Analysis of the Operation Logic of German Community Foundations from the Perspective of Civil Society

Si-yang ZHANG¹,a,*

¹Southwest Minzu University, Chengdu, Sichuan, China

a854948051@qq.com

*Corresponding author

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Abstract. As an ideological "paradigm" and discussion area, the theory of civil society has been constantly reformulated and innovated, and is regarded by many researchers in western countries as one of the cures for social problems. Community foundation is one of the important components of social organizations in the theory of civil society. Its operation logic is consistent with the elements and value logic of the concept of civil society. German Community Foundation started late and developed rapidly. It has inherent advantages in integrating community public resources, cultivating community public welfare projects, meeting the survival and safety needs of community residents, participating in community grassroots governance, enhancing community cultural integration, strengthening social public capital and promoting community development. Analyzing the operation logic of German community foundations from the perspective of civil society is an effective way to reveal the specific social practice of civil society theory, which is of high reference value for the incubation and cultivation of Community foundations in China.

Introduction

As an ideological "paradigm" and discussion area, the theory of civil society has been constantly reformulated and innovated and regarded by many researchers in western countries as one of the cures for social problems. It is of great significance to study the issues of community governance from the perspective of civil society and to explore the relationship between community foundations and the state and society. After the second industrial Revolution, with the upgrading of the industrial system in western countries, the process of industrialization was gradually accelerated and the level of urbanization was steadily improved. Social contradictions showed the characteristics of complexity, diversification and sharpness. In order to meet the surging demand for public services and solve the problem of community public safety in the process of urbanization, community foundation came into being. The concept of community foundation began in the United States. In 1914, the Cleveland Community Foundation was established, which is recognized as the first community foundation in the world. At the same time, after more than 100 years of development, the community foundation has gradually completed the transformation from theory to practice, operation philosophy and mechanism gradually tend to improve. Practice has proved that community foundations have innate advantages in resource integration, community public welfare development, community governance and community integration. Meanwhile, community foundation is one of the important components of social organization in civil society theory. Analyzing the operation logic of German community foundation from the perspective of civil society is an effective way to reveal the concrete social practice of civil society theory.

Theoretical Framework

Theoretical Analysis of Civil Society

Through traces the development of theory and practice of civil society, which can be roughly
divided into four stages: represented by Aristotle and Cicero, ancient civil society thought, represented by John Locke and Rousseau's modern civil society thought, modern represented by Hegel and Marx's civil society thought and represented by Cohen has and Mr Arato of contemporary civil society thought. This paper is based on the framework of civil society tripartite law represented by Cohen and Arato Foundation, civil society is defined as: between the country's political and market economy, with its mixture of third-party social activity, the activity field by an independent individual, unofficial, NGOS, public domain and four elements such as social movement to "freedom, equality, voluntary, independent, democratic" premise principle for communication activities, social activities, to enhance the level of citizens' mutual aid and to protect and practice of social interests and values. Its essence is a highly autonomous society based on individual and social contract.

Overview of Community Foundations
The definition of a community foundation varies from country to country. Usually, community foundation refers to a certain region within the scope of the residents to build the foundation with the regional limit properties and community organizations, through assistance in the area of social organizations (incubation community foundation) or to run the project (such as operating community foundation), in order to solve social problems in this area, promote community residents quality of life. Its initial funds are mostly raised through businesses, families, individuals and other institutions within the community. Community members have the opportunity to participate in day-to-day operations management.

