# Chapter III.3.
# Identifying learners in Johannesburg schools - How state rationalities converge to produce institutional xenophobia.

### Jeanne Bouyat

The increasing recurrence of episodes of xenophobic attacks in contemporary South Africa – notably in May 2008, April 2015, and September 2019, directed against African (and to a lesser extent Asian) immigrants confirm the exceptional intensity of xenophobia in this country. Besides these dramatic episodes, incidents of collective xenophobic violence occured on a continued basis in low-income[1] urban areas: more than 300 people have died from it since 1994, thousands of shops have been looted, and more than a hundred thousand have been displaced or forced to leave the country (Mlilo and Misago, 2019). Opinion surveys consistently found high levels of xenophobic attitudes among South Africans (Crush and al., 2008; Gordon, 2015) and xenophobic discourses are significantly present in the media (Nyamnjoh, 2010) and social media (Oyedemi, 2015).

The causes of this pervasiveness of xenophobia in South Africa are highly debated. Researchers dispute the relative importance of structural socio-economic factors and the "relative deprivation" caused by competition for jobs, housing or public services, of psychological explanations such as "scapegoating", "isolation theory" or the "narcissism of small differences", and of local factors including the political use of xenophobia by community leaders, how foreign-ness has been historically constructed through urban segregation, or the role of specific labour-related conflicts or criminal incidents (Landau 2011, Orkin 2019). In addition, most publications emphasise that the South African immigration laws are drastically restrictive and that officials from the Department of Home Affairs and of the South African Police Services systematically deny immigrants' fundamental rights, and often commit violence against them (Masuku 2006, Vigneswaran and al. 2010, Peberdy 2001). The role of the Police during episodes of xenophobic attacks has indeed been ambivalent, to say the least. Officials often did not protect the immigrants despite warnings, and have conducted raids targeted at "illegal migrants" during and in the aftermath of xenophobic attacks, in the very same areas (Bornman 2019). More broadly, perpetrators of xenophobic attacks have hardly been prosecuted, while the displaced victims tend to be criminalised and deported (Monson and Misago, 2009; Hayem, 2013). These elements point towards the State's role in producing or amplifying xenophobia.

In this chapter I use a range of terminologies to underline the complexities of researching the State and highlight different aspects of this research object. In writing the State in singular with a capital letter, I try to acknowledge both the artificiality of its unity and the effectivity of references to this unity and universality to seek authority, legitimacy, capacity to govern. As Bourdieu (2014: 31) puts it, it is a "social fiction that is not fictitious but operative". Through the expression "state institutions", I attempt to highlight the partly independent "institutional segments" (Biland, 2010: 8) that form the State which officially perform distinct functions (such as the Department of Home Affairs and the Department of Basic Education) and the relationships between them and the agents

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[1] I use the term low-income to describe neighbourhoods or schools which exclusively host both working-class and unemployed households with little income.

who compose them. Finally, I use the notion of "state apparatus" to apprehend the State as a set of devices, alongside Foucault, and to adopt a "material approach to state practices" focused on "instruments, procedures and the political rationalities that underpin them" (Lascoumes, 2004: 3).

My doctoral research, whose fieldwork was conducted from February 2016 to June 2018, focused on the construction of the relationship towards foreign-ness in low-income high schools of Johannesburg paradoxically led me to explore this research direction. I had initially essentially conceived xenophobia as a phenomenon that originates outside of the school. I tended to view it as a violent climate that recurrently escalates to crisis levels, which may occasionally ignite responses from the schooling institution, and that more strongly permeates schools located in specific areas where xenophobic attacks happen more frequently. My research methodology was geared at exploring how xenophobia was "affecting" the school and how the school was "responding" to xenophobia, through articulating two conceptualisations of the school: as an ensemble of local institutions – schools anchored in neighbourhoods and serving a localised communities of learners and parents; and as a state institution – the schooling institution structured in a multilevel administration, regulated by legislations and procedures, and composed of officials who deliver education. On the one hand, I selected schools situated in various low-income neighbourhoods of Johannesburg in order to compare how this xenophobic climate unevenly affected schooling when attacks repeatedly occurred at a school's doorstep (in Alexandra and Soweto townships), when the school accommodated many immigrant learners (in the suburb of Yeoville), or when both conditions are reunited (in the suburb of Denver). In parallel, I planned to interview officials from the administrations of the provincial and national Department of Basic Education to explore how immigrant learners and teachers were accommodated at school, and how the Department's curricular and extra-curricular programmes assisted school staff in responding to xenophobia. Given that addressing racial discrimination has been one of the core drivers of the post-apartheid educational policies, which have primarily been articulated around the notions of "redress" and "transformation" (Badat and Sayed, 2014: 129-133), the schooling institution seemed a good research site to gain insights on the State's response to xenophobia.

However, as my research progressed, I came to reconsider xenophobia as being also specifically produced by and amplified within the schooling institution. While the multiple testimonies of incidents of xenophobic discrimination experienced by immigrant learners, heightened in times of attacks, and the popularity of xenophobic stereotypes among learners could be read as xenophobia "affecting" the school, it could not explain why immigrant learners faced tremendous difficulties in accessing and remaining at school due to documentary requirements (Bouyat 2020), why immigrant teachers always had precarious working contracts, or why Departmental programmes on anti-discrimination education systematically avoided the term xenophobia. These implied a specific contribution of state institutional mechanisms and of state agents' professional practices to the production of xenophobia – which I call "institutional xenophobia". Yet, this contribution is not as straightforward as that of the Department of Home Affairs or the Police. It is more mediated, more indirect. Unpacking it calls for an exploration of the inner complexities and tensions of state institutions, to look for their multiple rationalities. In particular, it led me to explore the forms and the consequences of the partnerships between the Department of Basic Education (DBE) and the Department of Home Affairs (DHA) to co-produce immigration control at school. In this chapter, I submit that institutional xenophobia is being constructed through a plural process of "Home Affairs-isation of the school" by looking at the co-development of learners' identification devices by the two Departments.

I conceptualise the Home Affairs-isation of the school as the process of alignment of the DBE's administration and of schools on the DHA's mandate. It serves two broad purposes as the DHA has a dual mandate: immigration control – including the management of asylum– and civic services, which entails the recording of births and deaths, the maintenance of the National Population Register and the issuance of identification documents to citizens. Hence, I distinguish a *policing* and a *delivering* Home Affairs-isation. This dual mandate is in line with the Department's institutional history, which emerged from the fusion of the apartheid's Chief Directorates for Migration and Civic affairs (Vigneswaran, 2011:107).

