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A thesis submitted to the Faculty of Engineering and the Built Environment, University of the Witwatersrand, Johannesburg, in fulfilment of the requirements for the degree of Doctor of Philosophy in Urban and Regional Planning



By ZethuZonke Bella Gavrilov

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Intersecting rationalities: Negotiating a process of inclusion between the minibus taxi industry and the BRT system

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Co-supervisor Prof. Alison Todes

July 2024

Declaration

I ZethuZonke Bella Gavrilov, hereby declare that this thesis is my original and unaided work. It is being submitted for the degree of Doctor of Philosophy to the University of the Witwatersrand, Johannesburg. It has not been submitted before for any degree or examination at any other university.



ZethuZonke Bella Gavrilov

Abstract

The thesis investigates the politics and everyday processes of public transport reform in South Africa through a case study of the City of Ekurhuleni's Integrated Rapid Public Transport Plan (IRPTP) process and the interim negotiations between the City and the Ekurhuleni Taxi Industry between 2016 and 2022. The process and negotiations that unfolded aimed at the implementation of a BRT system in South African cities including Ekurhuleni. The study explores how differences and conflicts were addressed between the two most powerful stakeholders involved in this process, the City of Ekurhuleni and the local taxi industry. The analysis takes on a "sympathetic critique" of Watson's (2008) notion of conflicting rationalities and a later review by De Satgé and Watson (2018). The study is positioned closer to the idea of entangled rationalities in De Satgé and Watson (2018) It shows that there is more intersection and mutuality between the state and informal actors than is presented by Watson (2008).

The study adopts a qualitative approach and various methodologies such as participant observation, interviews, and archival analysis. To unveil the crevices between these two powerful stakeholders, the researcher employed participant observation as one of the main methods. The researcher spent a year each in both institutions; first as a representative of the city government and subsequently as a representative of the taxi industry. The study finds out that disagreements between the city government and the taxi industry had less to do with conflicting views and values about planning and development, as proposed in the theories of conflicting rationality, and more to do with competition and power struggles. There was a limitation for the potential for mutuality and collaboration to take place as the scope of the transit reform had already been decided by the City of Ekurhuleni prior to consultation, and that the negotiations were around the implementation of a pre-defined idea without the possibility of open debate. Nevertheless, while the negotiation stalled it did not spiral into violence. This case study is significant in that serves as a case study for conflict mitigation and exploring potential for mutuality and more collaborative forms of engagement in cases of extreme conflict in urban development projects.

Dedication

“I must be about my Father's business” (Luke 2:49).

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List of Acronyms

ANC: African National Congress

BOC: Bus Operating Company

BOTA: Birchleigh Oakmoor Taxi Association

BRT: Bus Rapid Transit

CoE: City of Ekurhuleni

EGNTA: Ekurhuleni Gauteng National Taxi Alliance

EPTI: Ekurhuleni Public Transport Industry

ETI: Ekurhuleni Taxi Industry

IRPTN: Integrated Rapid Public Transport Network

KAPTA: Katlegong Peoples Taxi Association

KETA: Kempton Park Taxi Association

KTVR: Kempton Park Voslorus Reicher Park

LETA: Lethabong Taxi Association

NDoT: National Department of Transport

NTTT: National Taxi Task Team

PPP: Public-private Partnership

PTN: Integrated Public Transport Network

PTNG: Public Transport Network Grant

PUTCO: Public Utility Transport Corporation

SANTACO: South African National Taxi Council SPV: Special Purpose Vehicle

TATA: Tembisa Alexandra Taxi Association

TDP: The Institute for Transportation and Development Policy

TELTA: Tembisa Lethabong Taxi Association

TEPTA Tembisa Pretoria Taxi Association

TRP: Taxi Recapitalisation Programme

UTODA: Uganda Taxi Operators and Drivers Association

VOC: Vehicle Operating Company

1 Chapter One

1.1 Problem Statement

1.1.1 Contestation and conflict in development projects

Public transport reform has been inspired by the desire to; 'make better' or 'improve by altering.' This requirement implies an underlying problem that needs to be corrected. Regulatory reforms in the global south often seek to address the negative externalities of paratransit.

Paratransit refers to a form of public transport common in developing countries. In some countries, paratransit is the main mode of transport instead of filling a particular gap (Ferro, 2015). In many developing countries, they have a substantial market share. In Sub-Saharan region cities such as Cotonou, Conakry, Dar es Salaam, Doula, Yaounde, Accra and Harare, more than 80% of users rely on paratransit as the main form of transport. Their services are also quite prevalent in the Latin American region, especially in cities such as Lima, Santiago, Quito, Mexico, Bogotá and Caracas (*Ibid.*).

Paratransit can be understood as "unscheduled services that complement mass public transport systems" (Behrens et al., 2016, p. 1). Paratransit is often referred to as gap fillers "entering streets that are too narrow to accommodate full-size buses, plying cross-town routes left unserved by public operators, and providing complementary feeder connections to Metrorail stations" (Cervero, 1998, p. 68). Nevertheless, paratransit is the dominant form and cannot be defined as gap fillers in many contexts. Paratransit can also be understood as transport that benefits from relaxed laws and regulations (Ferro and Behrens, 2015; Lenz et al., 2017). Paratransit may operate using a permit issued by the city or in terms of some regulations such as licensing (Ferro, 2015). It is also common for paratransit operators to work without any licensing.

Negative associations with the industry have catalysed the call for public transport reform. Paratransit is often viewed as causing congestion, a safety concern and an archaic system that does not fit into the modern aesthetic of a world-class city. The dominant form of public transport has been minibus taxis. The consequences have been, in some cases, poor or self-regulated public transport systems. The acquisition of taxi routes is through self-regulation and can include dominance, violence, offering lower prices to customers for market share and organising taxi owners and operators to dominate a specific route. One compelling reason for reforming paratransit is the lack of integration into the overall public transport network design (Browning, 2006; Gwilliam, 2008; Neumann, 2014). The dissolution is attributed to the fragmented individualistic ownership structure of the paratransit industry and the small-vehicle size of associations

and transport unions forming companies (Browning, 2001). The state sees the problem in a manner that leaves no room for the nature of the 'informal' paratransit industry to exist. There is no room for the industry to operate in its current form or operations.

Thus, regulatory reform processes often seek to organise smaller operators competing against each other in the transport market into larger companies that compete for a larger market (Gwilliam, 2008; Paget-Seekins et al., 2015). The market is gated through concessions and tendering. This is one of the main strategies the Bus Rapid Transit (BRT) system uses to combine individual minibus taxi associations into companies that bid to operate the BRT services or own shares in the modern Bus Operating Company (BOC) (Wright and Hook, 2007; Rizzo, 2017).

The 2000s introduced an era of public transport reform whereby new transport technologies such as the BRT system have been introduced, which require higher levels of management and professional capacity (Paget-Seekins et al., 2015). There is no proper definition of a BRT system except that it is a high-quality bus service based on the principles of a railway service while having the flexibility of a bus service (Wright and Hook, 2007). Several characteristics are common with most BRT systems, including articulated buses with stations, right-of-way dedicated bus ways, fare collection systems and IT systems that manage operations (*Ibid.*). The BRT system is often favoured because it costs a third of light rail and is supposed to operate without additional subsidisation (Levinson et al., 2003; Scorcia and Munoz-Raskin, 2017).The BRT system has been marketed by policymakers as an efficient solution to traffic congestion problems and to reform public transport (Rizzo, 2017). BRT systems have been widely implemented operating in 170 cities on six continents worldwide (BRT+ Centre of Excellence, 2019). Municipalities across South Africa have embarked on a process of reforming transport through the introduction of the BRT system in metropolitan cities (Van Zyl, 2009).

Rizzo (2017) maintains that the motive for public transport reform is the states' desire to regain control of a highly privatised public transport system and the deregulation of public transport activities. However, Wood (2015a) argues that the growing popularity of the BRT system is driven by policy circulation and inter-urban competition as opposed to growing demand. In 2006 after the implementation of the BRT system in Bogotá, four South African cities (Johannesburg, Cape Town, Tshwane and Nelson Mandela Bay) started planning and implementing the BRT system.

The introduction of this system has been riddled with conflict by existing operators resistant to change, delaying the project's implementation in many cities, see Figure 1.1

below. Conflict inherent between institutional and paratransit transport systems is not unique to South African cities: most public transport systems in developing countries operate on a dual system. Institutional transport commonly refers to state-led transport services (Ferro, 2015). Institutional transport services are commonly public-private partnerships (PPPs) whereby the private sector and the state combine to provide a public service (Rizzo, 2017). In most Sub- Saharan countries, institutional transport in the form of buses and trains has been steadily declining, giving rise to the growth of private transport operators commonly referred to as paratransit (Addo, 2002; Lomme, 2008; Schalekamp, 2013).

There is valuable peer-reviewed literature on the public transport reform process, reporting on the dynamics between the state and the paratransit industry (Ahferom and Svensson, 2009; Gauthier and Weinstock, 2010; Venter, 2012; Bassett and Marpillero-Colomina, 2013; Del Mistro and Behrens, 2015; *Sharing the Road*, 2015; Asimeng and Heinrichs, 2021; Diallo, 2022; Ngwira, 2021; Wood, 2022). According to a transport analyst (cited by Wood, 2015b, p. 204) "cities are not necessarily responding to a demand in the transport sector but considering the actions of other cities". While the reason for introducing a BRT system may not be responding to a specific demand, it is widely accepted that the process is contentious, and there is growing literature translating the resistance and perspective of the paratransit industry (Schalekamp, 2013; Schalekamp and McLachlan, 2015; Asimeng, 2021; Asimeng and Heinrichs, 2021; Asimeng and Asabere, 2022). However, the literature reporting on the BRT system negotiation process bringing these two contesting parties into a bargaining process (state and paratransit industry) is limited (McCaul and Ntuli, 2011). This thesis suggests that the conversation needs to be expanded from how to build the best BRT system to considering how to deal with the accompanying conflict and contestation. Instead of trying to veneer this problem with a technical rationale, a more concerted effort must be made to understand the cause of the conflict and find ways to move forward. The problem is exacerbated because the state and paratransit operators struggle to acknowledge and see each other's perspectives.

Conflict and contestation are commonplace during development or improvement programmes. Planners are often trained with a technical rationale and cannot deal with resistance from various stakeholders. Architects, planners and urban designers often have limited knowledge about the specific community and the socio-economic impacts of their projects and thus re- produce unequal power relations. Conflict is recurrent, and planners should be capacitated to deal with it instead of trying to shy away from it.

Is there a way of conceptualising the problem and moving past it? This enquiry has fuelled the current study. This question compelled the researcher to enquire whether public transport reform policy could be undermined by the fundamental differences between the state and the minibus taxi industry. The researcher has an almost unique position of insight into both sides of the conflict being researched, observing the technical rationale applied to the BRT system policy during an internship at the City of Ekurhuleni (CoE) and having experience as a bona fide member of one of the affected taxi associations. Understanding the underlying issues between the state and the minibus taxi industry could help map a way forward. This inspired the idea to contribute to the conceptualisation of public transport reform in South African cities.

This research approach is significant because it pursues a pluralistic perspective, considering the perspective of the state and the paratransit industry. The CoE is one metropolitan city that has implemented the Integrated Rapid Public Transport Network (IRPTN), but it has yet to be explored. The case of Ekurhuleni is appropriate for this study because it initially showcases vehement resistance and outright defiance by taxi operators; nevertheless, following interim negotiations, some semblance of order is apparent between the CoE and taxi operators with the signing of the Memorandum of Agreement. The research is interested in understanding whether this resulted from genuine conversion by the collaborative processes or was due to other reasons, such as individual interests. The significance of this research is concerned with the conflicts that emerged in the negotiation processes of formalising paratransit operations into a Vehicle Operating Company (VOC) BRT system amidst contrasting rationalities/interests and the possibility of converting conflict into productive outcomes.

1.2 Conceptualisation of the Problem

During a round table talk, Roger Behrens, evaluating mobility in the global south, articulated the problem of resistance to the BRT system by minibus taxi operators as follows: the original conceptualisation of the BRT system is an alternative public transport system to the Metrorail system (*Sharing the Road*, 2015). However, the BRT system is also an alternative to the 'informal' paratransit in African cities, implying that the BRT system is often a threat to the paratransit operator's livelihood. The challenge that is not well addressed by the BRT system policy is getting the existing incumbent 'informal' paratransit operators to buy into the system.

According to Dario Hidalgo, Director of Research and Practice for one of the leading international organisations promoting BRT, "The most important barrier to overcome is the inclusion of transportation operators. Without their participation, there is no re-

organization, but they increment the costs of the project and make the implementation process much more difficult, with negative consequences for the users" (Dario Hidalgo personal communication by email cited by Flores and Zegras, 2012, p. 2). Policies that recognise paratransit (informal) operators and seek to complement the 'formal' with the 'informal' will find it easier to implement and yield results than those that disregard paratransit operators (Del Mistro and Behrens, 2015). Furthermore, the BRT planning guide motivates for inclusiveness; "normally, for political purposes, it is advisable to involve at least some of the pre-existing bus and paratransit operators with routes in the corridor into the new system" (Institute for Transportation and Development Policy, 2007, p. 554).

The government is at a crossroad and needs to decide whether to include the taxi industry in the transport reform process. Flores and Zegras (2012) refer to these extremes as foster and force. The forcing extreme is replacing existing operators with public or private newcomers. The fostering end of the spectrum seeks to transition and incorporate existing operators into more accountable and efficient organisations using BRT as the tool to accomplish this (Flores and Zegras, 2012). The more forceful approach is apparently considerable for its ability to transform or move away from the status quo, improving operational costs and securing the price required for BRT. However, when the force approach is implemented, it often results in a standstill, such as a recorded case in Quito whereby operators had the BRT system at a standstill for several days until the military intervened (*Ibid.*).



Figure 1.1: Comic expressing the taxi industry's perception of the BRT system in Johannesburg, South Africa (Zapiro, 2009)

Flores et al. (2012) in their article "The cost of inclusion" highlight that the compromise (politically and socially amenable) to have previous operators on board has a price, and it is important to take note of this cost. If there is value in including the previous operators, then is it possible for the planner to find appropriate tools to deal with recurring conflicts? Can the collaborative processes create room for dialogue between these contesting parties in a manner that promotes pluralism and a locally developed solution? Considering the planning toolbox, it is almost instinctive to consider communicative planning theory. According to Watson (2003) the Harbermasian consensus approach is inadequate in dealing with a deep difference rooted in a long-standing intense difference with cultural, racial and even religious influences. The research sought to understand whether deep differences between stakeholders can be stabilised.

The main enquiry is whether planners can deal with conflict productively in instances of a deep difference without it resulting in antagonism or project failure. I selected the minibus taxi-state conflict and their negotiations because there is a long-standing history of political struggle and difference (discussed in section 1.1.2). Browning (2006), in his

article “The Paradox of the minibus-taxi”, is puzzled that, while the minibus taxi industry is a genuine example of black economic empowerment building a 20 billion ZAR industry in less than three decades, it fails to respond to the state’s call to improve its operational efficiencies. Browning’s statement, though valid, does not explore the complexities of the taxi industry and its relationship with the state.

1.2.1 The policy problem

Van Schalkwyk (2011) believes the problem is often at the genesis of the public transport reform process. The first step to developing a policy is mutual recognition of a problem. One of the main difficulties with establishing a policy problem is that what one party views as a problem may not be a problem for the other party. In this instance, what the state understands to be the problem may not be a problem for the minibus taxi industry. Following the National Task Teams’ round table discussions to tackle the issue of violence and unrest in the taxi industry, it was decided that the minibus taxi industry must be regulated as a matter of urgency (Dugard, 2001).

What is interesting is in seeking to resolve the problem of violence in the industry, the state introduced the Taxi Recapitalisation Programme (TRP), which included mainly resizing minibuses to larger vehicles and scraping smaller old vehicles that did not comply with this regulation (Magubane and Manicom, 2003; Van Schalkwyk, 2011; Government of South Africa, 2022). This has been the problem with many public transport reform policies that have focused on modernising and upgrading the minibus taxi fleet rather than on collaboration and co-production to establish a locally developed solution to improve the industry’s operational efficiencies (Van Schalkwyk, 2011). The state forms a unilateral strategy, barely consulting the industry about how best to resolve the problem that is plaguing the industry.

Considering informal settlement upgrading, Van Horen (2000) argued that the focus of the upgrades has often been based on providing physical infrastructure; however, very little focus has been placed on building institutional capacity. Likewise, the overemphasis on transforming the minibus taxi fleet was the primary focus of the TRP and, unsurprisingly, failed. Furthermore, Browning (2001) adds that the main issue with the recapitalisation programme is that it plans to reform the taxi industry with the current individually operated taxi model. He argues that even if the taxi becomes a 35-seater little will change, considering the fundamental issue of the industry’s operational and capital structure, which is individually based.

Lomme (2008, pp. 8–9) points out that,

> *"The negative externalities and operational shortcomings of the minibus taxi industry are blatantly overstated by the authorities and the formalization policy should rest on a more balanced appreciation of the quality of service they provide to their customers. Whatever the progress achieved in the planned rehabilitation and rationalization of the formal modes of public transport, it is arguable that the formalization policy should aim as much at building on the operational capacities of the minibus taxi industry (in terms of availability and access) than at remedying their operational flaws (regarding safety and "on-the-road competition)."*

Considering the focus of this study is the IRPTN, it is relevant to note that Schalekamp (2013) maintains that the IRPTN's agenda should not focus its efforts entirely on the introduction of a new transportation mode (for example, the BRT system). Schalekamp (2013, p. 19) proposes that the transport reform agenda's focus should centre around unlocking the "human capital vested in the number of paratransit industries around the country" and leverage experience and knowledge into the IRPTN. Weakley's (2014) sentiment when referring to informal settlements is that we need to differentiate between the vulnerabilities of informal settlements and their strengths in being resilient systems in the urban fabric. Likewise, public transport reform policies need to differentiate between the vulnerabilities of paratransit operators and capitalise on their strengths in being resilient systems in the public transport space. This can only occur in an environment of debate, deliberation and creativity (Forester, 2011).

According to Schalekamp (2013), there is minimal evidence in practice with the Integrated Public Transport Network (IPTN) and even in academia that taxi operators have been involved in the IRPTN policy's design and development. There is literature pointing out that the government's extensive effort to include the minibus taxi industry in the IRPTN (Bassett and Marpillero-Colomina, 2013; Del Mistro and Behrens, 2015; Asimeng and Heinrichs, 2021; Ngwira, 2021; Wood, 2022); however, there is resistance, and the process is contentious. There is a gap in the literature focusing on the negotiation process and the discourses to comprehend the extent that taxi operators have been involved in the IRPTN policy's design and development. Common points of tension during the collaborative process must be outlined, whether there is evidence of positive practices within the collaborative process must be established, and possibilities of moving forward must be explored.

This approach's problem is a lack of consultation and collaboration. According to Van Schalkwyk (2011), the state's understanding of the problem (the fleet being old and

unroadworthy) was not mutually recognised as a problem by the minibus taxi industry. Neither party is 'seeing' each other and recognising each one's approach as valid. The minibus taxi industry highlighted the prevalence of violence in the industry as the main cause of concern hence the request for a solution from the National Task Team in 1995 (Van Schalkwyk, 2011). Despite recognising the problem of violence within the minibus taxi industry, the government proceeded with the perceived policy agenda of the taxi recapitalisation model. Throughout this thesis, it will become evident how violence in the industry undermines the government's efforts to improve public transport.

Van Schalkwyk (2011) states that deciding the problem is more important than the actual solution of a BRT system. Also, defining the problem depends largely on who views the issue as being a problem, as well as how the problem is defined.

1.2.2 Historical development of a dual public transport system in South Africa

Public transport reform plans cannot be approached as a new intervention without contextual background. These plans must be developed as a palimpsest carefully considering the historical influence of public transport. The country's political history affects the relations between the state and the paratransit. Much literature and other sources paint a blighted picture of the state and the paratransit industry relations. Nevertheless, some developing literature provides a more nuanced perspective of the post-apartheid government fostering relations with the paratransit (discussed in chapter 3). However, what is apparent is that the state's agenda of modernising and keeping up with world-class cities is persistent.

Nagel (2017), an activist for the South African minibus taxi industry, highlights some of the problems the industry must deal with. The incorporation of taxis into the urban framework is highly questionable. This is evident by the poor taxi infrastructure; after more than 24 years of democracy, there are still no formal taxi stops like the bus stops, making every taxi stop illegal and liable to a fine (Nagel, 2017). The issuing of permits has been gated, resulting in an increased number of illegal taxi operators. Not to forget the lack of regulation or enforcement that protects legal operators from those who hijack routes. The National Land Transportation Act, which is responsible for regulating transport in South Africa, hardly acknowledges the existence of the taxi industry. This has resulted in the criminalisation of this practice combined with apprehension from other road users who are continuously inconvenienced by taxis that often stop on the side of the road to either pick up or deliver a passenger. Nagel (2017), a 50- year-old veteran of the minibus and taxi industry, asks,

> *"If the taxi industry is for transformation, why are there so many forces that are*

hellbent on keeping the industry divided, unskilled and excluded from legislation, unlawful and far away from its economic strategies."

This could imply that the post-apartheid government's response regarding the taxi industry is not very different to the apartheid government (Schalekamp, 2015). Therefore, there could be a political and historical influence on the strained relationship between the state and the minibus taxi industry.

1.3 Background: Public Transport Reform, the Integrated Rapid Public Transport Network and Why a Bus Rapid Transit System?

In South Africa, the project has been referred to as the IRPTN project. The project is based on an initiative by the National Department of Transport's (NDoT's) Public Transport Strategy and Action Plan of 2007. This plan identified a need to integrate various public transport networks to address accessibility and mobility while reducing congestion and the negative impact of gas emissions caused by the current public transport system. The IPTN plans are based on a dedicated busway system referred to as the BRT system. The BRT stations are located at key nodes and intermodals enabling integration, i.e., minibus taxis operating as feeders along certain corridors.

The IPTN has been introduced to many cities in South Africa. This is motivated by South Africa's desire to learn from other cities (Wood, 2015a, 2022). The BRT system's introduction has nevertheless been inspired by the success of the BRT in Latin American countries, most commonly the TransMileno in Bogotá. The mayor of Bogotá, Enrique Peñalosa, based his public transport reform strategy on an urban renewal process that included improving sidewalks for non-motorised transport, cycle ways and public open space along bus routes. He proposed the BRT system as a reliable transportation model that would drive the impetus for an urban renewal process. Many South African cities have adopted this strategy, hence the Integrated Transport Plan with sidewalks and cycling lanes. The conditionality attached to the lending and funding system by the World Bank is that private companies run the BRT system and that the state provides an overseeing role and administers quality checks. The Institute for Transport and Development Policy (ITDP) stipulates that the BRT system is run through PPPs. This is said to be one of the core principles of a BRT model (Wright and Hook, 2007; Rizzo, 2017). The partnership is between the state and the paratransit industry through the BOC.

The 2000s have introduced an era of public transport reform whereby new transport technologies such as the BRT system have been introduced, which require higher

levels of management and professional capacity (Paget-Seekins et al., 2015). There is no proper definition of a BRT system except that it is a high-quality bus service based on the principles of a railway service while having the flexibility of a bus service (Wright and Hook, 2007). Several characteristics are common with most BRT systems, including articulated buses with stations, right-of-way dedicated bus ways, fare collection systems and IT systems that manage operations (*Ibid.*). The BRT system is often favoured because it costs a third of light rail and is supposed to operate without additional subsidisation (Levinson et al., 2003; Scorcia and Munoz-Raskin, 2019).

The BRT system has been marketed by policymakers as an efficient solution to traffic congestion problems and to reform public transport (Rizzo, 2017). BRT systems have been widely implemented operating in 170 cities on six continents worldwide (BRT+ Centre of Excellence, 2019). Municipalities across South Africa have embarked on a process of reforming transport through the introduction of the BRT system in metropolitan cities (Van Zyl, 2009).

BRT systems have been implemented in thirteen cities in South Africa (Figure 1.2; Wood, 2022). The main argument used to justify the implementation of BRT systems in Africa is its success in low-cost high quality transport provision in Latin America (Levinson et al., 2003). BRT systems in Latin America have revolutionised public transport around the world, with more than 20 million passengers in 55 cities in Curitiba (Brazil) and Bogotá (Colombia) (BRT+ Centre of Excellence, 2019).

The initial phases of BRT system rollouts in South Africa were intent on fully replacing the country's existing paratransit services through formalisation (National Treasury, 2018). However, this has proved to be financially unfeasible (Ferro et al., 2013). Despite the prospect of regulatory reforms addressing the negative externalities of 'informal transport', these reforms often increase expenses requiring subsidies and higher fares, placing financial pressure on the public sector to bear these costs (Paget-Seekins et al., 2015), thus creating a market for 'informal' public transport operators (Ferro et al., 2013; Paget-Seekins et al., 2015).

One of the key objectives of the new IPRTN will be to transform the existing public transport service providers from informal to formal businesses, including taxis and buses. In some cities, it is anticipated that the bus and taxi operators affected by the IPTN (Affected Operators) will participate as shareholders in the VOC responsible for operating the BRT service. The arrangement for minibus operators (minibus taxis) would provide unscheduled feeder and distribution services, and the proposed BRT or state-led service would contract a high-capacity scheduled trunk service using large vehicles

on corridors (BRT buses) (Del Mistro and Behrens, 2015). According to Browning (2006), the government's new transport policy cannot work without a restructured taxi industry. He moves that you cannot have a planned, orderly, integrated system whereby a large component of the system is run informally by the individually operated taxi industry.

The minibus taxi industry has expressed much opposition to the introduction of the BRT system, more specifically the owners of the vehicles. Furthermore, minibus taxi operators are disgruntled at the motion to move to the feeder routes that are perceived as less lucrative (Del Mistro and Behrens, 2015; Ngwira, 2021). Del Mistro and Behrens (2015) conducted a scientific and quantitative study applying a public transport cost model for the case of Cape Town city which shows that individual minibus taxi owners would do better if they only provide feeder services because of the sizeable reduction of operating costs of 38% (for five kilometre routes) and 20% (for ten kilometre routes). However, there would be a sizeable reduction of the minibus fleet of 43% (five kilometre routes) and 16.2% (ten kilometre routes).

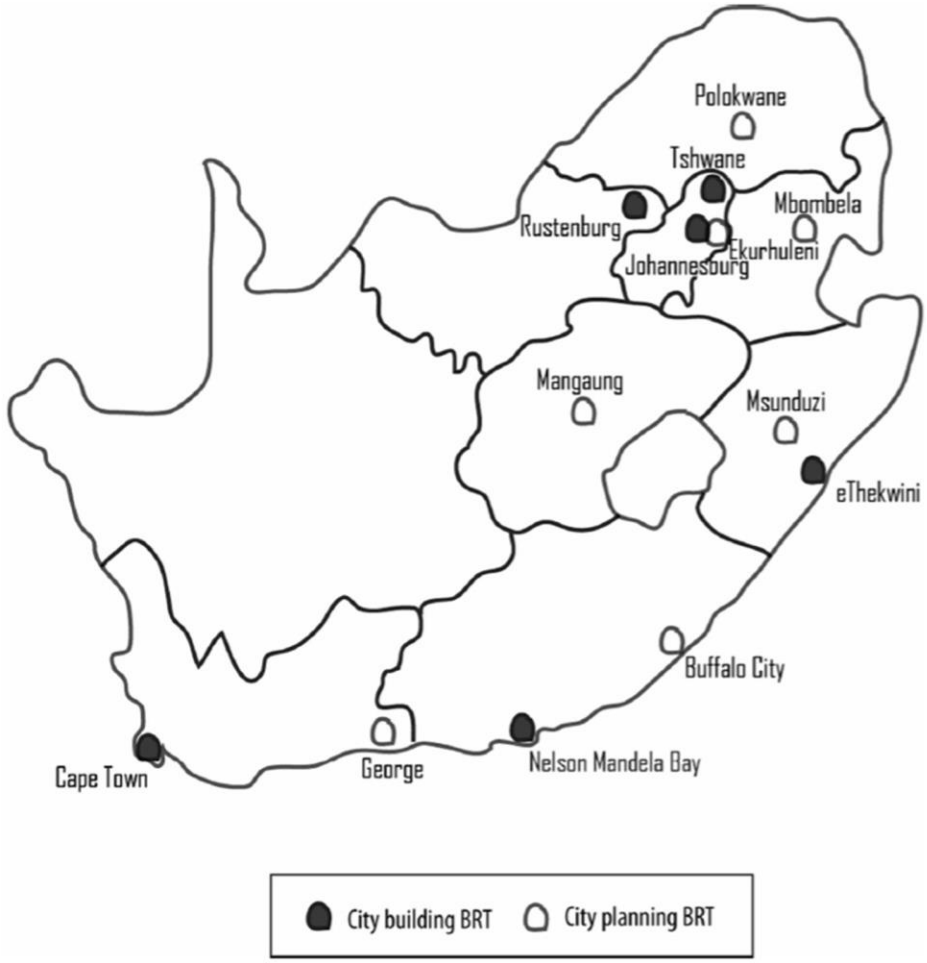


Figure 1.2: Map illustrating South African cities planning and building BRT systems (Wood, 2022, p. 204)

1.4 Aim and Objective of the Study

The research is intended as a sympathetic critique of conflicting rationalities by exploring the intersections between the parties intended to be in conflict in search for commonality and mutuality in their rationalities and interests. It is easy to conform to the notion that conflict between the state and the minibus taxi industry is starkly irreconcilable due to the longstanding historical divides. However, without reverting to the idealistic notion of collaborative planning, the case study explores whether there are overlaps and entanglements of rationality between the state and minibus taxi industry (to include agendas and interests). Can accommodating some of the shared interests form part of the conflict resolution mechanisms to avoid antagonistic relations that result in violence?

This research aimed to establish whether conflict and contestation that are commonplace during IPTN projects can be used productively without resulting in violence or project failure. Beyond establishing a BRT system, the IPTN is a great opportunity to institutionalise and establish a discourse between the state and the minibus taxi industry, which could translate into an interdependent relationship and the establishment of a locally developed co-produced solution to public transport reform. Exploring negotiation processes more deeply makes it possible to find common points of contestation, difference and even consensus. Leveraging this knowledge can assist planners in developing more locally responsive solutions, possibly avoiding project delays, destruction of property and even loss of lives that are often commonplace with the introduction of BRT systems, especially in Southern African cities.

The study's objectives were:

To unpack the black box of the negotiation process between the state and the paratransit industry.

To explore the discourse of power and the conflicting interests between the various stakeholders.

To assess whether there is evidence of mutuality and common rationalities and interests.

To observe whether the collaborative processes transformed antagonistic relations into agonistic interactions.

1.5 Research Question

The research question stems from the position that the co-production of knowledge through deliberative and collaborative approaches is supposed to lead to more just and sustainable development outcomes. Literature countering the Habermasian consensus-seeking approaches points to power as a great underminer of consensus. Most of the dialogue between negotiating parties is about power and protecting individual interests. These interests are not polarised; their interests intersect. The state is not imbued with a development logic, and the minibus taxi industry is not limited to navigating regulation from supposedly modernist planning regimes. However, these are both very powerful entities, and they leverage their power through various means to protect their particular interests. While it is commonplace for resistance to be marked as the enemy of project progress, contestation can be a clue to power imbalances. There is certainly a dire need for antagonistic responses from the paratransit industry to be transformed into more meaningful inputs for public transport reform. In institutions where these power relations are stabilised and kept non-antagonistic, reason and rationality can be maintained. Thus, the mounting tensions point out a need for more robust democratic institutions.

Hence the question for this study was not whether the state has engaged with the minibus taxi industry in the design or policy development of the IPTN. The study is also not trying to answer why the minibus taxi industry resists. The research was interested in the conflict resolution mechanisms institutionalised to mediate the differences between the various stakeholders.

However, to truly understand their efficacy, one must understand the power dynamics. Therefore, this study sought to explore the dialogues between power and interest more intensely, focusing specifically on the negotiation process.

The study's research question was:

To what extent have the collaborative mechanisms been used to stabilise the conflicting interests of power between the Ekurhuleni Taxi Industry (ETI) and the City of Ekurhuleni (CoE) during the negotiation process of an Integrated Public Transport Network (IPTN) plan?

To answer this question, the following needed to be understood more deeply:

To what degree is the rationality of the CoE and the ETI conflicting?

Is there evidence of overlaps or entanglements of rationality between the CoE and

ETI? Is there room for strategic accommodation in an integrated or co-produced plan?

1.6 Case Study Approach

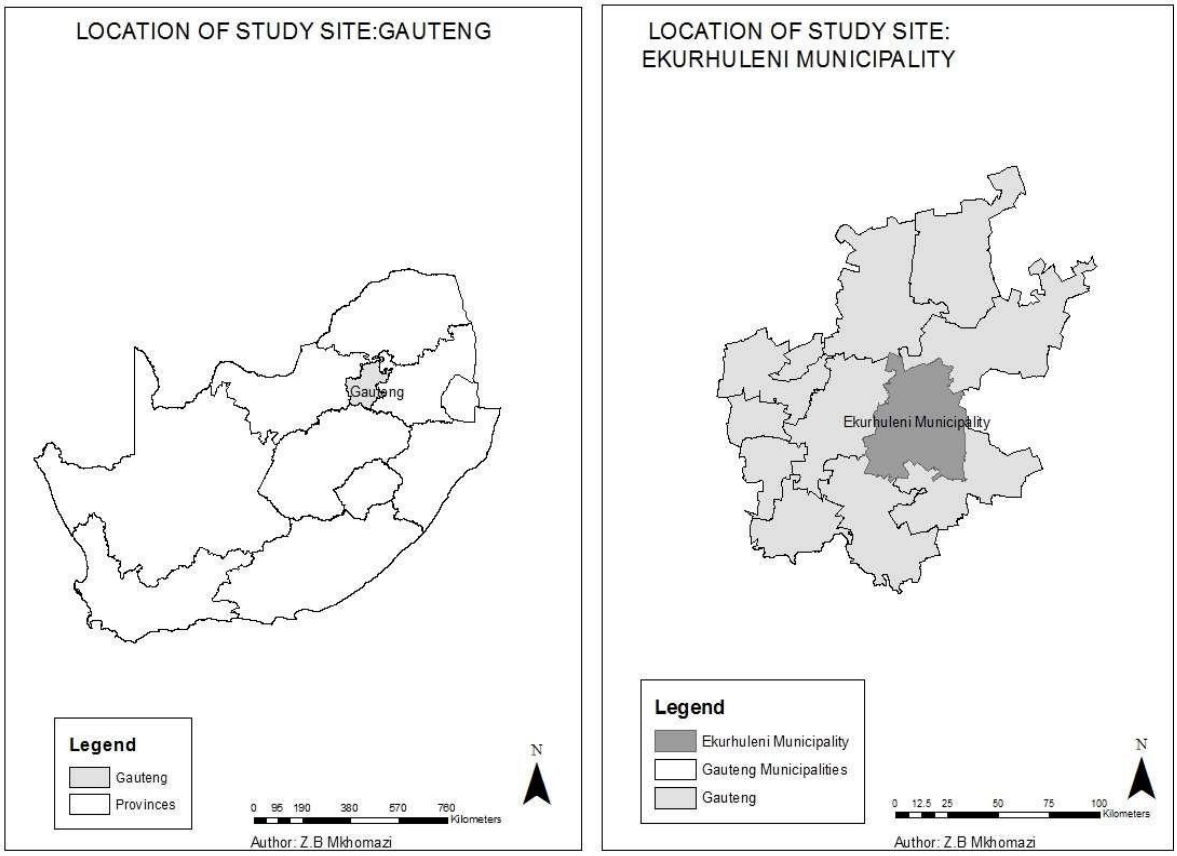


Figure 1.3: Location of the study site (Author, 2020)

The case study is based on the CoE (Figure 1.3). The CoE's BRT is part of the IPTN and is named Harambee, which means "pull together" (KTVR, n.d.). The IPTN is supposed to stitch together the fragmented city of nine towns and 17 townships. It is a collaborative project between the Ekurhuleni Public Transport Industry (which represents all modes of public transport that operate in the city) and the CoE through a Memorandum of Agreement to provide transport services (*Ibid*.). This research was interested in the negotiation process between two main entities, the CoE and the ETI, in implementing an IPTN, specifically the BRT project. The research was particularly interested in the stakeholders represented, the points of tension and the trade-offs that need to be made.

This study focused on Phase 1, estimated to be about 55 kilometres long (*Ibid.)* and comprises three sections, Phase 1 A, B and C (Figure 1.4). The case study considered Phase 1 A of the negotiations (which is still ongoing), mainly the interim negotiations. This included negotiating a once-off payment for loss of business and the incentive

per passenger brought into the system. The initial concept was that the affected paratransit operators would withdraw their vehicles as competitors of current routes to join the new system either as shareholders or as feeders and would be compensated for every passenger they bring into the BRT system. This contentious issue resulted in many deadlocks and protests along the way. The negotiations resulted in the formation of a "taxi-owned" BOC called Kempton Park Voslorus Reicher Park (KTVR). Follow-up meetings for five years have been signing a series of agreements that would lead to the final negotiation agreement of a 12-year contract between the ETI and the CoE. This will be covered in more detail in the upcoming chapters.