Overview of the Development of German Community Foundations
The first community foundation in Germany was founded in 1996. Adhering to the concept of "citizens helping each other" and operating mode of "citizens' citizen foundation", it was gradually popularized in Germany. It took a long-term perspective on the capital of community foundation, so as to sustainably and permanently support charities from income and additional donations. According to the 2019 global statistics, there are more than 2,750 community foundations worldwide, including 410 in Germany, which have accumulated 423 million euros of basic capital. The incubation areas of community projects are diversified, mainly in academic education, arts and culture, social issues, residents' health and other fields (as shown in the figure below). The active Community Foundation has more than 27,000 volunteers, with an annual growth rate of 3.7% (see chart). According to German Active Citizenship (Active Citizenship), by 2019, the German community foundation in 410 cities around the country and the area successfully set up his own local fund practice, community foundation donation income hit a record high, up to 14.5 million euros, and will be more than 90% of the donated money to more than 140 community foundation provides donated funds and trust, is a German citizen to participate in social governance and community service and reliable partner. As more and more people and organizations devote their time, money and ideas to community foundations, they help shape local social order, improve community living facilities, and improve the quality and professionalism of community volunteer services. The size and influence of German community foundations have continued to grow, even in the context of Europe's economic woes and low interest rates.
The Value of Community Foundations to Civil Society

The German Community Foundation meets the core elements of the concept of civil society.

The first element: the third area. Civil society is a third party social activity domain between the state political authority domain and the private domain. It is a public domain that provides funds, services and venues for independent individuals and social organizations. In this field, individuals and social organizations, through communication and cooperation, propose solutions to social problems and social contradictions of public concern and reach solutions. The purpose of German Community Foundation is to establish a third-party platform to gather social members and funds in a specific region, and to improve the quality of life of community members in a specific region and meet the social needs of local residents through targeted allocations and assistance for regional projects.

The second element: Organizational links. Civil society is composed of independent individuals, unofficial public spheres, social organizations and social movements. Its core function is the social platform function based on the third party field. Most of the staff and volunteers in German community foundations come from community participants in the region. They can be individuals, enterprises, associations or even professionals in other fields (such as legal workers, securities practitioners, senior managers of enterprises, etc.). Through the role of the third party platform of the community foundation, social members in the region are effectively organized and integrated.

The third element: social activities. Social activities are the common actions taken by members of the society to solve specific social problems in order to achieve certain goals. The community foundation gives full play to its function of staff gathering and USES the donated funds and other materials reasonably and effectively through the joint efforts of community participants. Compared with industrial and commercial enterprises in the market economy, as the volunteers of community foundations come from residents within the region, the administrative and operational costs of the foundation are kept at a lower level through volunteer activities.

The fourth factor: social values. The practical purpose of civil society is to protect the rights and interests of citizens and society. German community Foundation is established on the basis of facing the future. Through its rich and diversified social resources, it can flexibly deal with the
problems of community life quality and social problems that may occur in the future. At the same time, since only assets and donated income can be used for social assistance, the assets invested by the organization in the region will receive a permanent benefit. It is on this basis that German community foundations can have a lasting impact on a particular regional scale.

**Operation Logic Analysis of German Community Foundation**

**Unification of Characteristic Logic**

The unity of the diverse requirements of civil society and the different characteristics of German community foundations. Civil society is a diversified society, that is, the diversity of individual lifestyle, the differentiation of social organizations and the diversity of social values in civil society. The traditional modern government system is built on the basis of "big government, small society". The state monopolizes most of the political and economic power, and social members can directly participate in the social public sphere with little space. With the perfection and development of market economy, gradually to modern government administration system of "small government, big society" model transformation, a large number of functions of the government down, weakening of administrative power in the public domain, prompted the development of social organization quantity, scale and specialization, to undertake the social functions of the government decentralized, provide public products provided by the government. The core of the organization goal of German Community Foundation is the participation of residents in a specific region, through incubating social organizations or running social public projects by themselves, so as to solve the public problems in the region (safety problems, quality of life problems, community development problems, etc.). Just as the name of "foundation" in German community foundations, it is essentially a public platform in the third party field, which determines the diversified and diversified needs of German community foundations in operation. To solve specific regional social problems by cultivating and incubating specialized social organizations or by setting up project teams to run social projects. It is precisely because there are a large number of social foundations with differences in German society that the establishment, development and growth process of them is essentially the process of community foundations accepting the transfer of government functions and providing socialization of public goods. Based on this, it can be found that German community foundations do not have a fixed and unified development paradigm and problem solving model, and their different characteristics are consistent with the diversified requirements of civil society.

