

‘URBAN REGIMES’ AND ‘MIGRATION REGIMES’: CONTRADICTIONS, CONNECTIONS AND POTENTIALS

MATTHIAS BERNT

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Summary: The article aims to foster a conceptual discussion about the potentials and pitfalls that emerge when the two concepts ‘migration regime’ and ‘urban regime’ are brought together. Recent developments in the field of migration studies have led to the regime concept becoming an increasingly popular strategy. Terms like ‘local migration regime’ or ‘urban migration regime’ have enjoyed growing popularity due to an expanded interest in the intersection of localities, regulation techniques and immigration. Within this debate, the ‘urban regimes’ concept has also gained increased attention. This paper argues that these are two essentially different types of regime analysis, both of which have potentials and problems. Making use of both of them in the field of migration studies requires conceptual clarity and preciseness, and will likely lead to very different findings. A synthesis of the two concepts is, therefore, not achievable, yet a careful and reflected use of them can provide new impulses both for empirical research and theory.

Zusammenfassung: In der Migrationsforschung hat das Regimekonzept in den letzten Jahren erheblich an Popularität gewonnen. Dabei wird auch immer öfter von „local migration regimes“ oder „urbanen Migrationsregimen“ geredet und geschrieben. Gleichzeitig handelt es sich bei „Urbane Regimes“ um ein Konzept, das eigentlich seit den 1980er Jahren aus der Forschung zu Stadtpolitiken bekannt ist und auf weitgehend andere Fragestellungen zielt, als dies in der Forschung zu Migration der Fall ist. Der vorliegende Artikel vergleicht deshalb „Urban Regimes“ und „(Urban/ Local) Migration Regimes“. Er argumentiert, dass beiden Konzepten grundlegend verschiedenen Fragestellungen und Herangehensweisen zugrunde liegen. Beide Konzepte haben zudem ihre jeweils eigenen Potenziale und Probleme. Ihre Verwendung führt zudem in der empirischen Forschung zu unterschiedlichen Ergebnissen. Eine Synthese der beiden Konzepte erscheint daher kaum möglich. In der Diskussion wird gleichwohl für einen produktiven Austausch geworben, denn eine präzise und reflektierte Verwendung der beiden Konzepte kann Anregungen für die weitere Forschung bereithalten.

Keywords: urban regime, migration regime, governance

1 Introduction

This article aims to foster a conceptual discussion about the potentials and pitfalls that emerge when the two concepts ‘migration regime’ and ‘urban regime’ are brought together. Recent developments in the field of migration studies have led to the regime concept becoming an increasingly popular strategy. Terms like ‘local migration regime’ or ‘urban migration regime’ have enjoyed growing popularity due to an expanded interest in the intersection of localities, regulation techniques and immigration. Interestingly, within this debate, the ‘urban regimes’ concept (which was formulated outside the realm of migration studies, see below) has also found increased attention as a point of reference (see for example TSIANOS and KASPAREK 2015; POTT and TSIANOS 2014; POTT 2018). This is not self-evident, however, as ‘urban regimes’ and ‘migration regimes’ appear to be two very different concepts with their own particular histories and conceptual

architectures. They have been developed in different intellectual traditions and in response to dissimilar real-life developments. Linking the two is, therefore, anything but obvious.

With this paper, I wish to stimulate a discussion about the differences and commonalities of the two concepts. Can these two concepts be meaningfully combined, or are they mutually exclusive? What are the benefits of bringing the two concepts together, and which problems emerge when doing so? I claim that examining this question can not only assist in obtaining more clarity and achieving a more careful and reflective use of the regime concept, but it can initiate very productive discussions about possible connections, potentials and advancements of the two approaches. Comparing ‘urban regimes’ and ‘migration regimes’ can, thus, provide new impulses both for empirical research and theory.

In examining the intersections of these two regime concepts, my perspective is unavoidably influ-

enced by my own subjectivity as a researcher: while I am a Political Scientist with a long history in doing urban studies, migration has only recently become a focus of my work. I am, therefore, more familiar with ‘regime concepts’ in urban studies than with their counterpart in migration studies, and this introduces the risk of an imbalance in reflecting on the two. Against this background, I wish to present my critiques not as attacks on other scholars’ areas of specialization, but rather as an invitation for cross-disciplinary discussion and mutual learning.