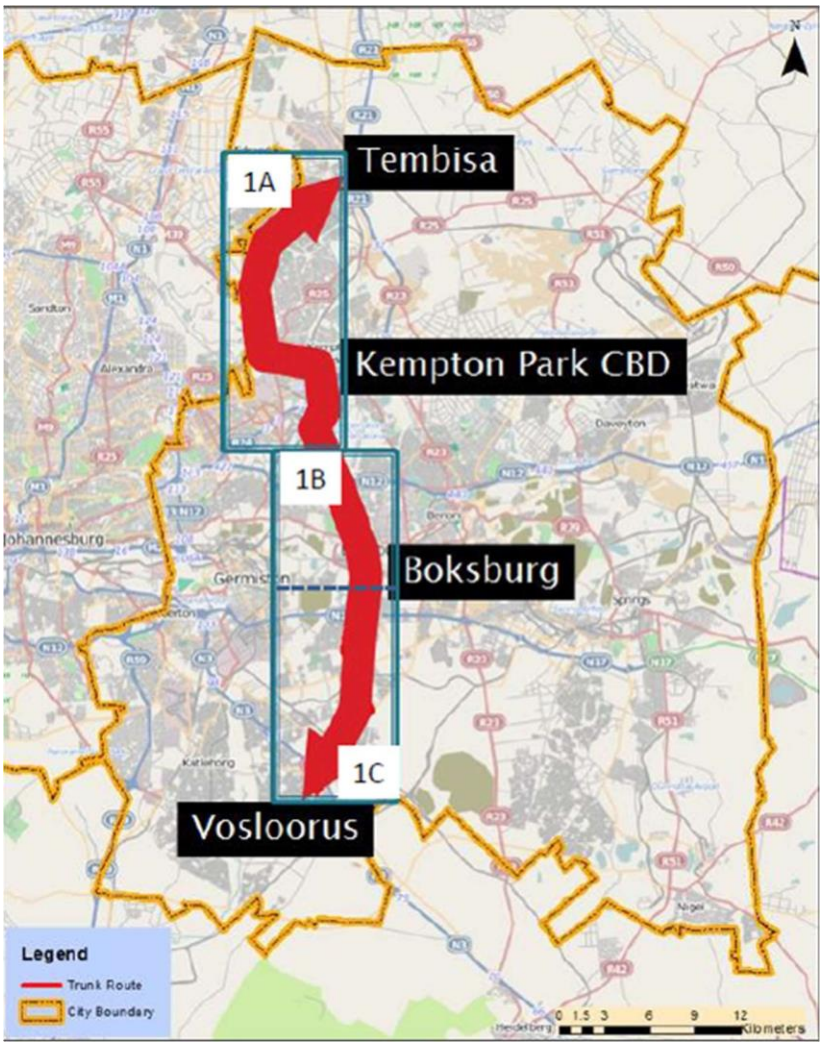


Figure 1.4: Phase 1 of the Integrated Public Transport Network from Tembisa to Vosloorus in the City of Ekurhuleni. Phase 1 A: Tembisa to Rhodesfield / OR Tambo International Airport; Phase 1 B: Rhodesfield / OR Tambo International Airport to Boksburg; Phase 1 C: Boksburg to Vosloorus

1.7 Structure of the Thesis

Chapter one: Setting the Scene *(Introduction)*

To introduce this study the chapter portrays the background of the research, the problem statement as well as the aim and objectives of the study.

Chapter two*:* Theory of Conflict in Planning *(Literature Review)*

This chapter explores a range of concepts that engage with the idea of conflicting rationalities. I explore conflict theories and concepts, such as the Lefebvrian spatial triad. Furthermore, this chapter seeks meaningful pluralistic frameworks that can mediate deep difference such as agonism and co-production.

Chapter three: Applying the pluralistic framework to public transport reform *(Applying Deliberative Resolution)*

This chapter is a continuation of the previous chapter, reviewing whether indeed the literature on transport, particularly paratransit, has drawn on concepts of conflicting rationalities, collaborative planning, negotiation, agonism and co-production.

Chapter four: Gathering the data *(Methodology)*

The chapter outlines the methodology used to develop an empirical basis for the study, including participant observation, interviews, mapping and a desktop study of reports. I share my experience in the field, as well as the challenges and opportunities that made the study possible.

Chapter five: The palimpsest: setting the negotiation scene *(Case Study)*

This chapter describes how the negotiation process unfolded. The reader is introduced to the various stakeholders involved and the power dynamics at play.

Chapter six: Presenting different rationalities *(Analysis)*

This chapter explores the discourse of power between the CoE and the ETI, considering the main points of consensus, dissensus and compromise and the intersections between various stakeholders. I describe what shaped and informed the decisions that were made.

Chapter seven: Conflicting interests: Response to negotiations

This chapter unpacks the story of the negotiations and provides a theoretical and conceptual response to the findings. Has this been a case of agonism? Has there been some consensus or co-production? Was a locally developed solution found?

Chapter eight: The relevance for planning *(Conclusion)*

The chapter seeks to answer the research question and determine whether the collab-

orative mechanisms used to stabilise the conflicting interests or power between the ETI and the CoE were effective. In closing, I offer implications for transport planning.

2 Chapter Two: Literature Review: Theory of Conflict in Planning

2.1 Introduction

In many societies, including democratic states, planners are confronted with unresolved conflict and tension. In most cases, the planner lacks the necessary tools to navigate tension and conflict that in some cases escalates into protests, violence and project delays (Pernegger, 2016). Planners need to locate themselves strategically and ascertain the difference's depth and whether it is reconcilable. This chapter is a sympathetic critique of conflicting rationalities and explores literature sources that could help frame tensions within development planning and analyse whether there are ways of mediating deep difference. In cases where this is not possible, are there ways of moving forward?

This chapter will be divided into three main sections:

The first section pieces together several concepts and theories from various disciplines, such as urban governance, sociology and planning. This section will explore the common state-society dialectic, such as the Lefebvrian lens, mainly 'the production of space', to describe these dialectics in spatial terms (transport). Furthermore, other valuable lenses, such as Foucauldian-inspired contemporary works, i.e., 'Conflicting Rationalities' (Watson, 2003) and 'Rationality and Power' (Flyvbjerg, 1998), are explored. This section also reviews the relevance and limitations of these concepts and proposes a way forward.

The second section moves past the stated problem and questions whether there are meaningful pluralistic frameworks to mediate deep difference? This section explores various theories and concepts on collaborative literature including the Habermasian-inspired communicative planning theories, co-production and deliberation (Arnstein, 1969; Huxley and Yiftachel, 2000; Dryzek, 2005).

The third and last section delves into instances where tensions are fundamental and do not lend themselves to consensus or general solutions. In such cases, how can the planner work with conflict? This section explores more radical forms of democratic theories, such as the Mouffean theory of agonism, which claims that conflict is a positive sign of democracy (Mouffe, 2000; Hillier, 2005; Tambakaki, 2014; Pernegger, 2016). This section seeks to answer whether there are productive ways of working with tensions and deep difference?

The literature review presents two main theoretical positions: first, there is a disconnect between what is being done (everyday practices) and what is proposed (modern

plans). There is a conflict of interests (rationalities in some instances) between various stakeholders and what is considered the legitimate plan rationalised by power. The second perspective is that the disconnect or conflict can be mediated through deliberation and a locally developed solution. The conclusion is an interwoven conceptual framework of various theories and concepts critically applicable to this study.

2.2 Conflicting Interests or Rationalities? Modern Plans to Reform and Lived Realities of Society

Conflicting rationalities as discussed in this chapter has to do with the clash between planners' assumptions and the lived reality of those living in cities. This is an attempt to respond to diversity, and difference that confronts planners. Conflicting rationalities is a critique of northern theories for claiming universal applicability and more specifically of Habermas- inspired collaborative planning for assuming consensus. Conflicting rationalities draws from a case of an attempt to upgrade an informal settlement in Cape Town, South Africa.

Watson (2003) frames this as conflicting rationalities between the techno-managerial state and those surviving largely through informality. This state-society dialectic is consistent with several authors (Van Horen, 2000; Watson, 2003; Tibaijuka, 2006; Li, 2007). These culminate in what Li (2007, p. 5) frames as the interface between the will to govern and improve countered with the will to survive and resistance, this resulting in conflict. Van Horen (2000) frames this as the gap between the De Facto and De Jure. Li (2007) in her book "The Will to Improve" points to an 'interface' between the 'will to improve' and 'resistance' from the community. She states, "What trustees deem appropriate for people does not necessarily match their assessments of what is desirable and fair" (Li, 2007, p. 281).

The argument inherent in conflicting rationalities is that imported modernist thinking sets planning for failure in African cities. Scott (2008), in his book 'Seeing Like a State', explores why the state's plan to improve society goes awry. He deduces the state's ambitions to an obsession with a particular aesthetic. He explains how the state is frustrated by the untidiness of real human society and, through modern plans, seeks to reinstate order through a modern aesthetic. He laments the state's obsession with a specific aesthetic that is advocated to improve human life. Scott (2008) makes reference to European architects like Le Corbusier whose urban development plans for Moscow and Paris were abstract and a gross simplification of the complexities of everyday practices. He argues that no administrative system can represent the complexities of existing societies and that the attempt is always a gross abstraction or simpli-

fication. Scott (2008) presents the state's motivations as shallow and somehow limited to modernising urban areas to conform to a certain standard of order. Specific visual codes often translate to legality; in instances where developments do not mirror this specific aesthetic, it can be categorised as illegal or informal (Ghertner, 2011). Informality and chaos often motivate the state to consider improvement and reformation projects. Disorder and informality often mirror a lack of state control and intervention (Charlton, 2013). Another motivation for state intervention is control of behaviour. The state believes that a certain spatial reorganisation will result in a changed behaviour, "setting conditions so that people will be inclined to behave as they should" (Li, 2005, p. 387), "which [has] the intention of putting people in their place so that they [can] be counted, mapped, controlled and taxed" (Rigg, 2007, p. 146). The planners' assumptions are often in conflict with reality (Watson, 2003).

However, while these observations are quite nuanced, they vilify the state in a sense. Quoting Olivier de Sardan (2014, p. 400), "The state cannot be reduced to its repressive functions". The state has a duty to provide certain public goods. What qualifies as public good or service can be deliberated, nonetheless can include housing, public health, education and, relevant to this study, a reliable transport system. The conditions by which these goods or services are delivered or implemented remain local and unique to every context. That said, it is much more multifaceted, the state is never the sole provider of public goods or services. Other actors and institutions, either in harmony or even against the state, provide public goods and services. The state may try to monopolise public service provision, but even in the former Soviet Union, several clandestine and informal goods and service providers always emerge.

The value of Olivier de Sardan's (2014) work for this study is his approach to understanding African states by conducting socio-economic ethnographic studies on the state bureaucrats, i.e., those who deliver goods and services, and how these goods and services are delivered. He argues that bureaucracy and management are highly under-researched in African states. He adds that African states do not function as Weberian ideal types based on bureaucratic norms. This is contrary to Watsons (2003) claim that while the notion of local government is largely influenced by the principles of New Public Management and the entrepreneurial government, principally the state is premised on the Weberian model of the bureaucratic state.

He points out a phenomenon characteristic of African states called 'practical norms', which can be translated as regulated informality. This is due to "[t]he inadequacy of the official rules and regulations, which are often ill-adapted to reality necessitates the pro-

duction of informal norms which actually enable the minimal functioning of the apparatuses" (De Herdt and de Sardan, 2015, p. 408). According to De Herdt and de Sardan (2015), the state, especially in the African context, is characterised by a level of informality, termed "Real Governance".

Watson (2003) notion of government is based on Foucault's rendering of governmentality with the focus on state apparatus of power. The state as being made of a diversity of forces and networks of power and can be understood by analysing its strategies, tactics, discourses and institutional ensembles (Muller, 2017). Watson (2003) points out that a state that is clearly separated from civil society is not apparent in many parts of Africa. This, she claims is premised on the weak forms of state institutions under colonisation that have continued to rely on patronage networks. In cases of extreme poverty access to state power and resources is seen as an economic opportunity that needs to be distributed in return for votes. In the Langa case this patrimonialism was seen with the ANC councillors allegedly offering residential plots to kin of their rural hometown and also to the warlords one of whom has a position in the provincial parliament was able to mobilise women to stage a protest against the ANC councillors to protect their source of informal income.

What causes the conflict or disconnect between everyday practices and the plans to develop or improve cities?

Henri Lefebvre, a French Marxist sociologist, thinks about these dialectics in spatial terms. The conceived space is the abstract space designed by architects and planners and the perceived space is the space shaped by its inhabitants' lived experiences (Zieleniec, 2007; Thompson, 2017; Mwathunga and Donaldson, 2018). Place frames including maps, zoning policies, statistical research and viability models are viewed as tools of abstraction that can have a detrimental effect on urban reality (Scott, 2008; Thompson, 2017). Mwathunga and Donaldson (2018) reason that these tools of abstraction, which are imposed on society, are often archaic and irrelevant in cities of the global south and it is important that planning expands its toolbox to consider inherent spatial practices that the rational and instrumental thinking approach fails to provide. Lefebvre's dialectic between conceived space (representations of space), which represents spaces of those in power and perceived spaces (spatial practices), presupposes that the state is forcing a technocratic rationale on society (Zieleniec, 2007). Scott (2008) describes the effect of these administrative systems as brutal and violent, undermining the embedded interdependencies. Mwathunga and Donaldson (2018), using a Lefebvrean lens, claim that the state's tendency to impose its conceived

space on users is what results in conflict. “A man who neglects what is actually done for what should be done learns the way to self-destruction” (Flyvbjerg, 1998). Flyvbjerg (1998) suggests an orientation to what is actually being done. Modernity and many development plans, in most cases, do not seek to understand what is done (reality) but only declare what needs to be done, which Flyvbjerg (1998) terms “rationalization”.

Is this due to a conflict in rationalities or just different interests?

Rationality as described by Watson (2003) in conflicting rationalities refers to perception, worldview and the way of seeing things. Watson (2003) assumes that rationality is intrinsic to logic. It is important to ascertain the meaning of rationality, when trying to understand rationalism it is important to understand its underpinnings and its origins. It is important to ascertain the meaning of rationality. When trying to understand rationalism, it is important to understand its underpinnings and origins. In simple terms, rationality is the logic used to make choices or justify choices and the way of doing things. The quest for rationalism dates back to the 15th and 16th centuries in Europe, a new push towards critical enquiry pulled thought away from a religious framework, and back towards ancient Greece in a way that would establish the founding conditions of modern philosophy (Mastin, 2008), and within that, for modernist understandings of knowledge and truth. The view of modern liberalism is that religious traditions are irrational (MacIntyre, 1988). This was the period known as the Renaissance followed by the Enlightenment (17th to 18th centuries C.E.), and is generally associated with the start of the Age of Reason (in which the scientific method and scientific thought came to dominate most aspects of society) (Mastin, 2008). Rationalism contends that valid knowledge can also be constructed by ordered, rational reflection, as well as by experimentation instead of relying on superstition and divinity (Heylighen, 1993).

The rational model of planning emerged in the 1890s and was the dominant model for planning until the 1960s (Hudson et al., 1979). Major contributors to this rational perspective of planning include Charles Booth, Ebenezer Howard, Le Corbusier and Frank Lloyd Wright (Hudson et al., 1979; Booth, 2002). Their approaches to planning were top-down and process-driven to predict what spaces were meant to look like. This model describes the planner as the knowledgeable party that better understands the needs of communities in society. The rational model is driven by the planning process that identifies the goal, generates alternatives, predicts consequences, displays the results to facilitate the process of making a choice and implements a plan before finally evaluating the outcomes to draw feedback on how to further improve the planning process (Hudson et al., 1979). This very procedural and rational approach has led to

developments such as masterplans. The process of planning can be characterised as not only structured but technical and quantitatively oriented. The need to order society can be a kind of rationality. This is referred to by Bolan (1999) as formal rationality and relates to thought processes that try to codify practical rationality based on certain values. This is often seen through rules, laws, regulations and structural forms of administration.

There has been some criticism with regard to this quest to rationalism, it is seen as more complex than single-minded means of calculation (Bolan, 1999). The critique often with this rational process and approach to planning is that it often lacks any regard for the traditional, political and social aspects associated with decision-making in planning, which results in conflict (Brooks, 2002). This conflict is one of the key enquiries addressed in the current study. Nevertheless, the mathematical and scientifically motivated form of rationality has been broken down into a more inclusive and comprehensive approach. Beyond the technical rationality that is common in planning, other forms of rationality include economic, political, communicative etc. In short, rationality is multi-faceted and more than just instrumental and practical rationality, characteristic of urban planning (Bolan, 1999). This pluralistic approach or perspective is relative to different, complementary perspectives for envisioning realities (Macintyre, 1988).

The reference point for ascertaining these substantive types of rationalities can be traced to interests, values, world views, laws and regulations. Thus, understanding the underlying worldviews and interests is important in ascertaining rationality. Habermas positions that the process for ascertaining the appropriate means to end is sought in accordance with specific values (Bolan, 1999). The need to order society can be a kind of rationality. This is referred to by Bolan (1999) as formal rationality and relates to thought processes that try to codify practical rationality based on certain values. This is often seen through rules, laws, regulations, and structural forms of administration. The reference point for mental processes can be traced to the interests, values world views, laws, and regulations. Thus, understanding the underlying worldviews and interests is important in trying to ascertain rationality. Habermas positions that the process for ascertaining the appropriate means to end is sought in accordance with specific values (Bolan, 1999). Thus, Habermas view is based on substantive rationality, which is not based on means-end calculation but rather is a series of actions that are based on certain values. This kind of reasoning is accepted based on specific values. According to Bolan (1999) something is not itself irrational but is seen as such when observed from a specific rational standpoint. A religious person may be seen as irrational by an irreligious person and a hedonist likewise. This assumes that there is no absolute stand-

point from which we can arrive at absolute moral truth. This according to relative perspective is there is no rationality as such but only as it relates to the standard of some particular tradition. To be practically rational, according to MacIntyre (1988), is to act to achieve the ultimate good of humanity; to be capable of impartiality but not to concede to one's interests. Bowing to your interests is to your detriment, since you are robbing yourself of the opportunity to contribute to the good of society. Thus, there are several rationalities rather than a specific rationality; this is context bound by history and tradition (MacIntyre, 1988).

Conflicting rationalities can be traced back to conflict theories from the sociology discipline, which claims that structural power divisions and inequalities lead to deep divides and conflicting interests (Wells, 1979). Marxism emphasises class conflict over resources, and Webber attributes this conflict to inequalities resulting from power and status (Nickerson, 2021). This is in opposition to functionalists' perspectives, which suppose that structures (including institutions, laws and norms) provide harmony and unity in societies. Functionalists see conflicts as exceptional and momentous causing great upheaval and disrupting structures that maintain order in society. Whereas more modern and critical sociologists think of conflict as mundane and endemic, a part of life. The absence of conflict in society would deny the very class divides inherent in society. Max Webber, Karl Mark and Geoge Simmel not only write about the importance of understanding conflict but also speak to finding constructive ways of resolving it. Instead of trying to deny its existence, there should be platforms and institutions developed to express and openly work out conflict (Crouch, 2001). The value of conflict theory for this study is the importance of understanding conflict by analysing the historical events in society in terms of their structural power and class divisions (Nickerson, 2021).

The conceptual framework of conflicting rationalities within the planning discipline has gained traction and developed further for understanding issues of gated communities, environmental management and informal street trading (Collier and Scott, 2009; De Satgé and Watson, 2018; Makhale and Landman, 2018). Huchzermeyer and Misselwitz (2016) also borrow this concept when framing it as conflicting rationalities between self-provisioned services and state-led provision services. They refer to a policy conundrum whereby the state's involvement in policy formulation is top-down and negates the fundamental lessons that could be drawn from informal or self-provisioned bottom-up services; this makes state-led interventions ineffective and inflexible (Huchzermeyer and Misselwitz, 2016).

The work of De Satgé and Watson (2018) was a clarification and continuation of the earlier work of Watson (2003) and had 15 years of further thought. The empirical development seen in more recent work exploring the concept of conflicting rationalities has distorted the neat and simplified assumptions of a dichotomy as advocated in the earlier work (De Satgé and Watson, 2018). Other works which share the same insight include Makhale and Landman's (2018) empirical findings which point out that various stakeholder's conflict. The state is not necessarily the voice of those who govern in opposition to those that survive. Campbell (1996) points out that sustainable development in reality is often a conflict between the economic, environmental and economic segments of development, and the planner is often in the eye of the hurricane trying to harmonise and balance these conflicting interests. However, the planner has a certain bias towards a certain interest. The empirical findings point out that the highest form of conflict that flared was not between the state and civil society but was intra- level government conflict (De Satgé and Watson, 2018). The community within Langa was fragmented between the "Langa borners" and the "*amagoduka*" different factions claiming rights to housing based on their origins in the Langa township. This multi-layered contestation disturbs the simple rendering of a community (De Satgé and Watson, 2018, p. 197).

It is tempting to apply this neat dichotomy between state and civil society; the state has an improvement agenda while the civil society resists as a form of survival. In the case study of the N2 Gateway Housing project it was found that the women's group that was protesting against the state's development of the housing project was initiated by the shack lords that had vested financial interest in the existing informal settlements.

Other works reject the dichotomies between the state and societies as separate (Abers et al., 2014; Abers and Tatagiba, 2015; Lenz et al., 2017). Thompson (2017) maintains that the common characterisation of state versus civil society is a more dialectically interwoven relation. Emergent perspectives argue that the state is heterogenous and divided with the voices of those who govern and those who protest (Abers et al., 2014). More specifically, Lenz et al. (2017) point out that informal transport is often posed as an entity that exists without any involvement from the state or government. However, they maintain that such a clear dichotomy between formal and informal transport is not appropriate or sufficient for analysing or making sense of current practices in urban African cities. Therefore, applying this simplistic framework of state versus society based on protest and resistance is insufficient. De Satgé and Watson (2018) refer to entangled rationalities that take place within highly contested and racialised political spaces where

there is an entanglement between the political, administrative and economic rationalities. The meaning and reference to entangled rationalities is not unpacked in much detail though and to some extent de Satgé and Watson (2018) return to the simplistic renderings of the will to improve and survival in the conclusion of this book. While the notion of difference and the heterogenic nature of the contesting parties is highlighted, it remains unclear how in fact these entangled rationalities translate into the planning practice and how they impact the will to govern or survive.

Unfortunately, what is seen as rational is largely influenced by power. The Foucauldian concept of power claims that power is intimately interlinked with knowledge. Power influences what is seen as rational. Through the development of new types of knowledge, one is able to exercise control over the population. In the field of planning, knowledge is framed as 'expert' or 'technical' and that can be viewed as an exercise of power (De Satgé and Watson, 2018). De Satgé and Watson (2018) argue that power, knowledge and rationality need to be understood in a particular context. For example, in South Africa specifically, the policies are written in English and Afrikaans due to colonisation. This creates a barrier for those who may not be well acquainted with the language. This often creates domination through ethnicity, race, class, gender and language. This is the case in transport "transport policy involves a language imbued by mathematical models and technical knowledge" (Kębłowski and Bassens, 2018, p. 414). The reproduction of such policy framing has done little or nothing to contribute or address the socio-political issues associated with transport and mobility (Kębłowski and Bassens, 2018). It will be interesting to see whether or not this form of normalised power was exercised by the state and how the paratransit industry responded. A study compiled of taxi owners in Pietermaritzburg (South Africa) revealed that middle-aged black men dominate the taxi industry. While 40.09 % attended school 18.2% have matric and only 0.17% have a university qualification (Magubane and Manicom, 2003). Therefore, the technical jargon as well as the English language used for policy could be a barrier between the taxi industry and government forming an Integrated Public Transport Network.

Watson (2003) laments that there are insufficient systems of government to accommodate multiculturalism. In the Langa case the rationality of the women's group that is protesting is described by Watson (2003) as being influenced by tradition or culture. Thus, it may be useful to consider pluralist rationalities. Due to different cultural backgrounds, stakeholders may have a distinct perception of rationality (Wierzbicki, 1985). According to Watson (2003), this deep difference in rationalities that actors use often results in conflict. These differences involve preferences, tastes and values but, more

fundamentally, is the different frameworks for distinguishing which actions can be understood as rational (Knox and Parkinson, 2020). According to the plural rationality approach, there are socially constructed rationalities, hierarchy, and individualist, egalitarian and fatalist perspectives (Figure 2.1). Hierarchical rationality is premised on an expertly planned solution, often with a top-down approach. This rationality relies on government authority and a network of experts and is quite prevalent within the planning discipline. The second, individualist rationality with an individualistic perspective, is market-based. The individualistic perspective prefers de-regulation, is innovative and takes risks recognising the trade-offs in the competing uses of resources. The egalitarian perspective is quite critical of both the individualist and the hierarchical perspectives. Lastly, the fatalist perspective believes there is no possibility of influencing change. What is important to point out is that the pluralist perspective recognises this diversity of interests and perspectives and could potentially provide a strategy for moving beyond this conflict, which includes identifying these varying stakeholder perspectives, co-producing solutions in working groups and establishing an imperfect compromise (Knox and Parkinson, 2020).

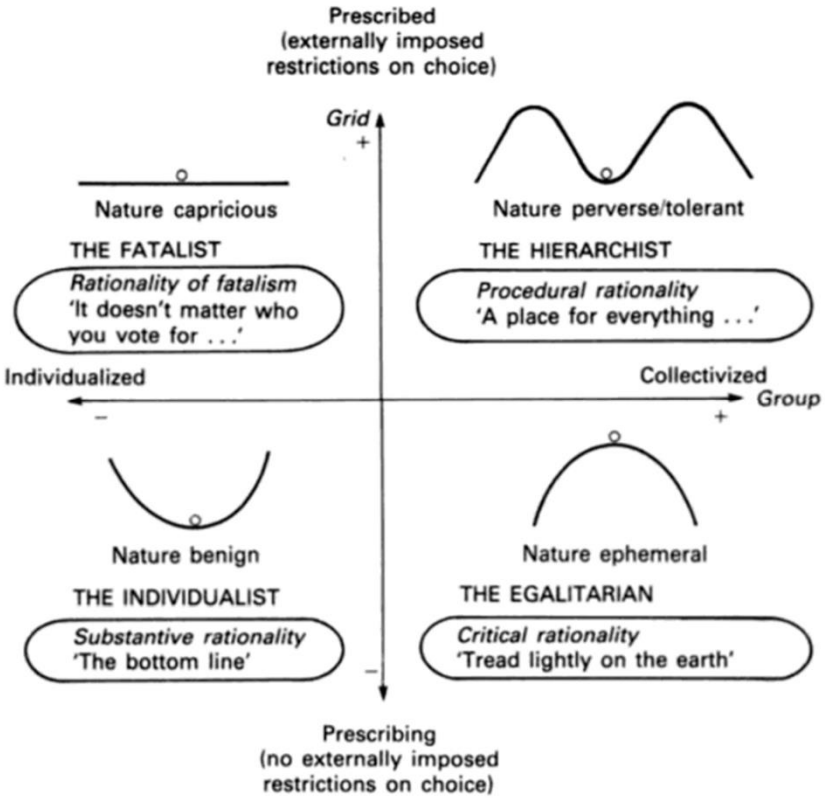


Figure 2.1: Socially constructed rationalities (Knox and Parkinson, 2020)

Flyvbjerg (1998) maintains that there is a conflict in planning projects, that it is often

between what is actually done in society and what is proposed in the development plans. He claims that modernity focuses on what should be done. He frames this tension as conflicting interests as opposed to rationalities. Institutions that claim to serve in the interests of the 'public' are actually deeply embedded in the exercise of power and protecting private interests (Flyvbjerg, 1998). It is, therefore, useful to try to understand the substantive interest of the state and the taxi industry beyond the broad framing of development and resistance. In most cases, the more power you have, the less rationalisation is required. Flyvbjerg's (1998) concept of rationality and power is founded on the classical work of Machiavelli, Nietzsche and Foucault. He argues that power, in fact, blurs the dividing line between rationality and rationalisation. Power, in most instances, dominates rationality and results in rationalisation. In his study, Flyvbjerg (1998) conducted an empirically detailed case study of the dynamic relationship between rationality and power, and he reviewed the award-winning project in Aalborg, Denmark. To understand the relationship between rationalisation and rationality, he zooms in on the technical decisions and the political motivations that affect the size, location and design of the bus terminal. He maintains that decisions were made beforehand by the elite and powerful and then rationalised using catchphrases such as integration and sustainability. The location of the bus terminal at Nytrov was decided beforehand by powerful participants, i.e., the mayor, the alderman in charge of the Technical Department and the Aalborg Bus Company.

When reconciling Watson (2003) and Flyvbjerg (1998), they both allude to conflict and power influencing what is seen as rational. However, Watson views these as rationalities, i.e., particular ways of thinking which are perpetual, while Flyvbjerg (1998) maintains that conflicting interests are subject to power. Watson (2003) implies that despite power relations, there will always be conflict because the state and society have different logics and ways of thinking. Conversely, Flyvbjerg maintains that interests are fluid and subject to power relations. He states, "The force of reason has maximum effect in stable power relations characterised by negotiations and consensus seeking" (Flyvbjerg, 1998, p. 233).

Nevertheless, it is important to clarify that Watson (2003, p. 404) does not state that agreement is impossible she appeals mainly to contextually grounded norms. She refers to alternative approaches to planning in which she cites Campbell's (2002) notion of 'situated judgement', Haraway's (1991) doctrine of 'embodied objectivity' and Flyvbjerg's (2001) approach of 'situational ethics. Campbell (2002) views planning as an activity that is concerned with making ethical decisions and situating judgement within a particular context not just imposing fixed values. The value derived from the

work of Haraway (1991) is that planners need to see from the perspective of the subjugated not because they are innocent, but because in principle they offer a different lens from the dominant one. These while pointing to alternative ways of planning with conflict remain at a conceptual level, De Sagté and Watson (2018) do provide further enquiry into the earlier binary renderings and give some recommendations relating to the Langa case study which could be useful for this study. These include understanding the social relations, drawing interventions based on the inscribed meaning and place-based geographies of the case study, and establishing a closer understanding of the livelihood strategies of the community. Furthermore, de Sagté and Watson (2018, p. 233) suggest that there may be "mutual intelligibility" across the rationalities. This however should not be "misconstrued as a mechanism for obtaining consensus" but is helpful for initiating some form of bargaining and connection between differing actors.

Nevertheless, the power of rationality can be maintained only as power relations are kept non- antagonistic and stable. A more mediated approach is required when conflicts are deep and long-standing (Flyvbjerg, 1998). MacIntyre (1988) claims that modern academic philosophy tends to give an accurate and informed definition of conflict but struggles to provide a progressive means towards its resolution. The next section explores whether there are concepts and theories for mediated approach, which could provide a way of moving forward.

2.3 Collaborating State Visions and Society to Establish Locally Developed Solutions

In instances of competing and contesting rationalities, whose rationality should be considered as just (MacIntyre, 1988)? MacIntyre (1988), a critic of the enlightenment project and the modern liberal view, argues that rational evaluation and judgements can be made based on the strengths and weaknesses of world views and ideologies. His solution to reaching the absolute truth is based on an attention to history, which could reveal the superiority of one tradition over the other.

Collaborative planning is seen as a way of mediating the ambitions of the state and society. This was viewed as important for fostering democratic planning processes and empowering communities by encouraging debate and discussion about shared futures. This section explores different concepts and theories that could be applied to find a locally developed solution considering consensus-based theories, co-production and agonism.

2.3.1 Consensus-based planning

Succinctly, consensus-based planning is meant to counteract the modernist rational comprehensive planning epistemology based on techno-scientific solutions to the urban problem. Scott (2008) asserts that local knowledge of practical everyday life is just as important for urban development as formal epistemological knowledge. The planner facilitates communicative interchangers amongst various stakeholders as opposed to the planner being the sole expert in land use and development issues (Huxley and Yiftachel, 2000). The intended result is more collaborative and deliberative forms of planning between the planner and the citizens (Healey, 1991; Huxley and Yiftachel, 2000; Watson, 2003; De Satgé and Watson, 2018). The communicative turn was inspired formatively by the work of the German philosopher Jürgen Habermas and his seminal work "The theory of communicative action". Communicative action is described as co-operative action that individuals take through deliberation and argumentation (Habermas, 1985). Habermas (1985) proposed that communicative rationality can be achieved through genuine, intelligible conversations from the premise of similar values. Collaborative planning theory within urban planning was developed around the 1980s by Pasty Healey and is commonly associated with communicative action and communicative rationality. Her ideas around collaboration as a strand of social theory within planning draw influence from philosophers and sociologists such as Habermas (Healey, 1996). Her affiliation with Giddens was his use of philosophies of Marxism and phenomenology. Giddens draws on these philosophies to substantiate the need for the stakeholders' perspective in decision-making processes as they take into account the social and political contexts that situate planning (Healey, 1996, 2003), as opposed to the rationalist perspective. Her approach is characterised by the evaluation and understanding of governance-related issues within society that are instrumental in shaping the quality of environments. Forester (2011), in his article 'Learning from practice in the face of conflict and integrating technical expertise', shares the experience of architects and planners collaborating with society in realising a locally produced solution. The architect uses creative means such as assembling three-dimensional plastic models of the budget and asking people to engage with the model to discover society's aspirations for the proposed project. The example that is significant for this study is the Calgary transit case. The planner shares how the Calgary transport plan was locally developed. The council presented the parameters, and the stakeholders in groups were given a section of the neighbourhood to plan. Transport planners were asked to lay back as the technical jargon could intimidate the participants. Relevant for the current study is how conflict occurred and how the planner handled the conflict by ex-

pressing her discomfort but not concealing it. She mentioned that it is important to not shy away from emotions and by listening closely the emotions can direct you to the source of the conflict. This kind of contextual deliberation is necessary and important for developing locally produced plans.

Power is a very important factor to deal with when discussing communicative planning theory. For citizen participation to be effective, power as a prevailing factor must be addressed. According to Arnstein (1969), decision-making power must be granted to the citizens. Arnstein's ladder of participation is a framework used to illustrate the depth of participation through an eight-step ladder (Arnstein, 1969). The lower rungs of the ladder (manipulation and therapy) describe instances when citizens are given no power or agency but are manipulated to accept decisions and plans that have already been agreed upon. The intermediate phase of the ladder describes tokenism (consultation, informing and placation). These are instances where society is being informed or consulted; they have no decision-making power. The highest rung of the ladder, which should be aimed at, is citizen control; this is when citizens are given agency and power to make decisions (Arnstein, 1969). This level, according to Arnstein (1969), needs to be achieved for planning processes to be truly democratic.

Power, both positive and negative, are present in communicative encounters (Huxley and Yiftachel, 2000). Flyvbjerg (1998) positions that rationality is weak when faced with confrontation and power is always prevalent. Therefore, the discourse, as seen in the Aarlborg study, is between power relations. "In the face of confrontation rationality yields to power", meaning it is often immaterial whether the utterances are distorted or successful when power is at play it tends to be more effective than the appeal to facts, knowledge or rationality (Flyvbjerg 1998, p. 232). Therefore, according to Flyvbjerg (1998), most participatory processes are an exercise of power and advancing private interests. Planning principles are often used to rationalise oppressive policies; this is referred to as the dark side of planning (Yiftachel and Huxley, 2000).

Ghertner (2011) claims that the urban poor or marginalised have informal ways of accessing the state and prohibiting state projects that increase their hardship from being halted. The minibus taxi industry has the capacity to forge means and ways of accessing the state even through unconventional means. Flyvbjerg (1998) claims that the greater the power, the less rationalisation is required. Flyvbjerg (1998) does not suggest doing away with collaborative means of planning; however, a more equal or stable ground needs to be established for an effective participatory planning process to take place. It is the planner's role to expose the power-knowledge imbalances and accept

some forms of power and resist destructive forms of power.

Another limitation of consensus-based planning that has been presented is deep difference. Conflicting rationalities, discussed earlier, challenges the notion of consensus-based planning particularly the Habermasian communicative action theory, which claims that a positive approach to dialogue will achieve consensus (De Satgé and Watson, 2018). Conflicting rationalities assumes conflict and planners need to learn to work within deep conflict and tension. Consensus-based planning, which is based on communicative rationality, is unable to deal with deep conflict and power as we see in the public transport reform process. Watson (2006) there is a tendency to turn to collaborative forms of planning as a singular solution to the issue of deep difference or to turn to rational communicative theory as an end in itself (Huxley and Yiftachel,2000). Watson (2006, p. 33) describes deep difference as "inter-group" differences; these are based on race, ethnicity, gender, culture etc., and the second difference is between state and society. The state-society dialectic has been exhausted above; therefore, I will focus more on inter-group differences. According to Forester (1989, p. 177), "we pay too little attention to racism and exclusion, and even less to what anyone can do to counteract these". Looking at cities beset with deep difference, Yiftachel and Yacobi (2003, p. 680) use the term "urban ethnocracies" to describe the phenomena present in Israel-Jewish cities. Cities are developed in a manner which segregates and usurps the power of the dominant class. Ethnicisation in the production of space is also evident in South African cities, with Europeans in the centres of the cities and Africans displaced to the cities' outskirts. Thus, a response from the minibus taxi industry emerged to counteract this spatial injustice. In the Israel context, these spaces, which the marginalised are moved into, are often termed "gray spaces" (Yiftachel 1989, p. 177). These spaces are, in most cases, impoverished and prone to illegality and forced removals. One can deduce from the literature that planners involved in the technocratic process of land use management and even transport planning will always be faced with issues of value difference or power (Forester, 1989). "We need to understand how planners have to learn about value all the time to do their daily work, and so, again, we should understand that a planning theory that cannot teach us about value may well not be value- free, but valueless" (Forester, 1989, p. 181).

2.3.2 Negotiating

Also useful for approaching conflict situations is the literature on negotiations (Druckman, 1967; Wall and Blum, 1991; Kumar, 1997; Bazerman et al., 2000; Rubin and Brown, 1975). Negotiations is a field of research within social psychology, behavioural science and management (Bazerman et al., 2000). This field of research emerged in the

1960s and 1970s. Negotiation refers to a strategic discussion to reach a mutual agreement. During negotiations, both parties will try to persuade the other party to accept their view. Negotiation is based on compromise and a level of give and take. Compromise during negotiations is viewed as a means of conflict resolution. An egoistic motivation is defined by a strong desire to win instead of compromise. Resistance to compromise is often associated with one-sided (unilateral) strategies or determined by a single party (Druckman, 1967).

