

# THE LANGUAGE OF SOCIAL POLICY IN GERMANY: COMPREHENSIVE EXPLORATION

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**Abstract:** Germany's constitutional legal framework mandates the federal government to safeguard the well-being of its citizens through social policies. This obligation is rooted in historical and socioeconomic factors, shaping the country's approach to social policy. By delving into the etymology of social policy in Germany, this study explores its evolution, intervention methods, and structural specifics. It distinguishes between terms such as "social state," "welfare state," "social administration," and "Wohlfahrtsstaat," shedding light on the diverse models and operational characteristics they represent. This investigation provides insights into how Germany's social policies have adapted to historical conditions and continue to offer relative security against various hazards. Keywords: Social Policy, Welfare State, Germany, Constitutional Framework, Sociopolitical Model

## Introduction

According to the constitutional legal operational framework of the German State the federal government is obligated to look after the well-being of its citizens. The exercise of this obligation is achieved through state policies for the social sector and its goal is to provide the citizens a relative security against existing, anticipated or potential hazards. The modus operandi of social policy in Germany depends on the historical conditions of its creation, the reallocation model it uses, the forms of synergy with other relevant agencies and the way the citizens perceive them as a result of historical and socioeconomic factors. This may become understood by referring to the concept of social policy in Germany through an etymological approach. It constitutes an important variable in the study of social policy because it is related to the conditions prevailing in the country at any given time, but even more so to the conditions of creation and development of the manner of intervention, formation and structure of the particularities of the sociopolitical model. Hence, it is very different when someone uses the terms social state, welfare state, social administration or Wohlfarsstaat, since those terms, though closely related, refer to different models and operational characteristics.

## 1. Methodology

The methodological approach to the subject initially provides for a general portrayal of the topic of social policy, presenting basic knowledge and information on the overall usefulness of the sociopolitical presence in the state

structure. Besides the explanation of the concept of social policy, the duties emanating from its exercise will also be presented, as well as the relevant concepts and terms used as a result of the international scientific influence. A special mention will be made of the time-enduring fundamental principles of its operations based on the manner of implementation within the various subsystems of social intervention models. A working hypothesis at this point is that the national conditions of creation and development and, especially, the idiosyncratic characteristics of each state social policy intervention is of material importance in how it is applied and exercised. However, the factors affecting the social policy of a state do not only include the historical and lasting cultural elements and the perceptions of idiosyncrasy as factors that differentiate sociopolitical systems. The different perceptions and ways of handling situations both at the personal and collective levels should be understood as the manifest dynamically combined interplay among all factors involved at all levels of connection, i.e. political, social, cultural and institutional at the micro, middle as well as macro levels (Koffas, 2009; p. 5). The analysis endeavours to portray, through a structural and functional practical application of the sociopolitical mechanism, the conceptual dimensions and the way in which the concept of social policy is understood. This presentation demonstrates the different approaches and practices related to ways of thinking and acting, which practically reflect the intervention methods used.

## **2. The use of the concept of social policy in Germany and its synonyms**

For decades, the lingual use of the concept of social policy in Germany and its etymology remain a matter of controversy, despite the efforts of various sciences and their representatives to reach a mutually acceptable concept formulation (Leenen, 1978; p.1). The reasons behind this controversy and disagreement are primarily located on the dependence of social policy on the prevailing changes of the social, economic and political situation at the national and international levels; and, secondly, on the interpretative effort attributed to the concept of social policy, based on the daily life of people, especially in the way that they perceive its operation, goals and necessity of sociopolitical intervention.

The second reason in particular is, subjectively and objectively, the principal element in the formulation of every individual's personal opinion, whether a scientist or not, i.e. how each person perceives the conceptual understanding and use of the word social policy in day-to-day life. In any case, according to Sanmann (1975), every effort to define the limits of a concept, regardless of whether it is a descriptive, etymological or analytical approach or an effort of conceptual classification has, besides others, a regulatory effect. That is, the opinion of each person and/or social groups, which is related in whichever way with state intervention, differs since social policy is, demonstrably, perceived by some as a reallocation policy for those in need and financially dependent employees, for others it means state intervention aiming towards alleviation measures of poverty in general, or even its meaning is perceived as a policy providing equal opportunities to disadvantaged and socially weak vulnerable groups which require greater social attention (Sanmann, 1975; p.189). The opinion that is most prevalent is that social policy should orient its activity towards a form of general policy having society at its core and should in particular aim deliberately towards the realisation of freedom and justice for the entire society (Lampert and Althammer, 2001; p.3). The particular concern with the concept of social policy and the significant

meaning attributed to it by focusing the interest on specific aspects of its exercise shows that behind the effort of conceptual determination lays a controversy pivoting around the political and, ultimately, the financial and political measures concerning their implementation (Leenen, 1978; p.2), and even more so among the different sectors and power correlations linked to its task.

