	<u>2.7</u>
<u>2.2</u>	Basic Freedom of Rights	<u>2.4</u>
<u>2.3</u>	Socio-Economic-Context	<u>3</u>
<u>2.4</u>	Socio-Cultural Context	<u>1.9</u>
<u>2.5</u>	Legal Environment	<u>2.2</u>
<u>2.6</u>	State Civil Society Relations	<u>2.5</u>
<u>2.7</u>	Private Sector Civil Society Relations	<u>1.9</u>

2.1. Political Context (2.7)

This examines the country's political situation and the effects this has on civil society. (Based on a text by Rainer Sprengel)

Table III. 2.1: Indicators of Sub-dimension: Political Context

Ref. #	Indicators	Score
<u>2.1.1</u>	Political Rights	<u>3</u>
<u>2.1.2</u>	Political Competition	<u>3</u>
<u>2.1.3</u>	Rule of Law	<u>3</u>
<u>2.1.4</u>	Corruption	<u>2</u>
<u>2.1.5</u>	State Effectiveness	<u>2</u>
<u>2.1.6</u>	Decentralisation	<u>3</u>

2.1.1. Political Rights. This indicator examines potential restrictions on political rights. More specifically, it looks at the free participation in political processes, the existence of free, secret and fair elections and the freedom to organise as political parties. According to the Freedom House Index, Germany is classified as a free country. Political rights were given the highest score of 1.²⁹

2.1.2. Political Competition. This indicator examines the make-up of the party system, including, the number of parties, the breadth of their ideological spectrum and the extent of competition among the parties. According to Freedom House, there is healthy competition among political parties in Germany and the (respective) opposition is influential. In 2002, 28 parties participated in the national election, and another 74 deposited their party documents with the respective public official (http://de.wikipedia.org/wiki/Liste_der_politischen_Parteien_in_Deutschland). The parties cover a wide range of specific interests, such as Die Gesundheitspartei (Health Party), as well as right leaning parties, such as the Die

²⁹ For the Freedom House Studies 1994 – 2004, see www.freedomhouse.org/research/freeworld/2004/countryratings/germany.htm and www.freedomhouse.org/research/freeworld/2005/table2005.pdf for the Freedom House Study 2005.

Republikaner (REP) (Republican Party) and leftist parties, such as the Kommunistische Partei Deutschlands (KPD) (Communist Party), Bündnis 90/Die Grünen (Green Party), Christlich Soziale Union Deutschlands (CSU) (German Christian Social Union), Christlich Demokratische Union Deutschlands (CDU) (German Christian Democratic Union), Freie Demokratische Partei Deutschlands (FDP) (German Free Democratic Party), Sozialdemokratische Partei Deutschlands (SPD) (German Social Democratic Party) and two single members belonging to the Partei des Demokratischen Sozialismus (PDS) (Party of Democratic Socialism) are represented in the Bundestag (June 2005).

2.1.3. Rule of Law. This indicator looks at public confidence in the rule of law. Surveys distinguish between the public's confidence in the constitutional court and confidence in the judiciary in general. According to Allgemeine Bevölkerungsumfrage der Sozialwissenschaften (ALLBUS) data for 2000, the constitutional court is ranked as the third most trusted institution, scoring a 4.73 in the West and a 4.41 in the East on a scale of seven (where 0 means no confidence and 7 means a great deal of confidence), behind the police and universities (Simonson 2003: 3), while the law occupies sixth place in the West, with 4.28 and seventh place in the East, with 3.64. In the DeutschlandTREND 2001 conducted by Infratest dimap, 76% of those queried expressed very much or quite a deal of confidence in the Federal Constitutional Court and 15% expressed little or no confidence, ranking it in second place behind the police (www.infratest-dimap.de/POLITIK/deutschlandtrend/dt0101/dt0101.pdf: 19).

2.1.4. Corruption. How high is the degree of perceived corruption in the public sector? On the Transparency International Corruption Perceptions Index (CPI) for 2004, Germany was rated 8.2 (on a scale from 1 – 10). This ranked it as the fifteenth least corrupt country among a total of 145 countries (www.transparency.de/Tabellarisches_Ranking.542.0.html). In the Transparency International Bribe Payers Index in 2002, elites in 15 newly industrialising countries were queried about the conduct of companies and governments in the 21 most important export nations (www.transparency.org/cpi/2002/bpi2002.en.html). On the issue of how willing and active companies based in exporting nations are, in terms of bribing high-ranking office-bearers, Germany occupies ninth place with a 6.3 on a scale from 0 to 10, where 10 indicates the absence of any bribery. When assessing this indicator, some NAG members indicated that there is a high degree of corruption while others felt that there is actually quite a high level of transparency in Germany.

2.1.5. State Effectiveness. This indicator aims at establishing the extent to which the state is capable of actually performing the tasks with which it is entrusted. While political and public debates agree that the configuration of the German welfare state, in its present state, can not be continued and reforms are urgently required, the state is however currently in a position to perform the tasks with which it is entrusted. Reforms are currently being discussed in a variety of areas, particularly in the fields of health and social assistance.

2.1.6. Decentralisation. This indicator examines the degree of effective fiscal decentralisation among the different tiers of government, such as the balance of the power with regards to state income (tax, charges) and expenditure (benefits, pension contributions). The Federal Republic of Germany is broken into three tiers: federal, state and local authorities. The various levels are interlinked in a variety of ways (e.g. in the case of social benefits laws, which regulate social welfare, unemployment benefits and assistance). While passed at the federal or state level, laws are implemented by local authorities. This necessitates “vertical

financial redistribution”, which entails that the implementing tier of government receives taxes from the tier of government which has passed the respective law. There are also horizontal redistribution mechanisms among the German Länder (states) to maintain equitable living conditions. As a consequence, even states such as Berlin, which has debts corresponding to 313% of its total income, are regarded as principally credit-worthy by rating agencies such as Fitch (<http://www.berlin.de/imperia/md/content/senfin/kredit/2004/2.pdf>). As with the previous indicator, state effectiveness, discussions about reform are also ongoing in this area.³⁰

2.2. Basic Freedoms and Rights (2.4)

This sub-dimension looks at the extent to which basic rights are protected by law and in reality.

Table III. 2.2: Indicators of Sub-dimension: Basic Freedoms & Rights

Ref. #	Indicators	Score
2.2.1	Civil Liberties	2.5
2.2.2	Information Rights	2
2.2.3	Press Freedoms	2.5

2.2.1. Civil Liberties. The “Civil Liberties” indicator examines the extent to which civil liberties are protected by law and in practice. This includes freedom of expression, assembly and association. Freedom of expression is regulated by the German Constitution in the first sentence in paragraph I of Article 5. It is restricted by general laws, the Youth Employment Protection Law and the rights of others to the protection of personal honour (Constitution, Article 5, paragraph II). There is a right to gather peacefully and unarmed (Constitution, Article 8, paragraph I), which can be limited by law in the case of outdoor gatherings (Constitution, Article 8, paragraph II). Furthermore, associations and societies (Constitution, Article 9, paragraph I) and professional associations (Constitution, Article 9, paragraph III) may be formed, provided that they do not pursue unlawful purposes or activities (Constitution, Article 9, paragraph II). In the “Freedom in the World Survey” conducted by Freedom House in 2003, 2004 and 2005, Germany was classified as free. On a scale of 1 (maximum value) to 7 (lowest value), Germany was awarded a score of 1 regarding its civil liberties, indicating that these rights are effectively safeguarded in practice.³¹

2.2.2. Information Rights. To what extent is public access to government documents guaranteed by law? The second half, of the first sentence in paragraph I of Article 5, of the Constitution, regulates that “everyone has the right to obtain unhindered information from generally accessible documents” (own translation) (Grundgesetz, Art. 5, Abs. 1). Whereas laws must be made public, Germany does not have a more extensive nationwide specification regulating free access to other government documentation. The introduction of such a

³⁰ On 16 October 2003, the Bundestag deployed a “Feudalism Commission” on the basis of an interfractional petition by the government and opposition parties in order to draft proposals for restructuring the financial relationships between federal, state and communal levels. Printed copy 15/1685 of the 15th German Bundestag.

³¹ A value of “2” was awarded for 2002 with the difference to Freedom House attributed to a change in methodical aspects (www.freedomhouse.org/research/freeworld/2003/countryratings/germany.htm, www.freedomhouse.org/research/freeworld/2004/table2004.pdf, www.freedomhouse.org/research/freeworld/2004/countryratings, www.freedomhouse.org/research/freeworld/2005/table2005.pdf).

nationwide law failed initially (Cario/Leif 2003: 132-136), but a nationwide freedom of information law will come into force in January 2006 (www.transparency.de/2005-07-08_IFG.751.0.html).³² However, at the state level, such laws are already in place in North Rhine-Westphalia (since 2002) (ibid. 135), Berlin (since 1999) (www.datenschutz-berlin.de/recht/bln/ifg/ifg.htm) and Schleswig-Holstein (since 2000) (www.datenschutzzentrum.de/material/recht/infofrei/infofrei.htm).

2.2.3. Press Freedoms. Is freedom of the press safeguarded in Germany de jure and de facto? In Germany, the Constitution regulates freedom of the media (Constitution, Article 5, paragraph I, sentences 2 and 3). In the Freedom House Press Freedom Index, Germany was classified as free in 2002 and 2003, as regards its media (www.freedomhouse.org/research/freeworld/2003/countryratings/germany.htm). In 2004, the overall value fell slightly from 15 to 16.³³ According to the study, freedom of the press and of speech, as guaranteed by the Constitution, is largely realised. Nevertheless, the legislator specifies restrictions, such as statements denying the Holocaust (Deutsch Karlekar 2003: 85). The Freedom House Index criticises, in particular, the German media's economic situation, since the media market is dominated by some major corporations such as Axel Springer Verlag and Bertelsmann (ibid.).

2.3. Socio-Economic Context (3)³⁴

Table III. 2.3: Sub-dimension: Socio-Economic Context

Ref. #	Indicators	Score
2.3.1	Socio-Economic Context	3

What is the socio-economic environment for civil society in Germany? CIVICUS has defined some negative socio-economic conditions. These are: high levels of illiteracy, serious ethnic or religious conflicts, social crises, poverty, economic crises, socio-economic inequality.

1. *Widespread poverty - do less than 40% of Germans live on less than EUR 1.65 per day?*³⁵ No.
2. *Civil war - did the country experience any armed conflict during the last five years?* No civil wars (armed conflicts within the past five years).
3. *Severe ethnic or religious conflict?* No.
4. *Severe economic crisis – is the external debt more than the GNP?* No serious economic crises. With a GNP of around EUR 21,582 (USD 26,233.67) per capita (2002), the highly-developed western industrial nation and largest economy in Europe, Germany is one of the 20 richest countries in the world (www.nationmaster.com). The country has however lost economic power at a

³² Quotation from the Coalition Agreement: "In the form of a freedom of information law, we wish to supply citizens with access rights to information under consideration of the law governing data protection" (Cario/Leif 2003: 132).

³³ The state reports by Freedom House for 2004 were not accessible at the time of completion of this report which is why a more specific legend can not be provided here. The total values have already been supplied in tabular form (www.freedomhouse.org/research/freeworld/2003/countryratings/germany.htm).

³⁴ CIVICUS does not further differentiate this sub-dimension into various indicators.

³⁵ CIVICUS quotes USD 2. The above figure in Euro represents a rounded-off figure in accordance with the official conversion rate of EUR 1 = USD 1.2155 as per www.bundesbank.de/index.php. All other rounded-off figures converted from EUR to USD are based on this conversion rate.

comparatively high level since the 1990s. Thus, currently drastic changes are being discussed with regards to social benefits traditionally offered by the state, such as in the areas of pensions, health, unemployment, social welfare and education. The discussion on civil society and active citizenship has recently intensified, in part due to the decreased capacity of the state. However, in these debates, reference is made to the fact that civil society can not be a stopgap for the functioning of social-state but rather is dependent on a functioning social state.