The Home Affairs-isation of the school takes both material and symbolic forms. It refers to an abstract diffusion of ideas within the DBE – its laws, instruments, officials' practices – that mimic Home Affairs' discourses. In addition, it describes the simultaneous adoption of practices of regulation in the DBE that use or indirectly depend on devices produced by the DHA. These processes are not linear nor stable and are informed by broader processes of nation and State building through official identification (Breckenridge, 2014), elite and citizenship formation through a political discourse of xenophobia (Neocosmos, 2006) and a worldwide drive to tighten borders (Fassin, 2011). The concept of Home Affairs-isation specifically highlights the institutional contribution of the DHA in producing the routinisation and normalisation of practices beyond its Department, in the state apparatus and through its agents.

I empirically track these processes through learners' identification practices and argue that the Home Affairs-isation of the school is effective as it does not simply amount to xenophobic surveillance. Rather, it is underpinned by the convergence of managerial, sociohistorical justice, and national preference rationalities. Identification devices are primarily presented as tools for socio-historical justice and managerial efficiency in education policies and by DBE officials, and less explicitly for immigration control enforcement at school. Yet, national preference is mainstreamed as immigration control at school in inscribed in the state apparatus through identification devices. This modifies the professional ethos of officials and school staff as they incorporate this participation to immigration control as a new professional norm through a mix of constrain and consent: they contribute to the systematic exclusion of immigrant learners, even if it may subvert their individual intentions.

Immigration control highly permeates South African schools and is enforced through direct and indirect means. Direct practices refer to "identification and permit checks" (SAHRC, 2018: 16). It includes requesting immigrant permits at admission or to register for national examinations, which is systematically practiced in South African schools. It also refers to arrestations, detentions or deportations of deemed illegal immigrant learners while they attend school or on their way to school. These practices are emerging in South Africa. In Edenvale in 2017 (Gaum, 2017) and in Pretoria in 2018 (No Author, 2018), school administrators have issued letters to immigrant parents threatening them to send their children to the police if they fail to submit their immigration permits to the school.

Indirect practices entail "reporting obligations or the sharing of personal information" (SAHRC, 2018: 16-17) by school staff or DBE officials to detect immigrant families staying irregularly. In South Africa, these practices are outstandingly institutionalised via an interdepartmental collaboration between the DBE and the DHA, notably supported by the Immigration Act of 2002 (section 44). These indirect practices create a "general atmosphere of fear" which deter immigrants without permits to access schooling (SAHRC, 2018: 17). This calls for an exploration of the inner

workings of the state apparatus and how state institutions act through their agents. Here, I submit that Foucault's concept of "political rationality" is relevant to research counterintuitive processes of institutional convergence which reveal purposefulness. I discuss how it can be operationalised beyond discourse analysis through looking at the materiality and utilisation of policy instruments. This inscription in the state apparatus consolidates a direction for how policies are devised and implemented, and produces a powerful subjectivation of state agents.

I first set my conceptual framework to research the convergence of state rationalities. Then, I describe how it materialises in policy instruments supporting the interdepartmental collaboration that mainstreams immigration control at school. Finally, I emphasise how the professional ethos of DBE officials and of school staff is shifted through this collaboration, along hierarchical lines.

## 1. The Home Affairs-isation of the school as a convergence of state rationalities

This section discusses the concept of "state rationalities" and how it can be operationalised, conceptually and methodologically, to study my research object. It then identifies three sets of rationalities underpinning the development of learners' identification in South Africa and submit that the Home Affairs-isation of the school is supported by their convergence.

### 1.1. Researching state rationalities: showing consistency in policies, instruments, and in the subjectivation of state agents

Researching the purposefulness of the State from the inside considering its internal fragmentation and contradictions is a theoretical and methodological challenge. Policy objectives are often unclear as policies are formulated and implemented by multiple actors and state institutions are highly heterogenous (Bénit-Gbaffou, 2018a: 7). Using Clarence Stones' conceptualisation of governing as an activity of selection of matters, populations and areas to be governed at a particular time through "deliberate efforts to bring about or actively prevent policy changes" (Stone, 2013: 4, quoted in Bénit-Gbaffou 2018a), the State might be seen as "a system of strategic selectivity" and the political struggle as "a field of competing strategies for hegemony" (Jessop, 1990: 221). Researchers interested in the state must explore "how past processes and strategies have shaped the selectivity of the state" in privileging some "some strategies over others" (Uitermark, 2005: 139). Hence, exploring State's purposiveness might be reframed as an examination of its motivations to regulate selectively.

As Claire Bénit-Gbaffou (2018b) submits, multiple terms have been coined by different research traditions to make sense of this selection according to "interests" for neo-marxists, "preferences" for liberals or "policy objectives" and "agenda" in public administration studies. While these approaches shed complementary lights, they tend to adopt a rather static and functional approach to the State. In contrast, the Foucauldian notion of "rationality" apprehends power and governing practices as fluid and allows to conceptualise the State as a system made of institutions and actors.

Through looking for "state rationalities", I am trying to apply the theoretical and methodological approaches initially developed by Foucault (2008) in researching "political rationalities" to the narrower domain of state institutions. This might seem an unconventional use of Foucault's concept for at least two reasons. Firstly, Foucault was more interested in the historical constitution of the relationship between the State and other authorities (religious, familial, economic…) and between those who govern and the governed, than in the inner workings of the State. However,

even if he did not take the State as his main research object, he was analysing processes of constitution of the State ("statisation"), of delimitation of its domain of direct and indirect intervention, within the broader "art of governing". Hence, his ways of analysing political power in terms of "problematics of government" can be fruitfully applied to the study of the State, as Rose and Miller (1992) and Lascoumes (2004) have emphasised. Secondly, Foucault coined the term political rationality to make sense of macro-level evolutions in the ways in which the rules to govern are conceived. In his work on the genealogy of the "arts of governing", Foucault describes the ruptures between the political rationalities that underpin the "Reason of State" in the 17th century, liberalism in the 18th century, and various forms of neo-liberalism since the mid-20th century. The scale of his analysis and the historical approach may not seem suited to investigate the practices of contemporary state institutions. Yet, as Tilky (2003: 162) underlines, Foucault's work may also be read as an investigation of the "changing nature of the state as being a function of changing rationalities of government". Focusing on the contemporary state institutions hence leads to analyse how a "plurality of rationalities of government" (2003: 165) articulate with one another, their conflicts or indeed their convergence, and how they "play out" (2003: 171).