Much of the literature focuses on the behavioural decision-making perspective based on individual differences and structural variables (Rubin and Brown, 1975). Individual differences can predict the outcomes of the negotiations, including personality perspectives and demographics. Negotiators' strategies should not be viewed as rational. Different behaviours can be observed during negotiations; one perspective is that individuals can be viewed as social decision-makers with a level of sociability. The law of reciprocity can be seen during negotiations. One person's conduct and behaviour can set the tone for the opponent's behaviour (Wall and Blum, 1991). Thus, it is important to start negotiations with a positive proposal; this could be a small concession. The effect of the opponent's demands on the negotiator is important for this study. Several studies have observed that high demands and lower concessions often reduce the negotiator's aspirations and lead to lower demands and concessions. Meanwhile, low demands and high concessions by the opponent do not lead to mutuality by the negotiator (Wall and Blum, 1991).

Very little evidence points to individual differences being a major influencer of the bargaining process rather than structural variables, i.e., the context of the negotiations is seen as being quite influential to the outcomes of the negotiations (Wall and Blum, 1991; Lewicki, 1993). This includes the presence of certain constituencies, incentives, payoffs, deadlines and even the number of people on each side. Examining different negotiation behaviours, specifically individual differences, offers limited insight into determining decision outcomes (Lewicki, 1993; Pruitt and Carnevale, 1993). It would be more useful for the current study to focus on the structural variables and the negotiation context. "Negotiations are shaped by the social context in a way that previous theory and research have often underestimated" (Kramer, 1994, p. 354). Conflict can be understood not only by observing the negotiation process but by looking into the crevices and cracks of organisations. There are various dimensions to be observed, including norms, power, etc. (Kramer, 1994). Thus, when trying to understand the negotiation process between the city and the paratransit industry, it is valuable to consider the organisational contexts that shape the negotiations.

Empirical evidence sought from human relations laboratories observed that agreements were reached more quickly when the negotiating parties did not form strategies or define a position before the bargaining process. In fact, a deadlock was observed primarily in instances where the negotiating parties interacted mainly with members of their group (Druckman, 1967). This often indicates that members know more about their position and solution and very little about the position or experience expressed by others. Another counter-intuitive action is holding the opposing party to a certain stereotypical category or viewing another group as inferior (Druckman, 1967).

It is important to note that in most cases, judgements made by negotiators are rarely fair or objective. Instead, parties tend to lean towards the views that are beneficial or favour them. This motivational bias can be viewed as a form of egocentrism (Bazerman et al., 2000). Bobadilla-Suarez et al. (2017) discuss the intrinsic value of control and how in many cases when people are faced with difficult decisions, they are willing to forego monetary rewards for agency and control. In a statement made by transport analyst Paul Browning commenting on the public transport reform process, he states that the minibus taxi industry is a sign of owners' wealth and success; to simply hand that over while more clever people run it, is not that simple (cited in Venter, 2012). Participants often know they are settling for a suboptimal deal, but they do this somewhat for psychological gains (Bobadilla-Suarez et al., 2017).

Ethical standards are negatively influenced by the incentives, interests and motivations on the table. Deception during negotiations is more prevalent as the offers for performance increase (Tenbrunsel et al., 1996). This is especially true if there are individualistic motives instead of collaborative intentions. It will be interesting to observe whether the incentives have affected the moral and ethical standards of the negotiating parties in the current study.

Cultural difference affects negotiations (Weiss, 1994; Brett and Okumura, 1998; Bazerman et al., 2000). How do we address the challenge of intercultural differences during negotiations? Some suggestions include agreeing on a cultural norm to conduct the business. While this seems optimal, it is hard for people to transcend their intrinsic cultural norms (Brett and Okumura, 1998). Another suggestion would be to try to step out of one's cultural framework. A more realistic approach, according to Weiss (1994), would be to operate on a cultural norm that is most familiar to both parties. Cultural psychologists have categorised the variability in culture based on communication context, conception of time, collectivism-individualism and hierarchical-egalitarian (Bazerman et al., 2000). In most cases, there is a substantial difference in the approach. In a

study focusing on intercultural differences between Japanese and United States negotiators, the most distinguishing factor was that the two cultures focused on self-interest instead of cultural difference (Brett and Okumura, 1998).

Another important role during negotiations is the role of the facilitator, as highlighted and procedurally expanded on by Forester (2011). In “Learning from Practice…” Forester (2011) begins by highlighting how “being results-oriented requires being process sensitive too”, and how to achieve these results, the facilitator must be an active and avid listener for the process’ sake. This means, irrespective of who hired the facilitator, they (the facilitator) must ensure a free, fair and transparent environment and that all parties can participate in the process.

Forester (2011) also stresses that being an avid listener means the facilitator understands the process is not about them but rather about capacitating the stakeholders involved. The facilitator’s input should thus be minimally procedural at the very most, and this input should only extend to their skill set – capacitating and empowering participants to create solutions to move processes along. Forester (2011) also highlights how this ‘listening’ skill lends itself to how the facilitator works in different spaces.

Forester (2011) illustrates the skill of creating and managing an open ‘invited’ space; the facilitator must read situations (listen per se) and people, and in so doing, creates a better invited environment yielding more equitable outcomes. Briefly, his example highlights how state officials who had already cut a deal with lumber companies in Canada wanted to ensure all affected stakeholders knew about the deal and its impact. Realising this could fundamentally turn bad, Forester (2011) encouraged the officials to become transparent to all stakeholders via a conference call before they met to mitigate tensions. This also allowed all other stakeholders to regroup and produce their conditions for the deal when they finally physically all met.

2.3.3 Agonistic pluralistic approach

While it is apparent that there may be conflict with the visions of the state and social movements, it will be helpful to draw light from the growing literature that considers ways of dealing with conflict within democratic society instead of covering it with a veil of consensus (Forester, 1989). The minibus taxi industry is quite characteristic of violence and protest; therefore, agonism could provide planning practitioners with a more productive tool. Agonism is seen as a post-structuralist and post-Marxist approach to viewing democracy. It about drawing productively on conflict and managing conflict to prevent destructive outcomes while balancing plurality at the same time. The Foucauldian definition of agonism is the space between confrontation and domination.

Agonism supposes that conflict is a vital and necessary facet of democracy. The value of agonism is that it is possible to sustain active engagements despite conflicts. There are three main scholars of agonism, namely William Connolly, Chantal Mouffe and James Tully. Connolly refers to "agonistic respect" as an important virtue for political constituents to discuss their differences. This is seen as important for neutralising hegemony between political actors. Tully is more concerned with democratic openness and leaving room for dissent during political participation processes (Tambakaki, 2014). For the current study, I focus on Chantal Mouffe's (2000) work on agonistic pluralism as she distinguishes agonism and antagonism. She defines agonism as an alternative to consensus whereby the other parties' view is acknowledged and recognised. They remain friendly enemies, and a degree of closure or consensus is envisioned. Antagonism is an extreme case in which parties do not recognise each other's views; they are deadly enemies. It is imperative for the current study to determine whether the conflict between the state and the minibus taxi industry is agonistic or antagonistic.

Mouffe describes agonism as "a struggle among adversaries that agree on the basis of liberal democracy yet disagree on their interpretations" (Cited by Tambakaki, 2014, p. 9). Mouffe (2000) refers to agonistic pluralism as an alternative to consensus-seeking modes of democracy. Agonism, according to Mouffe, is framed within an institutional setting; therefore, the commonality between political actors is their fundamental belief in liberal democracy. Liberal democracy refers to protecting the rights of every individual, which are protected by law. The assumptions are that agonism implies there should be openness and no consensus. There needs to be ongoing contestation to maintain openness (Tambakaki, 2014). However, agonism is really about providing constructive channels for contestation and difference to take place while challenging hegemony and neutralising power. The process differentiates agonism from other democratic engagements. Agonism is based on compromise; there is often bargaining involved. Meanwhile, consensus is characterised by deliberation (Hillier, 2005). Planners are to adopt a more pluralistic approach, prioritising the needs of the protesting individuals and giving them a voice.

The Mouffean perspective reasons that hegemony and different interests are inherent within social orders. What is accepted as the norm is considered by excluding other possibilities. She argues that to consent to a particular rationale is to agree to the overriding hegemonic construction (Mouffe, 2000). As a solution to the conflict that is ever so present, agonism proposes that we foster agonistic public spaces that will obscure the dominant narrative. A well-functioning democracy requires real confrontation of demo-

cratic position (Mouffe, 2000). It is argued that if this space for agonistic debate is not fostered and this sense of passion mobilised within a democratic process, then this gives rise to populist parties that offer this alternative. These populist parties exhibit extremist and nationalist characteristics, which can be destructive. There is little confidence in agonistic practices to minimise profound differences. The value derived from agonistic practice is that the state need not shy away from conflict and can provide a robust setting for conflicts to play out. However, there is still a need for deliberative and discursive models to handle deep difference (Dryzek, 2005). Pieterse (2008) points to a locally developed solution as a middle ground between conflicting parties. Those who know the difficult issue should contribute to making a democratic city.

2.3.4 Co-production

Could the concept of co-production shift power imbalances and inequalities? There has been much debate regarding the actual meaning of co-production and its differences with participatory planning. Co-production is seen as participation on a more nuanced level (Galuszka, 2019). It is an arrangement whereby society produces some of the services they use. The concept of co-production was used in the provision of security services and only became relevant to development following Ostrom and Evans' work in the 90s in economics and political science. Ostrom (1996, p. 1073) defines co-production as "a process through which inputs from individuals who are not 'in' the same organisation are transformed into goods and services". In many respects, co-production has been criticized as making up for the inefficiencies of the state. The traditional definition of co-production by Ostrom (1996) is based on several assumptions, one being that cooperation in service production is the exception rather than the norm. In African states where the public sector is unable and sometimes unwilling to provide services, co-production is the norm (Joshi and Moore, 2004). Ostrom's work has been criticised for assuming that the relationship between the state and civil society is fair and not politicised and that participants would gain equal access to co-produced goods and services (Watson, 2014; Siame, 2017). Another limitation is that power was not theorised in Ostrom's work. Nevertheless, Ostrom's work encourages decentralization and to bring the government closer to society. Mitlin (2008, p. 353) defines co-production within planning as "a deliberative engagement between grassroots and the state, that encourages it to move beyond a local orientation and towards a more substantial change".

There are variations of co-production, such as social movement-initiated co-production, as seen with Shack/Slum Dwellers International, whereby co-production is a way of deepening democracy and a form of charity work. Turner's self-help housing is one

of the popular cases of co-production. Co-production exists within a spectrum and can be state-initiated or initiated by movements. Co-production intends to synergize the relationship between the state and civil society and empower civil societies. In some instances, co-production is seen as a way to alleviate power imbalances by bringing different stakeholders to work together in hopes of resolving existing antagonisms and stabilising power imbalances to improve outcomes of services or goods. For co-production to be viable, it needs to be catalysed by the community's self-initiated efforts and led by them (Mitlin and Bartlett, 2018). Mitlin and Bartlett (2018) discuss some of the strategies that movements use, including engagement, contention and subversion. These strategies are often used by movements to advance their interests and agendas. There are instances where co-production is not inclusive where the processes, for example, slum upgrading, only include people with land ownership.

It is important to address how locally developed solutions can be integrated into the envisioned public transport plan (Dovey et al., 2018). Galuszka (2019, p143) asks, "What makes urban governance co-productive?" He questions the overlap or contradiction between participatory planning and co-production. He argues that citizens carry out urban planning in many global south cities. The informal and precarious circumstances of many urban dwellers remain prevalent. Therefore, for urban governance to be co-productive, planning processes need to step out of the formalised bodies to gain a deeper understanding of planning as it takes place on the ground. He also argues that within institutionalised or formal spaces, decisions are made to conform to the hegemony of typical planning norms and frameworks, which may not mirror the current living realities. Galuszka's (2019) words resonate with Scott's (2008) sentiments that administrative systems are not fully capable of representing the complexities of civil societies, especially, as Watson (2009) argues, in the cities of the south. Co-production in the global south needs to exist outside of regulation (Mitlin, 2008). Civil society needs to create more urban governance bodies and institutions outside formal prescribed ones to allow for more independence from institutional frameworks (Galuszka, 2019).

Institutionalised co-production refers to production on a sustained regular basis.

Institutionalised co-production is "the provision of public services (broadly defined, to include regulation) through regular, long-term relationships between state agencies and organised groups of citizens, where both make substantial resource contributions" (Joshi and Moore, 2004, p. 40). This does not refer to temporary quasi-contracts or the non-state actors synonymous with New Public Management. Institutionalized co-production is valuable for the current study because it includes relationships between

informal or undefined agencies. This study is particularly interested in the governance and power relations between these informal and undefined relationships.

Co-production is not limited to producing goods and services but can extend to producing knowledge (Mitlin and Bartlett, 2018). Knowledge co-production represents a way to include voices that may be typically absent in research to foster new relations between stakeholders and stabilize power imbalances (Marrengane and Croese, 2021). This kind of knowledge is actionable and is a problem-solving tool for planners. The value of co-production in this study is to bring different stakeholder groups together to overcome long-standing antagonisms and address the asymmetries of power through research or working together (Simon et al., 2018). Co-produced research, like the co-production of services, can sometimes also be transdisciplinary. This form of transdisciplinary research is about inclusiveness and deliberative negotiation as a basis for building mutual and shared understanding. This is meant to overcome the conventional linear top-down model of knowledge production (Simon et al., 2018). This study focuses on co-production as a mode of engagement in the delivery of services and infrastructure. While the co-production of knowledge is part of this process, the focus is rather on co-production as a means of managing conflict and difference.

Mitlin and Bartlett (2018), in their review of the trajectory of co-production, review several co-production cases, mainly in the global south. They conclude that co- production is an intervention or an approach; some processes result in consensus, and others in dissensus. There is no magic in the process; however, the power lies in the people involved and the bureaucrats' willingness to change. Several factors are at play, and re-balancing power is not easy. However, there has been value in grassroots movements in forgoing engagements with formal entities and memoranda of agreements, as seen in the case of Harare, which has solidified a framework of engagement and empowered society. This includes providing non-formal bodies for co-production to take place outside of the stipulated forums of planning (Galuszka, 2019). Co-production is rarely exclusive of all discrimination, and exclusion remains a part of co-production processes. With that said, Mitlin (2008) states that the value of co-production is to form synergy and to reinstate interdependence between the state and civil society, whereby the state and non-state actors rely on each other to provide services. Where power imbalances are skewed, there are strategies to re-balance, but it is not easy. Thus, co-production could be used to find a locally developed solution, but this is not a guarantee.

The literature on co-production has been aspirational and methodological focusing on the stated benefits of co-production as a means of facilitating as well as communicating

(Turnhout et al., 2020). Turnhout et al. (2020) lament a lack of understanding of power and politics in some of the co-production literature, which can lead to the reproduction of existing unequal power relations in practice. Co-production is a challenging process that is inherently complex. The concept of sustainable development is also contested and normative (Pohl et al., 2010). Furthermore, the challenges highlighted from the experiences of the African Centre for Cites (ACC) city lab programme included micro-politics, practitioners not willing to steer away from their biases and producing research within the inter-disciplinary framework. To deal with these challenges requires a set of practical skills that can enable researchers and practitioners to let go of their preconceived viewpoints and assumptions (Pohl et al., 2010). Turnhout et al. (2020) outlines three common ways in which the depoliticization of co-production can reproduce unequal power relations which could be useful for this study. The first is upholding the rationale of science driven projects and overlooking the existing hierarchies between scientific and other knowledge holders. Secondly, consensus for solutions is Foften considered rational according to the perspectives of the elite. Lastly, is co-production being confined to project boundaries without engaging the wider political context within which these projects are embedded.

The premise of co-production is that when solving complex problems scientific knowledge is not enough: the contribution of other stakeholders' knowledge is vital in creating knowledge that is not only scientifically astute but also socially relevant. Uneven power relations are often present from the start; for example, when individual citizens or representatives from community organizations or non-profit organisations are invited to participate into processes where the scope for participation and the problem framing of a project have already been defined by a narrower set of elite actors (Dalgarno and Oates, 2018). What is common in co-production processes is that the elite are able to shape the processes to serve their own interests using the authority of scientific expertise and universal best practice. The reproduction of unequal power relations in co-production processes is counterproductive, therefore, for the purpose of this study it is important to identify the factors that enable it.

An interesting study in Ghana found that co-production became a gateway for private wealth accumulation especially in instances where there is poor governance and weak institutional capacity (Akaateba et al., 2018). There is, however, literature that highlights the importance of managing power dynamics within co-production processes, cautioning against empowering certain actors over others (Chisla, 2017; Clark et al., 2016; Oliver et al., 2019). This can include but is not limited to a degree of disempowerment of science and other elites. The empowerment of marginal actors is a fundamental goal of

such projects.

2.4 Conclusion: The Range of Concepts that Engage with the Idea of Conflicting Rationalities

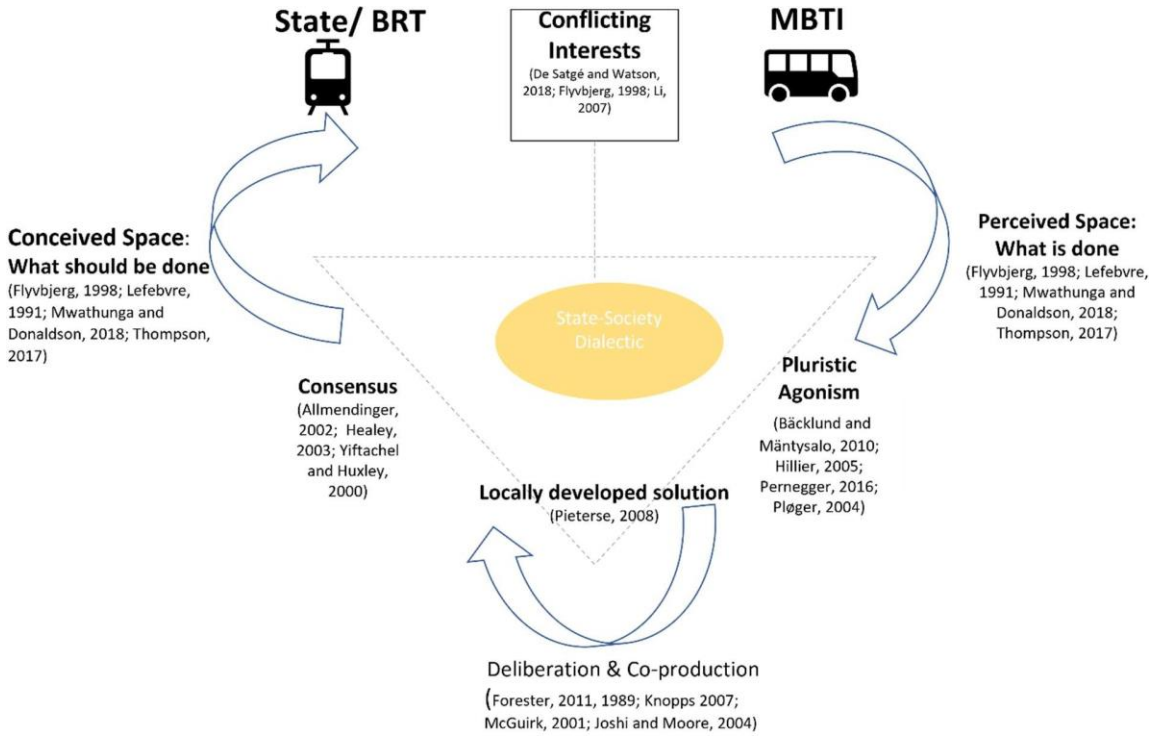


Figure 2.2: Schematic representation of the bodies of literature that engage critically with idea of conflicting rationalities.

I presented two main theoretical positions at the beginning of this literature review. The first is a disconnect between everyday practices and what is done. The second position is that this disconnect can be mediated through a locally developed solution. The approach has not limited the review to a specific theory or concept; this review has put together a schematic representation of the bodies of literature that engage critically with a range of concepts and theories, which could be beneficial in exploring the long-standing tension between the state and the minibus taxi industry (Figure 2.2).

The Lefebvrian lens particularly ‘the production of space’ has been useful in pointing out that there is a difference between what should be done (proposed) and what is done (lived reality). The interface between the state’s ambitions and the minibus taxi industry is worth exploring.

The state and civil society framing is useful in this study in so far as pointing out the discrepancies of the state’s plans for reform and the lived reality of paratransit opera-

tions. Nevertheless, considering this specific study one must keep in mind that the interface between the state and civil society should be applied carefully since the paratransit industry is not part of civil society (I explain this in the next chapter). The next chapter will focus on the transport literature and its relevance and applicability for the concepts of co-production, participatory planning and the relevance of the concepts for this study. The Foucauldian premise presented mainly by Watson (2003) if read at face value seems to suggest that these rationalities are irreconcilable and present no way of moving forward. While she suggests alternative approaches which are situated norms and judgements they are at a conceptual level. However, de Satgé and Watson (2018) provide case study approaches for moving forward which could be helpful for this study. Nevertheless, the review of collaborative literature provides evidence that there are various approaches to mediating conflict. Simply framing these interactions as irreconcilable rationales, i.e., the state with a development or improvement agenda versus civil society having resistance or a survivalist mindset is helpful. However, what implications does this have for the planning discipline?

For this study, I will explore alternative approaches that could possibly be more productive to better place-based outcomes such as to Flyvbjerg's (1998) view, which presents multiple rationalities whereby various stakeholders are guarding their interests and rationalising their interests using a veneer of power. In applying this conceptual lens and the Aalborg case in particular, this study seeks to comprehend the interests of the state and the minibus taxi industry. Flyvbjerg (1998) argues that decisions are made beforehand by powerful individuals with private interests and rationalised afterwards. Therefore, it will be useful for this study to identify who these powerful stakeholders are, whose interests will the implementation of the BRT serve and who stands to lose from its implementation. It will also be important to understand how the various stakeholders are using power to legitimise their claims.

However, deep differences and tensions remain a salient aspect of this study. It is important to determine the depth of the difference – is it existential? A study looking at the case of Israel-Jewish 'urban ethnocracies' showed how ethnographical issues, such as race, gender and religion, impact spatial planning in the production of space, in this context to what extent are communicative planning theories are applicable (Yiftachel and Yacobi, 2003). It is important for the current study to discover whether the history and political tensions between the state and minibus taxi industry have any bearing on the current conflict during the public transport reform process.

The literature review has pointed out the limitation of communicative planning theories

in dealing with power, especially when considering the Habermasian communicative theory and how the analytical models developed in the north are not capable of confronting the complexities of informality. It will be interesting to analyse the value of control, i.e., whether the minibus taxi owners will be willing to forego monetary returns for control and agency or if they will try to secure both (Bobadilla-Suarez et al., 2017). These communicative planning theories will be valuable in identifying whether consensual or deliberative methods were beneficial during the public transport reform process in trying to move past the conflict or whether planners adapted to working with the conflict by applying more pluralistic frameworks, such as agonism, to find a more locally developed solution.

The premise of the Mouffean perspective recognises the shift from antagonistic relations to agonistic as a triumph instead of completely wishing conflict away. It will be valuable for this study to identify whether the altercations between the minibus taxi industry and the state have been antagonistic rather than agonistic and whether the state has provided more robust settings for tensions to play out. With that being said, the literature provides little practical evidence that agonism can mediate fundamental differences; closure and consensus are always important. Co-production (particularly institutional co-production) has been a suitable term for defining the current engagement between the minibus taxi industry and the state (jointly providing transport service).

Joshi Moore (2004), using the term institutional co-production, unpacks this unorthodox method of service delivery in developing countries where the relationship between the state and society is informal and contested. Galuzska (2019) points out that in cities of the south, the use of planning instruments and the formal institutional structure for planning continues to impose conceived notions of what cities should look like. Maps, models and other administrative tools can be limiting and serve as means that abstract space and misrepresent users lived realities. When planning takes place outside the prescribed formal bodies, the use of planning instruments is one of the ways in which a locally developed solution can be found. Galuzska does not offer evidence from case studies; however, he proposes that grassroots or civil societies should create urban governance bodies and institutions so that deliberative processes can take place in informal spheres.

Reviewing the collaborative literature, the position of the current study is that deep difference manifests in spatial planning processes. The automatic response should not be to try to mediate the difference but acknowledge it and understand the value and power

dynamics at play. The position of this study is that planners need not rush to find a consensus. However, they need to strike a balance; there needs to be a degree of openness to conflict and closure or consensus. Before assuming that there is conflict it is important, first, to determine to what extent collaboration or dialogue is possible between the various stakeholders and to stabilise power relations and allow deliberation to take place. What has been enlightening and indispensable for this study is that a locally developed solution does not always exist in the formal participatory processes. This compels one to look beyond the negotiation sessions to understand what a locally developed solution could be.

3 Chapter Three: Applying the Deliberative Resolution Framework to the Public Transport Reform Process

3.1 Introduction

Contestation between the state and the paratransit industry poses a challenge to the development process of a BRT system. Failure to address the arising tensions and concerns within projects can result in infrastructure damage (due to protests) and project failure (Wei et al., 2016). In some instances, conflict or at least contention or contest is much more subtle. Also, given an agonistic framework, conflict can be used productively and need not result in violence or project failure.

The previous chapter pointed out that the resistance to public transport reform can sometimes be a clue to the operational styles or lived realities of the paratransit industry . Thus, the mounting tensions point out a need for more robust democratic institutions to transform destructive antagonistic responses from the paratransit industry into more meaningful inputs for public transport reform. The position of the theoretical chapter is that the co-production of knowledge through deliberative and agonistic approaches could lead to more just and sustainable development outcomes (Vincent, 2022). This chapter is a continuation of the previous chapter, reviewing whether indeed the literature on transport, particularly paratransit, has drawn on concepts of conflicting rationalities, collaborative planning, negotiation, agonism and co-production.

Some extreme examples of paratransit resistance to public transport reform include a BRT bus in Johannesburg, South Africa, being shot and stakeholders being killed by opposing paratransit operators to demonstrate disgruntlement with the process (Venter, 2012). In Quito, operators had the BRT system and the entire city at a standstill for several days until the military intervened (Chrustie et al., 2010). While these are extreme cases, contention or contest can be much more subtle. In fact, contending interests during projects becoming contentious is a global phenomenon, and there is literature from the global north which speaks to this. The issue may be that conflict can erupt as violence in countries where conflict resolution mechanisms are not deeply institutionalised (Nared, 2020).

The first section introduces the paratransit industry and presents alternative ways of looking at it beyond the common formal and informal dialectic. The second section explores conflict within the paratransit industry to understand how the paratransit industry manages conflict *de facto*. The third section explores the intersection between the state and the paratransit industry to understand the current relationship dynamics be-

tween them. The last section looks into pluralistic approaches in search of locally developed solutions.

3.2 Participatory Planning within Public Transport

Transport planning has been the craft of transport engineers mainly focused on traffic engineering and mathematical modelling, which emerged with the rise of the automotive city. Traditionally, transport planning has used quantitative methods and models to determine transport demand with very little consideration of the qualitative aspects. As a response to the shortcomings of positivism, planners adapted the technique of disclaiming positivist models by pointing to their value rather than their accuracy (Bell, 1997; Timms, 2008). Transport planning has since focused on environmental and economic sustainability; however, for transport to be truly sustainable, social factors such as social buy-in of projects needs to be prioritised (Sagaris, 2018). Some authors point out a gap withing transport planning, namely equity or social justice as essential components of sustainable transport planning (Sheller and Urry, 2006; Martens, 2011). Sheller and Urry (2006) refer to this as a new paradigm for mobility. The use of participatory methods in transport planning is becoming increasingly important.

Thus, communicative rationality is seen as a postmodern solution of transportation planning, which is more pluralistic and is considerate of other narratives beyond the planner's objective solution. Public participation in transport literature and policy is generally regarded as a positive contribution to the planning process. Participation processes not only compliment the knowledge basis of the planner but contribute to the satisfaction of the public with a project. Since the issues at hand affect their lives directly, participation can be seen as an important tool to empower citizens in the shaping of their circumstances. The result of participation is the sustainability of projects because longevity depends on the user's relation to the outcome of the planning process.

Willson (2001) observes a tension within participatory planning in transport planning, which is between instrumental rationality and the political dimensions of planning. Planners struggle to reconcile the technocratic stipulations of their works with the competing demands of different stakeholders; thus, planners often struggle to reach a consensus. He goes on to further elaborate on the differences as the rational transport planning system seeks efficiency meanwhile decision-makers are often preoccupied with the geographical incidence of the benefits and costs. Wilson (2001) terms this political dimension the strategic rational, referring to the social dimensions of planning. He believes that one of the ways of resolving this dichotomy and assist transport planning

to escape its technocratic roots is through communicative rationality.

Nostikasari (2015) states that modelling and participation are the two most important tools for regional transportation planning. He views modelling as a discursive method requiring participation to supplement its limitations. The use of participatory methods within transport planning has become increasingly important in understanding the subjective elements that contribute to household travel patterns and the effects of travel on livelihoods (Fouracre et al., 2006; Nared, 2020).

Nared (2020) focuses on eight European countries in a study of participatory planning: Ljubljana, Oslo, Gothenburg, Helsinki, Budapest, Rome, Porto and Barcelona. One of the gaps highlighted is a lack of institutional arrangements to incorporate these deliberative, collaborative and participatory forms of planning as part of everyday transport planning. However, in Scandinavian cities where Nared (2020) conducted research, participatory methods had a long-standing tradition, shown by the regular involvement of official and non- official stakeholders. The institutionally established and accepted forms of participation have led to commonly perceived transparency in governing, as well as a better understanding across the board of unresolved issues. Other European cities tended to prescribe nominal forms of participation, rather informing stakeholders than involving them actively. Across the board, Nared (2020) observes that participatory planning goes only so far as it is legally established. He further notices that the reasons for a limited extent of participation can be traced back to a fear of the executive planners losing decision-making power and administrative departments having insufficiently defined responsibilities. This leads to state officials sticking to their well-known and well-defined tasks rather than seek out participation in a more nuanced manner.

Despite the benefits of participatory planning, the efforts of planners remain limited to a legalistic and informative character because it requires engagement that isn't necessarily required of planners (Swapan, 2014). According to Swapan (2014), the lack of skills to manage participatory processes must be identified as the main reason why planners avoid participation. At the same time, planners have a good understanding of the norms and the boundaries within which a project can be realised (Nared 2020). In their role, they are endowed with the responsibility to connect the objective-scientific perspective with the subjective perspective of citizens (Nostikasari, 2015). Planners should encourage citizens to partake in planning processes by utilising the means available to publicise and obtain opinions from the people (Sagaris, 2014). The specific challenge in communicating to the populace lies in acquainting a large group of un-

skilled people with the necessary skills to participate in the planning discourse, be it of a communicative, a technical, or an electronic nature, and instil a sense of stewardship for the outcome of a project (Hong, 2018). To counteract these insufficiencies, those interviewed for Nared's research voiced the need for a perspective shift towards seeing participation as solidifying and technically improving transport plans and global participation on every geo-political level and in every department with all relevant participants.

Developing countries of the global south are characterised by lower incomes and large populations in sprawling cities. These cities experience heavy growth due to rural-urban migration (Wilkinson et al., 2013). Public transport is spread unequally with prevalence in urban core and unserved peripheral areas. Travelling usually includes long commute times with different vehicle types and sizes ranging from trains, buses and motorcycles. Public transport provision is made up of institutionalised transport as its backbone which is mainly provided by public entities although managed in some cases entirely by the private sector (Wilkinson et al., 2013). Transport infrastructure, especially rail, in many global south cities was provided during colonialist periods by the state. In post-colonial periods, the state has absolved the responsibility to private owners, seen with high market share of paratransit and other private owners providing public transport (Rizzo, 2017; Schalekamp, 2017).

The challenge to reform public transport is both operational and institutional. In many cases, there are hundreds and even thousands of operators competing for passengers (Cervero, 2001; Barrett, 2003; Gwilliam, 2008). This is important to highlight in view of participatory planning in the global south. Participatory planning in such a context can be challenging. However, there is a growing practice of participatory processes marked by the introduction of BRT. Development agencies such as the Gesellschaft für Technische Zusammenarbei and the Institute for Transportation and Development Policy have persuaded cities of the global south to adopt BRT as the core of their public transformation interventions and for political buy-in have sought the participation from previous paratransit operators (Wilkinson et al., 2013). This adds an interesting dynamic as paratransit operators have a vested interest and stake in public transport operations. They have a long-standing history and knowledge of the operations and their participation in the process is not to foster stewardship but, in many cases, is to get political buy-in.

There has been marked resistance to the implementation of the BRT. The cause of resistance to the BRT system by paratransit operators differs from region to region. In Bogotá and Mexico, there is insufficient investment capacity to purchase buses for

BRT operations, as well as loss of control of operations to another. Loss of jobs or employment has been cited as another reason for paratransit operators' resistance in Tanzania (Ahferom and Svensson, 2009; Rizzo, 2017). Some differences were deep, such as in Johannesburg, where the main issue was mistrust of the government. Paratransit operators saw the BRT system as the government's solution to replace the paratransit industry, influenced by the historical and political tensions that played out during apartheid (Asimeng and Heinrichs, 2021). Asimeng (2021) states that the culminating issue seems to be based on the fear of losing agency and control. Based on behavioural studies by Bobadilla-Suarez et al. (2017), people are willing to forego monetary rewards for control, which is highly valued during negotiations. While there seems to be a strong will to involve paratransit operators, there is no clear plan as to how (Ahferom and Svensson, 2009). Piecemeal statements, such as "paratransit operators should be made to understand that this is an opportunity and not a threat" remain unsubstantiated (Rizzo, 2017).

3.3 Paratransit as Urban Actors: Owners of the Map

In many of the public transport reform projects like the BRT, the state needs to engage the paratransit industry. In many cities of the global south where a dua form of transport exists, the common tendency is to polarise public transport into formal and informal resulting in a limited understanding of the paratransit industry. When engaging the paratransit industry, planners need to be aware of the skill set they bring to the planning discourse. To provide a deeper understanding of what is happening on the ground, one needs to explore literature that provides an alternative perspective to view the paratransit industry beyond formal-informal framing.

Applying the Lefebvrian spatial triad, Oldenburg (2018) locates paratransit operators as urban actors contributing to social life and urbanisation. Lefebvre (1991) uses the production of space as a conceptual framework to understand space. The production of space refers to space as being socially produced and made up of three dialectically interwoven categories. This is the conceived, perceived and lived space. The conceived space (representation of space) is the discourses of space by technocrats and professionals, commonly advocated by modern plans; it is also referred to as abstract space. The perceived space (the spatial practice) relates to the everyday use of space. Lastly is the lived space, the representational space, which is the experience and the meaning that people derive from that space.

Oldenburg (2018) applies the spatial triad to analyse motorads (motorcycle taxis) plying the streets of Congo. Congo has unique characteristics, such as ongoing violence

from war and political instability. Meaning and a more nuanced understanding of the motorads can be understood by seeking to understand the everyday. In this case, he sees roads not being just the material form but as the worksite for drivers, places of transport and trade. How does one explore local practices, perceptions and strategies to expand knowledge of the paratransit industry? To collect his data, Oldenburg conducted an ethnographic study spending more than a year in Congo interacting with motorad drivers in their everyday experiences. Through relationships developed during earlier encounters, he set up interviews. These interviews were in a discussion format; while having a drink, he conducted interviews in their language (French or Swahili). During his investigations, he tried to understand the drivers and their motorad associations; how they negotiate territory and make claims. He noted the uncanny relationship that motorad drivers have with traffic officers and the state and how motorad operators are negatively perceived as the bandits of society.

Paratransit are strong pressure groups in society due to their intimate knowledge of the streets (Baker, 2006; Oldenburg, 2018). They are referred to as urban brokers with a candid ability to enforce mobility and immobility. They can leverage this knowledge for good and bad; thus, they are a useful tool for political mobilisation. In some regions, the paratransit industry has been organised as a response to the colonial government's suppressive regimes and, in response, has provided some self-provisioned transport services. They commonly position themselves as defenders of the rights of society addressing poverty and inequality (Fobosi, 2013; Sopranzetti, 2014; Godsell, 2016).

Sopranzetti (2014) conducted an anthropological study of motorcycle taxis as central political actors in central Thailand. Two hundred thousand motorcycle taxi drivers in Bangkok assisted the red shirts to orchestrate a protest in Bangkok. Obotto, one of the leaders of the motorcycle taxis, said, "If you want to get out fast, motorcycle drivers are your best choice" … "Everybody wants to be on our side…. we know how to move, how to get out nobody has our knowledge of the city". We are the "owners of the map" (Sopranzetti, 2014, p. 132).

This is because paratransit operators have an intimate knowledge of the city. They have acquired this knowledge from their operations. They consider themselves streetwise. Through experiencing and analysing the road, they can generate knowledge about different social factors.

*"*On the motorcycle, life is the outlook (*la vie c'est la vue*). I see everything, observe everything and I am always up to date. Talk to me and I will help you understand this city*"*

(Oldenburg, 2018, p. 264). Through their experience plying the wealthy and most poor parts of the city, they can conceive inequality in a spatial sense. They understand the dynamics of how the rich and the poor survive and, at times, forge social connections with various classes of society. Sopranzetti (2014) points out a connection between spatial and political mobility; (im)mobility as a tool of political mobilisation both virtually and physically. In the case of Bangkok, while protesters occupied the city centre, motorcycle taxis slowed down and even blocked the circulation of goods, people, and information they normally facilitate. Their knowledge of the map enabled paratransit drivers to develop a map for the protest that was valuable for their allies and impenetrable for their enemies. Thus, paratransit operators could pose a threat to the state's ability to control the city. This may have been a recent technique for Bangkok, Thailand; however, using mobility and immobility in political contestations is commonplace and has been under-theorised (Sopranzetti, 2013; Agbiboa, 2018; Oldenburg, 2018). Urban planners could leverage this kind of knowledge to co-produce more just and sustainable development outcomes.