5. *Severe social crisis?* No serious social crisis.
6. *Lack of IT infrastructure – are there less than 5 IT hosts per 10,000 inhabitants?* No.
7. *Severe Social Crisis* – No. CIVICUS uses the Gini coefficient to measure the existence of serious socio-economic inequality. The Gini Index measures income distribution by household, on a scale of 0 (all households have the same income) to 1 (one household avails of all income). The Gini coefficient in 2002 was 0.368 in West Germany and 0.337 in East Germany. It is therefore lower than the CIVICUS-criteria of 0.40. The Index has not recorded the access of persons to positions (associated with a certain income) as well as aspects of professional mobility.³⁶ The German system is distinguished by traditionally low mobility both upwards and downwards). Nor does this indicator consider the distribution of assets which is significantly less equal in Germany than the distribution of income.³⁷ The Gini coefficient in terms of gross monetary assets was 0.589 in West Germany and 0.527 in East Germany, while house and property assets corresponded with 0.673 in West Germany and 0.857 in East Germany. In addition to the criteria outlined above, reference is also made to the evaluation within the framework of the HDI where Germany is attributed a value of 0.925 for 2004 (minimum: 0; maximum: 1). This score places Germany 19th world-wide (http://de.wikipedia.org/wiki/Human_Development_Index; UNDP 2003: 237).

2.4. Socio-Cultural Context (1.9)

This section deals with the socio-cultural environment for civil society in Germany.

Table III. 2.4: Indicators of Sub-dimension: Socio-Cultural Context

Ref. #	Indicators	Score
<u>2.4.1</u>	Trust	<u>2</u>
<u>2.4.2</u>	Tolerance	<u>2</u>
<u>2.4.3</u>	Public Spiritedness	<u>1.8</u>

2.4.1. Trust. To what extent do people in Germany trust each other? In 2000, a third of the population in Germany was of the opinion that most people could be trusted. Accordingly, 33% of those surveyed answered optimistically to the question “Would you say that most people can be trusted, or that you can’t be too careful when dealing with other people?” (East Germany: 36%, West Germany: 32%) (Federal Statistics Office 2003: 628, own translation).³⁸

2.4.2. Tolerance. How tolerant is the German population regarding a range of social minorities? CIVICUS suggests looking at social tolerance towards ethnic minorities, persons

³⁶ See for the following section (Allmendinger/Hinz: 1997).

³⁷ See for the following section (Hauser 2001).

³⁸ Thirty-five percent is indicated in the Data Report 2004 although the reference year is not transparent here (Federal Statistics Office 2004: 665).

with a different religious background, immigrants, persons with HIV/AIDS and homosexuals as examples of minorities. Indications of the degree of tolerance can provoke the question as to what kind of groups of persons from a prescribed list people would prefer not to have as a neighbour. Tolerance can be indicated by a survey question which asks whether the respondent would be open to having members of groups from a prescribed list as a neighbour or not. Topping the list of undesirable neighbours were the mentally ill, with more than a fifth of interviewees (24%) indicating that they would not like to have mentally ill people as neighbours. Eighteen percent named Moslems, 13% homosexuals, 12% persons with HIV/AIDS, 11% foreigners/immigrants, 7% Hindus and 5% Jews or people with another skin colour (Noelle-Neumann/Köcher 2002:157).

2.4.3. Public Spiritedness. This indicator examines the extent of public spiritedness among citizens. The criteria quoted by CIVICUS includes: approval of fare-dodging and driving without a licence, tax fraud and fraud in drawing welfare benefits. Due to limited data on these questions, only public attitudes towards maintaining welfare benefits and taxes were used. This does not by any means intend to provide a causal connection between attitudes to the welfare state and public welfare. Accordingly, there should be no claim that a sceptical attitude to the welfare state necessitates a more positive attitude towards civil society. According to the ALLBUS, in 2000 85% of West Germans and 93% of East Germans were of the opinion that “[t]he state is obliged to continue to ensure a good income in the event of illness or an emergency, and in old age” (Federal Statistics Office 2004: 654, own translation), whereby the self-employed, civil servants and FDP voters maintain the most sceptical attitude towards the welfare state. Overall, agreement with this statement has diminished over time: while 90% of West Germans and 99% of East Germans shared this opinion in 1991, 21% of West Germans and 46% of East Germans were of the opinion that social benefits should be increased in 2000. Twenty-four percent of West Germans and 8% of East Germans were in favour of cuts in this area in the same year. A survey by the Institute of Demoscopy Allensbach, established the “perceptions” displayed by taxpayers (“How do you feel when you pay taxes?” (Noelle-Neumann/Köcher 2002: 841, own translation)). In 1999, 37% of those interviewed indicated that paying taxes made them feel like they were making a contribution for the general public, while 23% had the impression of losing something and 32% were of the opinion that something is being taken away from them. 9% remained undecided.³⁹ The great majority of the German population has a relatively high orientation towards the state; nevertheless, only a third feel paying taxes is equivalent to contributing towards the public in general, indicating.

2.5. Legal Environment (2.2)

This sub-dimension deals with the legal environment for civil society in Germany. More specifically, it looks at the issue of CSO registration, allowable advocacy activities and tax laws favourable to CSOs and philanthropy. (Based on a text by Rupert Graf Strachwitz)

Table III. 2.5: Indicators of Sub-dimension: Legal Environment

Ref. #	Indicators	Score
2.5.1	CSO Registration	<u>2</u>
2.5.2	Allowable Advocacy Activities	<u>2.5</u>
2.5.3	Tax Laws Favourable to CSOs	<u>2</u>
2.5.4	Tax Benefits for Philanthropy	<u>2</u>

³⁹ Tax hikes exerting an influence on these opinions as well as other aspects can not be dealt with here.

2.5.1. *CSO Registration.* The essential legal forms of CSOs in Germany are:

- association,
- foundation and
- corporation.

The legislature determined that associations are obliged to reflect the democratic state and therefore should have an internally democratic structure. As associations represent a direct realisation of the basic right to the freedom of association, entry in the association register at the local first-instance court represents registration (German Civil Code, § 55). Foundations, on the other hand, are formed for the purpose of realising the will articulated by the founder or founders and for managing the assets made available for this purpose. Their existence is a direct expression of the basic right of self-actualization, and thereby it is protected by the state (Constitution, Art. 2.). If the foundation does not have or does not retain legal capacity, the foundation's administrator is a trustee, who is also the legal owner, can be called to account in accordance with the specifications of general trustee law (German Civil Code, §§ 662ff). Foundations with a legal capacity, however, achieve this status via state recognition (granted by a federal authority), which is granted upon application. The non-profit corporation, almost always designed as a non-profit Ltd. company (rarely as a non-profit public limited company, Plc), is essentially the legal form created for economic, profit-oriented enterprises which could also be an appropriate legal form for economically oriented CSOs. Corporations are established by shareholders who remain the owners of the company and who protect the ownership rights recorded in the partnership agreement (Law on Limited Liability Companies, § 3). This contract pursues the basic principle of freedom of contract, for example it is not obliged to correspond with democratic principles or overriding specifications. The legal capacity is obtained via entry in the Commercial Register at the local first-instance court following public certified application.

2.5.2. *Allowable Advocacy Activities.* There are no legal restrictions on advocacy activities undertaken by CSOs in Germany. However, of more relevance in practice is the question of whether such organisations should be tax-exempt. To date, lawyers can obtain tax exemption when promoting objectives which are of general interest, such as not representing so-called NIMBY or lobby organisations for economic issues. In general, the German state is rather sceptical of these organizations, particularly when compared to the attitude of most international institutions. The fact that a string of such advocacy organisations, from consumer protection organisations to environmental and human rights groups, have nevertheless been able to secure their place in civil society over the past few decades is equally attributable to public pressure and the ambivalence of politics referred to above and to some extent protection by certain political parties.

2.5.3. *Tax Laws Favourable to CSOs.* The German tax law is based on the premise of a liability to pay taxes by all natural and private legal persons and any other corporate bodies from which the state can approve exceptions. The Abgabenordnung or German Fiscal Code regulates in a separate section the conditions under which corporate bodies can be recognised as "eligible for tax relief" which makes them exempt from the payment of income tax (corporate income tax) and other taxes (e.g. inheritance tax) (German Fiscal Code, §§51ff). Eligibility for tax relief seeks to support activities aimed at the public good, such as culture, environment, health, understanding among nations, social services, science and research, education and professional training. It also seeks to delineate these activities from private,

economic or recreational activities, particularly by prohibiting the distribution of profits (the so-called non-profit constraint). It does not seek to generally promote civic engagement with its integrative, participatory and democracy-forming components. Eligibility for tax relief is also granted – provided that a range of conditions are complied with – when non-profit, charitable and church purposes are pursued. With only a few exceptions, tax law treats all CSOs equally. These few exceptions concern obvious circumstances inherent in the nature of the respective individual legal form.

2.5.4. Tax Benefits for Philanthropy. As a general rule, philanthropic activity in Germany is promoted in the form of tax incentives. For good reason however, it is much more attributable to the act of charitable giving of money than giving of time (and obviously not at all to the act of charitable giving of ideas). For some years now, giving time has been promoted to the extent that anyone involved in an organisation eligible for tax relief can write off a minor flat rate from his/her taxable income. Furthermore, trainers in sports associations and a few other functionaries in CSOs are not obliged to pay taxes on a limited expense allowance received from the organisation (Income Tax Law, §3). Individual donations of money to a corporate body, which is eligible for tax relief (see above) and capable of issuing the donor with an official confirmation of donation, entitles the donor to apply for deduction from his/her taxable income to a maximum sum of 5%, or 10% for scientific, cultural and charitable purposes (Income Tax Law, §10b). Strong public pressure has led to the introduction of some tax reforms since the 1990s. Since 1991, donating for certain purposes has been further promoted by the fact that tax effects of these donations can be distributed over several years. In 1997, sustained lobbying by CSOs resulted in the abolishment of a provision which discriminated against certain CSOs, which were required to receive donations through a public intermediary, and were thereby exposed to additional state control. Since 2000, donations to the capital of a foundation (with or without legal capacity) have received further tax benefits (Income Tax Law, §10b). This is a consequence of the undoubtedly exaggerated expectations regarding the compensatory powers of new foundations for public tasks previously subsidised by tax funds.

2.6. State-Civil-Society Relations (2.5)

This sub-dimension deals with the make-up and quality of relations between the state and civil society and includes aspects such as the extent to which CSOs are under the control and supervision of the state, how relations between the state and civil society are designed and whether and to what extent CSOs receive financial support from the state.

Table III. 2.6: Indicators of Sub-dimension: State-Civil Society Relations

Ref. #	Indicators	Score
<u>2.6.1</u>	Autonomy	<u>2</u>
<u>2.6.2</u>	Dialogue	<u>2.5</u>
<u>2.6.3</u>	Co-operation / Support	<u>3</u>

2.6.1. Autonomy. This indicator examines the extent to which CSOs are capable of existing independently of the state and can operate without excessive and unjustified state intervention. In Germany, CSOs can act largely independently of the state; no direct political control is exerted. However, this does not mean that there is no state control at all. Foundations under civil law are subject to state legal supervision. Registered associations are subject to a registration process. In order to be recognised as a non-profit organisation, the application is reviewed by the tax authorities. There are also dependencies by CSOs at a

different level. As already explained in section 1.6.1., 64.3% of the third sector in Germany was financed by public funds in 1996. The heavy dependency of organisations in some areas of the public sector also affects the structure of the actual organisations themselves. As outlined in the following section, this can lead to a loss of autonomy.