In the first two sections, I sketch the origins and main features of the discussions about ‘migration regimes’ and ‘urban regimes’. This is followed by an examination of the main differences between the two concepts and a discussion about their dissimilar strategic goals. I conclude by suggesting opportunities for working productively with the two concepts and carving out areas of potential for future research.

2 Migration regimes

In recent years, the term ‘migration regime’ has proliferated (see RASS and WOLFF 2018, 22ff.). Notwithstanding this popularity, the genealogy of the concept is rather intricate. Thus, different understandings of the term ‘regime’ are used in migration studies and there is not even agreement about how many types of regime concepts need to be distinguished and where the exact borders between them are to be found (see HORVATH et al. 2017; RASS and WOLFF 2018; CVAJNER et al. 2018). Any attempt at systematization includes, therefore, the danger of oversimplification. Nevertheless, it is crucial to take into account the different roots, goals and theoretical backgrounds when talking about the use of the regime concept in migration studies. Without any claim to completeness, a number of different uses can be scrutinized that are representative of different ‘corners’ of the migration studies community.

Thus, one use of the regime concept has its roots in the field of international relations, where the term has been defined as “sets of explicit or implicit principles, norms, rules and decision-making procedures around which actors’ expectations converge in a given arena of international relations” (KRASNER 1982, 186). This use of the regime concept has also been taken up in the field of migration studies and used to analyze the dynamics “between the regulation of migration by states, international organizations and national and international law” (RASS and WOLFF 2018, 26). The focus is on states and their interaction

in defining the conditions for cross-border mobility.

With a stronger emphasis on the constellations within states and the architectures of different kinds of statehood, the term regime has also found widespread use in studies on labor regimes and welfare research (see for example ESPING-ANDERSEN 1990). This strand of research has also found an echo in migration studies. Here, research has, for example, focused on different stratifications of social, economic and political rights that migrants are granted as compared to full national citizens (SAINSBURY 2006), on ‘guest worker regimes’ (SAMERS 2016) and on the intersections between migration and care (LUTZ 2017). What are common to these two perspectives are an interest in institutions and their role in shaping welfare systems and social rights, and the question of how different migration streams are placed within this context. Here, the local scale mostly comes in (if at all!) through the perspective of local governments and regulations.

This is rather different than the use of the term regime in recent works of (mostly) German geographers, ethnographers, historians and sociologists. Here, regimes are conceptualized as ‘contact zones’ or ‘arenas’ to a growing degree, where powerful and powerless actors – ranging from persons, through organizations to states – negotiate the conditions under which migration takes place (OLTMER 2009). Emerging in the field of ‘border studies’, migration regimes have also been described as specific sets of preventive institutions and practices that regulate access to a given territory, organizing exclusion (e.g. MEZZADRA and NELSON 2013) in this strand of research and, employing a Foucault-inspired ‘gouvernementality’ perspective, researchers have been interested in the contingent entanglement of discourses, power relations and subjectivities that are used in governing technologies (see for example TSIANOS 2010; HESS and KASPAREK 2010; TSIANOS and KARAKAYALI 2010; HESS et al. 2018), e.g. in border regimes. The treatment of regimes is more open in this strand of research. It includes manifold actors and is developed inductively, rather than deducted from an overarching framework. The urban scale is of essential interest to this strand of research, as migration is not only, by its very nature, a process that connects different localities, but, more importantly, issues like ethnic segregation, the construction of internal borders, spatial narratives on migration and other issues central to this ‘corner’ of research cannot be understood without a perspective on cities (see also POTT 2018).

While this discussion is far from comprehensive and there are considerable overlaps between the different uses of the regime concepts, it becomes clear

that “the variety of regime notions is considerable” (HORVATH et al. 2017, 305). RASS and WOLFF have even gone so far as to conclude that the regime concept “...has found a multitude of uses throughout all disciplines of Migration Studies. Observers of migration employ the terminology with diverging intentions and expectations...While some might favor this openness, we consider the terms [sic.] arbitrariness less of a feature and more of a bug” (2018, 40).

What the regime concept does in the field of migration studies is, therefore, less the provision of a clear-cut and easy-to-operationalize advice or guidance for research; it should rather be understood as a heuristic that can be applied for different purposes. It is not so much a model that explains things, but a perspective that tries to break free of state-centrism, to urge researchers to think about a multitude of actors and relationships, emphasizing relationality and openness in the field of migrations studies.