Unification of individual independence requirements of civil society and autonomous behavior characteristics of German community foundations. Individual independence is one of the external reflections of the characteristics of civil society. As a social phenomenon, civil society emerges with the emergence and development of market economy, and develops on the basis of market economy. Modern market economy requires that the subjects participating in its free exchange are independent individuals, which essentially determines the basis of civil society, that is, whether individuals or groups should be independent individuals in the first place, or they do not have the basic rights to participate in the social market economy. The social activities of the founders and participants of the German Community Foundation are autonomous behaviors based on independent individuals. On the one hand, the independence of founders is required. Community foundation, which is usually composed of single or multiple independent individual or social group founder, through personal commitment, donations, endowments, create their own funds, wills and matching funds methods such as joint establishment, foundation, objective is the embodiment of the spirit will, its foundation is the process of the individual's social and political rights enjoyed by the unified; On the other hand, participants of community foundations are residents or other social members with individual characteristics in a specific region, and their participation in social projects of community foundations is their autonomous behavior. This kind of behavior is different from the mandatory behavior under the nature of governmental authority, and also different from the market economy behavior based on profit. Based on this, it can be found that the behaviors of
the founders of The German Community Foundation and the participating volunteers are all social behaviors based on individual independence, whose characteristics of autonomous behaviors are consistent with the requirements of individual independence of civil society.

Unification of the requirements of high degree of autonomy of civil society and the independent characteristics of German community foundations. Civil society is a third public domain between the state and the market. In this public domain, social members negotiate and solve the emerging public problems through self-management, self-restraint, self-governance and equal consultation. The high degree of autonomy in the whole process is the prominent feature of its social governance. The German Community Foundation has been politically and economically independent since its inception, and its existence is based on self-restraint rather than political commitment. It receives donations from a relatively wide range of sources, even government financial aid is allowed. However, restrictions on individual donors, governments or companies are rejected, and political party representatives and executive leaders are not allowed to influence the decisions of German community foundations. On the one hand, it is determined by its social role. German Community Foundation is a third-party public domain platform independent of the state and the market. Its third-party characteristics are conducive to the foundation's social activities based on the principle of social equity and priority of key projects, which is also its social public domain authority different from the national political authority and market economy authority. On the other hand, it is determined by its funding channels. German community foundation, has a relatively stable source of donor channels, through the recognition for a particular area community foundation concept and goal of the individual and group provides donor channels, its donation ways include individuals, charities, government (mainly local or regional governments), channel diversity decided the community foundation of Germany is not dependent on a single donation subject, also won't because of capital channel oneness and affected by the will of the donor. Based on this, it can be found that the independence characteristics of German community foundations based on diversified funding channels are unified with the high degree of autonomy requirements of civil society.

The spirit of contract of civil society requires the unification of the principal-agent characteristics of German community foundations. Civil society is a social phenomenon established on the basis of market economy. The essence of market economy is contract economy. Market economy regulates the social behaviors of all participants in the market through contract relationship, so as to clarify their market rights and obligations. Because market economy is the basic embodiment of civil society, its spirit of contract naturally extends to civil society. Principal-agent relationship is one of the embodiment of the spirit of social contract. German community foundations have the characteristics of principal-agent contractual relationship. On the one hand, it is the principal-agent relationship between the donor and the community fund committee. The donor transfers the right to use the donated funds through the donation behavior. The Foundation is responsible for the operation of the foundation through the fund committee and USES the donated funds reasonably and efficiently based on the principle of openness and transparency. In this process, the donor is the client and the community Foundation committee is the agent. ; On the other hand, it is the principal-agent relationship between the community fund committee and social organizations. The community foundation may not be operated by the fund committee after the fund is donated. The Fund Committee may entrust a third party to be responsible for the foundation's business. This form is more common in bank-style community foundations, that is, to seek targeted professional social organizations to provide services according to different needs of community security issues and public issues, and pay remuneration according to the type, quantity and quality of service products.
In this process, the fund committee is the principal and the third party social organization is the agent. Based on this, it can be found that the daily operation of German community foundations is based on the principal-agent contractual relationship, which is consistent with the contractual spirit requirements of civil society.