In their theoretical elaboration on the "problematics of government" applied to State power, Rose and Miller (1992: 178) define political discourse as "a domain for the formulation and justification of idealised schemata for representing reality, analysing it, and rectifying it", and political rationalities correspond to those political discourses that have more "regularity", are more "stable". Hence, the political rationalities of state institutions – which I call state rationalities – are not just rhetorical or contemplative: they are constructed as "intellectual machineries" to make reality "amenable" to political programming. They call for and justify the intervention of the State. They are more than a set of ideals or principles: they carry particular conceptions of the objects or subjects to be governed, they produce processes of subjectivation. What is more, these state rationalities are "translated" into what Rose and Miller (1992: 175) call "government technologies", which correspond to "the complex of mundane programmes, calculations, techniques, apparatuses, documents and procedures through which authorities seek to embody and give effect to governmental ambitions". This does not simply correspond to an "implementation" of ideas, but rather to the codification and the association between a vocabulary and conducts that are consistent with a particular rationality. This translation is not solely material, but also cognitive, as Rose and Miller (1992: 184) insist: "actors come to understand their situation according to a similar language and logic (…) shared interests are constructed (…) common modes of perception are formed (…) particular and local issues become tied to much larger ones. What starts out as a claim comes to be transformed into a matter of fact". Hence, researching state rationalities entails investigating these governmental technologies, to identify the plural rationalities (Tilky, 2003) that underpin them.

However, the concept of political rationality has mainly been operationalised through policy discourse analysis only, especially in education policy studies (Tikly, 2003; Fimyar, 2008). Yet, given Foucault's attention to the "anatomy of details" (Hibou, 2017: xv), the architecture of the state apparatus and the materiality of devices, state rationalities might more adequately be researched through a multilevel analysis of governing practices from strategic planning to microlevel implementation, rather derived empirically from the "texts of rule", the "micro-technologies of the everyday" or "mundane practices" of governing (O'Malley and al, 1997) than from "abstract principles of rule" (MacKinnon, 2000: 295). The production of governable subjects by state institutions entails more than formalising policies and justifying them in policy documents. It requires the inscription of this programming in materiality in order to influence state agents'

professional practices and representations. Hence, state rationalities can be excavated from the consistency in policy formulation, technical instrumentation and the subjectivation of state agents: state rationalities underpin policy discourses, are activated through technologies of government and enacted by state agents.

Top-down and bottom-up methodologies may be combined to research state rationalities. Bénit-Gbaffou calls for an investigation of the role of leadership in promoting and diffusing state rationalities to go beyond an analysis of "public rhetoric" and of the "ideological vagueness" contained in policy discourses. She contends that "publicly accessible documents" often mask "the reality of state practices and objectives" (2018c: 8). This echoes Max Weber's remarks on the tendency of the bureaucracy to "keep secrets its knowledge and intentions" in order to reinforce its power and prevent criticism (1978: 992). Hence, less visible and more informal practices of leadership deserve more attention, which might best be researched through ethnographic methods. Interviews with officials might also be informative: those in higher positions do not always adopt a "politically correct" language in interviews when they feel that they cannot be held accountable, while middle rank officials might take it as an opportunity to express their frustration in navigating the discrepancy between the rhetoric of strategic documents and the constrains of implementation. Yet, opportunities to conduct meaningful observations and interviews are rare for researchers who are not embedded in the state institutions they study, as current or former employee, intern, or consultant. Alternatively, internally circulated documents can help to trace practices of leadership. As an outsider, I adopted this method to analyse the formalisation of the interdepartmental collaboration between the DHA and the DBE. Noteworthy, the internally-circulated documents discussed below were included in annexure of court papers (CCL, 2018). Only one (GDE and DHA, 2017) was transmitted by an official, with whom I had developed a relationship of trust – after obtaining a research permit, conducting interviews with her and her colleagues, and sending multiple emails. Thus, internal documents can, in specific situations, be accessible from outside.

Complementarily, a sociology of public policy instrumentation is useful to unpack the complex finalities of governing. Alongside Pierre Lascoumes and Patrick Le Galès (2007: 5), policy instruments can usefully be conceptualised as an institution "carrying a concrete concept of the politics-society relationship". Warning against a too functional approach to instruments, they emphasise that they can act independently of the initial and remodelled objectives that their designers aimed. This does not mean that instruments bear no rationalities. Rather, through mapping trajectories of their materiality, stabilised forms can be identified which consolidate techniques of government and specific utilisations, from which can be derived state rationalities. This is most relevant to analyse technical "tools" (Lascoumes and Le Galès, 2005: 15). Bénit-Gbaffou (2018c) further recommends to analyse instruments as "a system" and pay attention to guidelines and tools maintaining consistency when rhetoric fluctuates. She differentiates instruments that significantly constrain action, assorted with sanctions, from the "toothless" ones. While exploring state rationalities tends to highlight contradictions and variations of purposiveness within the state, special attention should be given to efforts to build coherence across this fragmented reality. As Gilles Deleuze (1988: 188) points in discussing Foucault's notion of device: there is a need to "explain universalities" within the State as they are actively constructed.

Following these methodological considerations, the set of policy instruments analysed in this chapter consistently support immigration control at school from strategic to operational level. Focusing on a tool that "has teeth" – the South African School Administration and Management

Software – I combine an analysis of its materiality, of associated implementation guidelines given to schools, and of its actual utilisation by school staff.