2.6.2. Dialogue. This indicator examines how systematically and widespread the dialogue is between the state and civil society. The relationship between the state and civil society in Germany can be characterised as overall positive. As already mentioned above, civil society in Germany can be divided into two rather distinct sectors. On the one hand, there are fields such as health and social services which are state-supervised and strongly dependent on public financing. On the other hand, there are other areas such as culture and sport which are financed by donations or membership fees and largely involve volunteers. As already indicated, financing by the public sector can also be accompanied by difficulties. The relationships between the state and CSOs can be described as heavily legalised, particularly in the area of funding. In terms of civil society, this leads to negative aspects such as “low flexibility and fixed structures, as well as limited capacity for action due to the loss in autonomy among individual non-profit organisations” (Zimmer 1997, own translation). In the context of improving dialogue some (new) forms of institutions and networks like the Enquete Commission on the Future of Civil Participation of the 14th Deutscher Bundestag as well as other organisations funded by the state such as the Bundesnetzwerk Bürgerschaftliches Engagement (BBE) or the Initiative Unternehmen: Partner der Jugend (UPJ) can be cited.

2.6.3. Co-operation/Support. This indicator deals with the breadth of CSOs receiving public funding. It also examines the share of this funding in terms of total income by the respective organisations. In 1995, 64.3% of CSOs were financed by state funds, 3.4% came from donations and sponsoring and 32.3% from fees generated by the organisation itself including membership fees and payments (Priller/Zimmer 2001b: 202). As already outlined in the sections above, civil society in Germany can be split into two parts. On the one hand, there are areas such as health and social services which are state-supervised and essentially dependent on public financing. Here, one has to mention first and foremost the big welfare associations, which are part of the public social security system and therefore receive substantive funds from the state. On the other hand, there are areas which are financed by fees or donations (Zimmer 1997).

2.7. Private Sector-Civil Society Relations (1.9)

This sub-dimension deals with the relationship between the private sector and civil society, such as the private sector’s attitude towards civil society, corporate social responsibility and corporate citizenship.

Table III. 2.7: Indicators of Sub-dimension: Private Sector – Civil Society Relations

Ref. #	Indicators	Score
<u>2.7.1</u>	Private Sector Attitude	<u>2</u>
<u>2.7.2</u>	Corporate Social Responsibility	<u>2</u>
<u>2.7.3</u>	Corporate Citizenship / Corporate Philanthropy	<u>1.5</u>

2.7.1. Private Sector Attitude. (Based on a text by Rainer Sprengel) This indicator describes the general relationship between the private sector and civil society, which – according to CIVICUS – can range from hostile, indifferent, positive to supportive. Unions and corporate

associations, please refer to the definition provided at the beginning, must themselves be seen as CSOs. Their relations represent decades of established “antagonistic cooperation” between employers and employees, with intermittent phases of conflict and co-operation. Moreover, they cooperate permanently and responsibly in the self-regulation bodies of pension insurance, unemployment insurance or health insurance companies. Otherwise, the specific attitude of the private sector towards CSOs largely depends on the respective area. It can be assumed that advocacy CSOs, working in areas such as environmental protection or consumer protection, will continue to be treated with widespread hostility.⁴⁰ Although the point must be made that individual companies successfully attempt to achieve a positive stand-alone feature among customers in the market via targeted co-operation with “opponents” or by adopting “opponents’ agendas”. Companies, such as Otto-Versand, METRO, Ford or Allianz, have positioned themselves accordingly.⁴¹ However, CSOs in the area of culture, sport or social services are certainly not regarded with “hostility” by the business sector. Attitudes towards them are determined in part by marketing interests and in part by personal preferences of corporate management. In the case of companies operating at local and regional levels, the extent to which they are embedded in social contexts and networks plays a significant role. The NAG characterised the relationship as generally positive.

2.7.2. Corporate Social Responsibility. This indicator examines how widespread and developed the approaches to corporate social responsibility are among businesses. Here, corporate social responsibility is described as the social responsibility displayed by corporate management and interpreted as employee diversity and environmentally-friendly production processes. Socially responsible corporate management can, but does not necessarily have to, result in social participation extending beyond the actual business process. The issue of corporate citizenship is dealt with by the next indicator. Neither corporate social responsibility discussion nor the implementation of such activities is genuinely new in Germany. The debate has however repeatedly been stirred up in the last 10 years. It can be assumed that there are approaches to socially-responsible corporate management which are not however universally or extensively implemented by individual companies. However, how valuable they are and how seriously they can be taken can not be judged here. One example of a step in this direction is represented by the introduction of the Dow Jones Sustainability Index. Twenty-three German companies are represented here, including companies such as Adidas-Salomon AG, BASF AG and Schering AG (status: April 2004).⁴² Various companies make an effort to employ a diverse labour force, for example, Siemens outlined this commitment to diversity in its Corporate Citizenship Report (Siemens 2001). The company was however subject to criticism owing to other aspects of its corporate policy.

⁴⁰ See, for example, the discussion on GM foods (Financial Times Deutschland 2003) and www.greenpeace-stuttgart.de/themen/landwirtschaft/metro.html) and statement by the Metro Group, www.metrogroup.de.

⁴¹ For Otto Versand and BASF and their pioneer roles in corporate ethics based on public campaigns, see König 2004.

⁴² For further information see [wysiwyg://21/http://www.sustainab...om/html/assessment/overview.html](http://www.sustainab...om/html/assessment/overview.html).

2.7.3. *Corporate Citizenship*.⁴³ Participation by companies extending beyond the business process, or corporate citizenship, can be expressed in a variety of ways. Corporate giving describes the process of companies making money and materials available to a civil society organisation. This also includes the classic form of donations. Corporate volunteering includes initiating social projects involving the company's employees or enabling employees to take paid leave to volunteer. Another form of corporate citizenship is the establishment of a corporate foundation and/or maintenance of relations to a foundation.

In 1995, donations to finance civil society (not only from the corporate sector) only accounted for 3% (Salomon et al. 2003:36). According to media reports, in 2002, the total sum of donations made by companies accounted for 740 million Euros, (Thiels 2002; Nährlich 2002). Sponsoring expenses for the same year were estimated at 2.7 billion Euros (new business edition 2002: 17). A large range of examples of corporate volunteering projects can be cited, such as "Switch" by the Siemens AG where middle/lower-level managers are "loaned" to non-profit organisations for a week.⁴⁴ According to an estimate from 2001, 360 (6.5%) of 5,270 German foundations were founded by companies (Sprengel 2001: 15f). To summarise, companies are engaged in corporate citizenship, but their engagement is not comprehensive or reliable enough to make a lasting contribution towards solving social problems. Whether this is in fact their task, should be discussed elsewhere.

Conclusion

In Germany the socio-economic and political environment is rated as high. The legal environment and the granting of basic civil rights (de jure and de facto) were assessed positively. Among these factors, only the legal provisions relating to the freedom of information were assessed as slightly problematic. The relationship between the state and civil society was evaluated as positive to very positive, and the relationship between the market and civil society was evaluated as rather positive. Civil society's socio-cultural environment is also above average, even if it is not as positive as the socio-economic environment.

⁴³ CIVICUS described this indicator as Corporate Philanthropy which is intended to record how many CSOs receive support from business corporations. The "Corporate Philanthropy" term is confusing in two aspects: on the one hand, the term philanthropy is frequently associated with entirely non-profit actions serving public welfare. This would exclude aspects such as sponsoring. Consideration should be given to the extent to which CSOs obtain support from companies. Accordingly, aspects such as sponsoring must be included in this case even if CSOs counter with a service and this involves a business relationship. Furthermore, Corporate Citizenship not only appears to be the appropriate term for the current discussion but also the more comprehensive term. The disadvantage of both terms in this context is that they highlight the company's perspective. The question applied in this indicator involves the degree to which CSOs receive support from business while taking a look at CSOs.

⁴⁴ For more details see Federal Ministry for Families, the Elderly, Women and Youth (BMFSFJ) 2001.

3. VALUES (2.1)

The Values dimension examines the extent to which CSOs internally practice certain values, such as transparency and tolerance, and promote them externally. The media reports less frequently on the values dimension than on the other dimensions: only 28% of all articles examined were concerned with this issue.

Table III.3 Sub-dimensions of Dimension: Values

Ref.#	Sub-dimension	Score
3.1	Democracy	2.8
3.2	Transparency	1
3.3	Tolerance	2.3
3.4	Non-Violence	2.8
3.5	Gender Equity	1.5
3.6	Poverty Eradication	2.5
3.7	Environmental Sustainability	3

3.1. Democracy (2.8)

To what extent are CSOs democratically organised and to what extent do they promote democratic values?

Table III. 3.1: Indicators of Sub-dimension: Democracy

Ref. #	Indicators	Score
3.1.1	Democratic Practices within CSOs	2.5
3.1.2	CS Actions to Promote Democracy	3

3.1.1. Democratic Practices within CSOs. How much influence and control do members of CSOs have on organisational decision-making processes? How are leadership positions filled? Democratic aspects in the structure of CSOs are regulated in Germany to varying degrees, depending on whether participation-oriented organisations (such as associations) or non-participation-oriented organisations (such as foundations) are considered. Eighteen percent of the organisations surveyed regarded the dismantling of hierarchies as a priority, when asked what changes they would like to see in their organisational structure, even though they did not rank this area as a high priority in terms of organisational change. (Priller/Zimmer 1999: 13). In general in some estimations CSOs (with the exception of small associations and civic action groups), as well as public institutions, are regarded as not sufficiently oriented towards enabling internal participation. (Evers et al. 2003: 158).

3.1.2. CS Actions to Promote Democracy. This indicator examines the extent to which CSOs act to promote democratic values. This also includes, for example, the question as to whether there are organisations which have made it their specific task to promote democratic values. As a general rule, only those associations which comply with the constitutional order and the basics of international law are permissible in Germany (Constitution, Art.9, II). There are numerous examples of CSOs which are directly devoted to promoting democracy: the BBE aims at promoting civic participation, regarded as a prerequisite for a democratic body politic ([www.b-b-e.de/ueber _das_netzwerk..statuten/statuten_druckversion.html](http://www.b-b-e.de/ueber_das_netzwerk..statuten/statuten_druckversion.html)). Similarly, the Aktion Gemeinsinn e.V. works on political education issues, in particular on promoting public spiritedness, personal responsibility, tolerance and cross-cultural understanding ([http://www.gemeinsinn.de/home /uebersicht_i.html](http://www.gemeinsinn.de/home_uebersicht_i.html)).

3.2. Transparency (1)

This sub-dimension examines the extent to which CSOs are transparent and the extent of their actions to promote transparency.

Table III. 3.2: Indicators of Sub-dimension: Transparency

Ref. #	Indicators	Score
<u>3.2.1</u>	Corruption within Civil Society	<u>2</u>
<u>3.2.2</u>	Financial Transparency	<u>0</u>
<u>3.2.3</u>	CS Actions to Promote Transparency	<u>1</u>

3.2.1. Corruption within Civil Society. (Based on a text by Adrian Reinert) This indicator looks at the extent of corruption within civil society, whereby corruption is understood as the abuse of public or entrusted power and resources for private use. No special figures on corruption within civil society are available for the Federal Republic of Germany. In the past few years, there have been several controversial cases of misappropriation and opportunism within individual CSOs. Cases that have drawn attention usually concern offences by individuals within these organisations, as well as forms of corruption which are limited in terms of both space and personnel. Such cases are made possible by the lack or failure of sufficient internal and external control mechanisms, and also by the lack of transparency and the complex mix of diverse financing sources and public funds. However, structurally entrenched corrupt behaviour, where CSOs are engaged in corrupt practices in a targeted and planned manner as givers or takers, are not known.