Bearing in mind the changes and the expansion of the sociopolitical means used through time, from the safety measures for the industrial era labourers (known as labour demands of the 19<sup>th</sup> century) until the democratic statutory equality of individuals without discriminations of the 21<sup>st</sup> century, it is logically debatable whether ‘the issue at hand (i.e. a general timeless definition of social policy)..., can describe the current situation and whether the way in which social intervention is practiced remains the same in time’ (Achinger, 1963; p. 10).

Depending on the polysemic meaning of the goals and duties of social policy under the constantly changing social conditions of each time, it is natural for the concept’s content to adapt and therefore, in the opinion of many experts of the field, a definition may be devised only under specific current social circumstances, for a specific geographic area and its suitability is limited only to a specific time frame for which it may be considered to be valid.

According to Frerich (1996) this denotes the development of the sociopolitical process towards a general policy for society (Frerich, 1996, p.5), which may be understood ‘only through the time/space social conditions as a branch of general policy’ (Kleinhenz, 1970; p.33) which concerns the social process and as such become a complete concept through the broader political process and not as an individual practice. Through the expansion of its field of interest and the extent of its intervention measures, social policy in Germany ‘after World War II became the impetus for the exercise of a broader policy for society with special emphasis on the application of the social security system’ (Schönig, 2001; p.31). The existing social legislation for safety in the work domain was replaced by a more comprehensive policy, which was oriented towards human values and to the human being himself as a value (Preller, 1962). Based on these facts Lampert and Althammer (2001; p.4) define social policy practically ‘as any political activity which is oriented, first, towards the improvement of the financial and social position of – totally or relatively – financially or socially weak groups through the use of appropriate means, in the sense of the fundamental social objectives pursued by society (shaping one’s personal life freely, social insurance, social justice and equal treatment); and second, eradicating the emergence of financial and social weaknesses which are related to the risk of existential hazards being manifested’.

In a similar way Franz Xaver Kaufmann (1977a; p. 64) expands the importance of state intervention in the modern era, by trying to completely detach social policy from its exclusive historical, traditional link. He supports that ‘here, social policy is understood as neither the development of sociopolitical plans, nor the political effort to introduce specific measures, but the institutional forms at any given time of producing social goods, (statutory rights, benefits, provision of organisations and services)..., including the conditions for their administration. In this sense, by the term social goods we understand goods which are immediately accessible for use, by the relatives of the groups who need them and are used exactly for that purpose in the circumstances they experience’ (Kaufmann, 1977; p. 64). It becomes apparent that the tools of social policy cannot be limited to state measures

alone, but are rather influenced in every open democratic society, according to the writings of Weisser (1978; p. 137), by the multi-dimensional context of social life. The multiformity of society and the multi-dimensional manner of its expression is, in relation to the so far presented conceptual analyses under the different economic principles and conditions of political, intercultural and social activities, co-responsible for the emergence of all the terms that appear and prevail as synonyms for the concept of social policy. This specific dimension is the second reason that determines the lingual use and the multi-dimensional comprehension of the term social policy in Germany, and provides the current discussion with the similarities of the concepts social policy, Wohlfarstaat and social security systems. The main factor for using all those different terms are, according to Schönig, the dictates of sociopolitical operation, i.e. what constitutes its field of action (situation analysis), what follows in order to cover confirmed needs in society (purpose analysis) and what means, to achieve this purpose, are confirmed to exist (means analysis) (Schönig, 2001; p. 64).

Social policy, social state and the system of social security<sup>7</sup> belong together, as Kowalsky and Schroeder (1993) explain, are closely linked, without however being the same: 'social policy is primarily about the transfer of resources, consciously oriented to a just social balancing. The social state should contribute to this effort by, broadly speaking, ensuring the existence, care and safety of the individuals against unjust and unsocial measures, as well as in the outcome of harsh situations and, finally, to contribute materially to the future formation of society' (Kowalsky and Schroeder, 1993; p. 10). Based on this perception and referring to Schönig's position above on situation, purpose and means analysis, social policy is the means to balance and mitigate (link-bridge process) social injustices through appropriate political negotiation among the members of society (Schönig, 2001; p. 175).

At the same time, the social state undertakes the organizational form of state intervention through specific objectives, by providing and managing the appropriate means to address existing social problems according to the facts of each time, and regulates the social security system and its internal structure and operation through the appropriate institutional intervention frameworks (Koch, 1995; p. 44). The overall purpose though remains the same across all domains of sociopolitical intervention; not just the improvement and implementation of established benefits or only their use and way of distribution. 'It concerns far more the way and the statutory formulation of this right. The legal right renders each person free from the will of another, the intention of another to provide assistance, as well as from the plain charitable inclination of another, no matter how useful. It is rather a connection of the values of freedom and safety ...' (Sund, 1977, in: Nahnsen, 1994; p.37f) with the sociopolitical mission/institutionalized obligation and dominates over the interplay between humane living conditions and the comprehension of the social state as an expression of the state's institutional social obligation, as determined by the constitution.