South Africa's paratransit industry has been very involved in political processes. At some points, the interests of the state and the minibus taxi industry collide and, at other times, synergise. However as mentioned in chapter one, much has been written about how they have used immobility to oppose the apartheid government's history of oppressive transport policies and protest them. Khosa (1990, 1992, 2006) writes about urban popular protests that emerged during the 1940s, 1950s and 1980s. During the 'Asikwheli' bus strikes, which took place in 1957, people used minibus taxis as an alternative form of transport in defiance of the government. More than 70 000 workers boycotted buses in Pretoria and Johannesburg townships. Workers refused to ride PUTCO (public utility transport corporation) buses to work due to a 25% increase in fares, opting to walk or use minibus taxis as a form of demonstration. Since 1952, black workers paid transport levies or subsidies monthly or weekly (Lodge, 1979; Stadler, 1979). These subsidies were used to facilitate spatial exclusion of black communities from the urban centres. The 1957 bus boycotts were not the only period of boycott by black South Africans. There are 22 other instances between 1948 and 1961. During that time, the minibus taxi industry rose to popularity as the alternative to a monopoly bus system (Lodge, 1979; Stadler, 1979; Khosa, 1990).

During this time (pre-1977), taxi owners were labelled illegal pirates and operated valiant sedans. Legalised black taxis were restricted to carrying five passengers. They were often harassed by police officers with their vehicles confiscated for petty offences (Khosa, 1992; Magubane and Manicom, 2003). The licensing of taxis was issued by

the white state bureaucrats who used this apparatus to pacify protesting and resistance from the taxi industry. Furthermore, influx control measures were used when issuing licences. For example, taxi operators required a daily permit to be issued a taxi licence. This led to taxi operators being sceptical of the state and its regulations as a tool used to undermine black enterprise (Khosa, 1992). Thus, the paratransit industry is not merely tied to its primary purpose of providing transport; it is very active in socio-political matters that pertain to society. Much has changed with the new-found freedom of post-apartheid seen with the paratransit industry often plying the streets with loud kwaito music has translated into all sorts of complex relationships, which Bähre (2014) refers to as "shifting mutualities" (I discuss in section 3.5), particularly the complex relationship between the state and the paratransit industry.

3.4 Internal Dynamics Within the Paratransit Industry

How do paratransit operators make their claims and how do they navigate conflict? This section explores the internal dynamics and diverse interests of the paratransit industry. In many respects, self-regulation and deregulation have afforded some freedom to enter the market; however, this has created complex internal dynamics (Boudreaux, 2006). The internal conflict ranges from business conflict reflected in the competition for customers, which fuels reckless speeding as drivers are paid per the number of passengers. In Bogotá and many other Colombian cities, it is referred to as penny wars – *guerras del centavo* (Edgar Sandoval, interview, Bogotá, September 29, 2009). Other conflicts centre around the membership of cartels; in most cases, paratransit operators will join a union or bus company formed to protect routes and ranks (Boudreaux, 2006; Bassett and Marpillero-Colomina, 2013). Bus companies, through organised crime control and, in a sense, own the routes, often rent out multiple rights to a single route (Bassett and Marpillero-Colomina, 2013). Oldenburg (2018) writes about how moto-associations in Congo are ethnically organised and the way in which motorcycle drivers assert themselves by joining the opposing companies or unions. There is a gap in literature exploring the internal conflicts and even how these are mitigated. The literature that is prevalent explores the extreme cases whereby the competition is fierce and, in some regions, very violent, resulting in loss of life.

Violence commonly erupts in different parts of South Africa between paratransit operators and is commonly referred to as 'taxi wars' (Luce, 2017). There are different operators within the industry. The *amaphela* are existing operators operating within townships as feeders to the larger-sized minibus vehicles. *Amaphela* (meaning cockroaches) is illustrative of the way the Toyota Sedans scavenge the townships in search of passengers. *Amaphela* operators are concerned about the possible encroachment of mini-

buses on their turf as they were displaced from the main or trunk routes with the introduction of the BRT system. Bähre (2014) notes that in October 2013, the contestation and fights escalated between minibus taxi owners and *amaphelas*, resulting in the death of several minibus taxi owners who were shot dead.

The state imposed IRPTN plan needs to be considerate of the internal dynamics and the existing forms of engagement and conflict. Some associations or groups are stronger than others and use force and violence to exert control over routes (Browning, 1989; Dugard, 2001; Barrett, 2003; Boudreaux, 2006). What is common is squad cars, which patrol what they deem their territory. Associations exercise *de facto* rights on certain routes and ranks using intimidation and even force. These *de facto* rights are not protected *de jure*. The government and police have, in most cases, turned a blind eye to the increasing turf wars. Boudreaux (2006) proposes property rights to routes and ranks. She suggests that the *de facto* rights be recognised by the court and police, as was the case with the Radio Act of 1912 in the United States of America, which granted licenses to radio broadcasters according to the existing norms. When official rules and regulations are not well adapted to reality, it often produces informal norms (de Sardan, 2014). Unless the state intents to address the underlying issues that provoke violence in the paratransit industry (which include corruption within the state), attempts to reform public transport will be undermined.

Van Schalkwyk (2011) highlighted that while the state was interested in modernising and increasing the fleet size of vehicles through the TRP, the paratransit industry wanted the government to intervene in the violence and turf wars that have reached crisis levels. A robust setting and an ongoing engagement process are needed to calm the tensions between various operators. This setting should allow for agonism – the confrontation of two adversaries based on agonistic respect (Hillier, 2005). Le and Markowitz (2015) portray how it is important to address groups in segments or separately, especially when dealing with conflicting groups, before bringing them together. When considering representation, a fragmented, oppositional taxi industry would not have as much weight or authority to face the state. It is thus important to build a united front to make claims on behalf of a collective paratransit industry in support of public transport reform (Le and Markowitz, 2015). This could allow planning to take place outside the formal planning space and maintain independence from the institutional framework. The literature reviewed provides insubstantial evidence for resolution mechanisms employed by paratransit operators that can be used during the public transport reform process. What is evident is that conflict relations amongst paratransit groups can be subtle and escalate to extremely violent altercations. It is imperative to consider conflict res-

olution mechanisms that can work with conflict dynamics, instead of shying away from it.

3.5 Intersections Between the State and the Paratransit Industry

When focusing on the state and the paratransit industry, it is more important to understand the intersections between them (Bähre, 2014; Goodfellow, 2017). Agbiboa (2020) points out that the paratransit industry and the state are not distinctly separate entities. To build up his argument, he focuses on Tom Goodfellows' perspective of "double capture" to describe the relationship between the Uganda Taxi Operators and Drivers Association (UTODA) and Erik Bähre's study of relations between taxi associations and the state, which he refers to as "violent shifting mutualities". A developing literature points to the paratransit industry as an economic resource to the state. Now more than ever, money trickles up to the state, business owners and taxi leaders (Ingle, 2009; Bähre, 2014; Goodfellow, 2017; Agbiboa, 2020). State- initiated reform projects have mandated loans from the bank to finance newly imposed vehicle specifications, as well as the accompanying insurance products. The government not only uses formal means, such as taxes, licensing, and fines but there are officials who deploy informal means such as demanding money through bribes. During Agbiboa's (2020) fieldwork in Lagos, Nigeria, he points out how the traffic police *askaris* hired *Agberos* (which are dangerous area boys) to collect taxes from paratransit operators. In many instances, *Agberos* can be seen accompanied by police. Becoming an *Agbero* is not about being merely unemployed but also includes having committed a gruesome crime that makes you revered. It is a wonder that businesses such as car manufacturers are willing to form these associations with violent and criminal associations (Bähre, 2014).

Positions in these organisations are highly sought as members often kill each other to be elected in these organisations due to the financial benefits (Agbiboa, 2020). The common phrase used when traffic officers are rent-seeking paratransit operators in Lagos is "*owa da*?" (Where is the money?). Figure 3.1 depicts how paratransit operators are milked by different actors, including traffic officers, unions, paratransit leaders, banks and other markets.

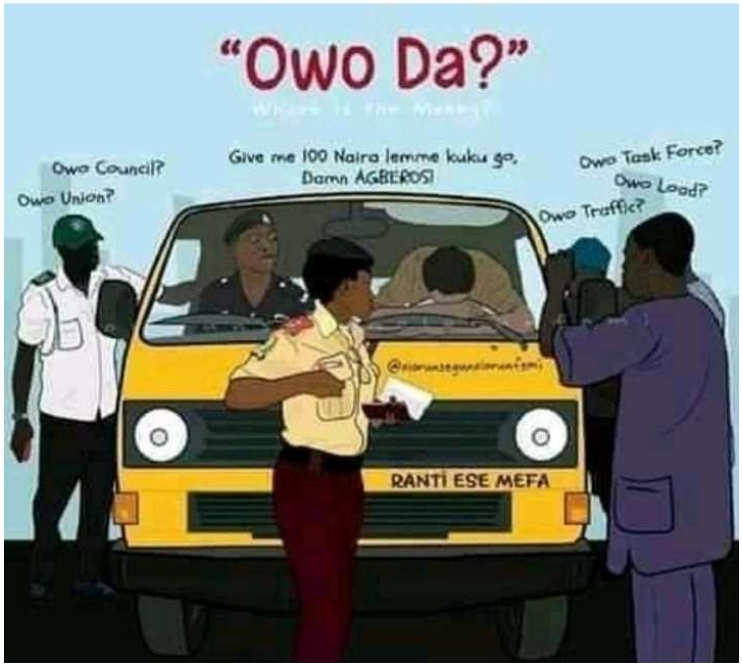


Figure 3.1: Where is the money Owa Da? Source: LinkedIn April 2021

This phenomenon is also evident in Sierra Leone and Uganda in the form of unions (Baker, 2006). The UTODA was formed in 1986 following the bush War, initially to defend the rights of paratransit operators. The relationship between the UTODA and the state was contentious. However, the association won the state's confidence in time and was employed as the middleman between the state and the paratransit industry in Uganda. The UTODA was responsible for managing the vehicle parks and collecting tax for the state. They alleged to have been trained by police officers and enforced laws, such as checking for licensing and arresting thieves and criminals that committed crimes in vehicle parks. Baker (2006) views these organisations as positively contributing to strengthening civil society. The state's limited capacity to enforce law and order relies on these non-state actors to assist. When understanding these unions, it is important to do so using the lens of power. Agbiboa (2020) writes about transport unions' political power in imposing strikes and violent demonstrations. Agbiboa (2020, p. 606) claims that transport unions, which are supposed to protect the socio- economic rights of workers, are "potentially capable of paralyzing the economy and threatening the ruling economy". These unions are not just care bears for the paratransit sector but revered and powerful entities.

Interestingly, Baker (2006) points out that the UTODA included state members. The tax collected by the UTODA was not being returned to the state and moves to reform the paratransit system by introducing a formal bus system were resisted by the UTODA

and some politicians. Politicians are known to own fleets; thus, introducing a bus system would have threatened their interests as they benefited from the current chaotic situation. This discounts the belief that the state has a fixed techno-managerial development agenda (Bähre 2014). Nevertheless, the state was unable to collect funds that the UTODA amassed from the paratransit industry. After two decades of failing infrastructure and a poor transport system, the UTODA was dismantled. This occurrence is termed “double capture”, whereby the middleman UTODA can extort funds both from the state and the paratransit (Bähre 2014, p. 577).

According to Bähre (2014, p. 577), the state often cooperates with the South African paratransit industry based on “fear, corruption and even convenience”. These ‘trickle-up economies’ rely on mutualities between the market and communities and between the formal and informal, and they are reinforced by violence. These mutualities have been interesting to observe, and this ‘parasitic capitalism’ whereby state actors dominate the paratransit industry as profiteers is a phenomenon that is present in many developing countries. These mutualities are often orchestrated by a middleman in the form of corporatist organisations, which, in many developing countries of Africa, are not developed merely by the state or even driven by an organisation in society. This happens when there is a lack of a strong and autonomous civil society. In that instance, commonly, a group of elites, with the support of state officials, form these organisations to represent paratransit operators. This could imply that the state often engages with these powerful and elite individuals that assert themselves as leaders and representatives of the paratransit industry. These corporate institutions offer some kind of support to the state in exchange for some favourable regulation. African states do not operate as a Weberian ideal, and they, too, are characterised by a degree of informality (de Sardan, 2014). In this case, the state, similar to the paratransit industry, can in some instances secure its territory using force and violence. They are both very powerful entities and use informal norms and practices.

3.6 Finding a Locally Developed Solution

Schalekamp (2013, p. 19) claims that the IRPTN agenda should not focus its efforts entirely on introducing a new transportation mode (BRT). Schalekamp (2013) proposes that the focus on the transport reform agenda should centre around unlocking the human capital vested in several paratransit industries around the country, leveraging the experience and knowledge into the IRPTN system. Introducing the BRT system into the existing road system has brought about an abrupt change. Characteristic of change is often instability and disruption within the existing system as seen by the resistance from the taxi industry. Using Weakleys’ (2014) arguments, we need to differentiate between vul-

nerabilities of informal systems and their strengths in being resilient systems in the urban fabric.

It is evident that simply “involving paratransit operators in the BRT process has not curtailed resistance” (Asimeng and Heinrichs, 2021, p. 117). Asimeng and Heinrichs (2021) explored resistance from existing operators to the BRT system in a paper titled ‘Why do paratransit operators resist participation in bus rapid transit’ using cases of Bogotá, Johannesburg, Lagos and Mexico. The findings reveal that the BRT public transport reform project has had little consideration for the existing operators’ style of operations. Resistance has been understood as irrational and stifling the development process.

Such is the case of the City of Cape Town, documented by Del Mistro and Behrens (2015). The city required paratransit operators to move from the trunk-haul route to perform a feeder service. Del Mistro and Behrens (2015) claim that the minibus taxi operators’ reluctance to accept the transition from line-haul trunk route service provision to feeder routes is irrational. In this paper, Del Mistro and Behrens (2015) from the Civil Engineering Department, Centre for Transport Studies at the University of Cape Town rationalise the paratransit operators’ response through mathematical modelling and a technocratic approach. The paper suggests that the minibus taxi operators’ views are unwarranted, and the claims of making less money on feeder routes are not mathematically founded. Ngwira (2021) writes about the implications of unscheduled feeder services on these hybrid public transport systems in the City of Tshwane. The findings demonstrated that paratransit operators were working at a loss, resulting in the paratransit industry not supporting the system. The praxis of rationality applied is founded on positivist’s rationality and scientific knowledge (which is important and valuable). However, Del Mistro and Behrens (2015) have not highlighted the rationalities and the interests that the taxi industry is working with, such as the existing *amaphela* operators who already operate the feeder routes (Bähre 2014). Nostikasari (2015) argues that modelling as a tool for transportation planning has limitations; it should be accompanied by participatory processes. Not all transportation problems are mathematical (Kębłowski and Bassens, 2018). While modelling is based on science, participatory processes are informed by experience- based knowledge. Nostikasari (2015) develops a praxis for inclusive modelling and transportation planning that could have been useful for the City of Cape Town case study. One of the ways of making transportation processes inclusive is to identify the ‘resistances’ to transportation modelling. These resistances are often clues to how citizens appropriate and use space. This evidence-based knowledge can leverage transport modelling.

Lomme (2008, p. 8–9) argues,

> *"The negative externalities and operational shortcomings of the minibus taxi industry are blatantly overstated by the authorities and the formalization policy should rest on a more balanced appreciation of the quality of service they provide to their customers. Whatever the progress achieved in the planned rehabilitation and rationalization of the formal modes of public transport, it is arguable that the formalization policy should aim as much at building on the operational capacities of the minibus taxi industry (in terms of availability and access) than at remedying their operational flaws (regarding safety and "on-the-road competition)".*

People who don't get their way tend to find informal spaces to legitimise their objectives (Mouffe, 1995). The role of planners or democratic institutions is to transform destructive antagonistic forms of participation into more agonistic settings where the various stakeholders are friendly enemies and acknowledge each other's positions (Pernegger, 2016). This is possible when creating an environment for expression. When applying this constructivist approach, it is important to consider the paratransit industry as experts. The paratransit industry considers themselves urban brokers and able to conceive inequality spatially as they transport the very poor labour force to the affluent parts of the city daily. They are acquainted with the rumours and plights of the marginalised.

In instances of deep difference, planners may need more tools and strategies for planning to take place outside the formal planning spaces (Galuszka, 2019). Butcher (2022) writes about emotionally engaged research considering painful or sensitive situations with complicated entanglements. Qualitative methods focus on alternative, creative forms of vocabulary. These methods include but are not limited to drawing, photography, model building, etc. This allows participants to communicate differently when words fail. Forester (2011) uses model building and allows the participants to engage with the model to communicate their aspirations. He created a pseudo budget using chips to indicate the limits of their aspirations. Maps and other illustrations, like words, can be used as spatial knowledge in the production of space (Dovey et al., 2018). The planner's focus is not only on an outcome but on the inclusion of multiple voices. Outcome-based participation focused on an intended goal tends not to address the power imbalances (Vincent, 2022).

This co-production of knowledge needs to take place on an ongoing basis. In Scandinavian cities where Nared (2020) conducted research, participatory methods had a

long-standing tradition in transport planning, shown by the regular involvement of official and non-official stakeholders. The institutionally established and accepted forms of participation lead to a commonly perceived transparency in governing, as well as a better understanding across the board of unresolved issues.

A relatively large amount of literature reports low interest in the BRT system; however, few articles report on the paratransit's response to it. While there is some work on the paratransit operators' attitudes and responses to BRT (Venter, 2012; Schalekamp, 2013; Del Mistro and Behrens, 2015; Schalekamp and McLachlan, 2015), there has been little written about the actual negotiation sessions and the discourses during these collaborative settings between the state and the operators. Saifullah (2023) explores the BRT negotiations focusing on the most appropriate scheme options for paratransit operators (drivers and owners) to be integrated with the Trans Mamminasata BRT system in South Sulawesi province, Indonesia. The study is valuable, focusing quite minutely on the type of BRT scheme that was negotiated, the BRT contractual scheme and the transformation target of the BRT process. The paper is indispensable in unpacking and defining the negotiation black box and its relevance for the CoE negotiations. The work of McCaul and Ntuli (2011), Venter (2012) and Allen (2013) unpacks some of the lessons and observations from the negotiations in Johannesburg; however, the perspective of the paratransit industry has been slanted and underrepresented.

While transport projects often focus on the commuters as input from civic society, participatory planning in the BRT project (characteristic of cities of the global south) has often focused on existing public transport operators. The participation of commuters has barely been represented as a critical voice in the BRT project. Compared to cycling public transport, the BRT project failed to fuel social movements (Sagaris, 2018). There is a danger of participatory practices aimed at certain groups, thus deeming underrepresented groups systematically excluded from participation (Nostikasari, 2015). Despite the paratransit operators claiming to be the urban brokers, the user also remains a crucial stakeholder.

There remains very little evidence not only of paratransit operators' aspirations in public transport plans but of deliberation and exchanges or a compromise that was reached. Much of it was consultative and used to pacify paratransit operators. The paratransit operators must be equipped with better ways of communicating their aspirations outside of destructive agonism. Part of the issue that Nared (2020) points out for the limited extent of participation is the fear of planners losing their decision-making

power and going beyond the defined responsibilities. There is also a cost for inclusion, which should also be viewed as a benefit (Flores and Zegras, 2012).

3.7 Conclusion

When reviewing the literature, it is evident that conflict between the paratransit and the state and between paratransit operators and unions is dynamic. A conflict theories approach using structural power divisions tends to present the state as the oppressor and the paratransit industry as the oppressed; however, it is apparent from the literature that there are incidents of the state being somewhat captured by the paratransit industry and the state also exerting power on the paratransit industry. They are both powerful entities.

However, while the Lefebvrian production of space is productive for understanding the paratransit industry in a more nuanced manner, beyond the role of public transport provision, the literature reveals a multiplicity of roles that paratransit operators fulfil. The value has been finding meanings and clues for transport planning in the lived space of the everyday. While this lens has proved informative, the paratransit industry remains primarily a business, and while the industry has a strong social stratum, one cannot call the taxi industry civil society. Applying this lens must be done carefully.

Paratransit operators pose a threat to public transport reform. For the co-production of knowledge to take place sustainably, violence and contestation within the paratransit industry must be addressed and translated into actionable plans. One method presented in the literature is to consider what is done *de facto* and incorporate them into policy *de jure*. Further research must be conducted to understand how the paratransit industry productively manages conflict outside of violence and intimidation. Otherwise, one cannot even refer to the paratransit industry as a collective entity. A strategy is to confront the factions separately and find a way to allow deliberation and confrontation to take place respectfully.

The paratransit industry's aspirations or understanding are not integrated into mainstream transportation plans. The value of Nostikasari's (2015) work is noting the resistances and conflicts as clues for what was missed in these conceived plans. However, for the conflicts to be considered, the conflict must have been transformed from antagonistic to agonistic through democratic institutions. Without these spaces of engagement, the conflicts experienced could rarely be translated into valuable knowledge for public transport reform. These awkward contested processes of co-production between the state and the paratransit industry constitute both a challenge (having to mediate conflict) and a vision (as clues to more inclusive development) to public transport

reform.

There is no evidence of the paratransit industry having a communicative rationality (Habermas, 1985). Furthermore, the conventional method of public participation has not been able to contain the destructive antagonistic response of the paratransit industry to the introduction of the BRT system. Paratransit or informal operators' input has been sought to get buy-in mainly for political reasons. As is with most participation processes, much of this has been consultative and a case of tokenism (Schalekamp, 2013).

4 Chapter Four: Methodology

4.1 The Study's Approach

Based on pluralistic conceptual framing, this study examined the identified stakeholders' conflicting interests, specifically between the state officials implementing the BRT system and the paratransit industry involved in the reform process. While the research focused on the interim negotiations between the ETI and the CoE, understanding the embedded social context was crucial for understanding the decision-making process that shapes the negotiations (Kumar, 1997).

The research applies a qualitative framework motivated by the need to highlight the non- quantifiable aspects of transport and to move beyond the quantitative questions characteristic of transport research (Hurst, 1973; Sanchez and Brenman, 2010; Lucas, 2012; Kębłowski and Bassens, 2018).

No single method can sufficiently capture the various dynamics with which conflict occurs. One must consider using various empirical enquiry methods, including experience, deconstruction, unobtrusive observation and even autobiographical narratives (Kramer, 1994). According to Cervero (2000, p. 12), trying to research the paratransit industry requires "a disparate collection of anecdotes, non−scientific surveys, interviews, field observations, and personal accounts to begin to sketch a portrait of this sector − somewhat like looking at a jig−saw puzzle with half the pieces missing". Therefore, stitching together a conclusive narrative of the paratransit industry's response to public transport reform will require several methods.

Selecting the appropriate framework of methods is governed by the researcher's interpretive paradigm (Creswell et al., 2007). This includes "the nature of reality (ontology), how they know what is known (epistemology), the inclusion of their values (axiology), the nature in which their research emerges (methodology), and their writing structures" (Creswell et al., 2007, p. 238).

This study's research question was based on in-depth descriptive questions to understand more comprehensively the impact of the collaborative processes on the conflicting interests and power imbalances between the ETI and the CoE. The research requires an in-depth understanding of the city's processes and a detailed analysis of an issue or case (Creswell et al., 2007; Yin, 2017). Case study research is about building an understanding of the case in more depth using various data sources (Yin, 2017). A case study was employed as a methodology, which is defined as an in-depth multi-

faceted investigation that uses qualitative case study methods to study a single phenomenon (Creswell et al., 2007; Feagin et al., 2016).

Applying this qualitative approach, I explored a case using multiple sources of information, including field observations, interviews, and a desktop study (Figure 4.1).

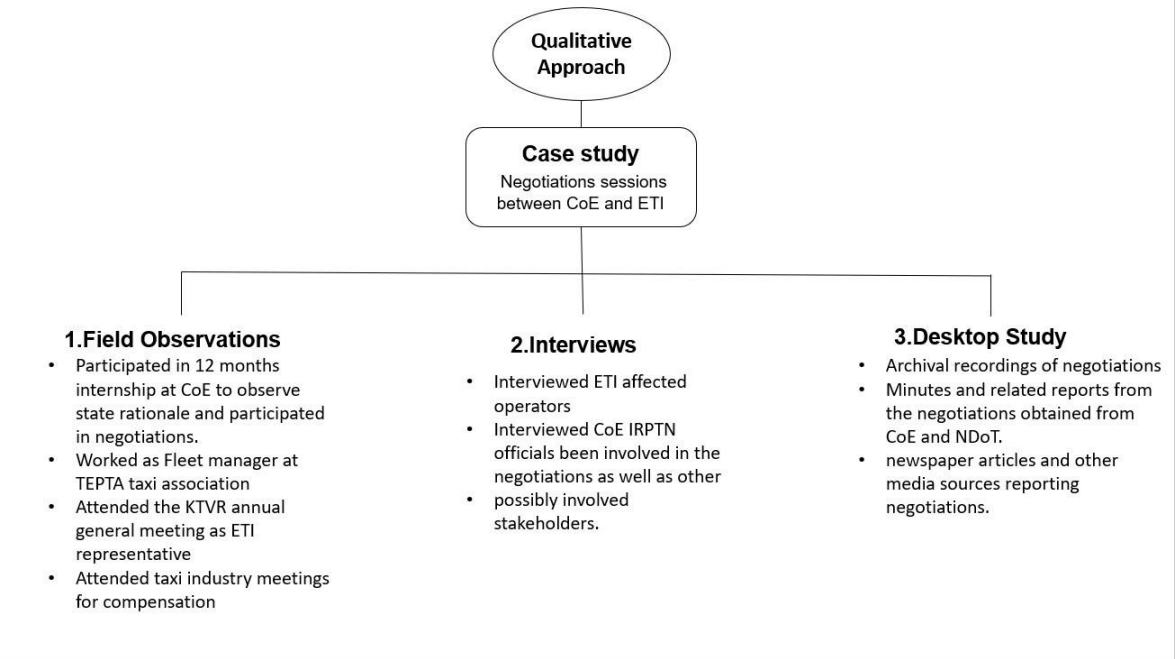


Figure 4.1: Case study method as a qualitative methodology

4.2 Case Study

The methodological approach focuses on a single case study of the CoE, including the affected associations in the ETI that have been halted due to contestations. A case study can be defined as the intensive study of an individual unit or class of phenomena. The intensity refers to richness, detail, completeness and variance of a particular unit. The demarcation or boundaries of the study determine the context. There are, however, quite a number of misunderstandings regarding the case study approach which undermine the reliability, validity and status of the case study as a scientific method (Flyvbjerg, 2011). According to the conventional view, this method is not generalizable based on a single case study. Flyvbjerg (2006, 2011) disputes the conventional view and proves that indeed the case study is a necessary and sufficient method for contributing to scientific development. The main argument being that it is the strategic choice of a case that greatly adds to the generalizability of a case study. The case study was employed because it could provide depth to contest or even confirm a theory. Ideally, one could look at every municipality in South Africa and every taxi

association, which could be an exhaustive task. On the other hand, a single case study allows focus on a site and to draw nuanced and in-depth findings (Feagin, 2016).

Flyvbjerg (2006) provides strategies for the selection of samples and cases categorized as case types. These are types of selections based on the purpose of the study. The first category is based on random selection and the second is information orientated selection. Information orientated selection is suitable to maximize the utility of information from small samples and single cases that are selected on the basis of their information content. The CoE as a case study was suited for hypothesis testing and theory building, as the engagement between the CoE and the ETI provided a basis for sympathetically questioning the common theme in planning literature of the state having an improvement agenda and the informal actors being resistant to change. According to Flyvbjerg (2006) when the objective is to achieve the greatest amount of information on a given phenomenon, then a random or representative sample is not sufficient. This is due to the fact that the average case is not the richest in information. The case of Ekurhuleni was in my observation an extreme case wherein the intersections between the state and the paratransit were dramatically represented. I was able to gain access to the CoE, thus the practical consideration of time and resources was persuasive to focus on the CoE as access to various stakeholders opened up to the researcher in multiple ways.

The CoE is one of Gauteng's 11 municipalities (Figure 4.1), and one of six cities that have commenced planning and operations and is still lagging (Wood, 2022). The CoE has yet to be studied, and there is merit in understanding the challenges limiting its progress. The case of consideration has also been selected due to the unfolding nature of the project. There is much room for policy development since the project is in its elementary phase. This is one of many BRT projects that have experienced delays of up to ten years. Research on public transport reform and negotiation in the CoE has not been as extensively developed as the City of Cape Town, the City of Johannesburg, Nelson Mandela Bay, eThekwini or Tshwane (Wood, 2022). The research was interested in the negotiations between two main entities: the CoE and the ETI in the implementation of an IPTN, specifically the BRT project. The interest was in the stakeholders represented, the trade-offs that need to be made and how the city and the minibus taxi industry negotiate space in the IPTN.

This study focused on Phase 1, estimated to be about 55 kilometres long (*ibid.)*. and comprises three sections, Phase 1 A, B and C (Figure 4.2). The case study considered Phase 1 A of the negotiations (which is still ongoing), mainly the interim negotiations.

This included negotiating a once-off payment for loss of business and the incentive per passenger brought into the system. The initial concept was that the affected paratransit operators would withdraw their vehicles as competitors of current routes to join the new system either as shareholders or as feeders and would be compensated for every passenger they bring into the bus system. This contentious issue resulted in many deadlocks and protests along the way. The negotiations resulted in the formation of a “taxi-owned” BOC called KTVR. Follow-up for five years have been signing a series of agreements that would lead to the final negotiation agreement of a 12-year contract between the ETI and the CoE.

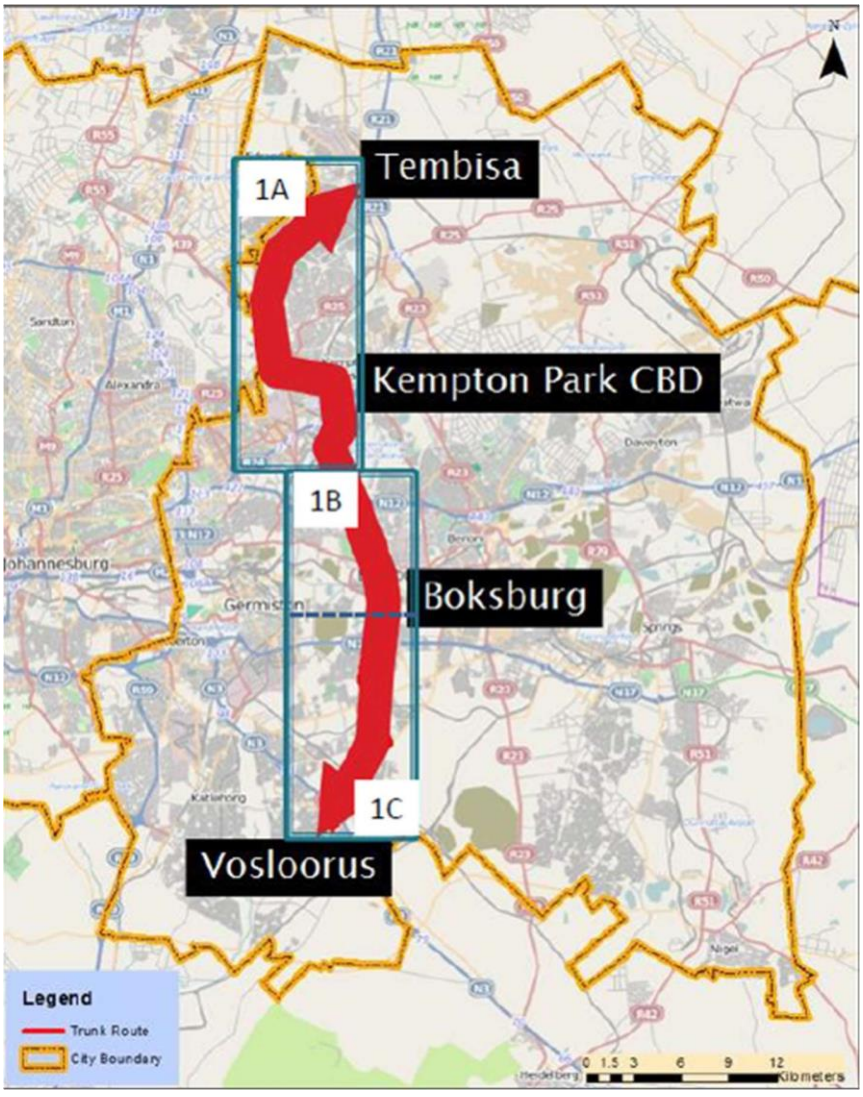


Figure 4.2: Phase 1 of the Integrated Public Transport Network from Tembisa to Vosloorus in the City of Ekurhuleni *Phase 1 A: Tembisa to Rhodesfield / OR Tambo International Airport; Phase 1 B: Rhodesfield / OR Tambo International Airport to Boksburg; Phase 1 C: Boksburg to Vosloorus*

4.2.1 The Ekurhuleni Taxi Industry

The following eight representatives of the ETI have been engaged for Phase 1 A:

Birchleigh Oakmoar Taxi Association (BOTA)

Kempton Park Taxi Association (KETA)

Johannesburg Tembisa Taxi Association (JTTA)

Lethabong Taxi Association (LETA)

Tembisa Alexandra Taxi Association (TATA)

Tembisa Local Taxi Association (TELTA)

Tembisa Pretoria Taxi Association (TEPTA)

Tembisa Long Distance Taxi Association (TELTA)

The associations have been reduced to the routes of operation wherein operators have been affected, i.e., KETA, TELTA, BOTA and LETA. These associations (in the form of taxi ranks or stations) are located within the CoE and can extend out of the municipal border. However, the study is concerned mainly with the associations in the ETI, which coincide with the BRT routes.

4.2.2 The City of Ekurhuleni

Figure 4.3. illustrates the operations plan for the BRT system for the CoE BRT routes, particularly Phase 1 A operations from Tembisa to Vosloorus, about 55 kilometres.

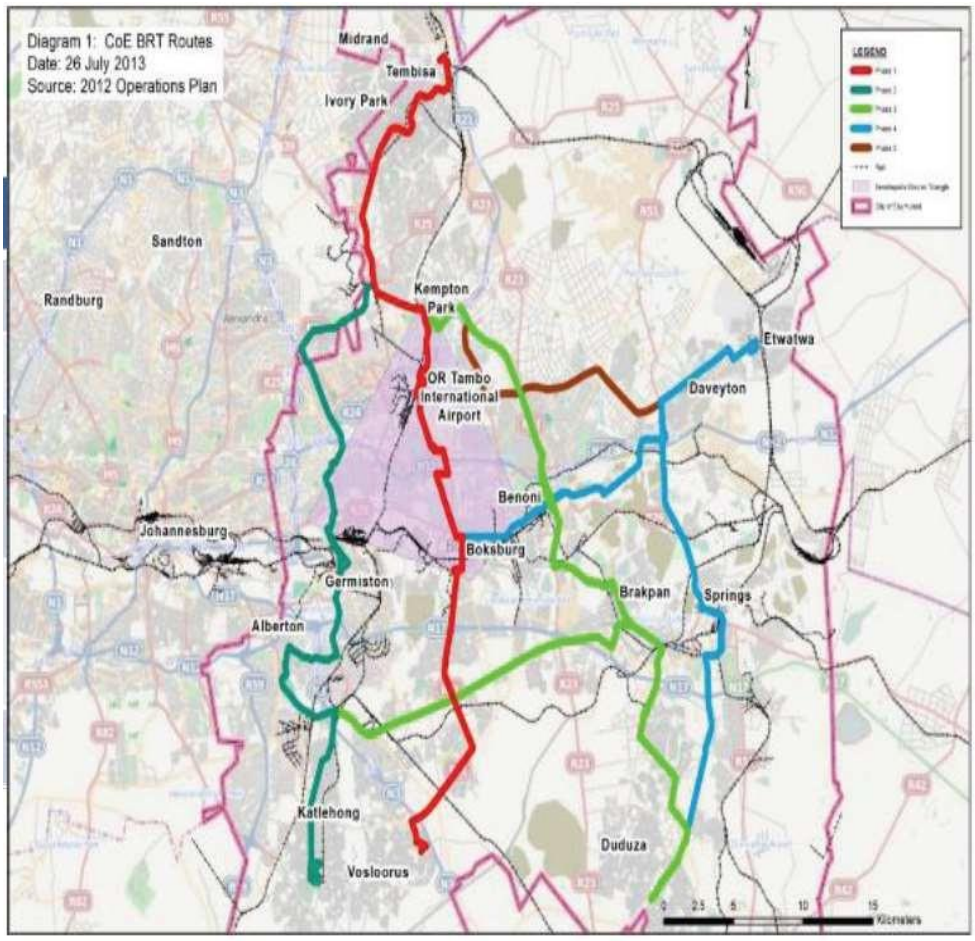


Figure 4.3: Proposed City of Ekurhuleni Bus Rapid Transit routes for five phases (CoE, 2016)

4.3 Data Collection Methods

4.3.1 Participant observation

Participation observation is the cornerstone method used for this case study. When trying to understand organisational conflict, it is important to understand the social and organisational environment in which the conflict is embedded. To understand more deeply the dynamics and nuances of organisational conflict "it is important to look for the hidden sources of conflict. Those that normally remain concealed, private, invisible, off stage and out of sight" (Kramer, 1994, p. 353). Oldenburg (2018), when seeking to understand motorads in Goma, Conga, applied an ethnographic approach. He spent almost two years participating in and observing their everyday lives. After forming relationships of trust with identified individuals, he requested interviews, which he conducted in their local language, either Swahili or French, without a translator or assistant to make the process smoother and more natural (Oldenburg, 2018). Sopranzetti (2013), using the same approach in Bangkok, Thailand, allowed him to get insight into how mo-

torcycle taxi drivers were able to be key role players in mobilising thousands of protesters against state hegemony. This led me to consider participant observation as an effective tool for understanding contestation and negotiations in public transport. Participant observation includes the active involvement in the routines and the exposure to the conditions of a group of people to understand select aspects of life of a group of people (Musante, 2015). Participation observation can be understood as long-term engagement in the field setting or place where the events to be studied take place. The researcher has a dual role to become a participant in the life of the setting while also maintaining the stance of an observer, someone who can describe the experience with a level of detachment (Hoey, 2014).