3.2.2. Financial Transparency of CSOs. (Based on a text by Adrian Reinert) This indicator deals with the extent to which CSOs are financially transparent. CSOs in Germany are not obliged to present their own financial circumstances, income or expenditure to the public. All organisations recognised as non-profit-making are obliged to declare their income, expenditure and finances to the responsible tax authorities, and all profit-making activities are subject to a general tax liability. CSOs which receive public donations are also obliged to declare their income, expenditure and financial circumstances to the respective donor. The degree of this disclosure obligation depends on the type of donation involved. Associations are bound by their statutes to disclose their income and expenditure to their members and/or their statutory control bodies. Non-profit foundations which do not generally have a membership principle are obliged to provide evidence of the statutory appropriation of their funds to the respective foundation supervisory board. This information, submitted to the tax authorities, donors and supervisory authorities, is not accessible by the public. Some CSOs, such as the approximately 60 organisations merged in the Deutscher Spendenrat – declare

their willingness in the form of a public self-obligation to make their annual accounts available to anyone at request or by publishing them on the Internet. Still others publish them within the framework of their operational reports. No details are available on the number of CSOs making their financial circumstance transparent in one of the forms described above. Meanwhile, initial attempts (in part originating from the USA) are made to provide more transparency of CSOs. Some examples include Guidestar Deutschland (www.guidestar-deutschland.de) or the “Bürgernetz Nachrichten, Geld-, Sach- und Zeitspenden: Das Online-Netz für Bürgerengagement in Deutschland” project (www.b-b-e.de/fileadmin/inhalte/PDF/aktuelles/buergernetz_konzept_050105.pdf). Overall, however, these attempts only concern limited approaches for greater transparency; comprehensive transparency in this area can not be claimed at this point in time.

3.2.3. CS Actions to Promote Transparency. This indicator records the extent to which CSOs undertake actions to promote. A large number of CSOs have declared, as their explicit goal, to fight corruption and promote transparency. One example is the international organisation Transparency International (TI), which is now active in around 100 countries. The organisation began in Germany in 1993. The German section has around 250 members as well as 20 corporate members. TI does not pursue or examine any individual cases of corruption but rather engages itself in strengthening preventive systems to combat corruption and has made numerous proposals, a few of which have also been turned into laws. The activities and publications of TI, not least its annual publication of the CPI, receive a strong response in the German media. Further examples include the Netzwerk Recherche (Research Network), the Bund der Steuerzahler (Tax Payers’ Association), Business Crime Control e.V., Germanwatch, World Economy, Ecology and Development (WEED), the Deutscher Spendenrat (German Donations Council) or the DZI. Numerous civil rights organisations such as the Humanistische Union, the Gustav-Heinemann-Initiative, the Komitee für Grundrechte und Demokratie (Committee for Basic Rights and Democracy) and the Republikanische AnwältInnenverein (Association of Republican Lawyers) et al. have been working for quite some time on advocating for a law on the freedom of information, which is based on the US and Swedish cases, and grants all citizens a general right to inspect files in state and municipal facilities and authorities.⁴⁵

3.3. Tolerance (2.3)

To what degree is civil society a tolerant arena and to what extent do CSOs undertake actions to promote tolerance within society at large?

Table III. 3.3: Indicators of Sub-dimension: Tolerance within the CS Arena and CS Actions to Promote Tolerance

Ref. #	Indicators	Score
3.3.1	Tolerance within the CS Arena	<u>2</u>
3.3.2	CS Actions to Promote Tolerance	<u>2.5</u>

3.3.1. Tolerance within the CS Arena. This indicator deals with the extent to which tolerance prevails within civil society. This includes issues, such as the extent of media reporting on issues such as racism, discrimination and intolerance by CSOs; the significance of CSOs, which have an explicitly racist, discriminating or intolerant outlook, and the extent of “public opposition”, such as public condemnation of opinions or actions characterised by intolerance,

⁴⁵ For the law on freedom of information, see also section 2.2.2. Indicator: Information Rights.

by other civil society actors. The issue of tolerance is attributed very little importance in the media, only 2.1% of all articles were concerned with this issue. Extreme right-wing tendencies could be considered one possible form of intolerance, and the share of right-wing extremist groups among the overall number of CSOs and volunteers⁴⁶ is indeed giving cause for concern, but in fact only represent a marginal portion of German civil society. According to the report on the protection of the Constitution, there were 168 extreme rightist organisations and alliances in Germany in 2004 (www.verfassungsschutz.de/de/publikationen/verfassungsschutzbericht_vsbericht_2004/vsbericht_2004.pdf, [_2003.pdf](#), [_2002.pdf](#)). Persons, organisations and networks in civil society (publicly) opposing such movements, organisations, opinions and actions are many in number. Moreover, reference should be made to the numerous programmes initiated by the federal government to combat right-wing extremism and xenophobia.⁴⁷

3.3.2. CS Actions to Promote Tolerance. This indicator deals with the extent to which CSOs promote tolerance in wider society. More specifically, it looks at the extent of media reporting on civil society's actions to promote tolerance, the number of CSOs promoting social tolerance and whether there are examples of networks, public campaigns or similar which are working on this cause. Media reporting on this issue is very limited, only 1.9% of the articles focus on efforts by CSOs to promote tolerance. However, a large number of CSOs and networks can be cited as aiming to promote tolerance in German society, such as FAIRSTÄNDNIS, an information campaign against xenophobia and right-wing extremism, Gesicht zeigen! Aktion weltoffenes Deutschland, an association actively opposing right-wing violence, or the Amadeu Antonio Stiftung, which amongst others promotes projects with teachers, the police and victims of racist violence, the Bündnis für Demokratie und Toleranz (Democracy and Tolerance Alliance) or the Mut gegen Rechte Gewalt (Courage against right-wing violence) Internet platform.

3.4. Non-Violence (2.8)

This sub-dimension examines the extent to which the area of civil society is characterised by non-violence and the extent of civil society actions to promote non-violence and peace.

Table III. 3.4: Indicators of Sub-dimension: Non-Violence

Ref. #	Indicators	Score
3.4.1	Non-Violence within the CS Arena	<u>3</u>
3.4.2	CS Actions to Promote Non-Violence and Peace	<u>2.5</u>

3.4.1. Non-Violence within the CS Arena. This indicator analyses the extent of violence within civil society by looking at the extent of media reporting on this issue, and by examining the frequency of the use of violence by CSOs and the response from the rest of civil society. Only 1.2% of the articles examined in the media analysis dealt with this indicator. Violent actions include politically-motivated crimes (left-wing and right-wing extremist-motivated crimes and politically-motivated crimes against foreigners). In Germany, the Federal Bureau of Criminal Investigation registered 21,178 politically-motivated crimes in 2004, of which 56% were propaganda offences and 8.5% could be attributed to politically-motivated violent crime. Of these, 12,553 had a right-wing background and 3,521 a left-wing background. 603 can be attributed to “politically-motivated crime against foreigners” and 4,501 offences can

⁴⁶ See Dimension 1: Structure of Civil Society in Germany.

⁴⁷ An evaluation of such programmes is available, e.g. Roth 2003b.

not be attributed to any particular motive (www.verfassungsschutz.de/de/publikationen/verfassungsschutzbericht/vsbericht_2004/vsbericht_2004.pdf; www.verfassungsschutz.de/de/publikationen/verfassungsschutzbericht/vsbericht_2003/vsbericht_2003.pdf; www.verfassungsschutz.de/de/publikationen/verfassungsschutzbericht/vsbericht_2002/vsbericht_2002.pdf). Overall, acts of violence can be described as marginal phenomena. Numerous organisations and networks can be quoted which not only commit themselves explicitly to non-violence in the pursuit of their objectives but have also made it their task to get involved in this respect. Examples of organisations committed to non-violence are outlined in the following section.

3.4.2. CS Actions to Promote Non-Violence and Peace. This indicator deals with the extent to which CSOs promote non-violence in various contexts. The media examined involved few reports on CSOs promoting non-violence with only 1.1% of articles dealing with this issue. However, various organisations exist, which encourage non-violence in various contexts, examples include the Verein Wildwasser e.V. (www.wildwasser.de), which speaks out against violence against women and children. The Lions Associations (www.lions-fon.de/lions-fon/quest.htm) are active in the area of violence among youths, promoting the prevention of violence and addiction. Das Bündnis gegen häusliche Gewalt (alliance against domestic violence) developed by the City of Berlin (Arbeitskreis Frauen und Gesundheit, Abteilung Gesundheit und Soziales im Bezirksamt Mitte der Stadt Berlin) is a public campaign, supported by a wide range of associations and initiatives (www.berlin-mitte.de/index_2980_de.html). The KOK, the nationwide Koordinierungskreis gegen Frauenhandel und Gewalt an Frauen im Migrationsprozeß e.V. (Co-ordination group to combat trading of violence against women in the migration process) is opposed to violence against women, to which organisations such as Ban-Ying e.V., Hydra e.V., In Via e.V. and Terre de Femme also belong. Projects and local advice bureaus of KOK attempt to help victims of violence or to exert political influence with regard to this issue.⁴⁸ Nonetheless, some of these organisations are also faced with financial problems, with the result that a many safe houses for women, for example, are threatened by closure (Deutscher Paritätischer Wohlfahrtsverband 2004: 21).

3.5. Gender Equity (1.5)

This sub-dimension examines the degree of gender equity in civil society and the extent of actions undertaken by CSOs to promote gender equity.

Table III. 3.5: Indicators of Sub-dimension: Gender Equity

Ref. #	Indicators	Score
3.5.1	Gender Equity within the CS Arena	<u>2</u>
3.5.2	Gender-Equitable Practices within CSOs	<u>1</u>
3.5.3	CS Actions to Promote Gender Equity	<u>1.5</u>

3.5.1. Gender Equity within the CS Arena. This indicator deals with the extent to which gender equity prevails in civil society. There is no open, direct discrimination of women in German civil society.⁴⁹ But men and women participate in civil society to differing extents in

⁴⁸ For a report on the organisation, see the homeless magazine Stütze 2004: 18f.

⁴⁹ Individual organisations can be quoted to which women have no access. These include, for example, a number of student fraternities. One example is the *Burschenschaft Bubenruthia* (www.neuedb.de/erlangen/bubenruthia). On the other hand, networks and organisations have formed in many areas which exclusively aim towards promoting women and networking by women and also only grant

differing fields, focusing on different activities, and being active in different functions. According to the Volunteer Survey of 1999, 30% of men and 38% of women are engaged in voluntary activities (Zierau 2000: 136). While the extent of civic engagement by men tends to increase when accompanied by job-related increased workloads, this is usually the opposite case for women (ibid. 139f; Lang 2002). This is likely to be consequence of the unequal distribution of tasks within the family. But partly it is stated, that higher participation rates by men are a result of the concept of the surveys in terms of surveying types of volunteering men usually are involved with. Accordingly, 80% of voluntary social work is undertaken by women (Notz 2000). Men are involved in more formal, hierarchical contexts and therefore fulfil more administrative tasks while women are more active in a less formal context and are therefore involved in more direct social work. Although not exclusively, these differing forms of involvement mean that functional and leadership positions are far more often performed by men than women.⁵⁰ According to the Volunteer Survey, men are more likely to be involved in board or leadership positions, even in those fields usually dominated by women.⁵¹

3.5.2 Gender-Equitable Practices within CSOs. This indicator examines the extent of gender equity in CSOs involving full-time employees. The percentage of full-time female employees in CSOs in Germany is rather high: in 1998, 65% of full-time employees were women compared with 40% for the economy as a whole (Sauer 2000: 24f). However, particularly part-time jobs or jobs involving occasional hours show a predominance of women: 83% of part-time jobs and 70% of those involving occasional hours are occupied by women (ibid. 25). However, it is questionable as to whether a high degree of female employees in civil society can be regarded as an indication of gender equity in society as a whole when seen against other areas and against the background of low presence by women in leadership positions in all areas. Almost a third of organisations offer benefits which are favourable to women and families (ibid. 24).⁵² The preferred reinstatement of women after maternity leave is implemented by organisations in particular; other measures are usually not applied.