The Unity of Value Logic

The value logic of the establishment, operation and management of The German community foundation is consistent with the humanistic spirit, individual independence, freedom and equality, autonomy and legal guarantee of the concept of civil society. Through the analysis of the 2010-2018 German Excellent Community Foundation project collected and selected by The German Positive Citizenship Organization, the author expounds and analyzes the logical embodiment of value in its operation and management.

Humanistic Spirit

Humanist spirit is centered on "human" and focuses on the social value and dignity of human beings. The American Encyclopedia of Philosophy defines it as "any philosophy that recognizes the value and dignity of human beings, regards human beings as the yardstick of all things, or regards human nature and its scope and interests as subjects in a certain way". The essence of civil society is a human-centered society, and the people-oriented social spirit runs through the beginning and the end of the concept of civil society.

The "Anti-Violence Alliance Project" initiated by Heilbronn Community Foundation in Germany improves the ability of education staff by providing high-quality training and educational materials. After the establishment of the project, the foundation successively supported 25 heilbronn primary and secondary schools to carry out training projects in terms of funds and manpower. The evaluation of the external expert committee showed that the ability of children and adolescents to manage conflicts, improve violence and respond to violent conflicts has been significantly improved and improved. Similar programs include the Heilbronn Community Foundation's No Fist Program, which aims to reduce teen conflict behavior and improve social skills. The "Emergency Island Project" aims to bring together social facilities such as shops, Banks and pharmacies, promising to help people in any emergency; The Respect Program aims to provide development opportunities for people who have been physically, psychologically or otherwise harmed in their intimate relationships.

Individual Independence

Individual independence is mainly reflected in the values of individualism, but individual independence does not mean the singleness and isolation of individuals. As an idea of civil society, it emphasizes the importance of individual freedom, self-control and self-discipline. Civil society is essentially a contract society, which requires social individuals to participate in the establishment and implementation of the social contract with an independent identity, and the prerequisite is individual independence. Based on the requirement of individual independence, in civil society, individuals should be responsible for their own behavior, social groups should be complex, and the state should be responsible for citizens, all of which are the result of individual behavior. The employment problem in Germany is around the core issue of the independence of individual and social youth groups, according to statistics, only about 30% of junior high school graduates in Germany won the apprentice position, at the end of school two years later, still less than 50% of graduates won the apprentice position, it has become the key factor of affect the social youth groups individual independence. Based on this condition, Munich community foundation launched the
employment guidance of Munich, through employment guidance teachers and teachers, social workers and the enterprise on behalf of the close combination and cooperation, to provide students with career choices, job applications, access to training places and job matching, etc. A full range of employment guidance, there are 33 2012 employment guidance volunteer teachers work for this project, the 607 graduates in 14 schools provide employment guidance to help, including 108 students continue studies, 249 students career guidance training, 250 students participated in the further training program. The success of the program has led to an increase in the number of career counselors in every German school and the introduction of vocational training courses to improve students' employability skills to varying degrees.