As state institutions act through their agents, this last aspect is methodologically crucial. Analysing how agents perform their professional duties and how the values or meanings they associate to them – in other words their "professional ethos" (Jorro, 2013) – are shifted to be aligned on policy formulation and instrumentation is key to empirically evidence state rationalities. Hence, I also focus on processes of "subjectivation" – broadly conceptualised as "the formation of governable subjects" (Fimyar, 2008:4) – experienced by officials working in the national and provincial bureaucracy of the DBE and by school staff produced by the interdepartmental collaboration. At this stage, it is useful to differentiate the agents' individual "intentions" from the "rationality" of the state institutions where they work, especially when it comes to institutional discrimination (Sala Pala, 2010). Indeed, agents may act in line with a state rationality while only partly adhering to the direction inscribed in the state apparatus, the subjectivation of agents may only require minimal consent. Their intentions may clash with the state rationality they reinforce through their professional practices, as they act under constrain. This is the case of school administrators who participate to immigration control as they fear sanctions. Even more, the agents may act in tension with their (stated) intentions without coercion as they are caught in a complex system in which the exclusionary effects of their actions are not immediately visible from the positions they occupy. The agents in higher hierarchic positions, remote from "street-level" implementation (Lipsky, 2010), may be blind to the exclusionary effects of the policies they implement. They are less likely to experience moral dilemmas as they negotiate the tensions between multiple rationalities in state institutions. It facilitates their adherence to the dominant discursive markers of an institutional culture (Biland, 2010).

Before tracking state rationalities in instruments and professional ethos, I briefly characterise multiple state rationalities underpinning the development of learners' identification in South Africa.

## 1.2. Managerial, socio-historical justice and national preference rationalities in developing learners' identification

Schematically, official identification can be used for three main purposes: the surveillance and control of the population and of individual "persons" made "legible" (Scott, 1998; Caplan and Torpey, 2001; Lyon, 2001), the recognition of rights associated to citizenship (Breckenridge and Szreter, 2012; Dhupelia-Mesthrie, 2014) or counting and tracking for purposes of management and public service delivery (Clarke, 1994; Otjacques and al, 2007). These functions are intertwined, as Amit and Kriger underline (2014) through studying the management of asylum and permits dispensation for Zimbabwean immigrants in South Africa. Yet, they can be conceptually distinguished as they are underpinned by different rationalities. Tracking serves a managerial rationality; recognition is linked to the acknowledgement of citizenship and the redistribution of resources to redress inequalities, and implies a drive towards sociohistorical justice and democracy; while control may be associated to sorting out practices underpinned by national preference. These three functions of identification and associated state rationalities embody different post-apartheid state and nation building processes, respectively associated to building capacity for public service delivery, constructing an equal citizenship to redress inequalities and injustices of the past, and a chauvinistic form of nation-building in a context of scarcity of resources. The former two are associated to "delivering" Home Affairs-isation, while the latter articulates to "policing" Home Affairs-isation of the school.

*Insert Figure 1: Three rationalities underpinning identification at school*

Author: Bouyat 2021

I argue that the Home Affairs-isation of the school is underpinned by the convergence of these three rationalities. Focusing on its policing side – immigration control – I stress that national preference is mainstreamed as it is inscribed in the state apparatus and increasingly informs professional practices and representation of state agents, even in schools.

## 2. The inscription of national preference in the state apparatus through instruments facilitating immigration control

I track the inscription of state rationalities in the state apparatus through three types of instruments. Firstly, two strategic instruments are examined: a national interdepartmental protocol signed in 2010 between the DBE and the DHA and a provincial Memorandum of Understanding between the Gauteng Department of Education (GDE) and the DHA signed in 2017. Then, I consider meta-instruments, used to frame the utilisation of tools, to examine the articulation between policy formulation and its instrumentation. I look at letters and circulars sent by a provincial Department of Education giving guidelines to schools on the utilization of the national software managing learners' identification. Lastly, I scrutinise the South African School Administration and Management Software's component on learners' identification, which I identify as a tool that "has teeth", and analyse how materiality disciplines school staff's practices of identification of learners.

### 2.1. The Interdepartmental agreements: an infrastructure for Home Affairs-isation

Policy instruments consolidating partnerships are useful to track rationalities as they formulate a (partly) common purpose for fragmented institutions and official motivations to collaborate. I submit that they both reflect and structure the top-down Home Affairs-isation of schools. This echoes the conceptualisation of device by Deleuze (1988: 191) as both an "archive" and a "future". The national protocol is from its inception rather geared towards policing than delivering Home Affairs-isation but remains elusive, while the provincial MoU more explicitly plans immigration control at school.

The national protocol signed in March 2010 (DBE and DHA, 2010) deals with information sharing about learners. It is presented as a way to improve the DBE's internal management, strengthening the accuracy of statistics "for review of the registers and administrative records of the DBE" and enhancing its "monitoring and evaluation system". The DHA must "track" and "sort out" "duplicates" and identify "ghost learners" (those allegedly overreported to access more resources, as subsidies and educators are allocated to schools based on the number of learners) and conduct school visits to "investigate" suspicious cases. Moreover, the protocol plans to roll-out campaigns of birth registration in the schools concentrating learners without birth certificates, identified through the information sharing. Hence, the delivering Home Affairs-iation of the school is emphasised in the protocol. Yet, policing Home Affairs-isation is present: the protocol mentions that the DHA must "investigate a mechanisms of tracking non-South African learners" (paragraph 4.1). This wording does not specify that this tracking of "non-South Africans" serves immigration control. Thus, the protocol depoliticises the collaboration as a form of technical progress mainly beneficiating the DBE, while planning the dependency of the DBE internal software on the DHA's instruments.

The integration of the identification infrastructure of the two Departments developed in the following years, incrementally constructing capacity to conduct immigration control at school. This evolution is well perceptible in the provincial MoU signed in May 2017 (Gauteng DE and DHA, 2017). It officially serves the "enforcement of relevant provisions of the immigration legislation pertaining to learners enrolled in Gauteng public schools". Birth registration or management improvement are no longer listed. Schools must provide the DHA with learners' "identity numbers" for "verification of names and surnames" and with "copies of temporary residence visas, permanent residence permits or asylum or refugee permits for verification" of "foreign" learners. The MoU compels principals to provide the DHA with a proof of registration and deregistration for learners on study permits, to report the details of immigrant learners who don't have a permit, or "any discrepancies" occurring during identity verifications. Signed seven years after the national protocol, the MoU gives an institutional solidity to immigration control at school. Its effectiveness relies on the use of a tool that has "teeth": the South African School Administration and Management System (SASAMS).