3.5.3 CS Actions to Promote Gender Equity. This indicator examines the extent to which civil society champions gender equity and how much attention the media pays to these activities. Organisations promoting the interests and rights of women have a long tradition, going back more than 100 years (Schneider 2000: 53). In 1998, 8% of organisations surveyed devoted themselves to this issue (Priller/Zimmer 1999: 54; Priller/Rückert-John 2000: 12).⁵³ These organizations are typically heavily financed by the public sector and as a result, have recently confronted financing problems as public funds are currently cutting back.⁵⁴ The range of organisations is wide and includes the Arbeitsgemeinschaft sozialdemokratischer Frauen (Association of social-democratic women) (www.fen-net.de/fine/htdocs/asf.html#wer), the Deutscher Hausfrauenbund (German Housewives' Association) to terre de femme

membership to women, e.g. the academic women's fraternity *Parnassia*, see home.t-online.de/home/A.V.Parnassia/homepage.htm.

⁵⁰ See section 1.3.2. CSO Leadership.

⁵¹ Whereby 41% of women and 55% of men are involved in associations/associations, 34% of women and 46% of men were entrusted their tasks following election. See Zierau 2000: 69 f.

⁵² Priller/Zimmer quote this is a key aspect in connection with the high share of women as full-time employees in CSOs. In general, advocating for compatibility of career and family life do not represent an aspect of promoting women only.

⁵³ Nevertheless, the survey was applied as a random sample where the areas contained were not proportional to actual presence but rather a minimum figure was applied.

⁵⁴ These are details pertaining to organisations in the Organisation Survey conducted in 1998.

(www.frauenrechte.de/startseite.html), a human rights organisation for women and girls.⁵⁵ However, the media appears to have little interest in these issues, as only 1% of articles examined dealt with actions by CSOs to promote gender equity.

3.6. (1) Poverty Eradication (2.5)⁵⁶

Table III. 3.6: Sub-dimension: Poverty Eradication

Ref. #	Indicators	Score
3.6.1	Poverty Eradication: CS Actions to Eradicate Poverty	<u>2.5</u>

To what extent are CSOs involved in reducing poverty? Do any CSOs engage in advocacy activities for eradicating poverty? How much is this issue reported in the media? In Germany, a large number of CSOs are active in fighting poverty. Charitable institutions in particular can be quoted (Bundesarbeitsgemeinschaft der Freien Wohlfahrtspflege 2002 (*Association of independent charities*)). Around 94,000 institutions and services are affiliated with the top welfare and charitable associations (reference year 2000). They are financed by fees, public funds and the institutional resources of the *Freie Wohlfahrtspflege*.⁵⁷ In the context of fighting poverty, a whole range of social services are available, e.g. for families, children and youth, the unemployed or households in debt. One basic function of charitable care is also represented by advocacy activities for those in need. Apart from the crucial role of charitable organisations, a whole range of other organisations is also involved in combating poverty. . Examples include numerous initiatives for the unemployed, and the “Tafeln” (www.tafel.de), which aim of to distribute edible food which can no longer be sold according to statutory regulations to people in need. In 2004, there were around 400 *Tafeln* in Germany.⁵⁸ Efforts undertaken by CSOs to eradicate poverty are given little coverage by the media, with 5% of articles examined concerned with this issue, which makes the issue of poverty eradication the third most frequently reported topic among the indicators of the values dimension.

3.7. (1) Environmental Sustainability (3)⁵⁹

Table III. 3.7: Sub-dimension: Environmental Sustainability

Ref. #	Indicators	Score
3.7.1	Environmental Sustainability	<u>3</u>

This indicator examines the extent to which CSOs are involved in protecting the environment. The principle of sustainability requires development which is economically efficient, socially just and ecologically compatible.⁶⁰ A variety of CSOs are committed to

⁵⁵ E.g. for Erlangen: www.erlangen.com/dhb.

⁵⁶ CIVICUS indicates one indicator only, namely “CS actions to eradicate poverty” for the “Poverty Eradication” sub-dimension, whereby the sub-dimension and indicator are identical. Accordingly, this dispenses with the necessity as regards further breakdown.

⁵⁷ Financial funding by the state is justified “in the public obligation to promote and support independent bodies appropriately to permit qualified care to people” (Bundesarbeitsgemeinschaft der Freien Wohlfahrtspflege 2002: 103).

⁵⁸ For example, in Kiel (www.aloini-kiel.de/).

⁵⁹ CIVICUS only provides one indicator here: “CS Actions to Sustain the Environment” for the “Environmental Sustainability” sub-dimension which dispenses with the necessity for a distinction in terms of sub-dimension and indicator.

⁶⁰ The United Nations acknowledged this at the Conference in Rio de Janeiro; see www.undp.org. The German government’s programme linked to this orientation can be read at www.dialog-nachhaltigkeit.de. For a detailed

protection of the environment in Germany (Deutsche Umweltstiftung (pub.) 2000). In terms of the number of organisations by area, in 1995 the JHP found that environmental protection lies somewhere in the lower middle with 7% of all CSOs working on this issue (Priller/Zimmer 2001a: 20). In terms of the share of full-time and/or full-time and voluntary employees, environmental protection is a smaller field with less than 2.5% compared to the around 38.8% in the area of social services, 30.6% in the area of health or 11.7% in the area of education. Unlike health and social services which are primarily state-financed, the area of environmental protection is primarily financed by means of fees with 62.1% of income comprising fees, 22.3% from the public sector and 15.6% attributable to donations (ibid. 31, Sprengel et al. 2003: 26f). The high score assigned to this indicator by the NAG is a consequence of the strong role and high impact of the environmental movement in German politics and society.

Conclusion

The information and assessments presented in this section show that German civil society is seen as practising and promoting most of the values applied in the CSI project, such as democracy, tolerance, non-violence, poverty eradication and environmental sustainability. Issues around internal transparency and civil society's advocacy activities to promote transparency in society appear as a weak area, as do civil society's efforts in terms of gender equity.

and critical discussion on sustainability concepts, see *Der Rat von Sachverständigen für Umweltfragen* 2002: 58f. The three-column model named here is regarded as an enrichment of political discourse. It is however also subject to some criticism as it is unable to maintain its own demand for the equality of economy, ecology and social issues (ibid. 68).

4. IMPACT (2.5)

The Impact dimension examines the social and political impact of actions undertaken by CSOs. The focus is on the extent to which CSOs exert influence on other areas of society. Questions here include: Are processes of political decision-making, in areas such as human rights and social policy, influenced by CSOs? Can CSOs influence the country's budgetary processes? To what extent does civil society perform a monitoring function, in terms of the state and the economy? And to what extent do CSOs perform an education and informative function, in terms of citizens, thereby contributing to informed collective participation? On the other hand, the question of what relevance the actions of CSOs actually have is also posed. According to the media analysis, 45% of articles report on impact with the most frequent issue dealing with CSOs' influence on state and the private sector accountability.

Table III.4. Sub-dimensions of Dimension: Impact

Ref.#	Sub-dimension	Score
4.1	Influencing Public Policy	1.9
4.2	Holding State and Private Corporations Accountable	2
4.3	Responding to Social Interests	2.8
4.4	Empowering Citizens	2.8
4.5	Meeting Societal Needs	3

4.1. Influencing public policy (1.9)

How strong is the influence by CSOs on government policy? In accordance with the CSI methodology, indicators under this sub-dimension looked specifically at are the areas of human rights, social policy and the national budget process.

Table III. 4.1: Indicators of Sub-dimension: Influencing Public Policy

Ref. #	Indicators	Score
4.1.1	CS Impact on Human Rights	2.5
4.1.2	CS Impact on Social Policy	2.5
4.1.3	CS Impact on National Budgeting Process	1

As a general rule, CSOs are involved in consultations by the Bundestag (federal parliament) or Landtage (state parliaments). They are also involved in certain commissions engaged in preparing legislation. Unlike in the United States, political think-tanks in Germany do not have any significant policy influence (Albers/Hollstein 2003; Thunert 2003a, 2003b). Nevertheless, they have increased both in significance and in number over the past few years. The number of think-tanks as a whole is estimated at about 80 to 130 in Germany (Albers/Hollstein 2003; Thunert 2003a, 2003b). An increase in participation and the opportunities for participation by citizens can also be recorded. This area has been growing since the mid-1990s. Unlike the participation wave of the 1970s, participative elements are deployed by the municipalities themselves (Holtkamp 2002).

*4.1.1 Human Rights Policy and 4.1.2 Social Policy.*⁶¹ A whole list of organisations can be gathered, which are active in the area of human rights. One example of many is the *Deutsche Institut für Menschenrechte* (German Institute for Human Rights) which is set up in the form

⁶¹ The two indicators are summarised in the CIVICUS CSI Toolkit, which is applied in the German project, see CIVICUS 2003: B35.

of a non-profit association. One of its tasks is to advise politics and society (at national level) in this area (www.institut-fuer-menschenrechte.de/webcom/show_article.php/_c-419/i.html). The Institute however was initiated by the Bundestag. In the area of social policy, unions⁶² and charitable associations in particular can be quoted which see themselves expressly as representing the interests of those in need. Furthermore, numerous other organisations are also active.⁶³

4.1.3. Civil Society's Impact on National Budgeting, Process Case Study. This indicator records the extent to which CSOs, particularly at state level, influence budgetary planning. Budgetary planning and preparation is relatively immune to external intervention. Here the influence of civil society is rather indirect, mainly by placing issues on the political agenda which might then be included in the budgetary process. The possibilities of influence by citizens at municipal level have increased in recent times. In this context, petitions for referendums by citizens, community foundations or Lokale Agenda 21 – Arbeit can be cited.⁶⁴ For example, 50% of petitions for referendums concern budgetary areas. Lokale Agenda 21 activities also often focus on issues related to the municipal budget, both directly and indirectly. Furthermore, the process of the “citizen budget” should also be mentioned which strives towards discussing the budgetary and financial planning of a municipality with its citizens (ibid. 8). The relatively low score is attributable to the fact that although a few attempts by civil society organisations to influence the planning stage of the national budget are being made, this area is however relatively immune to such influences on the whole.

4.2. Holding State and Private Corporations Accountable (2)

To what extent do CSOs have an impact on accountability by the state and private corporations?

Table III. 4.2: Indicators of Sub-dimension: Holding State & Private Corporations Accountable

Ref. #	Indicators	Score
4.2.1	Holding State Accountable	<u>2</u>
4.2.2	Holding Private Corporations Accountable	<u>2</u>

4.2.1. Holding State Accountable. This indicator deals with the extent to which CSOs perform a monitoring function towards the state and hold it accountable. The “accountability” of the state can relate to a variety of areas in which CSOs are active. For example, environmental organisations such as the Bund für Umwelt und Naturschutz Deutschland (BUND) (German Association for the Environment and Protection of Nature) in connection with the World Economic Forum in Davos urged the federal government to submit specific proposals as to the possibilities of designing globalisation in a fairer manner (NGO-Online, Internetzeitung für Deutschland 2004). The work of Amnesty International can be quoted in the area of human rights. Transparency International works on the aspects of transparency and corruption (www.transparency.de). Furthermore, a range of other civil rights

⁶² For a description of tasks, see the Deutscher Gewerkschaftsbund (DGB) Web site www.dgb/aufgaben/aufgaben.

⁶³ See for one example: www.lebenshilfe.de. The statement is also here as an Internet download: Bundesvereinigung Lebenshilfe für Menschen mit geistiger Behinderung e.V., Bereich Recht, Sozialpolitik und Ethik, Vorläufige Stellungnahme der Bundesvereinigung Lebenshilfe für Menschen mit geistiger Behinderung e.V. zum Abschlußbericht der Bund-Länder-Arbeitsgruppe “Betreuungsrecht”.

⁶⁴ For this and subsequent information see www.petra-kelly-stiftung.de/sites/pdf-doku/doku-burgerhaushalt.pdf.

organisations can also be listed which are active in various areas such as peace and asylum – like the Netzwerk Friedenskooperative (www.friedenskooperative.de) (Peace Co-operative Network) –, as well as within the framework of data protection. Accordingly, CSOs have an influence on holding the state accountable but this impact is not very extensive.