Exemplary of this approach, is the following definition by TSIANOS and KASPAREK:

“... integrated and historically changeable arenas with specific constellations of individual, collective and institutional actors whose interest, techniques and practices impact on the formation of migration and migration-related social processes” (2015, 16, own translation).¹⁾

Examining this definition, a strong motivation to define ‘migration regimes’ in the most open way possible arises. Why has this been the case? While there may be many reasons (and this paper is not the place to speculate about them in full), two developments stand out.

The first of these is the attempt to overcome the ‘methodological nationalism’ (WIMMER and GLICK SCHILLER 2002; GLICK SCHILLER and ÇAGLAR 2009) inherited from traditional migration studies, which have analyzed borders and immigration mainly through the lens of nation states. Focusing on the national level alone is not sufficient to cover the increased complexity of constellations stemming from the devolution of immigration policies from European nation states to the EU, the multiplication of internal borders regulating stratified rights inside

nation states and localities, and the growing number of non-state actors exercising their influence (e.g. NGO’s, supranational organizations and private security companies). In this situation, the regime concept promises more openness, as it enables a coming to grips with the interrelation of local, regional, national and global scales in shaping migration. In this perspective, the regime concept is enabling, because it doesn’t predefine what is searched for, but allows for an open and integrated perspective.

The second development is to be found in efforts to overcome a ‘mechanistic or hydraulic’ (CASAS-CORTES et al. 2015) perspective on migration that considers mobility to be the sheer result of push- and pull-factors, and treats migrants mainly as objects. In contrast to this perspective, recent contributions have called for the acknowledgment of the ‘autonomy of migration’ (MOULIER BOUTANG 2006; BOJADŽIJEV and KARAKAYALI 2007), i.e. the fact that migrants interact with the efforts to regulate their mobility. This leads to a regime concept “... that is not only repressive and exclusive but also inclusive in a stratifying way, while continuously being challenged by the practices of migrants and constantly changing in order to keep up with them” (EL-KAYED and HAMANN 2018, 137). In other words, migration is always contested and – as a consequence – the constellations around which it is regulated are amorphous and shifting. Thus, a concept that emphasizes change, contestation and openness is needed, and this makes the regime concept attractive.

This conception also has a flip side: ‘migration regimes’, in this understanding, are constellations of actors, but also what these actors do, the field in which they act and the techniques they choose to employ in implementing their actions. The definition of ‘migration regimes’, thus, oscillates between different elements and is endless. It includes almost all possible phenomenon related to migration and – applied to actual research – it is, in fact, hard to imagine any social fact related to migration that could not be included in the definition of a ‘migration regime’. Moreover (and this is important when it comes to its comparison with ‘urban regimes’), the definition doesn’t discriminate between individual, collective and institutional actors, resulting in a Syrian refugee being part of the regime with the same rights as the German state and the Chamber of Commerce, for example. Rather than providing a clear-cut number of elements and enabling one to distinguish the concept from others, the term includes a potentially endless numbers of elements in its definition, without providing many hints about their relevance and the relations between them.

¹⁾ „...integrierte, sich historisch wandelnde Handlungs- und Gestaltungsarenen mit spezifischen Konstellationen individueller, kollektiver und institutioneller Akteure, deren Interessen, Techniken und Praktiken als Kräfte der Formung von Migration bzw. von Migrationsverhältnissen wirken.“

Obviously, this use of the regime concept makes it a very challenging tool to use for research, while it enables openness and inclusivity, this also comes at the price of arbitrariness and lack of specificity.

3 Urban regimes

The history of the ‘urban regime’ concept is very different from that of ‘migration regimes’. It goes back to the U.S. ‘community power debate’, i.e. the debate about finding an answer to the question of who governs (the local community), which has occupied Political Scientists since the 1960s. While this is not the place to explore the major lines of this complex debate in detail, what is important is that works on ‘urban regimes’ and ‘growth machines’ emerged from this context.