### 2.2. The SASAMS: a tool with teeth to enforce immigration control at school

SASAMS was introduced in 2005 "to provide schools with a cost effective, easy to use and fully integrated computer solution containing all aspects of school administration and reporting requirements" (DBE, 2017). Since December 2012, schools must report to provincial education departments using SASAMS. Resources are then allocated based on the numbers of learners recorded on the software. I argue that it serves, among multiple purposes, the mainstreaming of immigration control at school.

I focus on a series of internally-circulated documents giving instructions to schools on the use of SASAMS in the Eastern Cape. Similarly to the national protocol, they primarily emphasize managerial rationalities to develop learners' identification, but are also geared towards immigration control.

In November 2015, a circular entitled "academic year program of submission of SASAMS databases" (ECDOE, 2015) is transmitted by the Eastern Cape Department of Education (ECDOE) to schools. In the ten pages of general guidelines on the software, five points concern learners' identification. They emphasize that schools must respect the admission policy and provide accurate learners' details for purposes of management and planning. Identification or passport numbers "if the learner is an immigrant" must be "updated" and learners without numbers must be given a "provisional status" and schools must put "timely interventions in place" to assist learners to obtain a birth certificate or ID, which can be achieved through the collaboration "between the DBE and the DHA". Thus, it stresses the need to build accurate data and presents the protocol as a tool to assist learners with documentation.

Some months later, in March 2016, a second circular (ECDOE, 2016a) with far reaching consequences is sent. Authoritatively entitled "Schools to update SASAMS with Identity or Passport numbers of learners", it announces a new funding model: only learners whose identity numbers have been successfully captured on SASAMS will be counted for the allocation of subsidies and educators' posts, including for the nutrition program. This applies to the most deprived no-fees schools, solely relying on subsidies. This decision is justified to consolidate data reliability for financial reporting: as it is used to allocate resources, SASAMS "cannot be compromised." Backed-up by detailed charts, the circular stresses that 420,000 learners have no

ID numbers in Eastern Cape schools, including 93,000 duplicates, which leads to "over-payment" that schools must refund – it echoes the "ghost learners" of the protocol.

A letter sent in May 2016 (ECDOE, 2016b) reemphasizes the need to enter "study permit" numbers in SASAMS, and another one sent in June 2016 (ECDOE, 2016c) mentions that "undocumented" learners' details are communicated to the DHA. Lastly, a letter sent in September 2016 (ECDOE, 2016d) announces the appointment of a firm to conduct "verification of learner profile data, including their identity document numbers".

Thus, the guidelines insist on improving tracking for management purposes, but also for immigration control. They give flesh to the Home Affairs-isation of the school consistent with the strategic planning of the protocol, using the biting teeth of resource allocation. Similar funding models have also been introduced in KwaZulu-Natal in 2017 (KZNDOE, 2017) and in Limpopo in 2018 (Limpopo DOE, 2018).

SASAMS' materiality further supports immigration control at school. The screen capture of its component dedicated to learners' identification reproduced below illustrates this. The top left box is for "registration" and the top right for "identification". Registration is done through allocating individual "learner tracking numbers" derived from the national learners' database LURITS maintained by the DBE, which tracks learners as they move schools and used for planning and budgeting purposes. By contrast, identification entails the selection of information to code and verify learners' identities using age, gender, or race[2] criteria, and a photograph. Most significantly, SASAMS' identification section contains boxes for "citizenship" and "ID number" or passport and study permit numbers for non-South Africans, issued by the DHA: it makes SASAMS dependent on DHA's identification devices. The software even requests reasons for an absence of ID/passport/study numbers.

***Insert Figure 2 - Screen capture of SASAMS module on learners' information***

Source: Extracted from DBE, 2013, *ABC Guide of Learners and Parents information*, Module 3 Part 1 SA-SASM, p. 11.

Learners' details are usually entered by secretaries. One of them, based in a private low-fees school of Yeoville which accommodated learners of more than 14 African countries, showed me how she did it. The interaction illustrates how SASAMS creates the impression that it can authenticate identification numbers:

> I ask "Can you not put any identification numbers in those boxes?" and she responds that "the system is aligned with the DHA's records" and would detect fraudulent or random numbers. The software can even identify "the expiry dates of immigration permits", she adds. As I look incredulous, she opens the software to prove me wrong. She clicks on the submodule on learners' information. Two windows pop up. The first one indicates that it is a learner's birthday while the second presents three rows: the first two (in light red) contain the details of learners whose permits are about to expire, and the last one (in dark red) those of a learner who no longer has valid documentation." (Fieldnotes, Yeoville, 30/10/2017)

Through intimidating pop-up windows and red colours, SASAMS automatically generates warnings to remind the secretary that she must check learners' permits, and it seems to send this information

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[2] The boxes Population Group or Race remain common administrative categories in post-apartheid state institutions and as they are often used for purposes of affirmative action, they are routinely asked.

to the district and to the DHA. In fact, the screen only recalls the information entered by the secretary herself, which is not integrated with the National Population Register and immigration registers[3]. Nevertheless, the software's design is persuasive enough to discipline the secretary, who believes she is under surveillance. She participates to immigration control, even as she is individually reluctant to do so. She indeed emphasized that "it is not the school's role to check fraudulent documents" but still reported data serving immigration control. Thus, SASAMS works as a low-cost governmentality device, partly for immigration control.

SASAMS is just one among other tools used by the DBE to track the identification and documentation of immigrant learners. The online admission gate in Gauteng, used by parents to apply for a school also differentiates the submission of "South Africans" and "Non-South Africans" and requires ID numbers. Since 2018, the system is integrated with the National Population Register and conducts real time verifications of ID numbers for South Africans while permits numbers are retrieved and manually verified by DHA officials[4]. Most significantly, immigration control intensifies at the end of high school national exam, the Matric. According to principals, migrant learners and lawyers, it is very difficult to obtain Matric results and certificates without an ID number, and learners on asylum seeker permits also struggle to obtain them. These certificates, which have no ID numbers, do not enable to access university of formal jobs.

Thus, this set of policy instruments consistently inscribes immigration control at school in the state apparatus. This disciplines the practices of agents using them, and shifts their professional ethos.

## 3. The subjectivation of DBE officials and school staff to enforce immigration control through constrain and consent

The mainstreaming of the rationality of national preference in the development of learners' identification is most strongly evidenced through the participation of school staff and DBE officials to the enforcement of immigration control at school. The shift in the professional ethos of the school staff operates through a fear of sanction, while it takes a more persuasive form for DBE officials.