4.2.2. Holding Private Corporations Accountable. This indicator deals with the extent to which CSOs perform a monitoring function towards the private sector and hold private corporations accountable. Recently, initiatives have been developed in the context of Corporate Social Responsibility / Corporate Citizenship which aim towards promoting the accountability of companies. For example, at the initiative of the International Organisation for Standardisation (ISO), the Deutsches Institut für Normung (DIN) is involved in developing a standard for this area. The Stiftung Warentest magazine includes criteria for socially-responsible corporate management in its evaluations (bbe-newsletter 2004). Seen in this regard, CSOs certainly do have an influence on holding private corporations accountable but this impact is not very extensive.

4.3. Responding to Social Interests (2.8)

This sub-dimension examines the extent to which the actions of CSOs react to relevant social problems.

Table III. 4.3: Indicators of Sub-dimension: Responding to Social Interests

Ref. #	Indicators	Score
4.3.1	Responsiveness	<u>3</u>
4.3.2	Public Trust	<u>2</u>

4.3.1. Responsiveness. To what extent do CSOs react to relevant social problems? How successful are these activities? First, the issues that are regarded as relevant by the population in general have to be identified. The issue of “unemployment” is the primary issue indicated by surveys performed by the Institute of Demoscopy Allensbach, followed by issues such as “safeguarding pensions”, “medical care” and “education and training” (Noelle-Neumann/Köcher 2002: 702).

As far as the issue of unemployment is concerned, civil society does not play a distinctive role.⁶⁵ This is in part attributable to statutory restrictions, whereby CSOs are prohibited from engaging with the economy. Nevertheless, German CSOs are active in advocating for the fight against unemployment. Reference can be made to the demonstrations against social cutbacks in 2004 initiated by an alliance of socio-political initiatives, movements critical of globalisation and unions (www.ngo-online.de/ganze_nachricht.php4?Nr=7759). Some examples of organisations which work persistently as regards the issue of unemployment include the *BundesArbeitsGemeinschaft der Unabhängigen Erwerbsloseninitiativen* (BAG) (www.bag-erwerbslose.de/index.html) or the *Arbeitslosenverband Deutschland* (www.arbeitslosenverband.org/aktu.htm).

4.3.2. Public Trust. This indicator deals with the percentage of the population which has confidence in CSOs, and the extent of this trust in CSOs when compared with other institutions, such as the police force and business corporations. Various studies deal with the

⁶⁵ For the issue of unemployment, see also section 4.4.6. Supporting Livelihoods. The discussion on so-called 1-Euro jobs and their impacts on community service and civic participation should not be dealt with in detail here.

question of trust in institutions, but they neither cover CSOs as a category on its own nor a wide range of different organisational types. Individual organisations examined in these surveys include unions, employer associations, parties and churches. According to the survey conducted by the Institute of Demoscopy in Allensbach, the police enjoy most trust in Germany (73%), followed by laws (59%) and NATO (52%) (reference year 2001). Unions come in fourth-last (31%) with churches bringing up the rear (26%). Along with the police services, the Federal Constitutional Court, the Bundeswehr (armed forces), courts and the Bundestag (federal parliament), state institutions are regarded to be most trustworthy. The media occupies a middle position. The unions, employer associations, churches and political parties as well as major corporations representing the economy occupy the back position.

4.4. Empowering Citizens (2.8)

This examines the extent to which CSOs perform an educational and empowering function, particularly with regards to marginal groups.

Table III. 4.4: Indicators of Sub-dimension: Empowering Citizens

Ref. #	Indicators	Score
4.4.1	Informing / Educating Citizens	2.5
4.4.2	Building Capacity for Collective Action	3
4.4.3	Empowering Marginalised People	3
4.4.4	Empowering Women	2.5
4.4.5	Building Social Capital	3
4.4.6	Supporting Livelihoods	2.5

4.4.1. Informing/Educating Citizens. To what extent do CSOs perform an informing and educating function towards the citizens? A range of organisations from major traditional organisations to smaller organisations are active in this field. Examples include: foodwatch e.V., an organisation which is dedicated to consumer protection. The aim is to provide the consumer with information in this area thereby empowering him or her to make informed and responsible decisions. Information on the rights and obligations of individuals in the social area is provided by charities, for example (Bundesarbeitsgemeinschaft der Freien Wohlfahrtspflege 2002). As far as PR work is concerned, it can generally be assumed that this area is mostly neglected by CSOs (Helmig 2004; Reimer 2004b) with a few notable exceptions, such as Greenpeace (Koch 2001).

4.4.2. Building Capacity for Collective Action. This indicator highlights the extent to which CSOs support citizen's capacity for collective action. In Germany, there are around 180 voluntary agencies, 160 self-help contact points and 160 agencies for the elderly (Enquete Kommission 2002: 298f; Ebert 2002)⁶⁶. In 2004, there were 68 community foundations accounting for assets of EUR 27,5 million in initial donations, endowments and trust assets (Bundesverband Deutscher Stiftungen 2005: XVII). Around 50 projects in the area of new voluntary services are given a total of 10 million Euros a year by the federal government. Target groups include in particular young people, the elderly, the disabled and impoverished families (www.b-b-e.de/index.php?id=198&bacjPID=203&tt_news=105; www.b-b-e.de/fileadmin/inhalte/themen_materialien/pg3_material/pg3_vorschlaege_freiwilligendienste.pdf).

⁶⁶ See also section 1.4.4. support infrastructure.

4.4.3. Empowering Marginalised People. This indicator looks at how active CSOs are in supporting marginalised groups. Examples include: the Lesben- und Schwulenverband in Deutschland (LSVD), which regards itself as a civil rights group and includes individuals and 50 associations, groups and projects, is engaged in helping homosexuals “develop their lifestyles in a self-determined manner” (www.lsvd.de/themen/ziele.html, own translation). Accordingly, the objectives and basic principles of this work lie in promoting civic participation, self-help, self-organisation and empowerment, civic rights policy and the co-ordination of work related to civil rights, self-help and social work (www.lsvd.de/intern/grundz.html). The Informationsverbund Asyl offers information on asylum-related issues. Its patrons include Amnesty International, the Arbeiterwohlfahrt (workers’ welfare association), the Deutscher Caritasverband, the Deutscher Paritätischer Wohlfahrtsverband (German charity associations), the German Red Cross, the Diakonisches Werk of the EKD, PRO ASYL and the Zentralwohlfahrtsstelle der Juden in Deutschland (ZWST). One of its primary goals is promoting information for advice services. Activities against racism are performed by the Aktion Courage (www.aktioncourage.org/ac/wirueberuns.html). This alliance of individuals and organisations from various cultural circles is also dedicated to the task of promoting participation in society and political co-determination by people of foreign origin.

4.4.4. Empowering Women. This indicator examines how active CSOs are in empowering women. This includes the extent to which women are empowered to take control of their own lives and the extent to which CSOs react to the needs and interests of women.⁶⁷ A wide range of organisations can be quoted which work on this issue.⁶⁸ Reference is made to various safe houses as an example of direct help for women in the case of domestic violence. Furthermore, diverse organisations can be cited which are dedicated to the interests of women in the area of work. One example at local level is the cross-sector network MUT – Mainz, which is directed towards female entrepreneurs in the Mainz area (www.mut-mainz.de/ziel.htm). The Fraenumweltnetz (Women’s Environmental Network) aims at making a contribution towards introducing the aspect of gender equity in the areas of environment as well as enjoying sustained development (www.fraenumweltnetz.de/body_index.html).

4.4.5. Building Social Capital. This indicator deals with the extent to which CSOs contribute towards building social capital. This can be derived from the extent of trust among members of CSOs as opposed to non-members.⁶⁹ The concept of social capital is however anything but unambiguous.⁷⁰ As already illustrated in section 1.1. Breadth of Citizen Participation, a survey by the IfD in 2003 indicates that 49% of over 16-year-olds in Germany are members in (at least) one association or other organisation. Furthermore, the Voluntary Survey and SOEP in 1999 indicated that between 32% and 34% are actively involved. Section 2.4.1 Trust indicates that in 2002 a third of the population was of the opinion that most people can be trusted. No causal contexts can be made here. Using the World Value Survey data from 1999-2001, to compare the levels of trust among CSO members with Non-CSO members, it becomes apparent that the CSO members have slightly higher trust levels than non-CSO

⁶⁷ See also sections 1.3. Diversity of Civil Society Participants and 3.5. Gender Equity.

⁶⁸ For a list of links, see, e.g. wysiwyg://rechts.17/http://www.altiaia.de/surfen/frauen.htm.

⁶⁹ The extent to which there is a causal connection here and the direction it takes is however unclear.

⁷⁰ For a discussion on social capital, see, e.g. Braun 2001. CIVICUS itself also refers to the fact that the connection between social capital and civil society at both theoretical and empirical level is anything but clear (CIVICUS 2003).

members (40.7% vs. 34.8%). Thus, CSO membership somewhat correlates with higher levels of interpersonal trust, but does not say anything about how these aspects might be linked.

4.4.6. Supporting Livelihoods. This indicator deals with the extent to which CSOs create jobs and/or support the creation of jobs.⁷¹ According to the JHP, the third sector involves, or involved, a significant economic force with the share of total employment in full-time equivalents in 1995 accounting for almost 5%.⁷² This roughly corresponds with the employment intensity in the transport and communication sectors at that time. The publicly financed areas of Social Services and Health are particularly employment-intensive. The extent to which the employment intensity at this level can be maintained in the face of increasing state cut-backs is doubtful.⁷³ As outlined above in section 3.5.2 Gender-Equitable Practices within CSOs, the share of women employees in the area of civil society in 1998 was exceedingly high at 65%. Nevertheless, women are represented in part-time jobs and jobs involving minimum or occasional hours in particular. Owing to the great dependency of the area of civil society on financing by the state, a development of the area to become a relevant labour market area such as the profit sector can not be established (Zimmer/Priller 2004: 190).

4.5. Meeting Societal Needs (3)

To what extent do CSOs perform social services and/or advocacy actions for those in need?

Table III. 4.5: Indicators of Sub-dimension: Meeting Societal Needs

Ref. #	Indicators	Score
4.5.1	Lobbying for State Service Provision	<u>3</u>
4.5.2	Meeting Pressing Societal Needs directly	<u>3</u>
4.5.3	Meeting Needs of Marginalised Groups	<u>3</u>

⁷¹ See also section 4.3.1. Responsiveness, where unemployment is seen by the population as important according to population surveys.

⁷² For this and subsequent information, see, e.g. Priller/Zimmer 2001a.

⁷³ See also section 1.6.2. Human Resources for information on employment.

4.5.1. Lobbying for State Service Provision. This indicator examines the extent to which CSOs lobby the state to provide social services. Furthermore, it also examines how the distribution of tasks is designed between the state and civil society in terms of providing welfare services. One essential condition in the distribution of tasks among the state and civil society in Germany regarding the provision of social services is the principle of subsidiarity already outlined above. This ensures CSOs priority over state institutions in the provision of services, particularly in the areas of social services and health. This also explains the outstanding role played by charitable associations in Germany, which are among the largest CSOs in the world (Anheier 1997: 30).⁷⁴ These charitable associations are responsible for different tasks including representing the interests of the disadvantaged towards the legislature, government, public administration and the public at large (Bundesarbeitsgemeinschaft der Freien Wohlfahrtspflege 2002:37). Examples of where CSOs' demand state responsibility for social problems have already been referred to above – e.g. in section 4.3.1. Responsiveness. These include the activities of socio-political initiatives, the movement critical of globalisation and trade union activities against social cut-backs.