During participant observation, I attempted to participate fully in the lives and activities of members by becoming a member of their group, organisation or community. This enabled me to share their experiences, not merely observing, but also feeling. This method is appropriate when trying to observe actions and performance and allows one to discover subjective feelings and observations. The participant takes part as an observer or participant in varying degrees (Emerson and Shaw, 2015). For this study, I participated as an observer both as a city official and a paratransit member. I was only afforded this opportunity after I had started my research officially.

Being an observer had two purposes: 1. To gain access and build relationships of trust between myself and municipal officials and members of the ETI (it was easier to organise interviews while within the institution); 2. To observe municipal officials and ETI members in their everyday workings in implementing the IPTN. I observed their engagements and interactions and the exchange and flow of information between the CoE officials, as well as the operations within the jurisdiction of the four affected minibus taxi associations. The observations were structured, particularly examining the state's ambitions of a BRT and the minibus taxi's response to the BRT operations. My focus was based on my epistemology and research question (Hoey, 2014). I narrowed my focus on the rationalities and interests of the paratransit industry and the CoE to understand more specifically how they negotiate conflict and interests. One of the challenges of participant observation is access. My inquiry and interest in the BRT negotiations between the state and the taxi industry began in 2016 during my Master's project, wherein I interviewed Charles Nupen on his experience as a facilitator of the City of Johannesburg's Rea Vaya Phase 1 A (Mkhomazi and Nyanda, 2016). I was intrigued by some of the intricacies of the process and realised that there was a gap in the literature discussing the BRT negotiations as an integral part of the project. I also realised that accessing this information is challenging due to its confidentiality.

A. Observing the City of Ekurhuleni

In 2016, my father (a former taxi owner) got involved in the negotiation process as an affected association member and representative. I expressed my interest in pursuing this field of study, and he directed me to one of the CoE officials who advised me to apply for an internship at the Economic Development Department, that was my point of entry into the study.

I approached the Support Services departmental head about my interest in pursuing research in the Transport Department as a student. My skills and qualifications as an Urban Planner and Architect granted me access. I was then offered an internship through the Economic Development Department. I was introduced to the departmental heads as a student conducting research and as an intern (at this point I was awarded a scholarship and had a proposal but was not registered with a university).

I have listed below the key events that were relevant to my study during participant observation at the CoE (See Table 4.1).

Many of the meetings I attended at the CoE were technical. I had gained a reputation of administrating tender documents and spent much time in the municipality assisting departmental heads with the preparations of these documents, even attending a bid evaluation committee[1] meeting on the 7th of July 2017 with politicians, providing administrative support in determining the consulting firm that would be awarded the Project Management Unit tender for the IRPTN (see Appendix F).

At face value, the municipality had a very technical atmosphere, especially the period between 2017 and 2018 when various procurement processes took place. Being exposed to the intricacies behind putting together a tender and bid document, it was unimaginable to me that individualistic interests and corrupt processes can take over. The process was monitored quite closely by committees verifying the consulting firms bidding, whether they qualify or have the required experience. The prices were verified through calculations and even the Broad- Based Black Economic Empowerment scores were considered. A day after I had assisted with the bid evaluation document, one of the companies that did not make the cut wrote a damning article accusing the municipality of fraud. This led me to realise that this generalisation and narrative of the municipality being corrupt is readily accepted by the media and the population. I was invited, together

[1] The bid evaluation committee is a committee that is established and appointed by the authorized official, to adjudication, submissions by the Bid Evaluation Committee and make recommendations to the authorised official to approve and award a contract above an estimated value of 200 000 ZAR if he concurs.

with a departmental head member, to verify the process for the bid evaluation committee on the 7th of July 2017 (Appendix F). My involvement in the procurement processes gained me trust with the various departmental heads, which allowed me to eventually participate in the interim negotiations.

Table 4.1: Key City of Ekurhuleni events attended.

Title	Date from	Date to	Place	Description
Internship	Jun-17	May-18	City of Ekurhuleni	Joined the Integrated Public Transport Network project team assisting with the administration of project- related tasks
Appointing a consulting firm as technical advisor	Sep-17	Sep-17	Supply Chain Office, Civic Centre, Benoni	Selecting a consulting firm through tender process
Interim negotiations	20-Sep-17	21-Sep-17	Mount Grace Hotel	Determining compensation figures to be agreed upon. There was a deadlock. Matter escalated to the General Industry Transition Forum (GITF)
Negotiation Forum Meeting	26-Sep-17	27-Sep-17	Transport Management Centre, Kempton Park	Preparations of discussion to be had at Velmore Hotel, including compensation formula
General Industry Transition Forum (GITF) /Management Committee of the Municipality (MANCO)	04-Oct-17	06-Oct-17	Velmore Hotel, Pretoria	The GITF resolutions were discussed and the compensation amount per passenger was agreed

However, I learnt that individual financial interests of government officials were being pursued in many of these procurement processes. One of the ways this was observed was when the procurement process was deviated and made a closed tender, such as the appointment of a technical advisor and the construction company for the BRT stations (Appendix F).

Another highlight was attending the interim negotiations, to which I was invited after expressing my interest to the departmental head after I had assisted with the bid evaluation process. Two officials that were opposed to me attending, mentioning that only specific departmental heads were selected to participate in the process. I was also told that they had a strict budget as the negotiations were being held off-site at a luxury hotel. I decided that evening to pack my bags and head to the site. It was better for me to be turned back rather than not try to access the venue. Upon my arrival, my name

was not on the guest list; however, there were some individuals that were booked that could not attend, thus I was considered. I never imagined that it was possible for me to gain access into the interim negotiations being an intern. My intention was to get hold of the minutes and interview officials that were present. This was an amazing opportunity, which I still cherish to date.

I was on the interim negotiation panel for the city representing the city. During this time, my father was representing the ETI in the interim negotiations panel. I tried to conceal my identity, but the ETI members kept referring to me as being one of theirs because of my father. This affected my positionality. During the breakaway sessions, I was included by the city despite my position as being related to the opponent, and my opinion was sought during the sessions; however, due to my research, I refrained from giving an opinion to maintain my position as an observer as much as possible (Emerson and Shaw, 2015). During the negotiations, I kept a journal to reflect on the process. It is also important to note that most of the negotiation sessions took place outside of the municipality at a resort or hotel, most of the time continuing until the late evenings and running over some days. During this time, I used the opportunity to facilitate networks and acquaint myself with the members of the paratransit industry who were participating as affected operators in the negotiations. I proactively introduced myself to the relevant stakeholders and expressed my research interests and desire to conduct interviews. I was then permitted to sit in the follow-up interim negotiation processes that took place on the 26th of September 2017 and the 4th of October 2017 (Table 4.1). After my 12-month internship from April 2017 to May 2018, I collated the minutes, recordings, photographs and relevant documents of the negotiations. I also set up interviews with officials.

B. Observing the Ekurhuleni Taxi Industry

I struggled to gain access into the industry despite receiving permission in 2019 (Appendix B3). I gained access into some of the meetings, such as the KETA special general meeting,

through a prominent member of the KETA who I met during the BRT negotiations (Table 4.2). Nevertheless, I still had no access into the inside workings of the paratransit industry, and it was proving to be difficult to gain entry. The end of 2020 took a different turn when I became a member of the ETI, specifically the TEPTA through the unfortunate passing of my father. I joined the paratransit industry in September 2022 as a bona fide member of one of the taxi associations involved in the negotiations (Appendix B4). My father had been part of the industry operating for approximately 30 years.

Interestingly, my uncle (his elder brother) was one of the founders of the taxi rank in the 80s and recruited my father in the 90s. My father had been part of the executive and ran as the association's chairman for three terms in his lifetime (this I only learnt after his passing). He had also been part of the BRT feasibility studies team in 2005 and the interim negotiations in 2017, and he was an ardent supporter of the public transport reform project, which partly fuelled my interest in this study.

Nevertheless, the paratransit industry in South Africa is reputable for being mysterious and difficult to access. Thus, having such access was insightful for my research. During the one year and eight months, I gained an in-depth understanding of the operational styles of the paratransit industry. I also attended the BRT planning meetings and conferences as an ETI representative (Table 4.2).

Table 4.2: Key Ekurhuleni Taxi Industry events attended.

Title	Date from	Date to	Place	Description
Kempton Park Taxi Association (KETA) special general meeting	Jan-20	Jan-20	Kempton Park Civic Centre	Discussion of terms and conditions of receiving compensation amount
KETA elections	01-May-21	01-May-21	KETA offices	Registrations for compensation
Kempton Park Voslorus Reicher Park (KTVR) annual general meeting	30-Nov-21	04-Dec-21	Garden Court Hotel, South Beach, Durban	Discussion of the Vehicle Operating Company Agreement and breakdown of KTVR milestones
KTVR women's training	18-Feb-22	Ongoing monthly	KETA offices	Initiatives for the taxi industry transitioning and where the taxi industry is being corporatised

My structural characteristics sometimes limited my attempts to blend into the industry. I thought I would easily fit in since I am a black African and speak the isiZulu language. While there is a growing number of women (mostly widows) in the industry, there are only a few young women. Participating in the paratransit industry helped me to have an in-depth understanding of the operational styles and rationalities, which I would never have gleaned through interviews or even through reviewing literature and reports. My experience in the industry provided context and insight of how the industry operates. I took part in the routine activities of a taxi owner, including repairing vehicles, renewing licenses, managing finances, and attending association meetings my technocratic background was not helpful to navigate this new territory. The atmosphere in the paratransit industry was quite different to the CoE. In the CoE, there was

a technical atmosphere and pressure to meet deadlines. The ETI felt unstructured at first. Many of the rules and codes are unwritten, so it was hard to know how to act or relate to people. I made a decided effort to get out of my comfort zone and start investing time in getting to know people in the association and the industry. I volunteered to assist in the office projects and to run errands. In this way, I began exchanging with the association's members. An interesting encounter was with one of the association's executive leaders. When I met him, he had recently been shot (July 2020) and survived the ordeal after being in intensive care for more than a month. He recounted his experience as some badge of honour, often showing me the CCTV footage of his heroic response as he reached for his gun and fired back at the hitmen. He was highly revered by the owners and drivers, and he was also a prominent member of the ruling party and a former Umkhonto, we Sizwe veteran. He was killed in December 2022, allegedly following taxi feuds (Figure 4.5).

It seemed to me that there is no communicative rationale in the taxi industry; much of the literature speaks to the conflicts but not the mutualities between associations. I had many off- the-record conversations that helped me gain more perspective. Some of the conversations unveiled my ignorance regarding the industry's power dynamics. There is some form of integration between associations in the form of joint ventures. Certain associations have platforms to operate their vehicles in other taxi associations. Some associations, such as TEPTA, have an unspoken alliance with a powerful association for protection; the members of more powerful associations own fleet at TEPTA in exchange for protection. Interestingly, the powerful association providing protection for associations and having joint ventures was also the most prominent association during the BRT negotiations. There can be no communicative or collaborative rationale unless these power dynamics are explored and sought to be stabilised.

One of the extreme experiences I recall was witnessing what is commonly referred to as taxi war. I observed two cases during the one year and 8 months I was physically present at the taxi rank. The women were summoned and sat in the association office at 5 am in the morning while the men were instructed to go on site. On one occasion I sneaked out with the drivers to the site because I was curious and was turned back immediately because I was a woman and would be endangered. All associations cars stopped working and had to park their cars on the site. This is referred to as *ukugada umsebenzi* translated as guarding the job. An association was encroaching on the turf of TEPTA and intimidating their drivers. So, association vehicles parked at a site called old station, to assert and reinstate their presence (Figure 4.4).



Figure 4.4: TEPTA vehicles parked at Old Station Road to guard the route from rival association encroaching on route in April 2021 (Author, 2021).

I had to take one of the drivers' vehicles and drive back to the office and sit in a room with approximately 20 woman, some I had never seen before who later explained that their vehicles have been repossessed. It was interesting to me to learn that almost every woman in the room became a taxi owner due to the death of a spouse or father. Even more interesting was that every woman had an unpleasant tale to share about how their vehicles were repossessed by the banks. This seemed to be the challenge for the woman in the room. They also shared that the men in the association do not offer-assistance because they are threatened by the emancipation and success of woman. If they do help you, they take advantage of you either sexually or financially. One of the women in the room reached out to the office to help her with the bank and their threats. A senior executive man in the association offered to help her get out of debt by paying part of her instalments. This arrangement resulted in him swapping her newly financed car with an old Toyota HiAce van, which is unroadworthy. This was insightful to me as I was at that moment facing the same plight. I was being chased by the banks who would send tracers to the taxi rank with the calibre of *izinkabi*[2], i.e., hitmen. Typically, this was interesting to me that financial institutions such as banks employ these men that are often forceful and scary looking, and in one instance the man could barely speak

[2] *izinkabi* refers to hitmen that operate mainly in the taxi industry, however their skill set is being employed widely in other circles for example political killings. https://www.news24.com/news24/izinkabi-the-scores-of-hitmen-in-our-midst-20170916

English. I was informed that they receive a commission of about 6 000 ZAR for every car they repossess. Encounters with these scary men was more traumatic to me then then the taxi wars. Bähre (2014, p. 577) refers to this as “trickle-up economies” which rely on mutualities between the market and communities and between the formal and informal, and they are reinforced by violence. These mutualities have been interesting to observe.

In October 2021 I received a call that one of my drivers had been shot and killed on the same road. Another driver tried to go and rescue him, he then also got shot. At that point I felt responsible for his life, I remember getting dressed to try and do something. Executive member called and told me he would go, and I should stay at home. That’s when he informed me that he has died on the scene. The exposure to violence and instability (during the taxi wars) had a negative psychological effect on me. I was not trained to deal with the sheer violence and death of people I had become acquainted with. Experiencing the grief expressed by loved ones lamenting their departed family member was a bitter experience for me, and it was hard to distance myself from that experience. The time at the taxi association was an emotional roller coaster and a trigger as I conducted the interviews and observations during periods of grief.

Ethnographers spend many months or even years in the places where they conduct their research, often forming lasting bonds with people (Hoey, 2014). This affects their positionality and biases (*ibid.*). My positionality and interpersonal relationships with the industry may have influenced my research. Even though most of the participants were not known to me before undertaking this research, I acknowledge that I am a subjective being with preconceptions. I realised that my position as a daughter of a taxi owner may have influenced how the participants responded. What was evident to me, especially when interviewing members of the ETI, is that they tended to be more open when I stated that I was somewhat affiliated with a local taxi association. However, reflecting on this process, it became apparent that I experienced a particular kind of pain in exposing my father’s work and colleagues and association and all its nuances, triumphs and shortcomings to the dry and judgmental academic eye I had to adopt as a researcher. Maintaining distance was challenging for me, and I had to reflect on how this influenced my writing. The common view of the taxi industry often lies between two extremes: either romanticised or extremely negative. I do not hold either of these positions because of my firsthand experience in the industry partaking in daily tasks and routines. Through active participation in the industry one realised that it is like any institution with bureaucracies, hierarchies, and pragmatic norms. Nevertheless, to maintain a balanced narrative, the research relied heavily on feedback from interviews and re-

ports.

One thing that stood out for me during my observations is that, in many cases, too much effort is channelled to '*ukugada umsebenzi*' guarding the job. Resources are spent on squad vehicles, hiring protection services and hit men. There is very little time and effort invested in innovation or improving customer service, but rather gaining power and protection to retain existing routes or to expand. There is a need to make a decided effort to counteract the violence and turf wars for reform to take place.

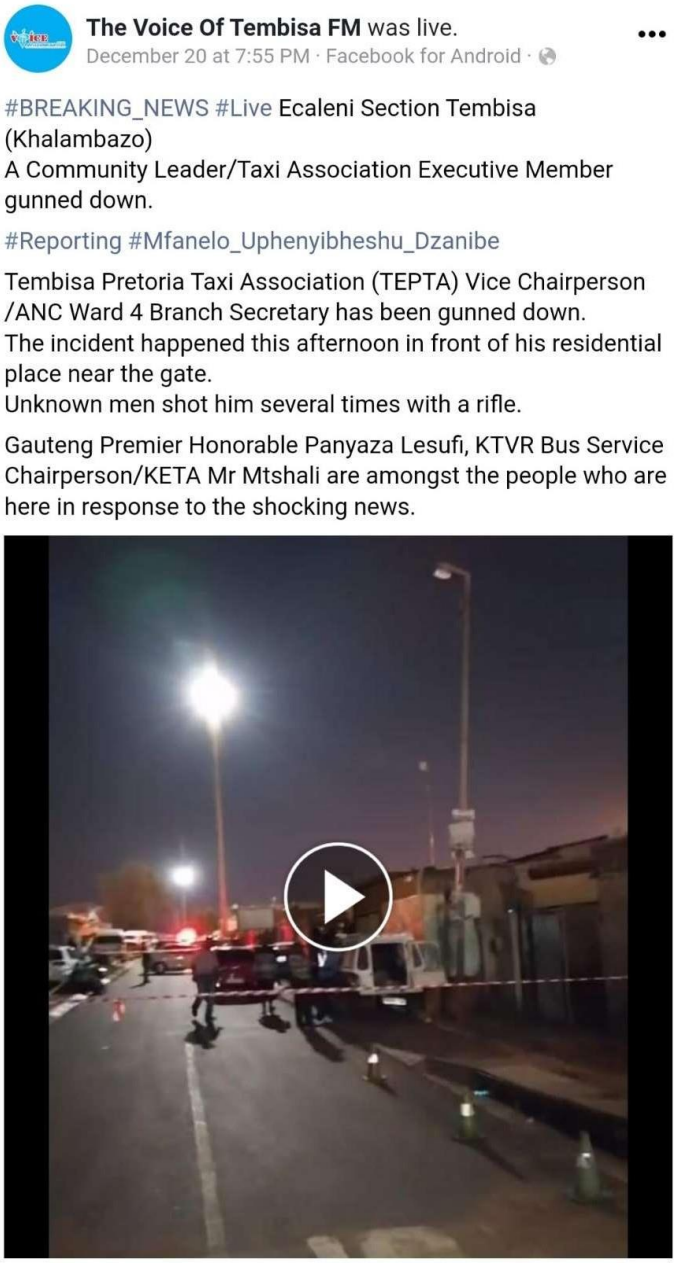


Figure 4.5: Screenshot image from Facebook of an executive member of the Tembisa Pretoria Taxi Association shot and killed (Voice of Tembisa: 2022)

However, despite the unfortunate occurrences, the lessons I learnt have been invaluable and the data I collected would not have been possible had I not been afforded this opportunity.

4.3.2 Interviews

The participant observations were supplemented by interviews with key informants that have participated in the negotiating process. The value of the interviews is that they provide targeted data collection by asking specific but open-ended questions (Hoey, 2014). The interviewees for this study were selected through purposive sampling, based on their level of involvement in the project (Miles et al., 2014). I used the CoE organogram to initially identify the possibly relevant work streams (Figure 4.6). Following the negotiations and taking part in the activities in the municipality, especially the negotiations, I could identify the relevant interviewees from the ETI, the VOC of the BRT (KTVR), technical advisors and CoE officials that were directly involved. I formed some relationships during and after the negotiations and then requested interviews.

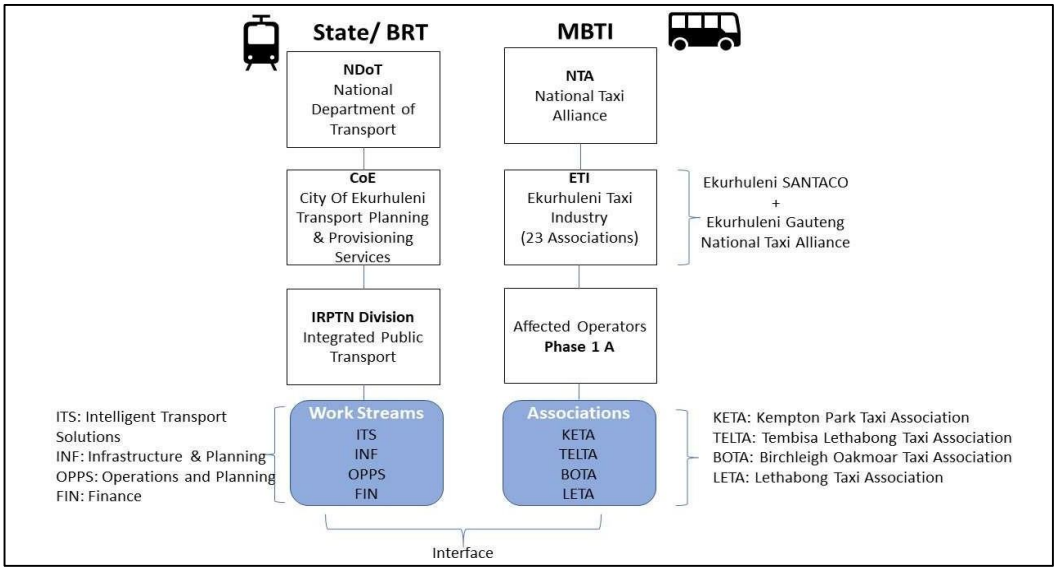


Figure 4.6: The CoE organogram for initial sampling excluding Kempton Park Voslorus Reicher Park members and technical advisors.

The interviews (45 minutes to 1 hour 30 minutes) included face-to-face encounters with officials from the CoE and KTVR in their offices, while some took place at conferences during lunch or some informal setting. Some of the interviews took place during the Covid19 pandemic, which required several social distancing measures to be considered. I often scheduled meetings beforehand and sent the guidelines and possible questions to allow some preparation. The interviews were divided into five main parts:

i. The introduction: A short question and answer session to understand the background

of the interviewee and how they got involved in the project.

ii. The impetus of reforming public transport: This part was to understand more deeply the perceptions of the BRT/ IRPTN project.

iii. Setting the negotiation scene: I aimed to fill in the missing pieces of the negotiations and the participant's involvement and reflections on what took place.

iv. The conclusion: Reflections about the entire process and how it could have been managed.

I conducted semi-structured interviews that I strived to make like a discussion. I asked the interviewee if I could record. Some interviews took place in isiZulu and were subsequently translated into English. I have italicised instances where the nuance is in isiZulu in quotes and phrases.

In some instances, people (though few) were avoidant despite my frequent presence at conferences. One official kept postponing appointments indefinitely, perhaps not seeing the value in participating in an interview and only seeing this as possibly getting them into trouble as they could divulge sensitive information. I travelled to the KTVR offices for scheduled appointments at least three times to meet senior members of KTVR and KETA. I would sit in his office for hours until his personal assistant told me he had another meeting and could no longer meet me. That is when I decided to use that opportunity to acquaint myself with the staff and had very insightful conversations with his bodyguard, which resulted in securing an interview with the executive director. The officials that gave me the hardest times were from KTVR, the VOC, where I did not have much work experience and had not built good relationships of trust.

During the negotiations, I identified relevant ETI representatives and exchanged contact details for further communication. The strong relationships I formed with some members of the ETI during the negotiations were valuable in helping me find a footing in the industry and facilitating other interviews. This method of sampling, according to Atkinson et al. (2001), is beneficial for accessing populations that are seemingly hard to access. Through these connections, I contacted the executive member of the South African National Taxi Council (SANTACO), requesting permission to interview the taxi industry representatives.

Most of the interviews with ETI representatives took place in their offices. Sometimes I was asked to stop recording. The off-the-record discussions and conversations were more informative about the inside workings of the industry. I documented these points after the interviews. I have refrained from using names to secure anonymity. Incrimi-

natory and highly sensitive information was not used in the research but only to form a broader understanding of the issue.

McCaul and Ntuli (2011), in the BRT negotiations report for the City of Johannesburg, outline a typical procedure for BRT negotiations between the city and the minibus taxi industry. The report points out that there are three main sessions within the negotiations: pre-negotiations, the main negotiation and post-negotiations (figure 4.8). The pre-negotiations are concerned with the preparations for negotiations and initial communication between the city and affected taxi operators. The main negotiations session is when the city and the minibus taxi industry put forward proposals and sign agreements that would necessitate the operations. The post- negotiations outline the handover and scrapping process.

The current study was based on the pre-negotiations and the main negotiations, focusing on the representatives of the CoE and the ETI negotiating the terms and conditions for introducing a BRT system in the CoE. From 2017 at the start of this study to 2022, the city has not progressed to the main negotiations and signed a second agreement in December 2021 to extend the preparation process by another five years. Nevertheless, much has taken place during this period that is still worth considering.

4.3.3 Sampling

The research has worked with small samples focusing on achieving depth (Miles et al., 2014). Schalekamp's (2013) efforts to interview 15 out of 104 associations in Cape Town proved to be challenging and ambitious. He highlights the vexing challenge of relying on an intermediate individual with connections and relations with paratransit operators. This included financial costs, unreliability and, at times, requiring a translator because some informal operators were more comfortable with their vernacular tongue. Due to difficulties and the sensitivity of the topics, many of the operators refrained from being interviewed in the current study, resulting in Schalekamp's (2015) sample size of six associations and 38 respondents. I had aimed for a similar sample size to that of Schalekamp (2015), but I conducted 20 interviews.

The ETI (municipal scale) consists of 23 associations. I only considered affected operators that took part in the Phase 1 A BRT implementation for this study, reducing the sample size to eight associations, which was further refined to four associations. I must point out that many of the CoE employees kept changing due to contract ending or other reasons. Two members of the TEPTA passed away before finishing interviews.

I used McCaul and Ntuli's (2011) report to determine the key people to include in the

study (Figure 4.7).

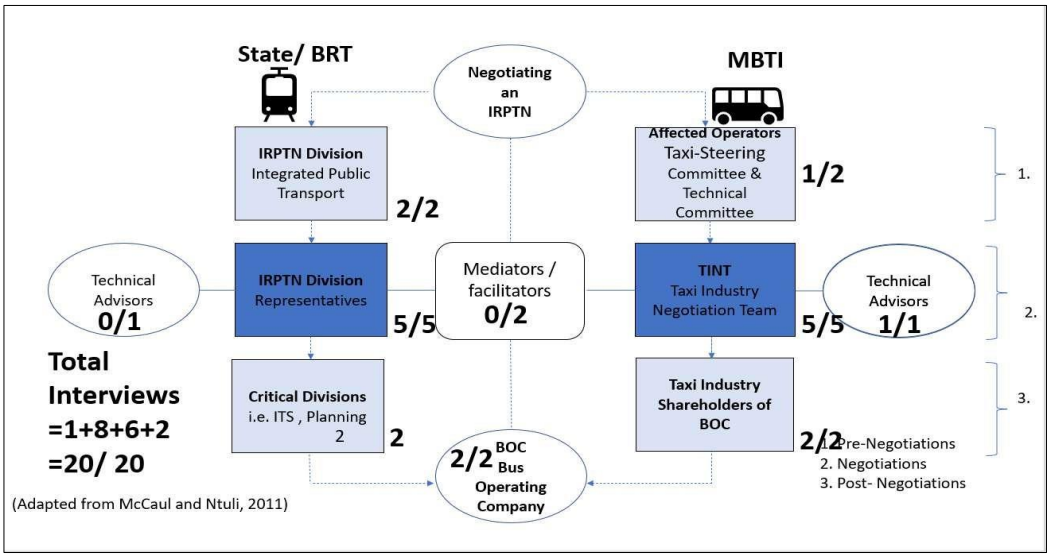


Figure 4.7: Sampling guide (Adapted from McCaul and Ntuli, 2011)

4.3.3.1 City of Ekurhuleni Transport Department.

- The IPTN division (2)
- Representatives of IRPTN division in the negotiations (5)
- Temporary representatives of the BOC from the IRPTN division were removed from the process due to political interference, thus for this study, I have considered other divisions such as the Intelligent Transport Systems (2)
- Total 9 participants

Table 4.3 provides further details of the participants from the CoE.

Table 4.3: Interview participants from the City of Ekurhuleni.

Number	Contract 2022	Department	Division
1	Ended – suspended	Head of Department	Representative
2	Continued – Permanent	Industry Transition	Integrated Public Transport Network (IPTN) division
3	Continued – Permanent	Industry Transition	IPTN division
4	Ended – temporary	Legal and compliance	Representative
5	Continued – permanent	Operations	Representative
6	Ended – temporary	Intelligent Transport Solutions	Other
7	Ended – temporary	Project Manager	Representative
8	Ended – Passed on	Previous operations Manager	Other
9	Continued – permanent	New project Manager	Representative

4.3.3.2 Ekurhuleni Taxi industry

- Affected Operators Taxi-Steering Committee & Technical Committee (2)
- Taxi Industry Negotiation Team (5)
- Taxi Industry Shareholders of BOC (2)
- Total 9 participants

Table 4.4 provides further details of the participants from the ETI.

Table 4.4: Interview participants from the Ekurhuleni Taxi Industry

Number	Position	Taxi Association
1	Member	TEPTA
2	Legal and Finance	KETA
3	Secretary	TELTA
4	Chairperson Board of Trustees	TEPTA
5	Executive member	TATA
6	Secretary	JTTA
7	Executive member	TELDA
8	Secretary	BOTA
9	Executive member	JTTA

4.3.3.3 Bus Operating Company – Kempton Park Tembisa Voslorus Reicher Park

- Chief Operations Officer (1)
- Executive Director (1)

4.3.3.4 Technical Advisors

- Chief Executive Officer (1) – advising Ekurhuleni Taxi Industry

4.3.3.5 Other Stakeholders

- Members of taxi industry, City officials and facilitators

Overall, a total of 20 participants have been interviewed, all of whom will be between the ages of 40 and 75 years.

4.4 Data Analysis

4.4.1 Desktop study

I obtained archival documents, mainly IPTN policy documents and reports, from the CoE. These, together with media reports, assisted in putting together a policy picture and partially understanding the state's rationale.

4.4.2 Content analysis

Analysis of qualitative data can be challenging as coding is not as straightforward as grouping together numeric values. For this study, I applied thematic (content) analysis, which is more suitable for qualitative studies. Themes or codes refer to a word or phrase that ascribes meaning, essence or an evocative attribute to data (Saldana, 2015). Codes are primarily used to categorise data so that is accessible and can be analysed. Saldana (2015) suggests several approaches to coding qualitative data, including descriptive coding, emotive coding, and hypothesis coding. For this study, I developed a category of codes that were mainly informed by the research questions and literature review. Some of the themes I looked for included common points of contestation, deliberation, and consensus during the negotiation process. Data processing included transcribing the audio recordings, translating, refining field notes, and summarising the information into useful data (Miles et al., 2014; Saldana, 2015).

4.5 Limitations

4.5.1 The sample size and representation

Since the study focused on the interim negotiations, the sample size was based on the number of people that were involved in the negotiations. The representation of my sample is small with only about five representatives for each party (the CoE and the ETI). Initially, I planned to include eight associations, but I reduced this to four to focus on those affected by the IRPTN. The number of people I could interview was limited to the participants involved in the negotiations. As such, it was important to locate the interviewee's perspectives using field observations to get a broader understanding of the impact of the collaborative mechanisms in the public transport reform project.

4.5.2 Time and budget constraints

Given the many delays during the negotiations, more time was needed at the municipality to observe the negotiation process to the end. I was there for one year and requested permission to extend my research stay for six months, but the negotiations were not finalised. The city no longer employed many CoE employees initially involved in the negotiations due to the Covid- 19 pandemic. In 2021, four years after the interim negotiations, there were talks of extension to prepare for the final negotiations. This affected my research as I had initially anticipated observing the final negotiations of Phase 1 A. I had limited time to make the observations and to submit my thesis; thus, I tailored my research to focus on the interim negotiations.

4.6 Ethical Considerations

One of this study's main challenges was navigating the privacy and confidentiality of the BRT negotiations. The negotiations remain a sensitive issue, especially in the minibus taxi industry. While collecting as much quality data as possible, it remained important not to treat human beings as research subjects and to protect their privacy, integrity and dignity (Mohd Arifin, 2018). The minibus taxi industry has a reputation for being ambiguous and mysterious, and it was important for me to preserve the identity of the members. Several considerations were made, and some will be discussed in this section.

The minimal considerations were to submit a proposal to be reviewed by the institutional research board that issued an ethics clearance certificate (Appendix B1).

Before the interviews, I introduced myself and outlined the research study. I sought consent to record conversations and make notes. In some instances, during the interview, when sensitive information was divulged, the participant requested that I stop recording and taking notes. Even though such information was not transcribed, it served as contextual knowledge.

During my field observations, I had many interesting off-the-record conversations, which put much of the data derived from interviews in context. Those conversations helped me realise that the conflicts were in the crevices and cracks of institutions and masked during negotiations.

After realising the sensitivity of the conflicts, I was more careful to ensure the privacy of the interview environment. I was careful to ensure that the anonymity of the participants was preserved, not revealing their names in the study (Mohd Arifin, 2018). The story and identity have been revealed only in media reporting special cases.

Despite these efforts to preserve the dignity of the participants, the nature of the re-

search findings was incriminating in some cases. In such cases, it became important to ground these findings in theory.

4.7 Summary and Conclusion

The case study as a methodology provides an opportunity to answer research questions regarding the impact of collaborative processes on the conflicting interests between the CoE and the ETI. This methodology incorporates participant observation, interviews, and a desktop study.

The work of Schalekamp (2013) helped me to realise that studying the IPTN, especially the paratransit industry, is challenging. I used some of his reflections on the methodological process as a guide. Schalekamp (2013) relied on an intermediary for translation and setting up interviews, and he mentioned that access and relying on third parties was challenging. Thus, using another approach, such as observation and building trust relationships, made the current study possible. This approach, however, was quite time-consuming and, at times, yielded unmeasurable results. While Schalekamp (2013) focused on the paratransit operators' perceptions of the IPTN process in Cape Town, my study focuses on the negotiation process. This reduced the sample size but meant accessing the elitest and high-profile individuals, making the data collection process even more complex as they are often flooded with meetings and do not give their personal information very easily. Attending conferences and meetings as a representative of the city and paratransit industry allowed me to network, opening doors to these individuals that are hard to access.

The research design, in its multiplicity, was tailored to understand the processes that were followed, unravelling the discourses during the negotiations, and allowing for individual feedback from the participants. While this was the aim, I acknowledge that the study's limitations could make the results uncertain. My interpersonal relations, especially being a daughter of one of the participants in the negotiations, may have affected my positionality and how participants responded. I was conscious of this throughout the study to be aware of any biases that could affect the study.

The following chapter discusses the case study, providing a more detailed contextual overview of the interim negotiations.

5 Chapter 5: Case Study: Interim Negotiations

Understanding the context of the negotiations is seen as being quite influential to the outcomes of the negotiations (Wall and Blum, 1991; Lewicki, 1993). This includes the presence of certain constituencies, incentives, payoffs, deadlines and even the number of people on each side. Furthermore, it is valuable to consider the organisational context that shape negotiations (Kramer, 1994).

This chapter situates the interim negotiations contextually. It is divided into two parts: The first section is a brief contextual overview of the institutional background of the CoE in relation to the IPTN and BRT system. This is an account of how the city is structured politically and administratively and how the BRT system fits in. This section further reviews the institutional framework of the taxi industry with the advent of the BRT system. The second section introduces the story of the interim negotiations, specifically considering the discussion topics between the negotiating parties.

The main discussion point will be based on the offers that the CoE has tabled to the ETI:

- Offers the city made to the ETI;
- The compensation formula used;
- Agreements entered.

As mentioned in chapter 4, my engagement in the negotiations was mainly as an observer and administrative assistant of the CoE, and later as a member of the ETI. Nevertheless, I have not relied completely on my observation as the only source, which could be influenced by biases. I have relied additionally on minutes, recordings, reports, and interviews of participants of the interim negotiations.

5.1 Contextual Overview

5.1.1 Introduction of the Integrated Rapid Public Transport Network and engagement with the paratransit industry

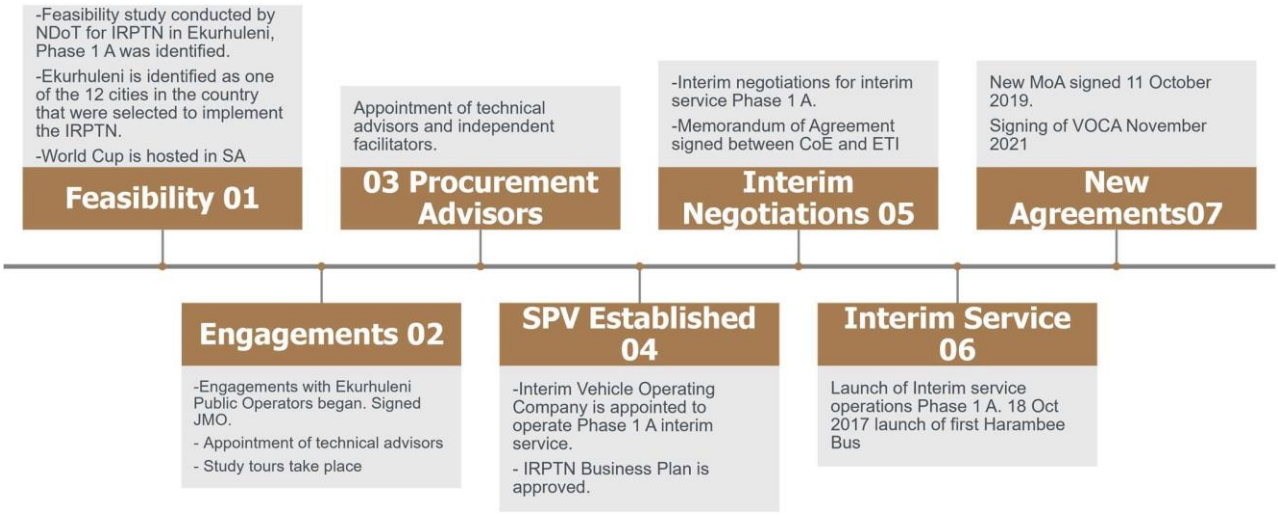


Figure 5.1: Timeline of events during interim negotiations

Considering the timeline of events (See Figure 5.1), the initial engagements began in 2009 when the NDoT held several workshops with SANTACO, National Taxi Alliance and relevant municipalities on value chain opportunities and to develop a guideline document. In line with the government's initiatives to improve the efficiency and effectiveness of public transport, the CoE was one of the 12 cities in the country that were selected to implement the IRPTN (Wood, 2015a).