The main innovation of ‘urban regime’ theories at the time of their original formulation, was that they put the production of power – i.e. the creation of the capacity to act under fundamentally contradictory conditions – at the center of their attention: “The power struggle (between rulers and challengers) concerns, not control and resistance, but gaining and fusing a capacity to act – power to, not power over” (STONE 1989, 229). This was in stark contrast to previous elitist or pluralist approaches, which still understood ‘power’ largely as a matter of control and engaged in far-reaching methodological and conceptual discussions about the measurement of it (for an overview, please see DOWDING 2011). The starting point of the regime theory, in contrast, was the complexity of urban constellations and the fragmentation of capacities between public and private actors. Urban actors were seen as acting in extremely complex networks of relationships and dependencies, and the capacity of the local state to govern this chaos was seen as limited. On this basis, regime theorists argued that there is a fundamental need for cooperation, especially between private-sector actors and formal government institutions. Since local administrations have only weak means of persuading private actors to engage in such cooperation (STONE (1989) calls this ‘civic cooperation’), informal modes of cooperation across institutional boundaries were seen as necessary.

“The point is that to be effective, governments must blend their capacities with those of various non-governmental actors. ... In responding to social change and conflict governmental and non-governmental actors

are encouraged to form regimes to facilitate action and empower themselves. Thus ... a regime can be defined as an informal yet relatively stable group with access to institutional resources that enable it to have a sustained role in making governing decisions” (STOKER 1995, 58f.)

Urban regimes, in this view, are networks of actual actors negotiating their ‘terms of cooperation’. Thereby, the composition of a regime is anything but arbitrary. In essence, there is a selectivity in which only those actors who have the specific knowledge necessary for the joint project, or control the resources required for the project, become attractive coalition partners; in general, these are the government and business elites. Thereby, the specific selectivity in the formation of regimes (as permanent, informal arrangements that can only be achieved by granting mutual advantages, tacit agreements, etc.) is a key factor in the success of the regime – with far-reaching consequences for the output of policies. It leads to: 1) the prioritizing of the goals of the participants whose resources are indispensable and 2) to policies that do not emerge from a simple bargaining process of interests, but to policies where even the formulation of policy preferences is influenced by the dynamics of the regime, the logic of the situation and the assumptions that have been made within the coalition.

STONE (1989, 179) has summarized what such arrangements entail: “(1) a capacity to do something; (2) a set of actors who do it; and (3) a relationship among the actors that enables them to work together”.

Typical questions asked by researchers studying ‘urban regimes’, therefore, include: Who comes together ‘to do something’? Who is involved in the decision-making process, and who is not? Who is ‘in’ and who is ‘out’? Are these constellations stable over a longer period? What resources allow regime members to participate in the regime? How can their relationships be described? What costs and benefits do participants derive from their participation? Do the participants act collectively to enforce common interests?

Since the early 1990s, the ‘urban regime’ theory has gained enormous influence and become a somewhat dominant paradigm in the study of urban politics. While it has not gone uncontested – critiques about its perceived lack of transferability to contexts other than the U.S. have always been present (see DAVIES 2003; JUDD and LASLO 2012; PIERRE 2014) – it

has served as the intellectual foundation for numerous empirical studies, and stimulated the development of extensive typologies of urban governance, both nationally and internationally (see for example STOKER and MOSSBERGER 1994; KANTOR and SAVITCH 1993, 2005; SAVITCH and KANTOR 2002; DI GAETANO and STROM 2003). In this sense, regime theories have proven productive beyond the context of their original formulation because they have provided a basis upon which the 'bargaining environment' between different urban actors can be analyzed in a systematic and, at the same time, open way.

In summation, the 'urban regime' theory explains urban politics primarily as an outcome of coalition-building processes among urban elites. Its essential contribution is its understanding of urban politics as a 'governance of complexity', that it locates 'coalition-building' as the driving force of urban political decision-making and, at the same time, gives structure to pluralistic approaches by emphasizing the systematic selectivity of possible coalitions. Additionally, it does not take cooperation relations for granted, but points out the problems and costs of lasting cooperation, and develops explanatory patterns for the negotiation processes within regimes.