4.5.2. Meeting Pressing Societal Needs Directly. This indicator examines the extent to which CSOs provide social services. Once again, reference can be made here to the significance of charitable organisations as well as numerous other organisations. E.g. the Freie Wohlfahrtspflege in 2000 supported 33,974 facilities offering aid to youth, 9,453 in the area of family aid, 15,212 in the area of elderly care and 19,683 other facilities (ibid. 63). Almost half of children's day-care facilities (47.8%), other youth facilities (49.9%), hospitals (40.6%), in-patient rehabilitation facilities (46.6%) and out-patient facilities (41.9%) are operated by the Freie Wohlfahrtspflege (1998-2000) (ibid. 145).⁷⁵

4.5.3. Meeting Needs of Marginalised Groups. To what extent do CSOs directly support marginalised groups and to what extent are they more effective than the state in this regard? Apart from a range of other organisations – e.g. the Informationsverbund Asyl and its members – charitable associations in particular provide services for various marginalised groups or groups threatened by marginalisation. For example they or other facilities affiliated to them perform services and/or advocacy activities for the disabled, for those suffering from addiction, migrants and other groups. For example, 12,449 facilities and services offering aid to 344,819 people and employing 157,111 people can be quoted in the area of helping the disabled for 2000 (ibid.).

Conclusion

Civil society's impact on politics and society in Germany is evaluated as rather high. In particular, the social relevance of CSOs' activities (e.g. providing services for those in need, or for marginalised groups) is regarded as very strong. The high rating is likely to be a result of the fact that the major charitable associations are part of the system of social security, and are funded by the public sector. Therefore, for example, the question, if the state or civil society is more effective in meeting social needs is applicable only to a certain degree. Nevertheless, civil society's impact on the state, society and the economy was assessed as rather high. A lower score was given to the indicator relating to civil society's impact on

⁷⁴ Regarding the principle of subsidiarity and the role charitable associations play in Germany, see among others especially in historical perspective (Sachße 2000).

⁷⁵ The stated percentage regarding the hospitals does not refer to the Freie Wohlfahrtspflege only, but to charitable institutions in general, ibid.

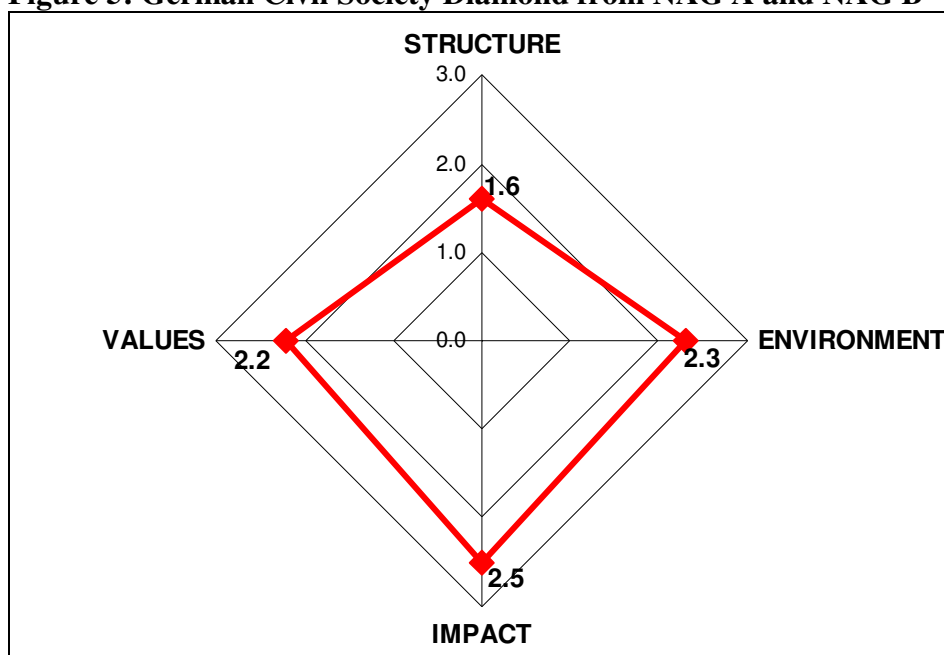
budgetary planning. Whether the very positive evaluation of civil society's impact is a consequence of self-estimation by the NAG cannot be discussed here.⁷⁶

⁷⁶ For methodological aspects see Reimer 2005b.

IV. CONCLUSION

The CSI project has found that German civil society has a moderate but above-average structure, is located in a favourable environment and demonstrates equally high ratings for its values and impact on politics and society. The Structure dimension was scored as 1.6, Environment was given a 2.3, Values received a 2.2 and Impact was assigned a score of 2.5.

Figure 5: German Civil Society Diamond from NAG A and NAG B



In comparing the four dimensions, the difference between the Structure dimension and the remaining dimensions is striking. The lower score for Structure strongly contrasts with the high evaluation for Impact. This tendency is even more apparent in one of the two individual evaluations given by the NAG.

As a general rule, it must be remembered that the evaluation by the NAG does not necessarily need to correspond to the “state” of civil society. But how can these tendencies and assessments be explained?

The high evaluation of the Impact dimension is in part due to good ratings for civil society in areas such as support for the poor and marginalised groups and the distribution of tasks among state and civil society. This positive rating can therefore be explained by the fact that charitable civil society organisations form part of the social security system in Germany and receive government funding to perform their tasks. However, other aspects of civil society’s impact, which are not linked to these tasks, also receive a positive assessment. For example, the societal relevance of civil society’s activities was given a high score. This is striking insofar as, according to population surveys, the issue of unemployment tops the list of people’s concerns, while the direct promotion of economic activities by CSOs is not permitted, due to their non-profit status. Yet, the issue of unemployment is addressed by certain CSOs through various advocacy activities. Furthermore, both NAG groups assigned an “ideal score” of 3 to civil society’s work reinforcing civic engagement. This is particularly

astounding in the context of the rather low rates of some forms of participation detected under the structure dimension. Among the indicators under the impact dimension, only civil society's impact on budgetary planning at the federal level is assigned a fairly low score.

What are the reasons behind the comparatively poor rating for the Structure Dimension? It appears that the negative assessments of CSOs' personnel and financial resources play a role. However, other aspects of civil society's structure, particularly those relating to the extent of various forms of citizen engagement, such as non partisan political involvement for instance, were also rated as low. Only the amount of time that volunteers volunteer in Germany and the organisation of CSOs in umbrella associations were given the "ideal score" of 3.

As was expected, aspects of the environment received high ratings. Political and socio-economic factors, such as political rights, competition among political parties, confidence in the rule of law, decentralisation, socio-economic environment and state support to CSOs, were assessed as high. No indicator under the environment dimension was accorded a clearly negative score.

As anticipated, the values applied in the CSI, being those of western industrialised countries, correspond with those of German civil society. Particularly positive evaluations were given to the activities of CSOs to promote democracy and non-violence within civil society, and CSOs' efforts to promote the protection of the environment. Only civil society's efforts to promote gender equity received a somewhat negative assessment.

German civil society can be described as state-dominated in terms of financing, a feature it shares with other European countries. In Germany, financing by the public sector accounts for 64% of CSOs income, with fees and membership charges accounting for 32% and philanthropy accounting for 4% (Salamon et al. 1999: 25). Nevertheless, financing differs depending on the field concerned. In this regard, the civil society sphere is divided into two areas. Unlike culture or environmental protection, social services and health are essentially financed by the public sector, and financing affects the structure of organisations themselves. This can, in turn, result in certain losses of autonomy. Examining its relationship with the private sector, corporate engagement with civil society definitely exists, but was not seen as extensive.

As established earlier in this report, the term, and idea of, civil society have gained considerable attention and popularity in recent years, and civil society in Germany is currently confronted with strong processes of change. These processes are influenced by profound changes in the state and the economy. The discussion about a new functional division between state, market and civil society is one of the reasons the term, and idea of, civil society has become so popular. Although there appears to be a transformation in terms of what is understood as the traditional roles of the state and a new discussion is emerging about the role of the economy, it appears that a new distribution of tasks among the state, market and civil society may be practically impossible.⁷⁷ This is particularly unlikely due to the fact that a large portion of CSOs is financed by the state, due to the restricted human and financial resources of CSOs and, although existing, the limited engagement of the business sector and the limited transparency of CSOs.

⁷⁷ See also Schuppert 2004.

APPENDICES

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APPENDIX 1

Participating countries and organisations

No	Country	Organisation
1.	Argentina	Grupo de Análisis y Desarrollo Institucional y Social (GADIS)
2.	Armenia	Center for Development of Civil Society (CDCS)
3.	Azerbaijan	International Center for Social Research (ICSR)
4.	Bolivia	Catholic Relief Services (CRS) and Center for Rural Research and Promotion (CIPCA)
5.	Bulgaria	Balkan Assist Association
6.	Burkina Faso	Civil Society Organization Network for Development (RESOCIDE)
7.	Chile	Fundacion SOLES
8.	China	NGO Research Centre (NGORC)
9.	Costa Rica	Fundación Acceso
10.	Croatia	Centre for Development of Non-Profit Organisations (CERANEO)
	Cyprus	
11.	southern part of Cyprus	Intercollege
12.	Northern part of Cyprus	Management Centre
13.	Czech Republic	Civil Society Development Foundation (NROS)
14.	East Timor	East Timor National NGO Forum
15.	Ecuador	Fundación Esquel
16.	Egypt	Center for Development Services (CDS)
17.	Fiji	Fiji Council of Social Services (FCOSS)
18.	Gambia	The Association of Non-Governmental Organisations (TANGO)
19.	Georgia	Centre for Training and Consultancy
20.	Germany	Maecenata Institute for Philanthropy and Civil Society
21.	Ghana	Ghana Association of Private Voluntary Organisations in Development (GAPVOD)
22.	Greece	Access2Democracy
23.	Guatemala	Institute of Cultural Affairs (ICA) Guatemala
24.	Honduras	Centro Hondureño de Promoción para el Desarrollo Comunitario (CEHPRODEC)
25.	Hong Kong (VR China)	The Hong Kong Council of Social Service (HKCSS)
26.	Indonesia	YAPPIKA
27.	Italy	Cittadinanzattiva
28.	Jamaica	Association of Development Agencies (ADA)
29.	Lebanon	International Management and Training Institute (IMTI)
30.	Macedonia	Macedonian Center for International Corporation
31.	Mauritius	MACOSS
32.	Mongolia	CEDAW Watch Network Center
33.	Montenegro	Center for Development of NGOs (CRNVO)
34.	Nepal	Institute of Cultural Affairs Nepal (ICA Nepal)

No	Country	Organisation
35.	Nigeria	ActionAid & Development Information Network (DevNet)
36.	Northern Ireland	Northern Ireland Council for Voluntary Action (NICVA)
37.	Orissa (India)	Center for Youth and Social Development (CYSO)
38.	Palestine	Bisan Center for Research and Development
39.	Poland	KLON/Jawor
40.	Romania	Civil Society Development Foundation (CSDF)
41.	Russia	St. Petersburg Center for Humanities and Political Studies "Strategy"
42.	Scotland	The Scottish Council for Voluntary Organisations (SCVO)
43.	Serbia	Center for the Development of Non-Profit Sector (CDNPS)
44.	Sierra Leone	Community Research and Development Organization (CREDO)
45.	Slovenia	Legal Information Centre for NGOs
46.	South Korea	The Third Sector Institute at Hanyang University
47.	Taiwan	Center for International NGO Studies at National Sun Yat-Sen University
48.	Togo	Federation des ONG au Togo (FONGTO)
49.	Turkey	Third Sector Foundation of Turkey (TUSEV)
50.	Uganda	Development Network of Indigenous Voluntary Associations (Deniva)
51.	Ukraine	Counterpart Creative Center (CCC) and Center for Philanthropy (CFP)
52.	Uruguay	Instituto de Comunicación y Desarrollo (ICD)
53.	Vietnam	Vietnam Institute for Development Studies and SNV
54.	Wales	Wales Council For Voluntary Action