It is interesting to observe the close relations between the state and the minibus taxi industry in the public transport reform process. Back in 2009, just before South Africa hosted the FIFA World Cup, during the State of the Nation[3] address, President Zuma referred to R787 billion allocated for infrastructure expenditure, including public transport, specifically the BRT system. During his speech, he committed to dealing with the taxi industry's concerns following the elections.

> *"In April this year, I gave an undertaking to the taxi industry leadership to defer negotiations relating to the operation of the Bus Integrated Rapid Transit system until after the elections." (Ibid.)*
>
> *"We undertook to allow more time to deal properly with the concerns of the industry. On the 11th of June the Minister of Transport will resume discussions*

[3] SAHO, 2009. 2009 - President Zuma, State of the Nation Address, 3 June 2009 (After National Elections) | South African History Online [WWW Document].

with the industry." (Ibid.)

The Minister of Transport was to kickstart a series of engagements with stakeholders covering an important issue regarding how all affected stakeholders would benefit from this initiative. The Minister of Transport, Sibusiso Ndebele outlined how the taxi industry would be beneficiaries of this new system and this would be facilitated through a series of negotiations.

> *"The issue for negotiations includes the ownership structure for the existing taxi operators and workers, the institutional arrangements for the value chain benefits and BBBEE [Broad-Based Black Economic Empowerment] in various areas."* (Exert from Sibusiso Ndebele's speech, cited from CoE, 2013)

The African National Congress (ANC) was the ruling party from the start of the project until November 2021, after the municipal elections, when the Democratic Alliance came to power in a coalition government, following which the council was restructured, including the mayor and the city manager. They will often change the entire set-up. A member of the ETI stated that the change in leadership to the Democratic Alliance was then their greatest concern. They stated that they might stall all the progress the project had made.

> *"Right now we have the DA [Democratic Alliance] and the project was funded by ANC [African National Congress]. As we speak now, we are not sure whether we are still going to be compensated."*
>
> *"okwamanje ku ngene i-DA and this project was run by i-ANC. sikhuluma manje we are not sure whether manje are they still going to compensate us…"* (ETI 6_BOTA, 2021).

The funding supporting the IRPTN project is referred to as the Public Transport Network Grant (PTNG). The PTNG provides funding for the construction and improvement of public and non- motorised transport infrastructure that forms part of a municipal IPTN. The NDoT, together with National Treasury, approves the use of grants for IPTN-related infrastructure such as non-motorised transport, sidewalks, cycle ways, stations, and vehicles (CoE4_DH, 2020).

In the CoE and the NDoT concluded a study that investigated the feasibility of an IRPTN. Five routes were identified as possible corridors to be implemented over the following five years ending in 2020, which aligns with the availability of the PTNG. Out of the five routes, the corridor from Tembisa to Vosloorus was identified as Phase 1 of the implementation of the IRPTN in Ekurhuleni. The Mayoral Committee approved the plan in August 2012, and in April 2015, the council approved the IRPTN business plan (CoE, 2015a). This corridor has been divided into Phase 1 A, B and C (as described in chapter 1). This study focused on Phase 1 A (Figure 5.2).

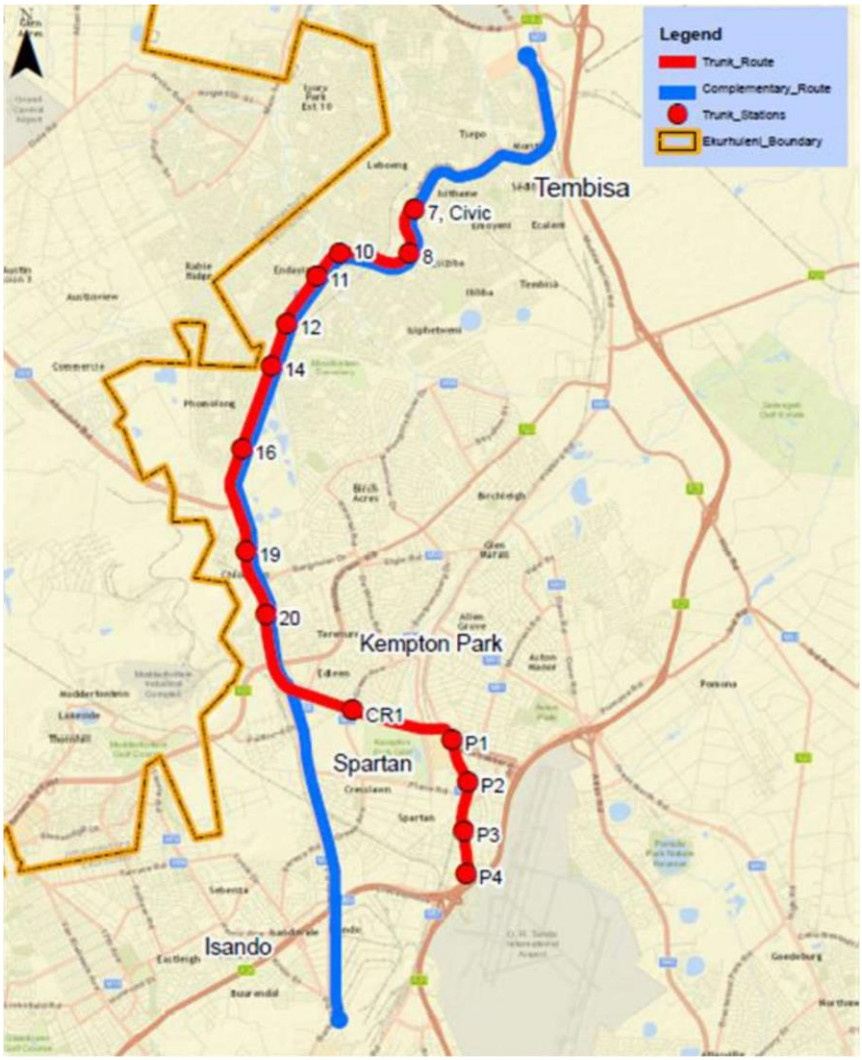


Figure 5.2: Phase 1 A (CoE, 2016)

5.1.2 The structure of the City of Ekurhuleni: How is the bus rapid transit system integrated?

The CoE officials are mainly specialist contractors contracted for the IPTN project to

work as a separate or specialist entity within the Transport Provision Department (Figure 5.3). A percentage of the PTNG grant was used to appoint specialists for three to five years. Four work streams were created particularly for this project: Intelligent Transport Systems, Infrastructure, Operations and Finance. A Head of Department and a Project Manager were also appointed to oversee the project. More specialist streams such as industry transition were later created specifically to work with the ETI. Each work stream has a departmental head that oversees that work stream.

The BRT being a flagship project and having one of the largest budgets, if not the largest, made this process quite political (CoE1_DH_2020). One of the city's greatest obstacles was institutional memory loss (CoE4_DH, 2020). From the start of the project to date, the project has had no less than three Heads of Department. Due to the limited time of the contracts, many expired during critical times of the process and new contractors and persons were introduced.

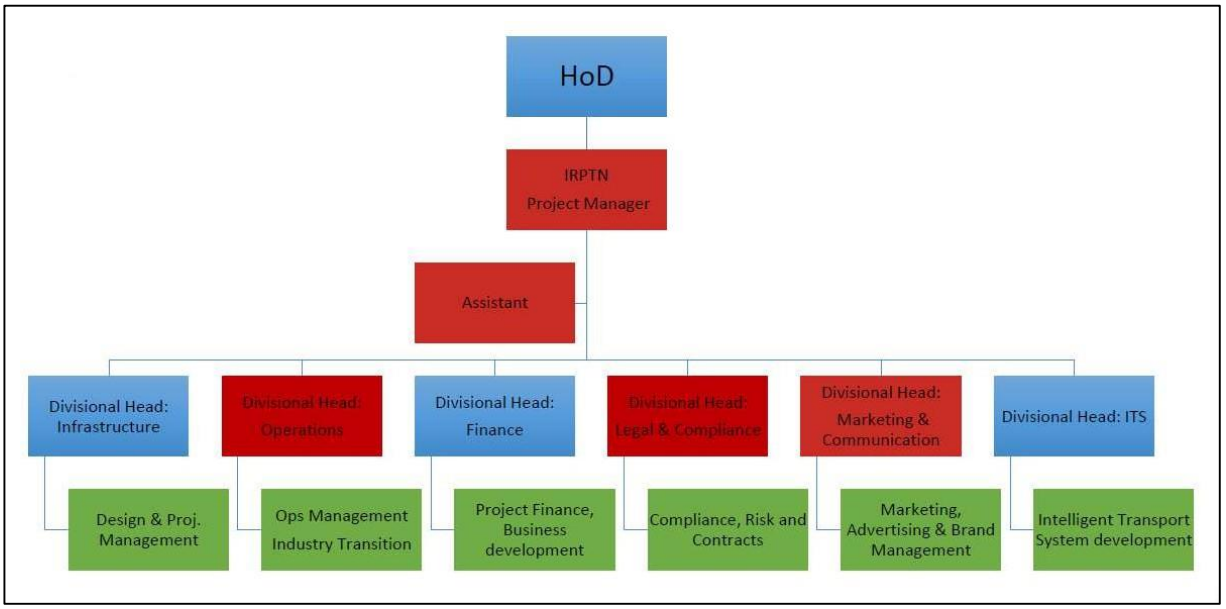


Figure 5.3: Integrated Rapid Public Transport Network management unit, division of transport management unit (CoE, 2015a) (red blocks show vacant positions at the time)

Importantly, the NDoT or the IRPTN specialist team is accountable to the elected Ekurhuleni Metropolitan Council, which provides oversight and sets policy. The Council is the representative of the people and has a mixed system of ward-based and proportional representation councillors (CoE4_DH, 2020). In terms of the Local Government: Municipal Demarcation Act, 1998, the CoE is demarcated by the Municipal Demarcation into wards, with one councillor per ward, and the ward councillors constituting one-half of the representation on Council. The other half are elected propor-

tionate to the votes received by each political party. The councillors together form Ekurhuleni's council. The council takes all decisions related to policies and government procedures; these decisions are referred to as council resolutions. Oversight of the BRT system negotiation process fell to the existing transport committee, and due to the nature of the project there was a provision in the documentation for the mayor to authorise executive decisions. There was also capacity for escalation to the city manager and mayor for approval of the major steps. It was all within the existing city processes; no parallel BRT processes existed despite some provisions for accelerating decision-making (CoE4_DH, 2020). There is however an obligation to NDoT to account for the PTNG grant (CoE1_DH, 2020) and there are conditionalities, such as reporting on budget expenditure and project progress, that influence grant provision. Thus, as an official, one must balance or manage expectations from the council, NDoT and the minibus taxi industry, which is challenging. Furthermore, there is pressure to fulfil certain performance indicators, such as key performance indicators and scorecards. Senior officials must maintain certain performance standards and meet targets (*Ibid.*).

The specialist team was formed for the purpose of negotiating and ultimately setting up a special purpose vehicle (SPV). The team having a form of agency are still accountable to an oversight council and the NDoT.

The planning process was delegated mainly to the CoE and included other departments such as the National Department of Transport and the National Department of Treasury. The National Department of Transport is responsible for regulation and coordination of Transportation in South Africa and has administered the Public Transport Network Grant, which has funded the operation and infrastructure of the BRT. The National Department of Treasury, which coordinates the national fiscal policy between various spheres of government was involved in the rollout plan determining the dates when the BRT would be implemented. Other parties such as PUTCO and MetroRail were involved, as consulted stakeholders. The consultations were mainly about the BRT routes and the subsidy allocation for public transport.

5.1.3 Structure of the Ekurhuleni Taxi Industry: How is the BRT integrated.

The CoE is made up of nine towns and 17 townships; most of the transport demand comes from the townships. Minibus taxis have been the main source of transport in townships and are the dominant mode of transport in the CoE. According to Browning (1989, p. 123) "Taxis and townships are synonymous. They need each other like a fish needs water." Their relevance springs from the spatial characteristics of South African cities. Minibus taxis are popular due to their door-to-door service, which is

quite viable in such a fragmented urban form (Lomme, 2008).

Godsell (2016) developed a model or lens for understanding taxi associations. The model indicated that a taxi association is fundamentally made up of four factors. It is the most local- level formal organisation of the taxi industry; a collection of state-recognised registered routes (which the taxi industry operates), small business owners, stakeholders and custodians in the communities in which they serve. Before the recommendations of the National Taxi Task Team (NTTT), there was one association referred to as Tembisa United Taxi Association but with different routes. Some cars would go to Midrand, others to Johannesburg and the rest to Kempton Park. In 1998, following the recommendations of the NTTT, associations had to register according to their routes of operations, mainly to reduce the lingering violence. That is when multiple associations that were route specific came about. The formalisation process also included appointing an executive. Associations have a leadership structure that is voted in each year by its members (ETI 1_TEPTA, 2020). There is an executive made up of the chairman, vice chairman, treasurer, grievance, secretary, training officer and public relations officer.

The engagements between the CoE with the public transport operators in Ekurhuleni started in 2012. Getting the initial acceptance to negotiate and engage with the public transport operators in Ekurhuleni resulted in a Joint Memorandum of Understanding[4] being entered into between the CoE, the taxi industry and other public transport operators.

Primarily, the Joint Memorandum of Understanding set out the rules and principal terms of engagement (CoE4_DH, 2020). The main stakeholders on the negotiation table are the CoE and the ETI. It states that the purpose was to capacitate and empower previously disadvantaged public operators to level the playing field during the negotiations of the first phase of the CoE IRPTN service (CoE, 2012). The signed agreement between the CoE and the Ekurhuleni Public Transport Industry (EPTI), which included the ETI, bus operators, scholar transport, metered taxis and Ekurhuleni Women in Public Transport. Later in the study we will see that the other public transport operators (EPTI) fall away from the process, and the city mainly engaged with what is then later referred to as the ETI (Appendix E).

The first study tour took place in 2013 when members of the Ekurhuleni Taxi Region Council were invited on a study tour to view the TransMilenio BRT system in the city

[4] A Joint Memorandum of Understanding is a document expressing that parties agree to proceed with their mutual goals (Contracts Counsel, 2022a)

of Bogotá, Columbia. The second study tour took place in 2016 just before the interim negotiations, including affected association members (ETI 3_TELTA, 2022).

The city appointed technical advisors to assist engagement in the project and the negotiations. A technical advisor team, Axios Consulting, was appointed by the city manager through Section 36 of the Municipal Finance Management Act to assist the industry to understand the IRPTN project in its entirety, ensuring a common understanding and vision for the project from planning to operations.

Axios Consulting were appointed on the 4th of April 2013, and they also accompanied the CoE on a BRT study tour in South America. On the 22nd of November 2013, the CoE addressed a letter to Axios Consulting about a breach of contract regarding their failure to agree on a project team, invoicing irregularities and their level of engagement and support to the EPTI. Axios Consulting were given an opportunity to remedy the breaches within 14 days (Appendix C2).

In a letter dated the 6th of May 2014, the contract between the city and Axios Consulting for the provision of technical services to the EPTI was terminated. Axios Consulting was given a notice period of 14 days to advance reasons why the city should not terminate the contract; however, they failed to make submissions and the city thus considered the contract terminated. The arranging of workshops, catering, payment of allowances and appointment of their technical support teams have proven to be a challenge for CoE and other cities that are implementing BRT projects when it comes to compliance with supply management policies (Transport Planning and Provisioning, 2014) (Appendix C2).

Through various discussions and meetings between the CoE and the EPTI, it was considered that the city was to contemplate various options for appointing technical advisors to avoid encountering a similar predicament. The city considered two options to be viable and in accordance with the Municipal Financial Management Act and the city's supply chain policies. The first option was a tender advertised through a competitive bidding process, and the second option was for the tender to be considered a deviation from procurement processes. Considering the challenges that the EPTI and the city experienced with the Axios Consulting contract and to achieve a clean audit, it was decided that the best option would be the competitive bidding process (Transport Planning and Provisioning, 2014).

The EPTI did not favour this decision, and through a letter to the city manager, the EPTI expressed their grievance. The EPTI felt that as they intended to enter negotia-

tions with the municipality, the industry needed to be well-resourced with adequate technical support. The ETI felt they needed to have trust and faith that the technical advisors appointed would best represent their interests in the negotiation processes and not that of the city. This confidence and faith could only be ensured if the technical advisors were appointed by the EPTI and not by the municipality on behalf of the EPTI. They felt this could be lawfully carried out through supply chain processes specified in Section 111 of the Local Government Municipal Finance Management Act and the Municipal Supply Chain Management Regulation. I was involved in facilitating the process and remember the tensions surrounding the appointment of a technical advisor. The technical advisor served an important role in empowering the industry to understand and negotiate the technical terms and conditions pertaining to the negotiations. In a sense appointing the correct technical advisor leveled the playing field for the industry. It was expedient for the industry to solicit the appointment of a technical advisor that they could trust was not trying to manipulate their actions to follow the cities bidding. This was also contentious because the CoE was the one appointing the technical advisor on their behalf. I remember the consensus was that two representatives of the industry would participate in the Bid Evaluation Committee despite this process being normally limited to departmental heads of Ekurhuleni.

In an endeavour to find a new technical advisor, the EPTI solicited and obtained five new proposals. These companies demonstrated an understanding of the IRPTN process, as well as their intended methodology in approaching and advising the EPTI. After considering the proposals, the EPTI identified Siyazi Transportation Services Developments (Pty) Ltd as the ideal technical advisor. It is not clear what happened, but Harvest Accountants were later appointed as the technical advisor, effective, as per a service level agreement, from the 9th of June 2015 until the 30 June 2017 (CoE, 2015b). According to the CEO, it was not a closed tender. Harvest Accountants was approached by the industry to make a proposal to the city following which they were appointed, assisting the industry to prepare and negotiate during the interim negotiations (CoE, 2014). StratAlign was appointed in April 2014 as an independent facilitator for the industry transition process of the IRPTN between the CoE and the affected operators in the negotiations of the VOC and other related matters from the date of award until June 2016 (Appendix C1). The facilitator's role included chairing meetings, facilitating problem-solving, dispute resolution and other ancillary services that would be required within the scope of a facilitator. From my observations the industry had positive relations with their newly appointed technical advisors- Harvest, when their term ended, they requested an extension. This validates the importance of empower-

ing marginal actors (Turnhout et al., 2020). In this case the industry was not well versed in technical terms and financial models and thus having had the agency to influence their choice of technical advisors in this process was pivotal.

5.1.4 A special purpose vehicle is established, and the Integrated Rapid Public Transport Network business plan is approved (2015)

KTVR (Pty) LTD was incorporated on the 13th of November 2015. An interim SPV entity was established as a separate legal entity to temporarily run the operations of the Harambee Bus Service while the city and the industry finalised the negotiations. KTVR was established, whose shares were held in trust for and on behalf of the affected operators. As an interim measure, the SPV were to arrange the procurement of buses and the required loans to pay for the buses and to render the interim vehicle operating services on a temporary basis from the first quarter of 2016 if the affected operators had not yet been identified and if the negotiations between the CoE and the affected operators had not yet been concluded (CoE, 2014).

It is necessary that the SPV, in the interim, executed and performed certain functions and duties for and on behalf of the affected operators; The CoE was required to fund the costs of the SPV, subject to a suitable agreement being entered into with the SPV in terms of Section 67 of the Municipal Finance Management Act. The parties agreed on the terms and conditions applicable to the functions and duties to be executed and performed by the SPV and required the same to be reduced to writing.

The bus procurement needed to be settled speedily by the cut-off date for operations to commence by the first quarter of 2016 so that the interim operations could commence. The bone of contention was who would own the buses. The CoE IRPTN team developed a bus fleet strategy in 2013 as part of the development of the Phase 1 business plan. The original and approved international BRT model assumed the bus operator would own the vehicles (CoE, 2014). However, there were some discussions, including input from National Treasury, which favoured a model where the city owns the buses. The strongest motivation for the city to own the buses was that there is a service-delivery risk in that if the bus operator refuses to provide the service, the city will not be able to offer an uninterrupted service to commuters. Other issues included the possibility that the buses could become part of an insolvent estate should the VOC go insolvent.

The CoE decided that the affected operators should own the buses, arrange the funding to pay for the buses and provide the vehicle operating services required for the

BRT system. This would lift the burden of vehicle maintenance from the city. The CoE were eager for the procurement of the buses and the funding arrangements to pay for the buses to proceed as soon as possible to ensure the timeous implementation of the BRT system by the first quarter of 2016 (CoE, 2014). According to a senior state official the motivation to grant the industry ownership of the busses was to avoid vandalism during strikes. It is common occurrence that when civil society or the industry is disgruntled, they hold protests which often results in the burning and vandalism of the state's facilities. This strategic move on behalf of the city would protect itself from strikes even from industry (CoE6_PM. 2021).

The bus procurement and funding arrangements would need to be finalised before the finalisation of the negotiated contract with the affected operators to meet this implementation date (CoE5_DH, 2020). The VOC was not successful in securing external funding. At a meeting held on the 30th of April 2015, council approved the IRPTN business plan, with the following resolutions (CoE, 2018b):

> The bus procurement process for Phase 1 of the IRPTN bus fleet should be undertaken by the CoE for the VOC.
>
> The CoE commences with arranging external finance for the Phase 1 IRPTN bus fleet on behalf of the VOC.

It is important to note that while the industry has a 'corporate veil' as a vehicle operating company for the BRT, it is still difficult for the industry to navigate the stigma of being an informal industry with financial service providers. The industry in their current arrangement as individual operators has not afforded a credible credit score.

During the KTVR AGM in November 2021, it was announced that KTVR (Pty) LTD would be appointed BOC from the award date until June 2024. This refers to the formation of a new BOC by the shareholders or prospective shareholders. For new companies, this process is expected to start parallel with the negotiation process so that by the end of that process, a company can sign the BOC contract and begin to operate services. This, according to the Chairperson of KTVR, would give the industry more time to prepare for the final negotiations. A request was made by the NDoT for approval from the city manager to dispense with the official procurement process in terms of paragraphs 36 of the Municipal Finance Management Act supply chain management policy to appoint KTVR the SPV for the purpose of entering a negotiated bus operating contract in respect of Phase 1. What was interesting to observe was the number of taxi

industry members that were involved in KTVR, while maintaining a vested interest in their respective associations, this I discuss in more detail in chapter 6 -intersections and mutualities.

5.2 Interim Negotiations

The CoE negotiated a new deal with the affected operators deemed eligible to participate in the transformed IRPTN through the VOC in return for giving up their existing operating licences. In agreeing to participate with the new system, the affected and eligible operator took ownership of the VOC and, consequently, the affected and eligible operator would get shareholding in the company and dividend payouts through their shareholding.

This remuneration process can be viewed through the lens of a business buy-out. By purchasing an individual business owner's right to trade (as provided by their operating licence), government could replace those businesses with a single, coordinated and higher-quality IRPTN. The main purpose of the negotiation process would be conducted to determine the value of the remuneration.



Figure 5.4: Focus on the negotiations

Interim negotiations were underway to negotiate the terms and conditions of the in-

terim Harambee system service that was to be launched on the 29th of September 2017 (Figure 5.4). This short service was to take place between Station 7 Tembisa to Station 14 Isando with only eight buses to be used for the 19 km route.

The interim compensation negotiations took place between September and October 2017 at Velmore Hotel and Glenburn Lodge over three days at a time. Before the interim negotiations, the ETI and the CoE would meet occasionally to prepare for the interim negotiations at the Transport Management Centre in Kempton Park.

The interim negotiations consisted of the representatives of potentially affected operators from the ETI, technical advisors for the city and the ETI, and the meetings were chaired by the facilitators StratAlign.

The negotiation process was used to get buy-in from the ETI for the interim negotiations. The CoE were aware that failure to address the ETI could result in project failure, resistance, and even likely violence. Thus, bringing the right stakeholders on board to one negotiation table was a mammoth task and deciding which taxi associations could be affected has been a serious point of contention. While the BRT system poses a risk to minibus taxi operations, many of them, through observing other cities, have realized the financial opportunities associated with participating and do not want to be left out of the process.

The interim negotiations centred on the formula that would be used to compensate the affected ETI operators for the loss of business or passengers. The city proposed that the affected taxi associations would be compensated based on the number of passengers transferred to and from the Harambee system (CoE, 2017).

The interim service is operating until the final negotiations are concluded, and the 12-year contract was awarded to the ETI. The interim negotiations would pave the way for the final negotiations to conclude the 12-year BOC contract. The interim operation was like a proof of concept to meet the political pressures from the NDoT and the oversight committee. This model has been used by other cities due to the complex and protracted nature of the 12-year BOC negotiations. The specific details regarding the discussion points and objectives will be discussed in more detail in chapter 7. This section outlines the main discussion points between the CoE and the ETI. Chapter 7 explores the negotiations that took place in detail.

The engagements and discussions included:

- Determining which associations were affected by the BRT operations and qualify as shareholders and possible participants in the BOC. This includes registering affected operators and associations.
- The once-off payment made to affected operators for loss of income due to

construction.

- Determining the feeder routes and which associations would form part.
- Determining a compensation formula to be agreed on for passenger loss; and
- Discussing the terms and conditions of the Bus Operating Contract Agreement.

5.2.1 Associations affected by the Integrated Rapid Public Transport Network operations

Initially, there was an overarching strategy to include as many associations as possible and focus more specifically on the affected operators who would qualify as shareholders and participate in the bus operating contract (KTVR1_Public Relations, 2022). Being affected is determined by the loss of economic value of current permits and operating licences and the surrendering of vehicles if used in the IRPTN fleet. Affected operators can be considered for one or more of:

- shares in new VOC business(es)
- dividends paid as mechanisms for distributing profits.
- new operating licences issued on non-competing routes.
- employment in IRPTN entities mostly in new VOC(s)

The extent of being affected “Affected” can range between 20% to 100% of a current route that overlaps with an IRPTN route. Being affected means that the current operating licences (or permit) will be surrendered in return for shares in the VOC or cash payouts, or current operating licences (or permits) will be replaced with new operating licences on non- overlapping routes, and any significant difference in economic value will be considered. Vehicles will be either scrapped or surrendered depending on the value of the vehicle (CoE, 2013).

The affected taxi associations are affiliated with the Ekurhuleni Gauteng National Taxi Alliance and the SANTACO region. These structures were merged to form the ETI. There are 34 listed taxi associations in Ekurhuleni (National Public Transport Regulator, 2011). Most of the taxi associations affected by Phase 1 A are located on the north side of Ekurhuleni. Sixteen taxi associations were initially identified and approached by the CoE to propose the IPTN (Table 5.1). After some studies, the main affected operators were identified from four taxi associations (Table 5.2). This was a contentious process, and the details will be discussed in the next chapter.

Table 5.1: Possible affected operators (CoE, 2018)

Possible Affected Operators (PAO)		
Association	Abbreviation	Side
1.Kempton Park Taxi Association	KETA	North
2.Tembisa Lethabong Taxi Association	TELTA	North
3.Voslorus and Boksburg District Taxi Association	VBDTA	South
4.Reicher Park Boksburg and District Taxi Association	RBDTA	South
5.Birchleigh Oakmoar Taxi Association	BOTA	North
6.Lethabong Taxi Association	LETA	North
7.Benoni Taxi Association	BTA	East
8.Greater Alberton Taxi Association	GATA	South
9.Greater Germiston Taxi Association	GGTA	South
10.Johannesburg Tembisa Taxi Association	JTTA	North
11.Tembisa Alexandra Taxi Association	TATA	West
12.Zonkezizwe Taxi Association	ZOTA	South
13.Katlegong Peoples Taxi Association	KAPTA	South
14.Nigel Taxi Association	NTA	East
15.Greater Brakpan Taxi Association	GBTA	East
16.Springs Taxi Association	STA	East

Table 5.2: Identified affected associations for phase 1A (CoE, 2018)

Affected Associations		Abbreviation
1	Kempton Park Taxi Association	KETA
2	Tembisa Local Taxi Association	TELTA
3	Birchleigh Oakmoar Taxi Association	BOTA
4	Lethabong Taxi Association	LETA

Information obtained from the Gauteng Operating Licensing Board during July/August 2012 indicates that there were 9 981 registered minibus taxis in the CoE area and only 5 835 (58.6%) of these had operating licences. Minibus taxis in Ekurhuleni are predominantly old, in despair, and poorly maintained.

During the interim negotiations the technical advisor requested the city to give the industry a grace period to obtain operating licenses. Interestingly he referred to those not having operating licenses but operating on the road as ingulube which can be directly translated to ‘pig’ in isiZulu.

According to a presentation regarding the affected operator’s policy presented to the

industry representatives (CoE, 2013):

- Illegal operators are essentially excluded from participating as they never had a licence to operate.
- Permit holders are treated as though they hold licences for a maximum of seven years.
- Only current vehicles that meet minimum standards may be surrendered to CoE.
- Only those vehicles that can be used for IRPTN operations will be absorbed into the IRPTN fleet, owners of other vehicles have a choice to scrap, sell or use for other services or (licensed) routes.

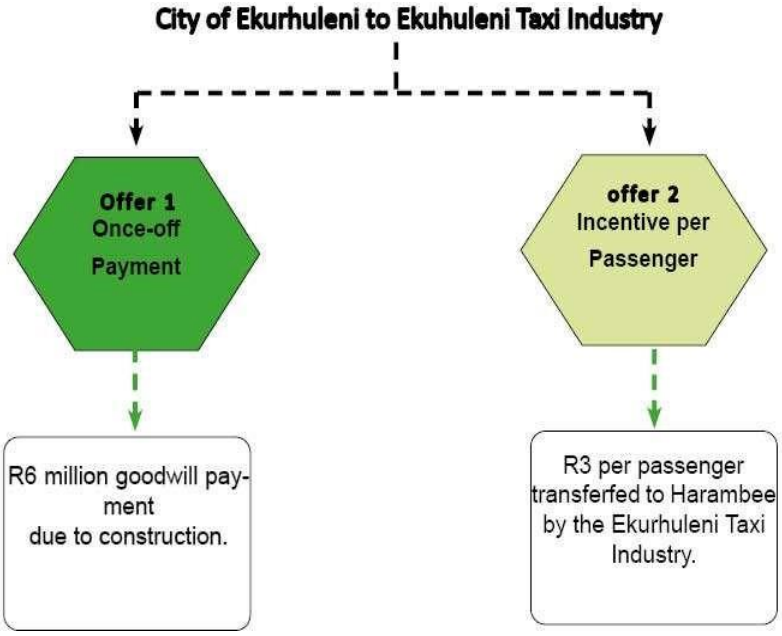


Figure 5.5: Compensation offers to the Ekurhuleni Taxi Industry (Adapted from CoE, 2017)

The interim negotiations were based on two offers. The first offer was a once-off payment for loss of business and the second offer was based on an incentive per passenger. These offers were tabled for interim compensation (CoE, 2017).

The negotiated amount was based on the current operations of 13.00 ZAR per trip per passenger by the ETI for the average distance of 19 kilometers of the Phase 1 A strip of the BRT operations. The city's proposal is based on a feeder model; the city offered the ETI 3.00 ZAR for every passenger that the ETI brings through a trunk and feeder system. There are two types of BRT system, namely the trunk and feeder, and direct service. The trunk and feeder divide the BRT into trunk line where the bus only operates in the dedicated lane, and feeder where the bus operates outside the main corridor and feeds passengers to the trunk line, such as in Bogota BRT (Transmillenio), Colombia. Direct service is where the bus service for certain routes is inside and outside dedicated lanes. The notion behind the direct service is to minimise transfer

points for passengers. The first BRT that implemented the direct concept is Guangzhou BRT (Saifullah, 2023). The Harambee BRT bus fare would be 7.00 ZAR, which is almost 50% of the current minibus taxi fare. The new operations would be based on a feeder model whereby the ETI operates only six kilometres of the 19 kilometres for distribution and feeder operations while the Harambee BRT bus will transport the remaining 13 kilometres.

The city presented a revenue-sharing model whereby the passenger pays 6.00 ZAR to get to Station 7 and 7.00 ZAR for the remainder of the trip to Isando. The incentive is based on 3.00 ZAR per pax trip delivered to Harambee BRT bus system. Thus, for every passenger transferred from the minibus taxi to the Harambee bus Station 7, the ETI would receive a 3.00 ZAR premium incentive, paid to the SPV, KTVR VOC's revenue collection box.

5.2.2 The contractual agreement and compensation formulas

The contractual agreement formed the basis of the negotiations between the CoE and the industry. There are several forms of cooperation as discussed by Saifullah (2023). The one that is applicable to the study is termed profit sharing. The cooperation can be understood as operators being paid a predetermined share of total system revenues, based on a pre-agreed-upon formula (usually linked to bus kilometres, customers served, or a combination). The negotiation was thus based on this formula. The advantage of using the profit-sharing concept is that gives operators strong incentive to reduce costs and attract customers.

To determine the interim compensation amount to be paid to the city, the CoE presented a compensation formula based on passenger trips per day and bus trips per day. The calculations factored bus capacity (90), the number of trips per peak period (13), fare plus a premium (13.00 ZAR + 3.00 ZAR).

The average amount to be compensated to the ETI then is 37 440 ZAR per day.

Compensation formula = X(Y*HZ*P)
Where X = Number of peak periods; Y = Number of passengers per bus; HZ = Number of trips per peak period; P = Fare per passenger including goodwill
= 2(90*13*16)
= 37 440 ZAR per day

The Project Management Unit, responsible for providing technical advice to the city, made estimations of the current minibus taxi operations. It is important to point out that

at this point these projections are made without conducting a market study to evaluate the business value, which is conducted later. At this point, the city estimated that the current operations operating the 19 kilometres had an estimated monthly revenue of 33 462 ZAR with an estimated monthly income of R15 414 per minibus taxi as a benchmark figure for compensation.

5.3 Conclusion

Unpacking the organisational structure of the parties involved in the negotiations has been crucial for understanding the negotiation outcomes.

The introduction of the IRPTN in the CoE and the engagement with public transport operators was a multi-layered process consisting of many moving parts. From the feasibility studies, to setting up a SPV company that will operate an interim service.

While a specialist team has been appointed by the CoE for the IRPTN project on a contractual basis, their agency could be limited by the oversight council and politicians. It will be interesting to observe whether being accountable to a council and the NDoT has insured the project from undue expenditure and corruption or enabled it.

The structure of the ETI remains highly fragmented between various associations and many operators are not in possession of operating licences and operate using non-roadworthy vehicles, questioning their legitimacy for this compensation process. The IRPTN process has encouraged the taxi industry to combine the Ekurhuleni Gauteng National Taxi Alliance (EGNTA) and SANTACO to form the ETI. To what extent will this unification counteract the fragmentation inherent in the industry.

The current SPV has been in operation for over five years and has been a valuable opportunity for the ETI to gain experience and confidence through the running of a limited interim service that would usher in the 12-year contract. While the special purpose vehicle KTVR is not directly involved in the negotiations it remains an important instrument for leveraging funds from the grant (PTNG). It is important to recognise that this vehicle is not autonomous, there are crucial stakeholders behind the wheel, and it could be used by both parties (the CoE and ETI) to influence decision-making autonomously.

This is the backdrop that influences the interim negotiations and is crucial for predicting the negotiation outcomes. The next chapter focuses on understanding the rationale of the state and the industry, particularly the interests driving its participation in the negotiation process. To what extent do they conflict?

6 Chapter Six: Analysis: Presenting the Different Rationalities

In this chapter, I explore the rationalities of the CoE and the ETI to investigate whether, indeed, these rationalities are contending and whether there is a way of moving forward. Between these competing rationalities, which rationality embodies the CoE's public transport reform vision? To understand what is just, one must understand the rationalities inescapably bound in their social and historical context.

The concept of rationality was discussed in chapter two; rationality has been defined as the logic used to make or justify choices. Rationality has translated from being mathematically and scientifically motivated to considering a more multifaceted approach, which recognises the diversity of perspectives and values (Bolan, 1999). Every social domain consists of a plurality of perspectives, demonstrated in conflict. It is understood that multiple stakeholders may have different perceptions of rationality. This could result in conflict (Van Horen, 2000; Watson, 2003; Li, 2007; Mwathunga and Donaldson, 2018). However, plural rationality does not view conflict as rejecting another rationality interest or perspective. According to agonism, the active presence of different rationalities is a positive sign of democracy (Tambakaki, 2014). Based on the idea of plural rationality, every social domain consists of socially constructed archetypical stakeholder perspectives (Knox and Parkinson, 2020). This will be used as a conceptual framework to analyse the CoE and the ETI case. It is important to understand the stakeholders' behaviour, interests, worldview and viewpoints and to assess whether there is a way to carve a path for stakeholders to work together and to achieve a negotiated and compromised solution (Knox and Parkinson, 2020).