### 3.1. The fear of sanction limits school staff's ability to attenuate immigration control

The interactions between officials of the Home Affairs and school staff are mainly structured around late birth registration and the issuance of identity documents – the delivering form of Home Affairs-isation of the school, geared towards the recognition of rights for learners. However, this assistance does not benefit immigrant learners, even when school staff or NGO members explicitly push for them to obtain documentation. Only a few temporal arrangements occur between schools hosting immigrant learners (in Yeoville) and specific DHA offices. School administrators rather tend to be encouraged and even put under pressure to participate in immigration control, as acknowledged by a DHA regional centre manager:

> "*Can school staff be arrested if they admit learners without proper documentation ?*
> Principals can be charged - arrested is a big word! We go out for warnings, we go and inform about the danger, they must know what is wrong." (Interview with the manager of a regional centre of the DHA in Soweto, 19/04/2016)

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[3] The integration was in project. (Interview with a GDE official in charge of IT development, 27/11/2017)
[4] Focus group with officials from admission branch of the GDE, 15/06/2018.

This threat of sanctions is at times directly communicated by DHA officials during school visits or professional trainings at the Education district level. In addition, education district officials transmit similar messages, as the deputy principal of a school in Soweto explained:

> "There was a time where Home Affairs was saying they will raid schools. To find foreigners there. I think this was three or four years ago. But they never did. […] At the education district, they told us: Home Affairs can come in and have you arrested as a principal, because you have learners who don't have study permits." (Interview with a deputy principal of a school in Soweto, 12/06/2018)

When the source of knowledge is DHA officials, as appears to be the case in the township schools under study, threats of sanctions are highly effective. School staff associate hosting undocumented learners with "breaching the policy". They still seem to host them but feel they have to "burry it":

> "After three months of admission, some learners still do not have the documentation, but the policy requires it. We don't expel anyone. We actually are breaching the policy. […] We end up allowing them to go through until Grade 12 and sit for examination." (Interview with the principal of a public school of Soweto, 14/09/2017)

> "If we take them without the study permit, passport, asylum permit, we have broken the rules of admission. […] Look, we bury it.
> *You cannot straightforwardly admit them and then assist them with papers?*
> Then it is disciplinary hearing. You see why I was saying xenophobia is also institutionalized."
> (Interview with the deputy principal of another public school in Soweto, 12/04/2016)

The school staff highlighted the sanctions they risk with a striking consistency: losing their job, get arrested or fined. The fines were standardly indicated: "R5000 per undocumented learners". The principal quoted above even witnessed a member of staff getting fined:

> "I only interacted once with [the DHA] on this matter. It was about five years ago. They came to do an inspection. [A clerk at the school] gave a proof of attendance to a learner who was from Mozambique and he was fined R5000."

Moreover, school staff testified of their difficult experiences in attempting to assist immigrant learners with documentation. One former teacher explained that it took her four years to help an orphan learner from Mozambique to obtain a birth certificate. She went to three DHA offices before she resorted to her personal connection with a high rank official:

> "His mom and dad passed away, he was in a shelter. He was part of my mentoring team. He was a very profound learner, well spoken. It immediately... that is how I got involved. When I started with him, we tried to get information. Home Affairs would send and say: this is what you need to do. I did everything. But it took me four years, until he was in Matric to get this child documented. Home Affairs has always been reluctant to assist: I have been to three different offices! Three different places: same problems. That prompted me. I knew the director of Home Affair, but I didn't want to go to him. It is like you ask for a favour. But eventually I went. And he assisted. If they could do it for this learner, I don't see why they couldn't do it for another learner!" (Interview with a previous teacher in Eldorado Park, 13/06/2018)

Another testimony suggests that the reluctance to assist immigrant learners is reinforced by threats. A deputy principal of a school in Soweto explained that he was discouraged to help a Zimbabwean learner to obtain documentation as he was told he would be suspected of child trafficking:

> "We only assist with advice. Because you know, one runs a risk. If I am actively involved, I may be charged for human trafficking. Because I am facilitating that.
> *Really, but who says so ?*
> The Home Affairs people.
> *Did you actually try and got told this ?*
> Yes, here in Soweto. It was a kid from Zimbabwe. I was told: look, don't interfere, let the parents do it." (Interview with a deputy principal of a school in Soweto, 12/06/2018)

In Yeoville, where legal advocacy groups and migrant organisation interact with schools, the school staff can insist that "they are not the DHA" and give advices for regularisation. However, they are also forced to implement strict documentation requirements for Matric.

Hence, school staff take part to immigration control and enact the rationality of national preference as they are constrained by a fear of sanction and computerised systems of identification. For the DBE officials who work in the bureaucracy, the participation to immigration control is more consented.

### 3.2. Towards a normalisation of immigration control at school among DBE officials?

Indeed, the institutional culture within the DBE seems to be shifted through the interdepartmental collaboration. The notion of institutional culture helps to conceptualise how an institution creates a "stimulation to act" (Biland, 2010) and "gives a collective meaning to actions" (Lagroye, 2006: 259). It foregrounds the capacity of institutional devices to produce "subjectivation" among its agents. It refers to a form of collective habitus that is unevenly incorporated according to the agents' positions and reconfigured by the internal tensions and circulations within an institution, and by processes of convergence and divergence between institutions.

Hence, the Home Affairs-isation of the school can be conceptualized as a convergence of the DBE and DHA institutional cultures. Indeed, the DHA and the DBE emblematically give shape to the right (policing) hand and the left (redistributing) hand of the state (Bourdieu, 1993). As officials themselves synthetize, in the DBE "we must place the child at the centre" while in the DHA "we protect our citizenship":

> "We cannot deny a child's education. I did a diploma in teaching, and the things that were drilled into our heads at the college, it is like we were indoctrinated: we must place the child at the centre. I have taught for fifteen years, at a high school. I still think it is our role to place every single child. And I think all of us (in the DBE) work with that understanding." (Interview with a middle-rank official managing admission at the GDE, 10/11/2017)

> "The responsibility of the DHA is to make sure that we protect our citizenship and ensure that we provide security to *our* people" (Interview with a senior official at the DHA in Gauteng, *emphasis mine* 19/07/2016)

The quotes illustrate the different "desires for the state" (Hibou, 2017: 328) and how learners' identification is understood in line with the institutional culture of each department. However, through the interdepartmental collaboration, the officials within the DBE experience a transformation of their professional ethos towards a normalisation of the enforcement of immigration control at school. It affects officials in strategic positions more than those who regularly interact with schools and families.