The fact that in the central European region and especially Germany these terms have been established and there is more mention of the social state, the social market economy and the legal social state, is not a chance event because the development of state, social measures and programmes constituted from the start elements of the basic organizational and political dispute about the constitution and the open relationship between economic and

social order (Hartwich, 1978, in: Schäfers and Zapf, 1998; p. 622). The existence and provision of a social state according to article 20, paragraph I of the Constitution of the Federal Republic of Germany belong to the primary incontestable principles of the Constitution and cannot be repealed even by a majority of two thirds (Zacher, 1977; p. 154). According to Afheldt (1994; p. 12), the explanation of this legal wording means that the social state is a state which supports state social policy and within which ‘everyone finds employment, is able to afford an apartment to live in with his family and is provided with health care’. The social state, in line with this obligation, has to perform an intense double role which is presented deliberately conflicting. On the one hand it is obligated, through state measures, to cater for the achievement of balance, justice and equal participation within the framework of individual justice ‘yet this action lacks in importance compared to the economy, and political intervention for social development seems to contradict the free operation of the market and social networks’ (Schäfers and Zapf, 1998; p. 623). In the ’60s, in order to document sociopolitical intervention, the term Wohlfahrtsstaat<sup>8</sup> was introduced in the everyday language of Germany, just like in most western democracies, in analogy to the English term welfare state.

7 According to Giersch, social security can be generally determined as the safety of individual life or the life circumstances of a society’s members. Based on this general conceptual determination one may also classify the maintenance of world social peace, the avoidance of general labour or property risks along with price instability, full-time employment, co-perception models as well as private insurance which assists social security (Giersch, 1960; p.82f).

According to Weisser, the conceptual field of determination in social policy is limited: By the term social security one perceives all the complex intervention measures, which do not directly aim to simply elevate an individual’s life circumstances, but even more so to the protection from specific risks and the worsening of this situation (Weisser, 1956; p.

8 The term is a translation of the British/American term welfare state, which demonstrates a contrasting resemblance in its meaning with the term social state. It is used in Anglo-Saxon countries as a synonym of the social state. In the German-speaking area the term social state is preferred more, in order to highlight the differentiation of the sociopolitical functions and obligations of the state in contrast to the negatively tinged assessment of the welfare state model, which often appears and is comprehended as an undesirable necessity of providing assistance to those in need (Kreft and Mielenz, 1996; p.557; Holtmann, 2000; p.782).

As to what the welfare state is and what its relationship is with the popular local term social state, there are, according to Claus Koch (1995), certain misunderstandings in the conceptual approach, at least in the German terminology.

‘Often there is no distinction from the term social state, but the two terms are used interchangeably in everyday language. This has historic causes, but is rather the result of ideological views’ (Koch, 1995; p. 42). The different terminology, but not the everyday meaning of these two terms is not due, according to Koch (1995), only to the two developmental phases of the German state and the respective changes in the exercise of social policy. ‘Discernible with those and also different from each other are two operating systems, two state models’ (Koch,

1995; p. 43). Ursula Münch (1997) explains this difference between social state and welfare state based on actual, organisational observations: ‘initially the terms constitute a wording, states..., react differently to social problems and consequently develop diverging systems of social security. As a consequence therefore, this distinction is meaningful due to the fact that the social state, different from the welfare state, is not characterised by the organisational principle of dominance through the state structure, but from the regulatory manner for a significant part of its field of concern. Even though specific sectors may be institutionally classified under social policy, this is not true in the case of the welfare state, which is active nearly everywhere and nowhere’ (Münch, 1997; p. 14f). The social state is therefore, according to its German model of development, only one part among those of the entire state, and maybe because of that, as Gerhard Ritter (1989) notes, it is conceptually better determined in comparison to the term Wohlfahrtsstaat.

Besides, the term social state is more easily accepted in the German public life when compared to the negative impression of the welfare state in Anglo-Saxon countries and its identification with the stigmatising necessity of social assistance to those finding themselves in need (Ritter, 1989; p. 13). One use of the term as a synonym is meaningful, according to Jens Alber (1989), who relies on Peter Flora, when the lingual use of the term welfare state is used exclusively and only descriptively to demonstrate certain state actions. ‘The term welfare state describes: The action of political activity for social structural change in the context of the modernisation process, State intervention for the social distribution of opportunities regarding the domains of income, health, housing and education. The dedication to the support of the safety and equality of citizens’ (Alber, 1989; p. 30).

Generally speaking, the institutional organisation of a social structure can be described as social state or Wohlfahrtsstaat when it is deliberately interested in ensuring the care of the majority of the population and according to the legal regulatory order tries to attain a high degree of equality of opportunities and fair distribution. ‘Social state or Wohlfahrtsstaat is, in other words, a social modus incorporated in the constitution, the laws and regulations that presupposes collective reciprocity for the socially weak, conditional interventions in the economic life and besides protective duties, also includes the mode for their formulation’ (Butterwegge, 2001; p. 15). It is exactly in this sense that the aforementioned terms are perceived and used, with no intention to diminish their epistemological significance or change their meaning; and, according to Kaufmann’s (1997b) opinion, which demonstrates the international comparative aspect, they may be considered, in regard to Germany, as national variations of the same type of overall social development (Kaufmann, 1997; p. 21).

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