Freedom and Equality

Freedom refers to the expression and realization of human subjectivity in the external world, while equality refers to the equal social rights and social obligations enjoyed by the subject under the same social status. Civil society is a free and equal society in which members can participate in social activities and governance without compromising the rights of others. Due to the practical impact of the gap between the rich and the poor in Germany, the issue of education equity has always been one of the core issues criticized by the public, and the issue of art education is particularly abrupt. Learning Musical Instruments can promote the cultivation of children's creativity and learning ability, which is more conducive to the development strategy of personality, but unfortunately, not every family can afford the cost of art education. In order to alleviate this educational contradiction, the Arnesberg Community Foundation launched the "Music Education Subsidy Program", which provides music subsidies to primary school students and reduces the educational burden of their families. Such projects still has a lot of, barr mark nim - Ukraine community foundation "children for children's rights project" is for the purpose of dedicated to children and adolescents to engage in public fact, freedom and equality to ensure that every child has equal opportunity to maintain their own interests, regardless of their culture, what is the difference between ability and social background. There are also programs such as The University for Children Program and The University for Youth Program in Balnim-Ukmak; The Lillinthal Community Foundation's "Children's College Project"; Noyes Community Foundation's Student Support Program. Through these community-funded projects, a large number of children and young people have been helped to gain access to education and opportunities.

Autonomy

Autonomy is "a state in which individuals or groups manage their own affairs and are solely responsible for their actions and destinies". Civil society is a society with a high degree of autonomy. Under the theoretical framework of civil society, members of the society participate in social life and social governance through the principles of "self-restraint, self-management and self-consultation". In addition to providing social assistance and support, the Community foundation in Germany advocates the cultivation of individual consciousness of autonomy and the improvement of individual self-management and self-restraint ability, rather than relying excessively on public social assistance and support. Such as hale wig community foundation launched a "self-help for the unemployed health project", the community foundation before help for those who apply for unemployment benefits, require recipients ACTS as a volunteer in the sports club if the unemployed do volunteer, aid recipients can gain 200 euros per month, the process of providing social aid community foundation, which fully embodies the Germany idea independently.

Legal Protection

Civil society embodies the concept of "the supremacy of law". Civil society is based on the spirit of social contract, the realization of which depends on the institutional guarantee of law. Through the enactment of laws and regulations, the individual behavior of social members and the organization
behavior of social groups are constrained to achieve the effective integration and utilization of social resources. So far, there is no official list of national foundations in Germany. Community foundations have no relatively independent legal regulations and management norms, and their actual positioning in The German civil law is a comprehensive type of foundation. In this process, active citizens organizations in Germany play an important role. When a community foundation applies for establishment, it needs to be counted by active citizenship organizations. The constitution and operation mode of the new community foundation will be inspected and recognized by the relevant supervisory organs and registered as a foundation. From the legal point of view, it guarantees the legitimacy and legitimacy of German community foundations.

Conclusion

The theory of civil society originates from the western discourse. Based on the framework of civil society trigonometric law represented by Cohen and Arato, this paper analyzes the value logic of the operation of German community foundations. Although the author does not agree with some of Cohen and Arato's views on civil society reconstruction, the author thinks that some of them are worth thinking about, especially the realistic thinking of core values such as "humanistic spirit, individual independence, freedom and equality, autonomy and legal guarantee". Since the reform and opening up, China's social public resources are becoming richer, more diversified and more controlled. The rise of the third sector of social organizations, such as community foundations, is playing a key role in the context of the transformation of government functions. After nearly a century of practice and exploration, the community Foundation has obvious local advantages in integrating community public resources, cultivating community public welfare projects, meeting the survival and safety needs of community residents, participating in community grassroots governance, enhancing community cultural integration, strengthening social public capital and promoting community development. By 2019, the number of community foundations in China has increased from 17 to 181. In terms of geographical distribution, only 10 provinces in China have community foundations, concentrated in the southeast coastal areas. Shanghai, Guangdong province, Jiangsu Province and other places are affected by regional advantages, and the regional distribution quantity is the most intensive. Take Shanghai as an example. By 2019, 83 community foundations had been registered in Shanghai, ranking first in China. But at the same time, China's community foundations are younger and smaller in scale. Nearly 80% of them have been established for five years or less, with a total net asset of about 500 million yuan. It is of practical significance to cultivate community foundation organizations with local characteristics based on the relatively mature practical cases of German community foundation development.

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References