APPENDIX 2

Members of the Supervisory Board for the Civil Society Index Project

<i>Supervisory member</i>	<i>Board</i>	<i>Organisation</i>
Prof. Dr. Sebastian Braun		Universität Paderborn
Dr. Gisela Jakob		Institut für Sozialarbeit und Sozialpädagogik, Projektbüro 2. Freiwilligensurvey, (Institute of Social Work and Social Pedagogics, project office 2), c/o Bundesministerium für Familie, Senioren, Frauen und Jugend (Federal Ministry for Families, the Elderly, Women and Youth), as of Sempember: Fachhochschule Darmstadt (Darmstadt Technical College)
Dr. Ansgar Klein		Bundesnetzwerk Bürgerschaftliches Engagement (BBE) (Federal Network of Civic Participation)
Prof. Dr. Christian Pfeiffer		Kriminologisches Forschungsinstitut Niedersachsen (Criminalological Research Institute, Lower Saxony)
Dr. Eckhard Priller		Wissenschaftszentrum Berlin für Sozialforschung (Scientific Centre for Social esearch, Berlin)
Dr. Adrian Reinert		Stiftung MITARBEIT (Co-operation Foundation)
Prof. Dr. Roland Roth		Hochschule Magdeburg-Stendal (Magdeburg-Stendal College of Higher Education)
Rupert Graf Strachwitz		Maecenata Institut für Philanthropie und Zivilgesellschaft (Maecenata Institute of Philanthropy and Civil Society)

APPENDIX 3

Members of the National Advisory Groups

<i>NAG A member</i>	<i>Organisation</i>
Dr. Uta Grossmann	Frankfurter Rundschau (newspaper)
Dr. Marita Haibach	Filia, Die Frauenstiftung (Women's foundation)
Thomas Kegel	Akademie für Ehrenamtlichkeit Deutschland (fis e.V.) (German Academy of Voluntary Work)
Dr. Arnd Kumerloeve	Friedrich Naumann Stiftung (Foundation)
Erhard Otto Müller	Netzwerk Zukunft (Network Future)
Eugen Müller	Aventis Foundation
Manfred Stenner	Netzwerk Friedenskooperative (Peace Co-operative Network)
Sabine Werth	Berliner Tafel (Berlin "trays")
Simone Wiegratz	Verband für interkulturelle Zusammenarbeit (Association of intercultural co-operation)

<i>NAG B member</i>	<i>Organisation</i>
Judith Aust	Bundeszentrale für politische Bildung, Begleitung, nicht stimmberechtigt (Federal Centre for Political Education, associated but not entitled to vote)
Beatrix Hertle	Malteser Hilfsdienst
Thomas Knöbelspiess	Diakonisches Werk der Evangelischen Kirche in Deutschland / Brot für die Welt (Diaconic association of the Protestant Church in Germany / Bread for the World)
Thomas Krüger	Bundeszentrale für politische Bildung (Federal Centre for Political Education)
Gisela Meinow	Behindertenliga (League representing the disabled)
Prof. Dr. Hans Joachim Meyer	Zentralkomitee der Deutschen Katholiken (Central Committee of German Catholics)
Peter Wahl	WEED – Weltwirtschaft, Ökologie und Entwicklung (World economy, ecology and development) (present for parts of the meeting)
Tobias Wangermann	Konrad-Adenauer-Stiftung (Foundation)

APPENDIX 4

Indicator System of the CIVICUS Civil Society Index Project

1. Structure	2. Environment	3. Values	4. Impact
1.1 Breadth of Citizen Participation	2.1 Political Context	3.1 Democracy	4.1 Influencing Public Policy
1.1.1 CSO Membership 1.1.2 Volunteering 1.1.3 Charitable Giving 1.1.4 Non-Partisan Political Action 1.1.5 Collective Community Action	2.1.1 Political Rights 2.1.2 Political Competition 2.1.3 Rule of Law 2.1.4 Corruption 2.1.5 State Effectiveness 2.1.6 Decentralisation	3.1.1 Democratic Practices within CSOs 3.1.2 CSO Actions to Promote Democracy	4.1.1 Human Rights Case Study 4.1.2 Social Policy Case Study 4.1.3. Civil Society's Impact on National Budgeting Process Case Study
1.2 Depth of Citizen Participation	2.2 Basic Freedoms and Rights	3.2 Transparency	4.2 Holding State and Private Corporations Accountable
1.2.1 CSO Membership 1.2.2 Volunteering 1.2.3 Charitable Giving	2.2.1 Civil Liberties 2.2.2 Information Rights 2.2.3 Press Freedoms	3.2.1 Corruption within Civil Society 3.2.2 Financial Transparency 3.2.3 CS Actions to Promote Transparency	4.2.1 Holding State Accountable 4.2.2 Holding Private Corporations Accountable
1.3 Diversity of Civil Society Participants	2.3 Socio-Economic Context	3.3 Tolerance	4.3 Responding to Social Interests
1.3.1 CSO Membership 1.3.2 CSO Leadership 1.3.3 Distribution of CSO		3.3.1 Tolerance within CS Arena 3.3.2 CS Actions to Promote Tolerance	4.3.1 Responsiveness 4.3.2 Public Trust
1.4 Level of Organisation	2.4 Socio-Cultural Context	3.4 Non-Violence	4.4 Empowering Citizens
1.4.1 Existence of CSO Umbrella Bodies 1.4.2 Effectiveness of SCO Umbrella Bodies 1.4.3 Self-regulation 1.4.4 Support Infrastructure 1.4.5 International Linkage	2.4.1 Trust 2.4.2 Tolerance 2.4.3 Public Spiritedness	3.4.1 Non-Violence within CS Arena 3.4.2 CS Actions to Promote Non-Violence	4.4.1 Informing/Educating Citizens 4.4.2 Building Capacity for Collective Action 4.4.3 Empowering Marginalised People 4.4.4 Empowering Women 4.4.5 Building Social Capital 4.4.6 Supporting Livelihoods
1.5 Inter-Relations	2.5 Legal Environment	3.5 Gender Equity	4.5 Meeting Societal Needs

1.5.1 Communication 1.5.2 Co-operation	2.5.1 “CSO-Registration” 2.5.2 Allowable Advocacy Activities 2.5.3 Tax Laws Favourable to CSOs 2.5.4 Tax Benefits for Philanthropy	3.5.1 Gender Equity within CS Arena 3.5.2 Gender Equitable Practice within CSOs 3.5.3 CS Actions to Promote Gender Equity	4.5.1 Lobbying for State-Service Provision 4.5.2 Meeting Pressing Societal Needs Directly 4.5.3 Meeting Needs of Marginalised Groups
1.6 Resources	2.6 State-Civil Society Relations	3.6 Poverty Eradication	
1.6.1 Financial Resources 1.6.2 Human Resources	2.6.1 Autonomy 2.6.2 Dialogue 2.6.3 Co-operation/Support	3.6.1 Actions to Eradicate Poverty	
	2.7 Private Sector-Civil Society Relations	3.7 Environmental Sustainability:	
	2.7.1 Private Sector Attitude 2.7.2 Corporate Social Responsibility 2.7.3 Corporate Philanthropy	3.7.1. CS Actions to Sustain the Environment	

APPENDIX 5

Key studies*

Study	<i>The Allgemeine Bevölkerungsumfrage der Sozialwissenschaften (ALLBUS)</i>	<i>Institute of Demoscopy in Allensbach** (IfD)</i>	<i>The Sozio-oekonomische Panel (SOEP)</i>	<i>Results of the Enquete Commission***</i>
Brief description	Series of surveys conducted every two years since 1980 on attitudes, conduct and social structure	Surveys on everyday life and experience of life, societal and political involvement by Germans and on voluntary activity	Annual longitudinal survey for empirical observation of social change, taking place since 1984 Civil society issues, see also parts of focal issues	Taking stock of civic participation and recommended action for those involved in civil society, the state and the economy
Central terms	<u>Political participation:</u> Membership in organisations <u>Voluntary activity during leisure time:</u> Involvement in a group or organisation	<u>Voluntary activity****:</u> Holding a minor or unpaid position in a group or organisation <u>Private activity:</u> Minor or unpaid activity in a group or organisation, without holding a certain position	<u>Voluntary position/Voluntary activity:</u> Unpaid activity performed for the benefit of the general public or third parties, incorporated within an organisational framework	<u>Civic involvement:</u> Stands for voluntary, civil society involvement oriented towards public welfare, voluntary position, voluntary/civic work, self-help Five characteristics: voluntary, no alignment towards material profit, orientation towards public welfare, takes place in public, performed with others Links to terms such as citizen, civic society, social capital, public

*Sources: Enquete Kommission Zukunft des bürgerlichen Engagements, Report. Bürgerschaftliches Engagement: auf dem Weg in eine zukunftsfähige Bürgergesellschaft, Volume 4, Opladen, 2002; Institute of Demoscopy in Allensbach, Lob und Anerkennung für ehrenamtliche Helfer. Mehr als jeder vierte Deutsche ist ehrenamtlich aktiv, Allensbacher Berichte, no. 10: 2003. Noelle-Neumann, Elisabeth; Köcher, Renate (pub.), Allensbacher Jahrbuch der Demoskopie 1998-2002, volume 11, Allensbach/Munich, 2002; Federal Statistics Office, Data Report 2004, Facts and Figures on the Federal Republic of Germany, Bonn, 2004; Federal Statistics Office, Data Report 2002, Facts and Figures on the Federal Republic of Germany, Bonn, 2003.

**This is the eleventh Allensbacher Jahrbuch der Demoskopie (1998-2002) and the Allensbach Report No. 10: 2003 (see source info).

***This is the final report by the Enquete Kommission Zukunft des bürgerlichen Engagements (see source info).

****A distinction was made between voluntary and private activity in this report exclusively in terms of the questions posed and not the evaluations.

Key studies* / Continued

Study	<i>JHP</i>	<i>Welfare Survey</i>	<i>Voluntary Survey</i>	<i>Time Budget Survey</i>
Brief description	Recording the third sector as an institutional core of civil society Information on economic structure and historical, societal and political dimension of the third sector	Survey conducted seven times since 1978 to analyse welfare and quality of life in East and West Germany	Survey conducted in 1999 on the scope, potential and appearance of voluntary work and its significance for civil society	Depiction of cohabitation by German citizens in households and families as well as the reciprocal effects of household and family members on each other
Central terms	<u>Five criteria for not for profit organisations (NPO):</u> formal structure, organisational independence from the state, no profit-orientation, self-administration, no embodiment of compulsory associations	<u>Social and political participation:</u> Membership in organisations and associations as an expression of social and political integration by society and for counterbalancing social exclusion	<u>Voluntary involvement:</u> Undertaking voluntary tasks and work <u>Active participation:</u> Activity of “co-operation” in associations/associations, groups, organisations and institutions	<u>Voluntary position:</u> Important element in the wide field of civic involvement

*Sources: Federal Ministry for Families, the Elderly, Women and Youth (pub.), Rosenblatt, Bernhard v., *Freiwilliges Engagement in Deutschland – Freiwilligensurvey 1999* – ; Ergebnisse der Repräsentativerhebung zu Ehrenamt, Freiwilligenarbeit und bürgerschaftlichem Engagement, Stuttgart, 2000; Federal Ministry for Families, the Elderly, Women and Youth; Federal Statistics Office, *Wo bleibt die Zeit? Die Zeitverwendung der Bevölkerung in Deutschland 2001/02*, Wiesbaden, 2003; Priller, Eckhard; Zimmer, Annette, *Der Dritte Sektor: Wachstum und Wandel. Aktuelle deutsche Trends*, Gütersloh, 2001; Salamon, Lester M.; Anheier, Helmut K.; List, Regina; Toepler, Stefan; Sokolowski, Wojciech et al., *Global Civil Society. Dimensions of the Nonprofit Sector*, Baltimore, 1999; Salamon, Lester M.; Helmut K. Anheier, *The Emerging Sector. An Overview*, Baltimore, 1994. Federal Statistics Office, *Data Report, 2004. Facts and Figures on the Federal Republic of Germany*, Bonn, 2004; Federal Statistics Office, *Data Report 2002, Facts and Figures on the Federal Republic of Germany*, Bonn, 2003; Federal Statistics Office, *Data Report 1999, Facts and Figures on the Federal Republic of Germany*, Bonn, 2000; Zentrum für Umfragen, Methoden und Analysen(pub.), *ISI22*, July 1999: 8.

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