The key findings will be presented threefold:

a) The rationality of the state
b) The rationality of the paratransit industry
c) Intersections between the state and paratransit

6.1 States Perspective

6.1.1 What is the impetus that drives the state to implement the Integrated Public Transport Network?

Scott (2008) mentions that the state is obsessed with a particular aesthetic. The state's intention of bringing about order hopes to bring about a change in behaviour (Li, 2005). In many respects, informality and disorder, characteristic of the minibus taxi industry, mirror a lack of state intervention (Charlton, 2013). "Cities used BRT to showcase their transport departments as fully functional" (Wood, 2022, p. 63). According to

Scott (2008), the impetus for order is driven by a desire to control; in this way, the paratransit industry can be “mapped,

counted and even taxed” (Rigg, 2007, p. 146). In the current study, the state has proven to have a more complex and multifaceted rationality.

On the surface, the CoE demonstrates a technical rationality that relies on expertly planned solutions, such as the IPTN and government authority, to implement and control (Ng, 2011). The desire to control and replace the self-regulated taxi industry is used to justify public transport reform and the introduction of a BRT system. However, the CoE seems to have a developmental intention, notwithstanding its lack of service delivery,as in the case of many developmental states, state officials and politicians have a degree of personal political and financial interest (Martin and Solomon, 2016). This chapter will demonstrate that planning is not some procedural field separate from the messy political and economic realities of urban and regional development (Yiftachel and Huxley, 2000). There is, in fact, an intersection of relationships, rationalities and interests that are more complex between the CoE and the ETI, creating more space for engagement than the planning literature suggests. The rationality of the state vacillates like a pendulum between a technical and modernising motivation and individualist rationality.

The state’s intentions for introducing the IRPTN has been rationalised, for the most part, as reforming the sprawling spatial legacy of apartheid; however, more emphasis has been placed on formalising the ‘informal’ minibus taxi industry by integrating them into a corporate VOC that would operate the BRT system (CoE, 2018b; CoE, 2016, 2016, 2015c). Like many state interventions, the IPTN was meant to improve people’s lives by introducing a modern integrated bus system to compensate for the lagging public transportation, i.e., minibus taxis, rail and bus service (Gauthier and Weinstock, 2010).

According to the Public Transport Strategy and Action Plan, an assumption was made that all existing bus and taxi users on routes that IRPTN routes and services will fully replace will operate the new IPTN trunk and feeder services under a negotiated contract (Pillay and Seedat, 2007). For this to be achieved, existing bus and taxi operations on these routes, through negotiation, would need to cease operating and be replaced by the new BRT buses. However, a full replacement was not achievable as the newly introduced system is insufficient to service the entire Ekurhuleni region. The affected paratransit operators are meant to join as shareholders, and some operate feeder routes for the system.

> *"One of the key objectives of the new IPRTN system will be to transform the existing public transport service providers from informal to formal businesses, including the taxis and buses. It is therefore anticipated that these bus and taxi operators affected by Phase 1 of the IRPTN (Affected Operators) will participate as shareholders in the*
>
> *Vehicle Operating Company (VOC) that will be responsible for operating the BRT bus service.*
>
> *Operationalisation of the BRT depends primarily on Industry Transition and the provision of Infrastructure. It is therefore on this basis that the ETI and KTVR has always been involved and engaged per the agreements entered into between same and the City of Ekurhuleni."* (CoE, 2018b, p.1)

Generally, the minibus taxi industry has been presented as anti-progressive and does not fit in with the image of a modern urban public transport system (Browning, 2001; Gauthier and Weinstock, 2010). When accommodating the paratransit industry into any development plan, the premise is to transform the industry into its more superior formal counterpart. Evidence from the current study suggests that the state is intent on imposing order in the chaotic taxi industry.

> *"The opaque way in which they provide public transport services. It needs to transform big time.*
>
> *It is opaque in the sense that, you can't say taxis run from this time in the morning to this time or that if I stand here at 1 o' clock I will be able to get a taxi. You do not get to influence their pricing; you do not get to influence anything in their industry. Not the commuter, not the government."* (CoE1_DH, 2020)

During my field observations, I found it quite interesting that the TEPTA had somewhat of a schedule that was integrated with various taxi ranks such as KETA. These schedules (Figure 6.2) are decided beforehand by the executive and handed to the rank manager and queue marshals to communicate to the drivers on duty. For drivers to know which route they will travel, they consult what is referred to as *iBoard* (Figure 6.1). On public holidays and weekends, you follow *isagila*[5], meaning that the board does not apply first come first serve.

[5] *Isagila* is an isiZulu term for a stick with a ball-like at top end that is thrown at game during hunting.

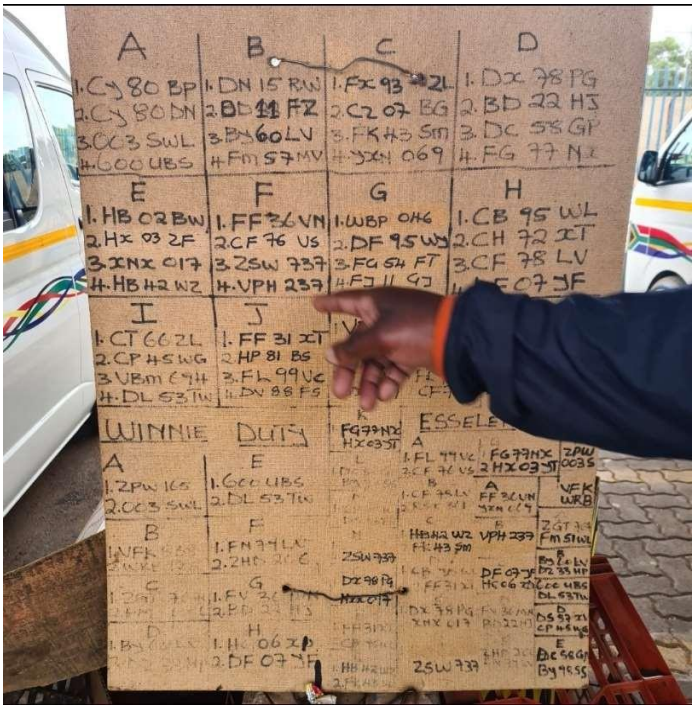
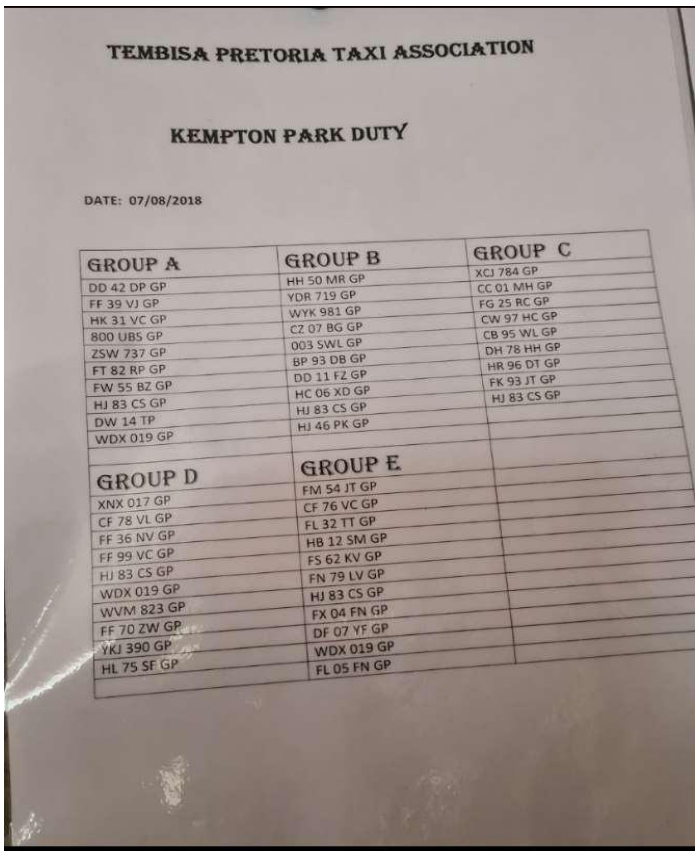


Figure 6.1: Iboard showing the schedule that taxis must follow.



TEMBISA PRETORIA TAXI ASSOCIATION

KEMPTON PARK DUTY

DATE: 07/08/2018

GROUP A	GROUP B	GROUP C
DD 42 DP GP	HH 50 MR GP	XCJ 784 GP
FF 39 VJ GP	YDR 719 GP	CC 01 MH GP
HK 31 VC GP	WYK 981 GP	FG 25 RC GP
800 UBS GP	CZ 07 BG GP	CW 97 HC GP
ZSW 737 GP	003 SWL GP	CB 95 WL GP
FT 82 RP GP	BP 93 DB GP	DH 78 HH GP
FW 55 BZ GP	DD 11 FZ GP	HR 96 DT GP
HJ 83 CS GP	HC 06 XD GP	FK 93 JT GP
DW 14 TP	HJ 83 CS GP	HJ 83 CS GP
WDX 019 GP	HJ 46 PK GP	

GROUP D	GROUP E
XNX 017 GP	FM 54 JT GP
CF 78 VL GP	CF 76 VC GP
FF 36 NV GP	FL 32 TT GP
FF 99 VC GP	HB 12 SM GP
HJ 83 CS GP	FS 62 KV GP
WDX 019 GP	FN 79 LV GP
WVM 823 GP	HJ 83 CS GP
FF 70 ZW GP	FX 04 FN GP
YKJ 390 GP	DF 07 YF GP
HL 75 SF GP	WDX 019 GP
	FL 05 FN GP

Figure 6.2: Weekly schedule according to groups at the Tembisa Pretoria Taxi Association

One of the interesting responses in this regard was from a senior manager at the CoE that was overseeing the entire project, who stated,

> *"The world cup was the main driver for BRTs… Also, the other thing was to reduce the number of taxis. It was all about the taxi industry to migrate them to BRTs, and that was the purpose, to get rid of the crowded taxi industry and formalise the taxi industry within the BRT. So, what they have done is reduce the amount of taxi operating licences and they incorporated those people into bus operating companies, and they become shareholders in bus operating companies."* (CoE6_PM, 2021)

This senior manager further explained that the minibus taxis would be controlled using technology, such as the Automated Fare Collection system. This system could audit the number of passengers that board the minibus taxi; thus, the number of passengers can be determined, and the tax can be determined and deducted. To eliminate competition and stabilise the industry, the city would remunerate the minibus taxi industry at a rate based on a fee per kilometer (CoE6_PM, 2021).

The concept of an automated ticketing system was introduced to the minibus taxi industry during a special general meeting held at Kempton Park Civic Centre on the 29th of January 2020 (Kempton Park Taxi Association, 2020). A similar sentiment was expressed by a KETA senior member when rallying the association to acquire the new "Khwela Khwela" smart cards, which would be compulsory from the 1st of March 2020. He mentioned that the BRT ticket would be used on the Gautrain; therefore, the minibus taxi industry should also consider change as the industry will soon be operating feeder systems using a card system. This ticketing system is meant to transform the violent nature of the paratransit industry.

> *"We will no longer be fighting for routes and running business ngezi [with] nkabi [hit men]* (Kempton Park Taxi Association, 2020)."

While the paratransit industry has emerged as the initial phase of liberalism and deregulation, Rizzo (2017) claims that the BRT is the new face of neoliberalism whereby the state seeks to regain control and correct the negative externalities of the paratransit system, which is seen to be congested, environmentally destructive and viciously competitive. The state, through the BRT, is said to correct the market imperfections and reinstate control through PPPs. This has been consistent with neoliberal thought based on ensuring environmental sustainability (Recio et al., 2022). The BRT system is said to promote the interests of private capital. Rizzo (2017) outlines a set of vested interests

lacking scholarly attention, such as international finance institutions and non-governmental organisations that advocate for their adoption, such as the World Bank and the ITDP.

> *"As a key tenet of neoliberalism, the role of the private sector is enshrined in the urban plans through multiple variants of public-private partnership… cities, top-down and state-managed consultation processes remain predominantly informed by techno-*
>
> *managerial logic, treating the decision-making exercise as a question of 'expert knowledge' and less of a political process."* (Recio et al., 2022, p. 90)

Nevertheless, this rationality and interest in reinstating order are not uniform across the state. The state is heterogenous and divided with the voices of those that govern but also those that protest (Abers et al., 2014). It is important to note that even though the rationale for the IPTN has been expressed in official documents as that of development-improvement and control, not all officials in the municipality are in favour of the IPTN project. Some senior officials in the city have mentioned that the BRT was not the suited project for the current demand in Ekurhuleni.

> *"I think we had to go through it to know that some things might not work so well in South Africa. I think we should have spent more time and money fixing what we had. Metrorail, for instance, should not have been allowed to deteriorate to what it is because it was bad even then. So many studies were done on how much money is needed to bring a basic level of service, and it is actually far less than what we have spent on BRT needed. Then again, the problem's with Metrorail.*" (CoE1_DH, 2020)

Instead of a BRT system, an official positioned that they would plan around an efficient bus service, especially in areas like Tembisa that do not have a bus service (CoE5_DH, 2020).

> *"It's still going to take long for us to realise that public transport reform or whatever you want to call it because of the way we planned things [Spatial planning]."* (CoE5_DH, 2020)
>
> *"I think one of the main things I have picked up from the process was that the BRT is not sustainable in its current form. I'm looking at the financial elements of it, the cost versus benefit and you cannot justify it at this stage."* (ETI Technical Advisors_ Harvest, 2017)

While much of the literature, such as Scott (2008), proposes that the state seeks to reinstate order and control through modernist plans, Wood (2022) argues that the state's motivation for introducing the IPTN has been a case of policy recycling and inter-urban competition not based on a demand per se (Wood, 2022): "In several internal documents discussing the rationale for selecting BRT in Johannesburg, local policy actors identify Bogotá as their greatest influence but also recognized the role of other South American cities in disseminating information and experiences" (Wood, 2022, p. 101). For the current study, there has been a myriad of influences, including the budget. The project has been a great motivator for the CoE to consider the IPTN; it is often quite substantial and sometimes is the greatest budget in the city (CoE1_DH, 2020).

This neoliberal agenda seeks to acquire private funding for megaprojects that will enable competitiveness between cities using public funding (Recio et al., 2022). The CoE has demonstrated that their decision-making process has been motivated by individualistic interests in many respects. As alluded to by Watson (2003), in cases of extreme poverty access to state power and resources is seen as an economic opportunity that needs to be distributed in return for votes. In many respects, the CoE is seen to advance parasitic capitalism (Martin and Solomon, 2016). As outlined by Flyvbjerg (1998, p. 225), "institutions that claim to serve in the interests of the 'public' were actually deeply imbedded in the exercise of power and protecting private interests". In most cases, the more power you have, the less rationalisation is required. Flyvbjerg (1998) argues it is power, in fact, that blurs the dividing line between rationality and rationalisation. Power, in most instances, dominates rationality and results in rationalisation.

The current study revealed that the state has used political power to obtain financial benefits through procurement processes, commonly referred to as tenders. The tenders are awarded based on patronage networks. This includes appointing service providers less than capable of providing the service and strategically appointing politically aligned individuals in key positions (Martin and Solomon, 2016). According to an industry transition official:

> *"The issue of tender is political; the most important aspect of it is infrastructure… politicians are the highest decision-makers, so the ruling party that will decide that the ruling party of that metro will want to benefit as well. [A] practical example is some of the service providers' contracts were terminated because of lack of skill; they were awarded the stations [tenders], and they could not deliver, and the contracts were terminated because they did not have the ex-*

perience. How did they get appointed? The ruling party of that metro has influence and control over it, for example, I'm giving you a practical example of four or five of the contracts that were terminated." (CoE2_IT, 2020)

"These projects are influenced by politicians simply because they want their own people to be appointed despite the fact that they do not have the experience of building stations, but they were appointed based on the fact that they're related to the ruling party of that particular city." (CoE2_IT, 2020)



Figure 6.3: Transport Head of Department suspended and fired following allegations of maladministration

One of the characteristics of individualistic rationality is that it recognises the trade-offs that are because of competing interests. According to Wood (2022), there is evidence of a specific effort to disregard the BRT-lite version, and most South African cities sought the most advanced BRT despite the feasibility of downgrading to a lite version. A CoE official revealed why in an interview. A senior manager of the project

mentioned that she was fired from the project (Figure 6.3) as she was trying to scale down the project because it was not sustainable. However, she did not realise the politics involved and that certain individuals would stand to lose financially from down-grading the project. She received threats from the then Member of the Mayoral Committee for Finance and ended up being ousted from the municipality.

She termed the actions of specific politicians as reckless: “I can’t be associated with half-built stations for three years”. She had key performance indicators and scorecards to adhere to, which conflicted with the individual interests of procuring consultants they collude with who do not have the necessary skills.

> *“The agenda is the BRT. It is a high-level, high-impact project. This why, a lot of cities have pushed back on the idea of scaling down because they want to get what Joburg [Johannesburg] got. When you start bringing in very low-cost alternatives, they start complaining about the quality because the idea is to get that fancy project. Also, everyone wants that big budget because a big budget gives power. So those two things are related. You can’t say they only wanted a BRT because if they wanted a functional BRT, they would do anything in their power to make it happen. Still, despite the fact [that] they have gotten the project and gotten the money; they will do all kinds of things that will not guarantee that.” (CoE1_DH, 2020).*

Nevertheless, not all state officials involved in the IPTN have exhibited this behaviour. One such case is reported by Wood (2022); a senior official of the eThekwini Municipality went on a study tour to Bogotá in 2002, and upon realising the contextual differences between Bogotá and South Africa, he postponed the adoption of the BRT project.

The current study’s evidence suggests that while the state’s motivation is demonstrated in policy documents as that of improvement and replacement of the minibus taxi industry, this motivation is, in some cases, rationalised to veneer individualistic interests. The more advanced stations offered higher thresholds for procurement and better financial opportunities, as well as competitiveness with other cities. The next section considers the rationale of the ETI.

6.2 Paratransit Perspective

6.2.1 Paratransit resisting the Integrated Public Transport Network

The rationale of the paratransit industry towards introducing the IPTN has been pre-

sented as being resistant to the policy (Schalekamp, 2015; Asimeng and Heinrichs, 2021).

The ETI's approach has been quite dynamic, at times showing signs of resistance using different strategies such as protests and walking out of negotiation sessions. What has been interesting are the more subtle forms of resistance, which are framed by Scott (1985) as the weapons of the weak and include dragging the process, pretending, negligence, not complying, stealing, feigned ignorance, and acts of sabotage. The current study demonstrates that initially, there was outright resistance and defiance of the process, though, with time, the ETI displayed an agreeable disposition, participating enthusiastically in the IPTN process. However, is this apparent motivation to participate genuine? This section will unpack this shift in logic and explore the motives behind it.

Asimeng and Heinrichs (2021), in their paper ask "Why does the paratransit operators resist participation in the bus rapid transit?". Besides funding issues and different operating styles,

they point out that the culminating issue seems to be based on the fear of losing agency and control. Thus, based on behavioural studies by Bobadilla-Suarez et al. (2017), people are willing to forego monetary rewards for control, which is highly valued during negotiations (Asimeng and Asabere, 2022).

The major and violent forms of resistance were seen in the cities that initially introduced the IPTN, for example, the City of Johannesburg in 2006. In the case of the City of Johannesburg, violence resulted in a number of people dying (KTVR2_Operations, 2021; Wood, 2022). There were uncertainties and fears since that was the first BRT system in the country, and the concept was new to everyone. Even some officials did not understand what the BRT project was all about. The taxi industry often referred to the failed TRP[6]. The operators would lament how the government scrapped their vehicles but did not compensate the owners who were left without any income (KTVR2_Operations, 2021; Magubane and Manicom, 2003).

> *"Some operators assumed that some individuals were selling their businesses to the government. Operators were not willing to let go of their businesses when they did not even understand the process or the impact [of] the BRT. Some op-*

[6] "The Taxi Recapitalisation Programme (TRP) is an intervention by government to bring about safe, effective, reliable, affordable and accessible taxi operations by introducing new taxi vehicles designed to undertake public transport functions in the taxi industry (Government of South Africa, 2022).

> *erators had been in the business well over 30 years dealing with cash daily, telling them to get rid of their taxis and become shareholders and there would be dividends, that might not be easily understood."* (KTVR2_Operations, 2021)

Nevertheless, through the grapevine (other paratransit industries that participated in the IPTN), the industry started to realise the financial benefits of participating in the IPTN project. For example, operators were being paid to attend consultation meetings. Cities like Cape Town were compensated 2 million ZAR per operating licence and resumed operations in the minibus taxi industry shortly after (CoE1_DH, 2020). Structural variables, more specifically the context of the negotiations, are seen as being quite influential to the outcomes of the negotiations. This includes the inclusion of payoffs, incentives, and having a certain number of people on each side (Lewicki, 1993; Pruitt and Carnevale, 1993).

The ETI, not surprisingly, were initially quite resistant to the process, seen with protests and some associations refusing to participate. There was a serious trust deficit between the industry and the city. The technical advisor for the ETI pointed out that as the process unfolded, the tensions during the negotiations improved. However, he mentioned that the industry had serious fears and concerns; the technical advisor shared some interesting insights into ETI's perceptions towards the IPTN (TA_ETI, 2021).

The technical advisor for the ETI stated that the industry needs change management in the form of counselling:

> *"I think there needs to be some kind of change management from an emotional element perspective… It is a very emotional process. You know. I would just [say] that now I cannot use the word, but I would even go to the extent of saying counselling, for instance."* (TA_ETI, 2021)

The main thing they lose is control, causing much anxiety, which results in irrational behaviour. They need to be orientated on how the IPTN will impact their lives going forward, under which conditions a shareholder is renumerated, and the amount taxed. Currently, they have the security of knowing how much they expect daily. With the IPTN, they lose that sense of security. This is a situation where they are being approached and do not have a choice. Pivotal in the ETI was the leadership change; the ETI leadership changed from SANTACO members to association representatives, who were more open and had a good working relationship with the municipality.

The technical advisor also mentioned that the change of attitude from the ETI was mo-

tivated by them realising the financial potential of the entire process. Like the state, the industry is motivated by intercity competition. Through the grapevine, the industry received word about what other taxi industry operators had received by way of compensation and wanted to benefit from the process, too (CoE1_DH, 2020). Being a business that provides transport services and concerned with increasing profit margins, this was attractive.

Some of the quotes from the interview suggest that the ETI's position on the IPTN was initially negative but became positive with time. The evidence could be limited because only members that participated in the IPTN were interviewed. The rhetoric could have been perhaps different from those who were not involved.

Below are some of the quotes:

> *"I am happy because ngibe i-part yama negotiation but maiqala ukuzwakala sithe [when it started, we said] 'Never!'"* (ETI 2_KETA).
>
> *"Formalisation is coming to develop us, in terms of business."* (ETI 3_TELTA).
>
> *"Meeting during the BRT meetings and being confined to one space forced us to relate."* (ETI 6_BOTA, 2021).
>
> *"We [are] trying to bring [the] association [to a] high-level* (Kempton Park Taxi Association, 2020).
>
> *"I've learnt a lot. I have gained experience in terms of mass transportation. Remember they took us for a study tour in Columbia to learn about this thing as well as before we started all the processes. So, there is a lot I have gained, it even motivated me to do some stuff eUnisa. I was doing transport and logistics. This is my final year… so yeah, it has awakened the wolf in me."* (ETI 3_TELTA, 2022)

Nevertheless, the resistance as demonstrated by the current study has been quite nuanced, characterised by subtle shades of agreement and participation. The financial interests motivated the industry's involvement and participation; whether they were genuinely committed and convinced with the actual project is questionable. Resistance was the response to their livelihoods being threatened as opposed to their rationale. According to MacIntyre (1988), principles of rationality are historically and socially bound to their context. To understand the rationale of the ETI, it is important to understand its embeddedness (Bähre, 2014; Polese and Rekhviashvili, 2017; Rekhviashvili and Sgibnev, 2018). The next section seeks to understand the rationality of the para-

transit by unpacking its historical and social embeddedness.

6.2.2 Paratransit rationale: Embeddedness of the Ekurhuleni Taxi Industry

The ETI can be understood as having individualistic interest using its socio-political influence to usurp their interests. They favour deregulation and take advantage of the freedom to take risks and expand. For many developing countries, there has been a collapse of the state provided transport system and rise of paratransit operations (Knox and Parkinson, 2020).

The ETI see themselves as a strong pressure group and urban brokers with the intimate knowledge of the streets (Sopranzetti, 2014; Agbiboa, 2020). They use this to enable mobility and constraint (im)mobility. In a sense, they feel they own the public transport routes and have captured the market from the apartheid government. Browning (2001) states that South African paratransit operators view the taxi industry as a symbol of their success and wealth. The paratransit industry positions itself as a community leader with a strong socio-political interest (Gibbs, 2014; Godsell, 2016). For example, during the July 2021 unrests, the minibus taxi industry was commended for standing up against looting (Mzangwe, 2021; Sgqolana, 2021). The Uganda Taxi Operators and Drivers Association is alleged to have been trained by police officers to enforce laws such as checking for licensing and arresting thieves and criminals that commit crimes in these vehicle parks. Baker (2006) views these organisations as a positive contribution to strengthening civil society. The state has limited capacity to enforce law and order and relies on these non-state actors to assist. They commonly position themselves as defenders of the rights of society addressing poverty and inequality (Fobosi, 2013; Sopranzetti, 2014; Godsell, 2016).During a strike in 2018 by the ETI, (Figure 6.4) a senior leader of one of the affected associations claimed the routes indirectly belong to the taxi industry and they will not allow the BRT system to operate if they are not listened to (Ekurhuleni Taxi leaders speaking to a group of protesting members, 2018):

> *“As the taxi industry [isiZulu: Thina siTaxi industry]. This is our job [Owethu lomsebenzi]. We took it from the Boers and PUTCO [Sawuthatha emabunini, no-Putco]. We don’t have five years [Asinayo ifive years]. We are here for life! Harambee buses will not function if we are not listened to [Ayizo hamba iHarambee uma bangasilaleli].”*



Figure 6.4: Ekurhuleni Taxi Industry leader addressing protesting members in Germiston (Ekurhuleni Taxi leaders speaking to a group of protesting members, 2018).

This is further complicated by the fact that the paratransit operators are individual owners rather than companies (Browning, 2006; Rizzo, 2017). This individualistic model lends itself to competition; thus, it has been the premise of most reform programmes to transform individual operators into companies hired through formal contracts to minimise cutthroat mafia-like operations. It is important to point out that the minibus taxi industry in South Africa uses an unconventional manner to establish its footprint in the public transport market share, which is shaped by its uncanny operational styles. While profit-driven, the industry uses 'illegitimate' strategies to legitimise itself as a business outside conventional political tools such as operating licences, business registrations and corporatist institutional organisations.

Even in this study and much field observation, it is evident that the ETI uses a twofold strategy outside formal policy tools to establish itself as a business, namely territorial dominance and

political agency (De Herdt and de Sardan, 2015). Despite the individualistic logic of being non- reliant on the state and thriving in free-market conditions, the minibus taxi industry in South Africa has used its political affiliations as a springboard to further its interests.

South Africa's minibus taxi industry has important political connections, especially with the ANC, established during the apartheid era, allowing the industry to be regarded as an important stakeholder and beneficiary in the IPTN project. While the EPTI initially included meter taxi operators, bus owners, scholar transport operators, the taxi

industry used their connections and influence to be the main role players in the process (CoE, 2012; ETI Technical Advisors_ Harvest, 2017).

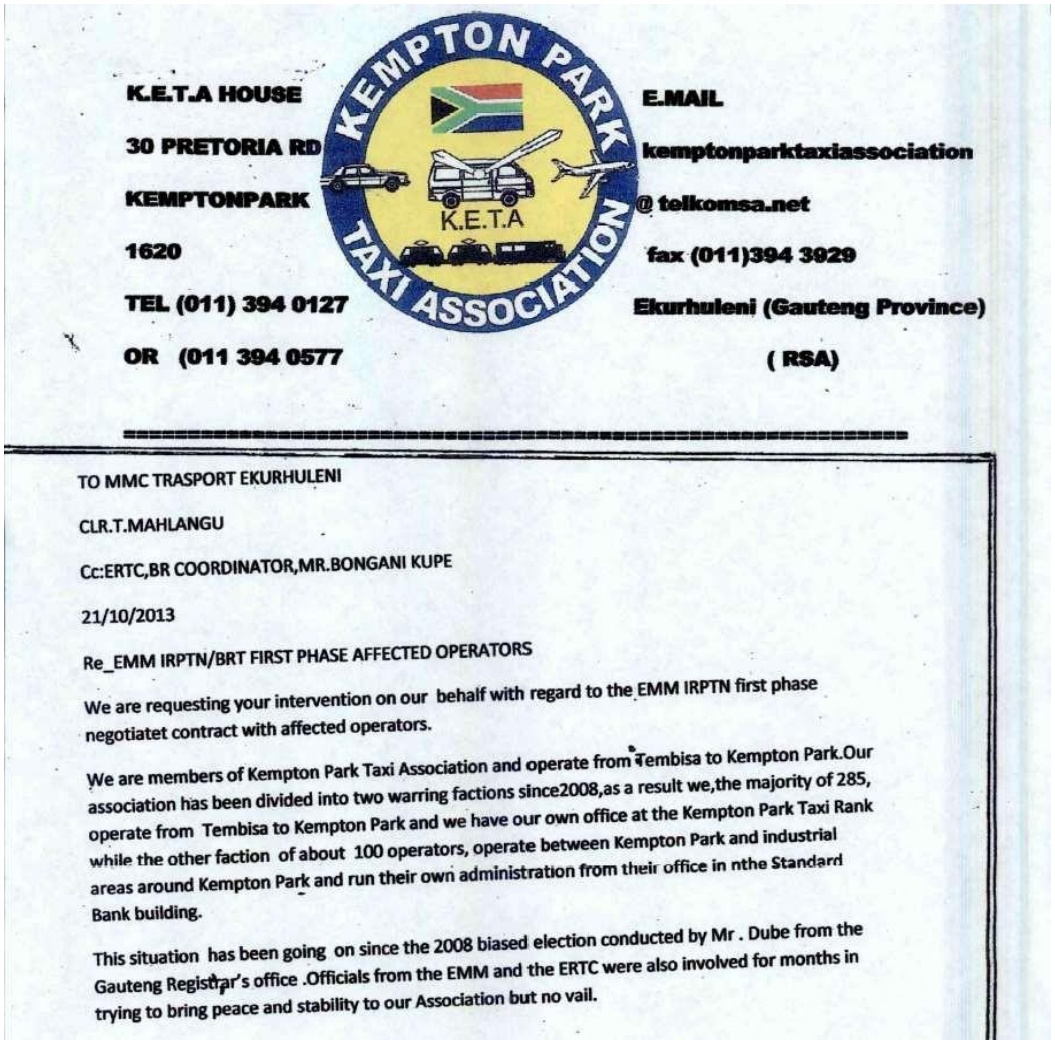
According to Simon Matthysen, a former minibus taxi operator and president of NAFCOC the taxi industry were messengers for political elite and those in political exile. Through political connections with the political elite, they accessed resources such as permits and vehicles to facilitate elections for South-Western Africa (Namibia) in November 1989 and after Nelson Mandela's release and elections in 1994. They were also responsible for facilitating reunions between estranged family members who were in exile.

> *"The political elite of South Africa, they had to go to exile, moved around by the taxi industry in order to evade the previous regime so that's why I'm saying the intertwined the taxi industry itself was the vehicle to get them out of borders. Most members of the taxi industries, you will find them being community leaders. That's the first step of politics."*
>
> *"…In our case, the ruling party [African National Congress], for them to move around in this country, they had to rely on the taxi industry moving things around, moving people, invading the previous regime; people had targets on their head, they wanted to be taken out, so cannot be you know that the secret service is looking for you and you driving your car you will be in taxi, somewhere in a taxi."* (CoE2_IT, 2020)

During his interview, he mentioned that these high-profile leaders who became ministers and politicians "they got a plate to eat, and we didn't eat". This speaks to a sentiment that minibus taxi operators may have; that they are entitled to the benefits that the political leaders had. For this study, it is important to note how the state and the paratransit intersect and interrelate and that their relationship is not mutually exclusive.

Nevertheless, the minibus taxi industry is principally a business interested in making profits. Like any business, they are embedded with certain mutualities, relying on certain political connections that are crucial in their business operations (Polanyi, 2001; Bähre, 2014). To sustain themselves, operators must be affiliated with certain political figures and position themselves as community leaders to garner support for their market operations. For example, even though minibus taxi ownership is individually based, it is almost well-nigh impossible to run the business without affiliation with a taxi association that is politically motivated to provide protection to its members and access to certain resources.

Thus, the ETI see themselves as business owners, not only in a corporate sense, but they legitimised themselves through political agency and territorial dominance, reinforced through protest, violence and, at times, gathering support and positioning themselves as community leaders (Personal observation, 2021).



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TO MMC TRASPORT EKURHULENI

CLR.T.MAHLANGU

Cc:ERTC,BR COORDINATOR,MR.BONGANI KUPE

21/10/2013

Re_EMM IRPTN/BRT FIRST PHASE AFFECTED OPERATORS

We are requesting your intervention on our behalf with regard to the EMM IRPTN first phase negotiatet contract with affected operators.

We are members of Kempton Park Taxi Association and operate from Tembisa to Kempton Park.Our association has been divided into two warring factions since2008,as a result we,the majority of 285, operate from Tembisa to Kempton Park and we have our own office at the Kempton Park Taxi Rank while the other faction of about 100 operators, operate between Kempton Park and industrial areas around Kempton Park and run their own administration from their office in nthe Standard Bank building.

This situation has been going on since the 2008 biased election conducted by Mr . Dube from the Gauteng Registrar's office .Officials from the EMM and the ERTC were also involved for months in trying to bring peace and stability to our Association but no vail.

Figure 6.5: Letter from an affected operator from the Kempton Park Taxi Association regarding internal conflicts within taxi associations (Kempton Park Taxi Association, 2013)

Due to their territorial approach, the industry is quite fragmented, and it is very difficult for them to stand up to the government with a united and balanced position (see Figure 6.5). The ETI is not a homogenous entity. There are currently 19 taxi associations under the banner of Ekurhuleni Gauteng National Taxi Alliance, with 15 taxi associations affiliated with the SANTACO. It is a very contentious issue. During an interview, a senior member of the Katlegong Peoples Taxi Association (KAPTA) warned me not to try to inquire further into the factions (ETI 8_KAPTA, 2022). The long-distance taxi

associations are not included in this study as they are not affected by the implementation of the BRT system. However, some associations are in the 'grey area', are not part of the SANTACO or the National Taxi Alliance and have not agreed to be included in the IRPTN process (ETI 8_KAPTA, 2022). Some associations, identified as affected operators, have warring factions and are unable to bring their members to participate in the IPTN project.

The process of selecting who was eligible to be considered in the process was quite contentious. A matrix was applied to determine which associations were eligible to participate in the negotiations as affected operators. Of the four associations identified as being affected by the IPTN (KETA, TELTA, BOTA and the Lethabong Taxi Association), there was conflict as to who was affected more than the other, thus eligible for a larger share of the compensation.

Two senior members of TATA mentioned that they were also affected by the BRT operations, and when they voiced this based on their operating licences, they were silenced. The association identified as the most affected received 28 million ZAR in compensation for the interim service. Meanwhile TATA says they only received 200 000 ZAR, which they accepted as being better than nothing.

> *"Eish, kube bengine permit, bengizokubonisa i-permit. Thina i-BRT, nje ngoba si suka e Sangweni, Siyahamba kuAndrew Mapheto iyeza until ifika until, until… mayifika la thina siyajika. Siye sathi sazama kuyi-rause-a le point sathola ukuthi ama boss ayasi thethisa. Sagcina [If I had a permit, I would show you that our route is affected by the current BRT operations, since our operations begin in Tembisa, Sangweni and travel on the trunk route on Andrew Mapheto. We tried to raise this, and the bosses reprimanded us. Then we stopped making inputs. It is just jealousy or greed. The bosses do not want other people to benefit from the process]* (ETI 4 and 5_TATA, 2022)*."*
>
> *"I mean sesi [sister] let us be honest, only few people will benefit from that thing and if you are nobody you will lose out. People are making money out of nothing those that are up there."* (ETI 2_KETA, 2022)

Some people are referred to as bosses in this process, indicating power imbalances, and the IPTN process unabatingly could reinforce the dominance and competition characteristic of the existing minibus taxi operations.

It is important to note that this is not a full description of the entire industry, according to Charles Nupen, facilitator of both Ekurhuleni and City of Johannesburg BRT Phase

1 A negotiations. The industry should not be judged based on the behaviour of certain individuals.

> *"It was important for us to learn. I think a lot of people have a pretty twisted view of the taxi industry, and I must say that after being involved now for going on 7 years in these processes, I have a completely different view of the industry and its value to the country. I have come across people who are absolute business-people. They act ethically, they make considered decisions, and you cannot judge this industry by the behavior of a few errant taxi drivers out there on the road who would tend on occasion, do stupid things. There are some amazingly, astute, persuasive and sophisticated business people who have learnt by experience and I must say, I do regard that as being one of the great examples of black economic empowerment in the country. But these are tough characters, make no mistake."* (Mkhomazi and Nyanda, 2016, p. 8)

The ETI exists between a nexus of navigating informality and maintaining its market share as a reputable business within the increasingly imposed formalisation requirements. Reform policies, such as the TRP and the IPTN, include formalisation measures, i.e., vehicle requirements (loans), insurance packages, taxes and permit renewals that are increasingly pressurising the minibus taxi industry's operating practices. Bähre (2014) argues that this contributes to financial exploitation. The rationale of the ETI was formerly based on territorialism, and political agency is increasingly forced to adapt to these new realities.

According to a senior official of KTVR and Greater Brakpan Taxi Association member, the government launched a 'Be Legal' in 1997 under Dullah Omar, the then Minister of Transport, that sought to formalise taxis through a permit or licence. This was decided following the enquiry into taxi violence. The recommendation was that there were too many pirates operating illegally. Operators needed to be assigned specific routes.