Migration-related issues have only played a marginal role in 'urban regime' theories. The reason for this is, arguably, not so much a disinterest in migration but rather the structure of the concept by which actors and issues only become relevant when they are able to exercise a degree of power (or can be used in the interest of those holding power) that enables them to become part of the governance elite and participate in decision-making. From the perspective of 'urban regime' theorists, this is most likely to be the case when migrant businesses (or migrant-based industries) become a relevant economic force and/or when migrants are given voting rights (with their votes becoming of interest to local politicians). In the U.S., this constellation has often been the case historically, and has given rise to ethnically colored 'political machines', in which the interests of particular migrant groups have been incorporated into the regime formation. Outside of the U.S. context, the constellations are different: migrants tend to make up a smaller share of the total population, they often lack full citizenship rights, they are seldom part of long-established informal networks of decision-makers and, more often than not, they lack substantial economic resources. From the perspective of 'urban regimes', their inclusion in decision-making networks is, therefore, not very likely.

This finding can also be seen as a bias undermining the very concept. In 'urban regime' theories, it is difficult to analyze the place of marginalized groups in co-producing urban politics. It could, therefore, be meaningfully argued that it is not very well equipped for understanding how established orders can be challenged by these groups, e.g. by asylum-seekers. Arguably, this makes it difficult to integrate migration as a central part of governance in today's cities.

4 Discussion

Obviously, the discussion about 'urban regimes' has been occupied with very different questions than those for 'migration regimes'. Whereas in 'urban regimes', the concept has mostly been interested in actors and scholars have asked why some have the 'power to' achieve their goals in the urban realm while others don't, the scholars using 'migration regimes' have been more interested in emergent interactions around the regulation of migration. Whereas the first has conceptualized urban governance around a set of theoretical pre-assumptions, the latter is characterized by a multiplicity of intellectual origins and a remarkable preference for 'openness'. Whereas the first is clearly designed around localities and city politics, the latter doesn't have a preferred spatial scale. To conclude, the two approaches have different conceptual starting points, they ask different sets of questions and they are applied to different subjects. Applying the two concepts to an actual empirical phenomenon will, therefore, most likely lead to very different results.

To a large degree, these differences are owed to a different (often implicit) understanding of power (excluding regime notions of power in international relations and welfare state research, which haven't developed much of an interest at the urban scale). Both streams of thought have dealt with the *problematique* of including non-state actors in the analysis of local power relations. The perspective developed by the 'urban regime' theory in this respect, is shaped by pluralist political science and political economy approaches: here, power is in the hands of elites, and the advantageous positions that some actors are able to take compared to others rests on structural inequalities. In this view, how elites are identified or formed, how they build coalitions and the structural conditions the coalition is based upon can be explained, operationalized and systematically compared. In the view of many current 'migration

regime' researchers, in contrast, power is an emergent phenomenon; it rests on practices, as well as on discourses and norms, but also on institutions and regulations. The links to Foucault's notion of a *dispositive* are unmistakable.

These differences, however, lead to a different ontological status of the two concepts. Placed on an ordinal scale of analytical rigor and sophistication, with approaches being the least advanced concept and theories being the most, and frameworks placed between the two, it seems that 'migration regimes' occupy a place that is closer to an approach, while 'urban regimes' comes closer to a theory, or at least a framework for analysis. What is the major difference? In the words of the governance theorist JON PIERRE:

"An approach identifies a research topic or field and presents some general notions about how it could be studied. A framework defines the key concepts and identifies dependent and independent variables. A theory, finally, departs from an abstract analysis of the research field, defines the relationship among the key concepts, and stipulates causal relations and the direction of that causality among those concepts" (PIERRE 2014, 870).

Of course, there is nothing that makes a theory superior to an approach, or vice versa. Both work well, but for different purposes. Approaches do a great job in opening up a research field and allowing new insights on phenomena that fall outside the established wisdom or ways of thinking. Theories, on the opposite side of the spectrum, allow for verification or falsification. They have a predictive quality and allow for the development of an understanding about the relationships between different empirical phenomena. However, in order to live up to this potential, they need to be clear, coherent and able to account for change.

In light of these criteria, 'migration regimes' are, arguably, not clearly defined, and they contain a potentially large number of elements, for the relationships are open. At the same time, this openness makes the concept very flexible and easily adaptable to change. With 'urban regimes', it is the reverse: departing from STONE'S study on Atlanta (1989), there is a clear definition of what 'urban regimes' are ("an informal yet relatively stable group with access to institutional resources", see above), and there is a coherent explanation for the question of why regimes emerge. At the same time, the rigidity is the 'Achilles

heel' of this concept. Issues like migration easily fall outside of the bounds of the argument (see above), and their inclusion is only possible with great difficulty. Moreover, the 'urban regime' concept has always faced enormous difficulties when it has been applied to contexts different from the one in which it emerged, and its capacity to account for different environments has been seriously questioned.