All the DBE officials interviewed primarily looked at identification devices in a managerial sense, as tools facilitating planning and accountability. Officials in higher rank positions are more likely to minimise their exclusionary effects. As a senior official in charge of partnerships between schools and NGOs at national level put it: his focus is on "policy". From this "broad" level, he considers that the intergovernmental collaboration is "non-discriminatory". For him, the right to education must be "looked at within the context of the papers", and pressure should be put on parents to regularise their children. When asked about the exclusionary effects of strict documentary requirements and immigration control at school, he acknowledged that there are "misinformation" and "incoherence" between the DBE and the DHA's positions, but maintained that the DHA tries to assist learners:

> "[When the DHA does interventions in schools] it is non-discriminatory. We intend to assist. But fears do arise, misinformation... We speak to the level of the policy, but what you see happening on the ground could be a different thing.
> *But do policies of the Home Affairs challenge the right to education ? Since schools have to check papers, and can be inspected by the DHA and principals can be fined…*
> There could be an incoherence between the position of Home Affairs and the position of our Department. The Department will speak to its mandate: we must provide education and Home Affairs will stick to its mandate: to ensure that everyone in the country is legitimate. […] Some principals are not aware of that and have a lot of fear." (Interview with a senior official of the social mobilization branch of the DBE, 29/03/2016)

Two years later[5], I re-interviewed the same official and he confirmed his position. He approaches the interdepartmental collaboration "from a programmatic perspective", whereby it formally fosters the right to education. The official is so used to design programs without questioning the principles of the policies implemented that he tends to depoliticise them: "you could either say that this law is clearly exclusive of those who do not have papers or say that this law promotes access to papers". His reflections are bounded by the duties associated to his position.

Officials in strategic positions at the GDE tend to adopt a similar perspective. An official in charge of the financial relations and governance of schools stressed that schools cannot discriminate based on nationality or documentary status as every learner must be funded equally. Yet, he believed that "a minimal recognition criteria" is needed at school and added "you will not be registered unless you have a certain type of document". For him, there is no problem of discrimination if "undocumented" learners are "ticked off" during the admission phase, and are not discriminated through his actions:

> "We are using the online registration, and you cannot apply online if you don't input your ID or your permit. That eliminates a lot of challenges. We don't discriminate against a learner coming through. We put the online registration where we automatically have a database that links with our Home Affairs database. So in that way it puts the barrier on the DHA, not on the schools. By the time it goes to the schools, it's already been ticked off." (Interview with a senior official in the GDE finance branch, Johannesburg, 19/06/2018).

Similarly, an official managing education statistics explained that he communicates information about the documentary status of immigrant learners to the DHA issued from SASAMS. He did not consider it problematic to share these details serving immigration control, but was concerned by the "inaccuracy" of the statistics "self-reported" by schools, as he is mandated to ensure data

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[5] Follow-up interview with the official, 04/06/2018.

accuracy. I was puzzled by the contrast between his lack of critical perspective on data production and use and his inclusive stance towards immigrant learners and his commitment to education as a tool for emancipation:

> "You are speaking to an educationalist. I don't care where learners come from. If I am a principal I will open the doors. From a schooling perspective, the principal cannot simply chase learners. This is an educationalist principle. Education is more than a right, it is a weapon to liberate people." (Interview with a senior official in charge of EMIS at the GDE, 20/06/2018)

Overall, the officials in strategic positions tend to overlook how the institutional production of discrimination works through an accumulation of procedures which join together, as links in a "chain" (Dhume, 2014). Situated at the level of policies, programs or statistics, they fulfil their professional duties in a segmented fashion, contributing to immigration control. They overlook the exclusionary consequences of their actions, while abiding to principles of non-discrimination.

Officials working at more operational levels tend to be more aware of the exclusionary consequences of their professional practices and express moral dilemmas. They insist that themselves and school staff do not directly participate in immigration control, but nonetheless justify the information sharing for inclusionary and managerial purposes, and tend to approve the enforcement of immigration control at school. For an official managing admission at the GDE, principals are caught in a conundrum, as they are accused to "breach" immigration regulations but cannot expel learners:

> "[When a principal enrols an undocumented learner] Home Affairs has the right to fine him because he has breached the law. Now the principal has to expel. But he can't do it! That is the catch 22. So we issued letters to schools: if the parents show good cause, the district can extend the period up to six weeks. […] The school must submit records of undocumented non-South African learners to the district, forwarded to the DHA, so that principals can show evidence that they are not harbouring illegal immigrants." (Interview with a middle-rank official managing admission at the GDE, 10/11/2017)

For her, the participation of principals and district officials to immigration control through information sharing is part of their professional mandate and guards from legal sanctions. Interestingly, she also justifies it to prevent "child trafficking" – echoing stereotypical responses to child and women migration in Southern Africa (Palmary, 2010):

> "We have a responsibility towards all the children in South Africa. However, we also have the responsibility to check that we are dealing with the legitimate parents of a child because child trafficking exists! Part of us is that will to protect better. Something harsher needs to be done to abide people to follow the rules. It needs to be done for a purpose. We want the fees exemption and the Matric to benefit to all, but you need documentation for that."

The following year, I conducted a follow-up interview with her and colleagues specialized in procedures of regularisation for school admission. The officials acknowledged that they participate in immigration control, but only indirectly, through information sharing:

> "Colleague: What we are doing is just compiling the databases and send it to the Home Affairs, but the documents remain with the schools. Should Home Affairs decide to visit a certain school, then they can go check the documents there, upon request.
> *So it enables both the delivery of documents and immigration control…*
> The official: Yes, indeed. But what is key for us is that we are the DBE. We don't control the

> borders. That is the role of the DHA. Allow the DHA to do their work, and we will do ours. The school will keep the learners as long as they have submitted the database and declared them, so to speak, to the Home Affairs as undocumented. The Home Affairs has the task to do the policing." (Focus group with officials of the admission branch of the GDE, 15/06/2018)

I then explicitly asked if they considered it normal to be tasked to facilitate immigration control. They did not welcome the enlargement of their mandate, but approved the enforcement of immigration control at school:

> "The official: I don't see it as normal, because I feel there is a distinction between the DBE and the DHA. There is so much I have to do, why do I also have to do that ?
> Colleague: I agree. Our country is not saying no to legal immigrants, but obviously there is a problem with illegal ones. We are undergoing these processes, so that we can assist Home Affairs to assist those who are illegal to be documented. Our intention is to help those learners ! But why as a country can't we stand together to do migration control ?"