Against this background, it would be easy to conclude that 'migration regimes' and 'urban regimes' don't seem to have much in common. They are neither complementary, nor exclusive, but rather stand next to one another; the chance of constructing a meaningful synthesis between the two is limited. Thus, at a minimum, increased care and clarity should be advised when using terms such as 'local migration regimes'.

At a second glance, however, differences between the two concepts can also be used as an inspiration. Applying new approaches can, thus, lead to questioning and, eventually, to a reformulating of established theories. Studying well-known empirical phenomena with a new set of theories, nevertheless, can lead to new questions that can only be answered with new approaches and methodologies. The relationship between approaches, concepts and theories is, therefore, not necessarily competitive, but rather mutually supportive. The major insight stemming from this short discussion is, therefore, a call to position the two concepts in a relation of 'engaged pluralism' (BARNES and SHEPPARD 2010), i.e. an appreciation of difference, otherness, opposition and dialogue in the production of new knowledge. In this sense, productively engaging both concepts – coupled with a sense of pragmatism – can lead to new perspectives and provide an impulse for a new generation of research.

In the following I will provide a few examples:

- The inclusion of something other than the local scale into the definition of 'urban regimes' has always been a difficult issue. Due to its 'urban' scope, 'urban regime' theories have theoretically been open to accepting the impact of national and supra-national scales on local decision-making as part of the 'context', but in practice, this has hardly impacted on the concept's development. Here, 'urban regime' theorists could benefit from the sensitivity of migration studies towards trans-local and inter-scalar relations. In effect, this could assist in overcoming the 'localist' bias that has long been criticized as a problem inherent in 'urban regime' theories.

- Migration theories, in contrast, have historically been very influenced by a focus on the 'national' scale, though recently, there has been more openness towards other scales, as well as trans-scalar perspectives. Among other developments, this has led to what has been labeled a 'local turn' in migration studies (see ZAPATA-BARRERO et al. 2017). While there is, thus, a growing interest in local matters (as this Special Issue vividly demonstrates), research on power-relations at this scale has often remained piecemeal and empirical, lacking an overarching conceptual focus. There has been hardly any intersection between migration studies and urban studies, and existing theories developed in the field of urban studies have not been used much. Here, migration studies could benefit from a more systematic application of conceptual devices that explicitly focus on the 'urban scale' and provide explanations for systematic selectivity of governance processes.
- Finally, the role of migrants in forming, or being excluded from 'urban regimes', deserves more attention. If the two main factors guiding the formation of 'urban regimes' are economic power and political legitimacy, the question arises, under what conditions can migrants exercise a sustained influence on local governance. Is this accomplished through local voting rights (which are very different between countries, see ARRIGHI and BAUBÖCK 2016)? Is this accomplished through alliances with other actors, such as liberal parties and civil society groups? Is this accomplished through businesses with an interest in exploiting migrant labor? These questions have not yet been systematically studied. Here, 'migration regime' studies – which emphasize the contingency and non-systemic character of regimes – could benefit from the more systemic politico-economic approach of 'urban regime' theories, while 'urban regime' concepts could make use of the more 'open' and 'contingent' approaches popular in migrations studies to overcome the biases sketched above.

Surely, more 'fields of intersection' can be found. In a world that is increasingly marked by both mobility and migration, as well as by an intensifying urbanization, advancing these 'trading zones' (BARNES and SHEPPARD 2010) between migration studies and urban studies is not merely an academic question. Therefore, while a closer examination of the two regime concepts reveals that they are not complementary and the possibility of combining them at

a conceptual level is rather limited, the good news is that they are also not exclusive, and engaging the two against each other can productively work as a stimulus for asking new questions. In this sense, I wish to conclude with a quote: "The best we can do, the only thing we can do, is to keep talking; that is to engage in continual and open deliberation" (BARNES and SHEPPARD 2010, 195).

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Author

Dr. Matthias Bernt
Leibniz Institute for Research on
Society and Space (IRS)
Flakenstr. 29-31
15537 Erkner
Germany
matthias.bernt@leibniz-irs.de