Another official managing IT development shared a similar view, emphasizing inclusionary and managerial aspects while minimising the exclusionary effects of imposing stricter regulations on documentation at school. She considered that "regulatory rules", including documentary requirements, have to be "built up" in the digital management systems to improve the "department's performance" and make them "fair". She worked on the online admission gate. For her, the automatization of identification avoids parents to queue long hours at school to negotiate a position and ensures that the only criteria is "first come, first served". She wishes to develop an integrated system linked to learners' IDs:

> "My wish is to have interlinked databases with education, health and social development that would allow for the country to manage its systems technically. You deal with one learner with one ID. It is all about ensuring the quality of the data." (Interview with an official managing IT development at the GDE, 27/11/2017)

She did not acknowledge that the gate filters applicants according to their documentary status. With regard to immigration control, she insisted that the DBE should align itself with the DHA:

> "If there are challenges with [a non-South African] learner, we should have one unique response as the government. We are aligning ourselves with the Home Affairs. We register the learners but they need to know who is in the country. We will not deny anyone access. But if we allow someone that has no documentation, we are caught in a catch 22 situation! We want to ensure that we don't have contradiction with the Home Affairs' policies."

Thus, the distance from the daily reality of schools and professional duties significantly influences how officials consider the collaboration with the DHA and immigration control at school.

A similar stratification of institutional culture within the French Department of Education is described by Colette Le Petitcorps (2019). She compares the professional ethos of teachers facilitating the schooling of newly arrived immigrant learners with that of "inspectors" higher up in the hierarchy. She shows that teachers, who are in daily contact with immigrant families, are mainly concerned with providing access to school nearby the place of residence of immigrant learners to facilitate their local integration; while inspectors prioritise the effective allocation of teaching posts within budgetary limits, as the integration of immigrant learners is only one of the "files" in a "package" of mission managed by inspectors. Her analysis converges with mine in revealing that officials in higher hierarchical positions are more likely to incorporate managerial

rationalities and to support immigration control than those in operational positions. Thus, the subjectivation of officials is stratified along hierarchical lines.

# Conclusion

Learners' identification devices at school are co-developed by the DBE and the DHA underpinned by a convergence of managerial, socio-historical justice and national preference rationalities. The mainstreaming of the rationality of national preference results in a stricter enforcement of immigration control at school which is consistently formulated in policies of interdepartmental collaboration, materially inscribed in the state apparatus, impacts the allocation of resources, and disciplines the practices of agents in state institutions - albeit unevenly according to their professional position and the specificities of the local context where they operate.

The dominantly rural provincial departments of the Eastern Cape, Limpopo and Kwa-Zulu Natal appear to rely more on the devices of the DHA to control the "overreporting" of learners than dominantly urban ones, as Gauteng or Western Cape. It can be hypothesised that the automatization of resources allocation based on ID numbers is cheaper than conducting headcounts in remote schools and that it enables the provincial departments to present clean budgets, which is especially crucial for the Eastern Cape and Limpopo Departments who have previously been put under the oversight of the Treasury. This might explain their strictness on documentary requirements. Conversely, the school staff in private schools of Yeoville is less picky on documentation than in the public schools of Soweto as immigrant learners constitute a significant part of their clientele. This suggests that the processes of subjectivation of agents in state institutions are locally differentiated. This echoes the importance of "site effects" on the accommodation of immigrant learners at schools and on school staff's abilities to circumvent the institutional production of xenophobia (Bouyat, 2019).

In addition, processes of Home Affairs-isation are not specific to the schooling institution in South Africa. Hospitals (Kaplan, 2011, Crush and Tawodzeara, 2014b), social services (Ncumisa and Mfubu, 2016) and police services (Demeestère, 2016) also undergo similar transformations that support immigration control. Nevertheless, there seem to be a particular capacity for resistance to Home Affairs-isation of the school from outside the schooling institution. Indeed, in December 2019, after three years of litigation, the identity documentation requirements for school admission have been declared unconstitutional and the Eastern Cape DOE has been forced to abandon its funding models derived from SASAMS data (Allsop, 2020). It remains uncertain whether this court ruling will be sufficient to dismantle the deep inscription of immigration control at school in the state apparatus and to revert its normalisation among officials of the DBE. The fact that the court ruling has not declared immigration control at school unconstitutional makes it unlikely.

Looking for state rationalities, through their inscription in the state apparatus and in the subjectivation of state agents, and showing paradoxical processes of convergence between and within state institutions helps to conceptualise the construction of institutional xenophobia, beyond the "right hand" of the State. Indeed, institutional xenophobia stretches beyond the harassment of immigrants by the Police and Home Affairs officials or the adoption and enforcement of stringent border control or asylum policies. The participation of a wide range of state institutions to immigration, often in collaboration with private firms, necessitates to investigate more diffused and mediated forms of institutional xenophobia, including by the "left" hand of the State, such as the schooling institution. Identifying multiple state rationalities enables to show how institutional

xenophobia is never "pure" but always supported by or hidden behind other more laudable political ends such as allocating resources more efficiently, registering citizens to grant them rights, fighting corruption, or preventing crime. In paying attention to the materiality of state practices underpinned by these multiple state rationalities, it is possible to tangibly identify the concrete steps that incrementally (through signing MOUs, interacting with DHA officials at school) or abruptly (through new funding rules based on automatic software such as SASAMS) construct institutional xenophobia. In parallel, investigating the subjectivation of state agents highlights the unevenness of the construction of institutional xenophobia, and how it works through both consent and constrain. Lastly, studying the forms of institutional xenophobia produced by the "left hand" can also renew analyses of institutional xenophobia produced by the "right hand", in paying more attention to the frightening effectiveness of managerial practices in exacerbating the exclusion and stigmatisation of those deemed foreign.

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