Formalisation processes have continued; since 2000, associations needed to be formalised, electing an executive committee using the standard minimum constitution. The TRP was introduced in 2006 with vehicle requirements to transform the fleet, and the IPTN required taxi associations to sell their permits to form companies and operate the BRT system as VOCs.

This has not been able to curb the ongoing taxi violence to date; however, the process has to some extent forced the ETI to seek to legitimise themselves using state-instituted policy instruments, such as operating licences, vehicle registrations and in-

stitutional structures, i.e. associations. Paratransit operators are using more formal means, i.e., courts of law to make claims and to ascertain their rights (Agbiboa, 2018).

During a taxi war that took place in February 2022 between two associations in the ETI, namely the TEPTA and Midrand Taxi Association, currently known as Johannesburg Midrand Taxi Association. The TEPTA reached out to the police and the NDoT using their operating licences as a basis to legitimise their operations on the contested route. However, since the Johannesburg Midrand Taxi Association had a stronger private security force (referred to as 'squad'), they could continue operations. The case is currently (2022) in court, as the altercation resulted in four lives being lost and members being severely injured. The police confiscated vehicles from both associations. Thus, power is crucial in securing individual interests, and the more power you have, the less rationalisation is required (Flyvbjerg, 1998).

Another incident was when I participated in a project at TEPTA[7] to assist with a pilot project of replacing brake disks and pads in a sample of 40 vehicles by the company G.U.D Holdings. In a conversation, I encouraged a driver to service and replace his vehicle's brake disks and pads before it became difficult to do so. He responded that all he needs is 100 ZAR to bribe the policemen. I realised that sometimes the formalisation process is not always effective because paratransit operators view these measures as ways to evade criminalisation instead of being effective mechanisms to ensure safety or to improve operations (Personal observation, 2022).

The study's data reveals that the industry navigates two terrains: the informal terrain through dominance and political agency and the informal terrain through force and dominance. In many respects, the industry views formalisation as a way to evade criminalisation, and these formal measures, such as operating licences, do not serve as protection measures against encroachment from other associations, and are used by authorities to solicit bribes. The industry though being somewhat "owners of the map", are ultimately a business that relies on certain unorthodox mutualities to survive. Much of their operations are said to be opaque (CoE1_DH, 2020). However, there has been some literature outside of the formalist critique that is insightful in broadening this study, which delves beyond informality to explore the black box of its operations (Sopranzetti, 2014; Masuku, 2016; Oldenburg, 2018; Agbiboa, 2020).

[7] G.U.D Holdings and TEPTA pilot project took place at Oakmoar Taxi Rank in July 2021

6.3 Intersections and Mutualities Between the State and the Paratransit Industry

The minibus taxi industry and the state has often been framed in literature as being at loggerheads (Khosa, 1990; Dugard, 2001; Sekhonyane and Dugard, 2006). This is attributed to the repressive nature of the apartheid government towards its operations (Khosa, 1990; Magubane and Manicom, 2003; Boudreaux, 2006). The state was said to be an accomplice to the taxi violence during the apartheid era using the violence as an opportunity to destabilise the black community (Sekhonyane and Dugard, 2006). The minibus taxi industry has conversely been used as a demonstration against the apartheid government, such as the Asikwheli strikes and the burning of PUTCO buses still responsible for transporting the poor urban masses in South Africa. Thus, the relationship between the state and the minibus taxi industry has been laden with deep differences and mistrust (Watson, 2006). Nevertheless, more recent literature has proven that the characterisation of the state versus the minibus taxi industry is a more dialectically interwoven relation (Thompson, 2017).

There has been a gap in literature exploring the intersections and synergy between the post- apartheid government and the minibus taxi industry in South Africa. Nevertheless, a developing literature is helpful for analysing the current study, which points to paratransit industry post-colonial rule being an economic resource to the state (Ingle, 2009; Bähre, 2014; Goodfellow, 2017; Agbiboa, 2020). “Now more than ever money trickles up to the state, business owners and taxi leaders”. This is referred to as shifting mutualities and is explored in this study (Bähre, 2014, p. 590).

In the current study, minibus taxi leaders are well acquainted with the more senior and influential politicians. An Ekurhuleni senior official shares this account, while lamenting the influence of politicians that is spurred by the minibus taxi industry (CoE1_DH, 2020).

When the IPTN was being introduced, the paratransit industry in South Africa, SANTACO, made their way to Luthuli house where they spoke to the ANC directly and said,“we don’t like this, we are going to go on strike” (CoE1_DH, 2020; Institute for Transportation and Development Policy, 2009).

Jacob Zuma (former president) and Jeff Radebe (former transport minister) attended a BRT Summit held by SANTACO at Gallagher Estate in 2009. Jeff Radebe made a very controversial statement to calm the anxieties of the industry.

> *“I want to state emphatically at the outset... The government guarantees no*

> *loss of legitimate jobs and profits among those who make the shift into the BRT systems."* (Institute for Transportation and Development Policy, 2009; IOL, 2009)

According to the senior official, Radebe stated that "No one will be worse off". She complained that the minibus taxi industry quoted those worse and still does so today.

According to Bähre (2014, p. 590), the state often cooperates with the paratransit industry in South Africa based on "fear, corruption and even convenience". These 'trickle-up economies' rely on mutualities between market and communities and between the formal and informal and they are reinforced by violence. State officials, to some extent, have expressed fear when engaging with the minibus taxi industry.

During an interview, a city official pointed out that this negotiation process is quite tricky and that they are not really compensating for the loss of business, but the negotiation process is part of a conflict resolution mechanism. With much apprehension in his voice, he stated,

> "*We are compensating [for the] loss of blood…there should be no bloodshed, is our prayer every day."* (KTVR1_Public Relations, 2022)

> *"Nobody wanted to touch the negotiation part, even the cities. They were very happy to blow your mind away with plans and all those things that are plan related but then the key part was negotiating with the current operators and getting them to buy-in, getting them to start operating… that part they all wanted to run away from. Even the officials, no one was keen on doing that."* (CoE1_DH, 2020)

As mentioned earlier, initially the ETI was not willing to co-operate. According to the Technical Advisor of the ETI, this change in behaviour was influenced by several factors, including realising the financial prospectus that came with the project; however, interestingly, he pointed out that it was a change in leadership. It is important for this study to highlight the positive interactions between the ETI and the CoE and to glean some lessons from it.

> *"The leadership did a lot to improve the situation. But also, as the process was unfolding, the operators started to see potential from a financial perspective; they started supporting the process. There was a change in the HOD [head of department] of the municipality, the new HOD was a bit more receptive and so changes to both sides of leadership, helped a lot to get people to get along*

and come to achieve the objective." (TA_ETI, 2021)

During the interim negotiations, a senior member of the ETI thanked the Head of Transport for her leadership style and said that without her, the project would not have been successful. (Negotiation Forum, 2017b).

During an interview, the head of the Transport Department highlighted some of the lessons and important principles to consider when dealing with the minibus taxi industry (She was subsequently dismissed or fired from her position, as discussed earlier in this section and again later) (CoE1_DH, 2020).

> *"In fact, the cause of my troubles with Ekurhuleni was that I spent far too much time with taxi people because I can speak with them far better. They were my people."* (CoE1_DH, 2020)

During her time, she managed to bring the ETI and CoE to deliberate and negotiate, and even though they reached a deadlock, some form of consensus was reached and signed during the interim negotiations through a Memorandum of Agreement[8]. The principle she mentioned as being important for this success is having the right attitude and perception. Following the negotiations for compensation, the ETI agreed under the negotiated conditions that the CoE could launch the interim service of the BRT Phase 1 A. When Phase 1 A began operating in August 2009 in Johannesburg (Rea Vaya), no agreement had been reached with the taxi industry (Wood, 2022).

Following the suspension of the Head of Transport by the then mayor and city manager, the ETI held a strike. One of the reasons was that the actions of the Mayor Mzwandile Masina and city manager Dr Imogen Mashazi were calculated to destabilise the BRT system's negotiations (*Ekurhuleni Taxi leaders speaking to a group of protesting members*, 2018). According to the Head of Transport, the suspension was baseless. During an interview, she explained that from a planning perspective, she reasoned that the BRT stations needed to be downsized for the project to be sustainable. She stated that she was aware that there were intentions to benefit from the process; however, she didn't anticipate that there would be no regard at all for the developmental interests of the project. This sheds light on the state's development and improvement agenda. She was then threatened and later suspended. She also mentioned that another reason for her suspension was that she spent too much time with the ETI, and

[8] "A memorandum of agreement is a legal document describing a business partnership between two parties that have agreed to cooperate to meet an agreed objective or complete a project. The memorandum lays out the agreed terms and outlines the steps to reach the desired goal of the agreement" (Contracts Counsel, 2022b).

her affiliations with the industry raised suspicions of collusion (CoE1_DH, 2020).

According to a newspaper article by AmaBhungane Centre for Investigative Journalism, managers of the special purpose vehicle, the KTVR Bus Company (affected ETI operators), effectively hijacked the project. Local politicians manipulated the project behind the scenes for political leverage and to benefit from contracts. This was permitted because of municipal incompetence and officials that kowtowed to the demands of the minibus taxi industry to maintain peace (Timse, 2018).

> *"This project has been bled dry and used as a cash cow by certain politicians, taxi industry bosses and city officials," said one source, who has intimate knowledge of the project, but has requested anonymity because of fear for his safety*."

Interestingly, the article states that the chairman of the KTVR and Mabunda Transport Head of the Mayoral Committee are said to be very close and despite negotiating on opposite sides they are reported to have united interests in taking over the project (Timse, 2018).

> *"This is all about politics and lining pockets as this multi-billion-rand project. Mtshali [Chairperson of KTVR] and Mabunda [Transport Head of Mayoral Committee] are very close, and their end game was to take over the project by making sure they place puppets they can control."*

This has been the case with the City of Rustenburg's Yarona system, which is still not fully operational after 15 years with an estimated cost of 3.5 billion ZAR and has requested 1.5 billion ZAR to settle negotiations and compensation for the affected taxi operators. During Carte Blanche's visit, the stations were incomplete, vandalised and damaged before operations could occur (Carte Blanche, 2022). As stated by Bähre (2014), these mutualities are often reinforced by violence. These positions of power are highly sought after (Goodfellow, 2017). Thus, those in leadership positions are often vulnerable and need protection. The need for dominance, power and security is very important in the minibus taxi industry. In this study, it was alleged that the security company, contracted to provide security services for the BRT stations, was also used for personal security for taxi bosses. The forensic investigations that took place in October 2020 enquired about the use of this security company for personal security[10]. The taxi bosses and owners of the security company used feigned ignorance to evade accusations (Scott, 1985). They claimed they could not understand the English language and needed interpretation. Thus, the interrogations were postponed.

Despite the heavy security presence, the Executive Director for Public Relations was gunned down and killed on the 14th of October, 2022. The Gauteng Member of the Executive Council for Transport and Logistics Kedibone Diale-Tlabela condemned the killings and said that this undermines the transformation made and extensive work completed thus far.

During an interview with the deceased in February 2022 he stated:

> *"…it is important to ensure that everybody is part of the engagement, so that no one outside can interpret differently… that is why even today we haven't had one gunshot because I knew you cannot exclude people."*

It is hard to apply technical rationality under the current conditions. Anyone who assumes a leadership role (from the taxi industry), especially in these reform processes, in most cases gets killed. The violence will always undermine reform efforts, and success in this endeavour has and will always be at the cost of someone's life unless the violence is addressed.

6.4 Conclusion

Is the state rationale driven by improvement and technocratic modernist approach and is the paratransit industry rationale individualistic based on resistance surviving through informality? The evidence from the study suggests that the state rationale is dynamic; the CoE does, to some extent, have a hierarchical rationality with a will to improve using government authority to rationalize expertly planned solutions (Knox and Parkinson, 2020). The aesthetic of a world-class or modern city is often one void of old and unroadworthy vehicles, such as minibus taxis. Thus, it is quite incumbent for CoE officials to rid of or, in a sense, control their operations. The CoE has a duty as local government to ensure citizens can access safe and reliable transportation. Another layer is that, in many respects, the CoE is Janus-faced; while there is a will to improve and control, there is an individualistic interest demonstrated by a strong desire to acquire this flagship project to secure a big budget. The budget grants the CoE officials power and the ability to procure contracts to meet their personal interests.

The ETI presents themselves as civil servants of the poor and political activists as a strategy to access the market; however, fundamentally, they are individualistic and profit-driven. They pendulum between two realities with different rules: the street, where they legitimise themselves using violence and political agency, including protests, to secure their territory in the formalised conceived space where they legitimise themselves through political instruments, such as operating licenses. Knox and Par-

kinson (2020) define individualist rationality as being market-based, preferring deregulation, being innovative and taking risks. These characteristics are not inherently negative unless this is at the expense of safety, health, affordability and are reinforced by force or violence.

What will be interesting for this study is how these interests are presented by the city and the ETI negotiated.

The CoE and the ETI are both powerful stakeholders with individual interests, which are not necessarily conflicting; however, in a sense competing, and they intersect. The CoE is willing, in some instances, to destabilise its interim negotiations by suspending a key figure to reach this intended goal. They rationalise their interests using various strategies, as was demonstrated through protest, political agency, force and even collaboration. Meanwhile, the conflict during the interim negotiations had a lot to do with their approach, which negated or disregarded the minibus taxi industry's existing style of operations as having any value for the city. This bias led officials to not engage with the paratransit operators as collaborative partners but rather out of fear or to pacify the minibus taxi industry. The introduction of the BRT system may not have been successful in modernising and effectively transforming the face of public transport in Ekurhuleni and other cities, as anticipated by the state. However, introducing the BRT system led to the institutionalisation of more robust conflict resolution mechanisms within transport planning, especially between two historically defined antagonistic parties (the state and the minibus taxi industry).

To some extent through continual interactions between the CoE and the ETI, the hostility and difference amongst entities have been lessened and have forced the ETI to unite despite being affiliated with different transport unions, i.e., SANTACO and the National Taxi Alliance. The respondents involved in the negotiations could have been in favour because they were aware of the financial benefits and were somewhat privy to it. The IRPTN has been beneficial to some extent because there has been a focus on institutional reform, not just increasing fleet, which has been the case with many public transport reform programmes in the past. However, in this process, the CoE reinforced the existing power imbalances in the ETI by associating with the already powerful, which has done little to transform the industry. By failing to investigate the existing power imbalances, they have not managed to transform the industry but have co-opted some powerful members to participate in a VOC. Following the establishment of conflicting interests, the next chapter will analyse in more detail how the interests were negotiated.

7 Chapter Seven: Negotiating the Conflicting Interests

The previous chapter established that the interests between the state conflict and intersect through shifting mutualities. This chapter is interested in understanding whether the interim negotiations provided room for these interests to be negotiated.

In the previous chapter, the basic relations of rationality and power that have shaped the IPTN were explored. We established that the CoE and the ETI have similar individualistic and competing rationalities but have different approaches to rationalising them. This chapter, however, is interested in ascertaining whether the power and interests have been negotiated and if the stakeholders were able to arrive at a compromise. Was there respect for the plurality of perspectives among stakeholders in enabling relevant practical suggestions? Was this open-mindedness practised during the interim negotiations between the ETI and the CoE? Was it possible to come to some degree of closure through dialogue and deliberation?

The research argument and interpretation of the interim negotiations is that the IRPTN plan (specifically offer two) was unilaterally decided beforehand by the NDoT based on the Transport Strategy Plan of 2007 and handed down to the CoE (Druckman, 1967). This meant there was little room for negotiation, debate, or deliberation between the ETI and the CoE. This contributed to the delays and deadlocks because the city formed their position and strategy before the bargaining process took place.

This chapter will unpack the narrative of the interim negotiations in more detail and provide evidence for the above statement.



Figure 7.1: Interim negotiation panel 20-21 September 2017 (face of researcher not hidden) (ETI Technical Advisors_ Harvest, 2017)

7.1 Unpacking the Story

Before launching the interim Phase 1 A service in 2017, the CoE sought to have interim negotiations between the CoE and the industry to agree on the terms and conditions of the operations of the Harambee BRT service (see Figure 7.1) (CoE, 2017). This story unpacks the black box of the interim negotiations. To investigate the assertion that the industry was not involved in the decision-making of the IRPTN in more detail, it is imperative to analyse the process, discourses and deliberations between the industry and the city in formulating and agreeing on an Integrated Public Transport Plan. The heart of the interim negotiations is bargaining, and one of the major trade- offs (compromises) at stake is the minibus taxi industry relinquishing familiar business and livelihood (CoE, 2017).

The interim negotiations were based on two offers. The first offer was a once-off payment for loss of business, and the second offer was based on an incentive per passenger. These offers are both tabled for interim compensation (CoE, 2017).

7.1.1 Offer one: setting the tone of the negotiations *vula mlomo*

The first part of the negotiations was about getting a conversation going. In many cultures in South Africa, during the negotiations for a bride, the actual negotiations cannot happen until the one seeking to speak makes a small concession, commonly in the form of drinks, so that the bride's family can start speaking (Mokoena, 2019). Interestingly, I observed how this

practice is endorsed in the negotiation literature, and its practices could be witnessed during the interim negotiations. This was seen with offer one, which was based on a once-off payment framed as a loss of income due to the construction of BRT stations and the busway for Phase 1 A. The compensation was a lump sum of six million ZAR paid in four equal tranches to affected associations. The city used this as a negotiation strategy by the city to set the tone for the negotiations and mitigate industry opposition (Wall and Blum, 1991). Thus, a small concession (proposal) was made to encourage positive reciprocity and lower the demands of the industry (*ibid.*). The industry did not understand this as a small concession due to the technical framing as a loss of income due to construction. It was interesting how the city employed language and semantics to establish a common understanding.

In relation to offer one, the ETI was apprehensive at the onset and expressed dissatisfaction with the six million ZAR offer. During the process, they sought to understand the meaning of the amount and the rationale behind this figure. Reflecting on the draft minutes (StratAlign, 2017) and observations, the city presented this figure without pre-

senting the opportunities for this amount to be increased or negotiated. The industry expressed that the city's statement that it was a goodwill payment based on customer acquisition premium did not make sense. One of the senior members of KETA responded that:

> "The words good will do not sit well with us because that is not a good will for us" (CoE, 2017).

To support the sentiments expressed by industry, the industry's technical advisor pointed out that the amount based on a certain number of customers should be subject to change as they increased the Harambee fleet, which would consequently increase the number of customers. To provide clarity, the city explained that offer one was framed as loss of business due to construction; however, that was the technical basis that was used to acquire the funds from the NDoT; it was a once-off offer of goodwill. This explanation did not suffice for the industry until the city used another rationale that was familiar to both parties, especially ETI, referencing lobola negotiations (Brett and Okumura, 1998).

For the city to provide mutual understanding, they used the ETI representatives' cultural and traditional inferences borrowing meaning from the lens of lobola negotiations[9]. I observed, in this instance, how cultural differences and understanding can affect negotiations (Bazerman et al., 2000; Brett and Okumura, 1998; Weiss, 1994) – Planners need to understand that differences can be caused by our diverse perspectives. Therefore, one of the ways that planners can address the challenge of cultural differences would be to understand the opponents' perspectives and views. Watson (2003) in the Langa case defines the protesting women as having a cultural or traditional rationale. The women wanted to be addressed by circumcised men with authority. In Africa politics cannot be separated from socio-cultural considerations which govern everyday life. The minibus taxi industry is stereotypically portrayed as patriarchal male and, in many cases, from the Zulu tribe, as seen in popular shows such as *The Wife* and *Isibaya* (Gibbs, 2014). The city addressed the challenge of intercultural differences during negotiations by seeking to step out of their technical framework and relate to this stereotype (Brett and Okumura, 1998), applying the African cultural norm of lobola to justify offer one (Weiss, 1994). This variability in culture was based on communication context whereby the difference was mainly seen in the manner of communication because of context (Bazerman et al., 2000). The city explained that this amount can be

[9] Lobola negotiations can be understood as the procedures and meetings that are facilitated between two families to reach an agreement on the bride price to be settled (Mokoena, 2019).

understood as being similar to '*vula umlomo'*, a term in isiZulu directly translated as 'open mouth' or 'mouth opener', a gift that the groom gives the bride's father before the negotiations commence to encourage the bride's father to participate in negotiations and talks (Mokoena, 2019). The CoE stated this good will incentive is intended to encourage a long and lasting relationship with the ETI (StratAlign, 2017).

I observed that this exchange and effort calmed the tensions between the city and the ETI. What is understood as rational depends on the certain cultural background and is thus pluralistic (Wierzbicki, 1985). Thus, trying to come to a place where there are similar values and having intelligible conversations can reduce the escalation of conflict (Habermas, 1985). This is important for planners who may be caught in the thicket of conflict to learn about the other side's concerns with a level of open-mindedness; this is one of the main aims of negotiations (Wierzbicki, 1981). This shift in rationale encouraged confidence in the industry to participate in the conversation and sparked an interesting debate wherein the industry rebutted, stating that the groom is never able to dictate the number of cows, rather the father of the bride is supposed to be in a position to name a price (Four Aside Committee, 2017).

The industry using this analogy sees themselves as the custodians of the 'bride', referring to owning the routes, assuming a hierarchical stance alluding that they should have been able to name the price (Bazerman et al., 2000). In a sense, they asserted themselves as the ones with the upper hand 'owning' the business the city would like to buy. As a response, the city increased the amount by 200 000 ZAR, which was added to the initially proposed amount of six million ZAR (StratAlign, 2017). This cleared some tensions in the room and was an important step for the city to try and rationalise using the paratransit traditional value systems.

The negotiations have a reputation for being violent, and in the case of the City of Johannesburg, armed personnel were present at the meeting, providing security (Mkhomazi and Nyanda, 2016). The tensions during these meetings are often high and it is in the interests of the city to transform agonistic engagements. As much as this is a struggle amongst adversaries this needs to be based on the principles of liberal democracy and mutual respect (Tambakaki, 2014), the facilitator used religion, specifically prayer, as a basis of common value during the negotiations.

A prayer and bible reading began every negotiation session. In most instances, a member of the industry was delegated to share a devotional thought from the bible and a

prayer. This is a common practice during meetings held with the taxi associations[10]. While the view of modern liberalism portrays religious tradition as irrational (MacIntyre, 1988). I found it interesting how religion is commonly infused in the engagements (as shown in figure 7.2). I assume the facilitator sought to establish a similar value of mutual respect or to pacify the industry.



Figure 7.2: Zion Christian church singers at a KTVR event (KTVR, 2022)

During the engagements, I was intrigued by how the city would use religious undertones to question the industry's motives. When the city felt the requests of the industry were outrageous, they would ask whether their demands are in harmony with the scripture that they had read earlier. During the engagements, when the ETI requested exorbitant amounts during the negotiations, the city's Project Management Unit would ask the industry whether their requests were in the same spirit as the bible verse and prayer that had opened the session (Negotiation Forum, 2017a). In the sentiments of Karl Marx and Friedrich Engels, using religion, particularly Christianity, has been criticised as a tool for pacifying resistance. Prayers and bible readings could have been conducted to ensure power relations remain stable and non-antagonistic or to instil certain values that are characteristic of the Christian religion (MacIntyre, 1988).

7.1.2 Offer two: Unpacking the negotiations.

In this section, it will be valuable to examine whether plurality was maintained and

[10] Field observations by researcher

whether there were constructive channels for contestation allowing the city's proposal to be challenged. The section beings by outlining the city's proposal, after which I offer my analysis and interpretation based on observations and the reviewed literature.

The city's second offer to the ETI was based on the number of passengers transferred from the minibus taxis to the Harambee bus system. The city proposed that the affected taxi association would be compensated based on the number of passengers transferred to and from the Harambee system. The affected operators would be compensated monthly on ridership and ticket sales from the Harambee bus.

The CoE based its proposal on a trunk and feeder system. The operative integration of the ETI in the BRT system delegates the minibus taxi operators to serve the low-density corridors. The Harambee BRT bus system with a higher capacity would be contracted to serve the high- density corridors. The minutes state that for the interim service from Station 7 in Tembisa to Station 14 in Isando, 18 minibus taxis would be contracted to service the townships and bring the commuters to Station 7. The minibus operators would thus be compensated 3.00 ZAR for every passenger they bring to the Harambee service through the feeder system (StratAlign, 2017).

This proposed model assumes that the feeder trips would result in more trips per passenger and that the ETI will make more money per month using the feeder system due to less operational and maintenance costs (CoE, 2018). The estimated reduction in distance is 13 kilometres, translating to 17 467 kilometres monthly (Figure 7.3). The Rand value of this saving is estimated at 4 295.00 ZAR per month per vehicle (ETI Technical Advisors_Harvest, 2017).

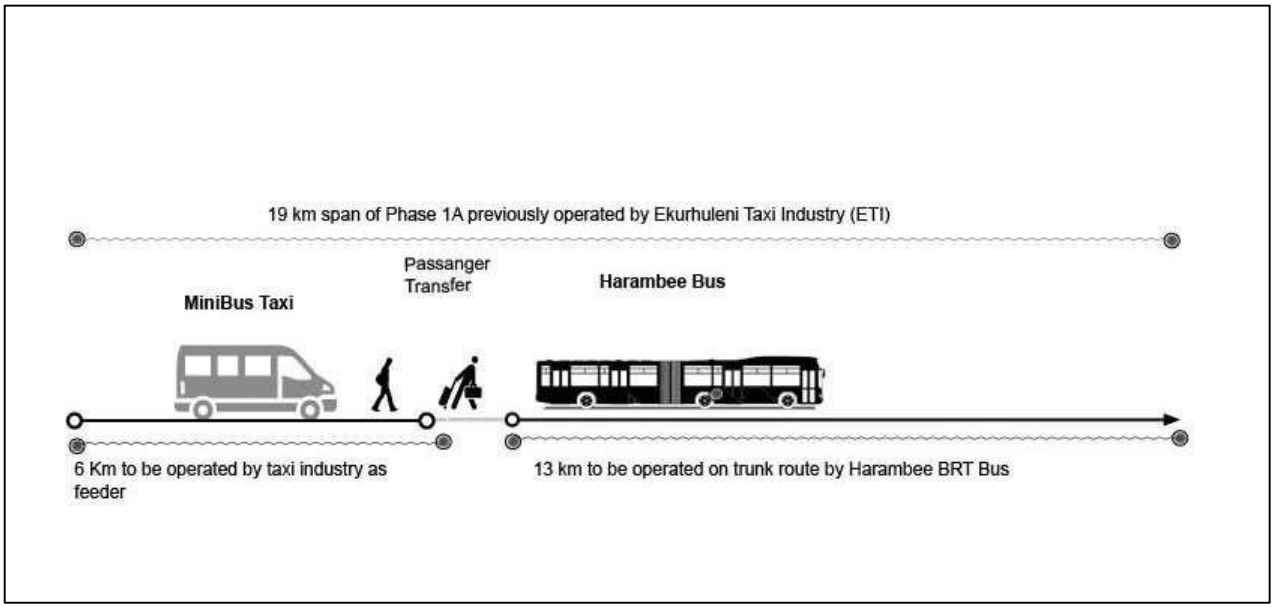

Figure 7.3: Offer two: Incentive per passenger (Author's construct)

The compensation was based on the IRPTN plan that was decided beforehand by the NDoT. The CoE expected a buy-in from the ETI on a plan the industry had no input in developing.

According to Schalekamp (2013, p. 14), there is no evidence in the design or policy that the aspirations of the minibus taxi industry were considered in the planning or policy formula.

> "*The most problematic issue with the IRPTN is that the voice of paratransit business owners as substantial capital has not been systematically noted – or noted at all – so that policy programmes can address or at least heed existing operators' concerns, motivations and aspirations".*

The industry's response to the city's proposal is indicative of Schalekamp's sentiments.

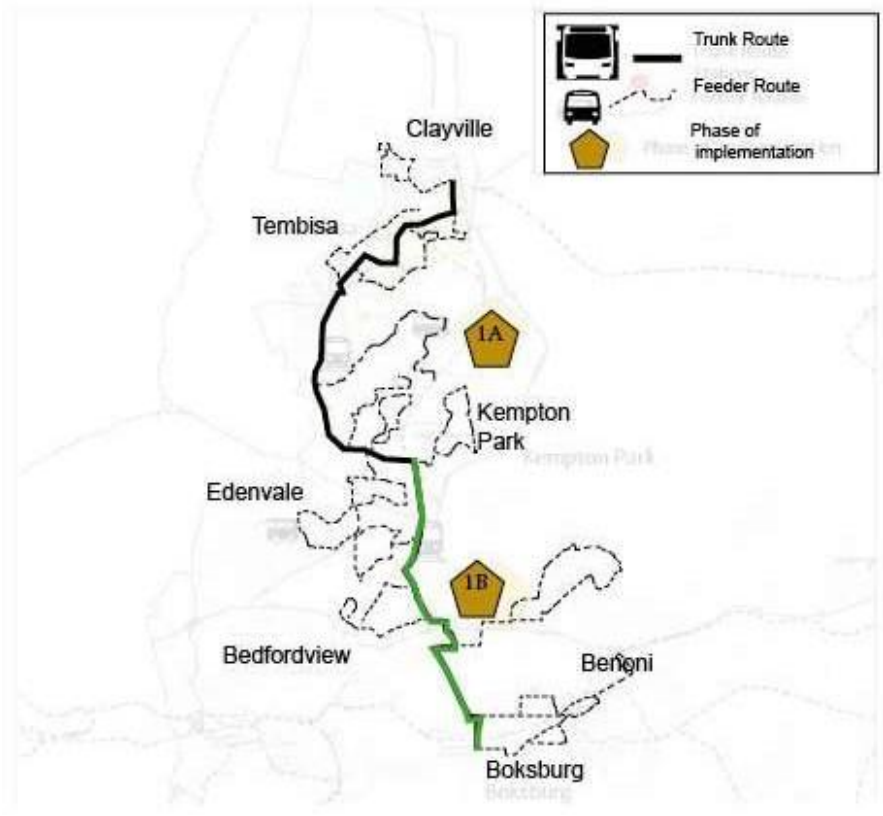

Figure 7.4: The proposed feeder system for the Ekurhuleni Taxi industry's operations (Author's construct)

An ETI representative responded as follows to offer two, the policy of moving from trunk-haul to feeder routes, thus implying the industry was not consulted.

> *"If you say that we should move to feeder routes you are killing the little income of the local operators; that already operate on the feeder routes. On what basis are we going to move the existing operators, and will they be willing to move? The chief problem with state officials is that they never asked the owners of the fields how you work these fields [Directly translated from Zulu]".* (Negotiation Forum, 2017a)

Another ETI representative cautioned against the relocation to feeder routes, stating that:

> *"There will be bloodshed."* (Negotiation Forum, 2017a)

As discussed in the previous chapter, the mutualities that shape the industry include force and violence (Bähre, 2014). The response of some of the ETI members indicates that the state's failure to include the taxi associations in the planning not only has operational impacts on their business but could exacerbate the existing violent relations between the various taxi associations. The city is unaware that the minibus taxi industry operates on a hub-and-spoke system with an existing feeder service commonly referred to as *amaphela* an isiZulu term for cockroaches (Bähre, 2014).

A senior member of the KETA who was involved in the negotiations pointed out that this was a top-down approach that negated the existing operational practices. He claims,

> *"Lento yama bus ize kakhulukazi nabelungu. Bona bahlala kwi drawing board but abezi kuground bazobona ukuthi kunani. Babona nje i-rank se i-phelile, im-moto nje ziyagijima. Ukuthi ukuqcoqca la kuthatha iskhati esingakanani abazi [This BRT system was introduced by Europeans. They developed this on a drawing board, but they did not verify what is going on the ground. They just see a taxi rank that is complete with vehicles running. They don't understand the operations and the existing time schedules]." (ETI 2_KETA, 2022)*

According to this ETI member, the state's plan did not include the industry's existing operational practices or operations. Interestingly, the IPTN project is a south-south borrowing project, drawing inspiration from Latin American developing countries not necessarily imposed by Europeans. The project's relevance could have been undermined because of the notion that South Africa has similar conditions. While Latin American countries offer a comparative precedent as developing, a range of variables are unique to South African cities, which shapes their transportation needs (Hidalgo and Graftieaux, 2008; Scorcia and Munoz-Raskin, 2019). Latin America has always been road-based meanwhile South Africa has been historically served by commuter railway lines (Scorcia and Munoz-Raskin, 2017). One of the most significant differences is Johannesburg's spatial form, which is not only low density but unevenly distributed with large parcels of land in between. South African cities' characteristic spatial form translates into longer trip lengths and low passenger demand (Scorcia and Munoz-Raskin, 2019).

This means that while the BRT could have been feasible in some Latin American cities, the spatial characteristics of South African cities could reduce the BRT system's profitability, requiring much subsidisation from government. During a discussion with the senior official at the CoE, she mentioned that during the feasibility studies conducted by PUTCO, they concluded that it would be much cheaper for the entity to pay workers living in the outskirts of the city in KwaMhlanga, Mpumalanga to stay at home than to try and subsidise their trips to the city. This means there is a potential risk for the industry to sell its business to buy into a system that may not be profitable, with very little control over that prospect.

The conflict expressed speaks to a dissonance between the policy and reality. The city sees the problem in a certain way that leaves no room for the nature of the taxi industry

in its current operation to exist. Spaces designed by planners, architects, the state and cartographers tend to ignore the popular space of perception and are quite abstract (Lefebvre, 1991; Thompson, 2017). Underlying their discontent is a failure of the state to understand or recognise their perspective and differing style of operations. The view of the city and the NDoT, according to literature, mirrors the tendency of planners to try to make abstract plans and solutions to complex problems without consulting the local actors. This trunk and feeder system plan was standardised and rationalised as the most feasible plan to deal with the industry and integrate them into the system.

> *"Planners in this tradition act as 'priests of rationality' who believe they are value-free experts who can rise above competing interests and provide logical, practical solutions for the common good. This modernist thinking continues to be assumed as globally applicable."* (Recio et al., 2022, p. 78)

The critique regarding these kinds of state interventions has been the introduction of a service that ignores the existing local practices and context. The literature outlines the tendency of these plans is to make the state or planner the expert and to impose unrealistic spatial interventions that exclude the existing spatial practices (Flyvbjerg, 1998; Watson, 2009; Huchzermeyer, 2011; Charlton, 2013; Mwathunga and Donaldson, 2018). Many reform programmes that are being introduced often focus on increasing or modernising fleet without particular attention on reforming the institutions (Lomme, 2008)

Regarding offer two, the industry felt the city's proposal had several loopholes that needed to be addressed before negotiations concerning the presented figure of 3.00 ZAR premium could be deliberated). Mainly, the discrepancies concerned the feeder system (Negotiation Forum, 2017a).

The questions from the industry regarding the plan indicated some dissatisfaction with the actual IRPTN plan, including (Negotiation Forum, 2017a):

1. Feeder system

i) Which BRT stations would require a feeder system?

ii) From the 18-minibus taxis required to operate feeder service, which associations would be best suited?

iii) How would they deal with the existing local operators?

2. Price for BRT ticket:

The ETI expressed that reducing the ticket amount to 7.00 ZAR per passenger for using the Harambee bus service would impose a serious competitive advantage given that they only

can have 6.00 ZAR x15 passengers, and the bus service would have 7.00 ZAR x90 passengers.

3. Pricing of 3.00 ZAR premium:

The ETI pointed out that there is an existing local service, Tembisa local, which operates locally within the township at a rate of 8.00 ZAR per passenger, lower than the amount the city proposed. The ETI suggested they would not support the service proposal as it is not based on the user demand of Tembisa operators. Following this, they said, “leave operations to us”, implying that the city does not understand what is happening on the ground.

The ETI rejected the city’s offer (demand) that the industry be displaced to operate feeder routes, as well as the compensation amount of 3.00 ZAR per passenger. The industry wanted the feeder system to be abolished and let the status quo remain. The ETI proposed that the 13.00 ZAR fee for commuting from Station 7 to Isando should remain as is, and a premium should be negotiated. The city requested a caucus to respond to the industry’s questions and concerns.

The city acknowledged the industry’s concerns and stated its commitment to progressive engagement with the industry. The CoE indicated they had not applied its ‘mind’ to the feeder system issue and stated there would be further discussions. Since this was a standardised plan (feeder and trunk-haul being the plan’s backbone), the city could not offer alternatives to the feeder approach except avoid bringing it up in the conversations. The CoE proposed a working committee in the form of working groups that would sit and attend to the operational concerns raised by the ETI (StratAlign, 2017). According to a respondent from the ETI who was involved in the working groups, some input they made during the working group sessions influenced the current IRPTN plan. She mentioned how an alternative, complementary route for the BRT Phase 1 A was reconsidered, specifically Pretoria Road in Kempton Park, because the industry advised the city there was too much traffic on that road (ETI 8_KAPTA, 2022). Unfortunately, when I asked more questions regarding the discussions in the working group, she got really upset that I was one of the researchers trying to vilify the taxi industry and ended the discussion. Obtaining information on the discussions held during the working groups was challenging. I cannot say with certainty that the ETI’s concerns were re-

solved.

Nevertheless, to circumvent the concerns raised by the industry, the city increased the compensation amount. According to Lewicki (1993), deception increases during negotiations when the incentives for participation and performance are increased. In this case, the city tables a revised proposal regarding offer two. The revised proposal was that the Harambee BRT bus would increase the ticket fare from 7.00 ZAR to 13.00 ZAR per passenger from Station 7 to Isando to satisfy the ETI's concerns of Harambee having a more competitive price and conflict with the local feeder operators. The city operating on the state's coffers is seen as having more power financially and the industry operating as individual operators and merely as members of an association realise that by simply adjusting the pricing, the city could have a significant competitive advantage. Nevertheless, this negatively impacts the user who would benefit from a lower fare for using the BRT service because of the failure to address the problems sufficiently.

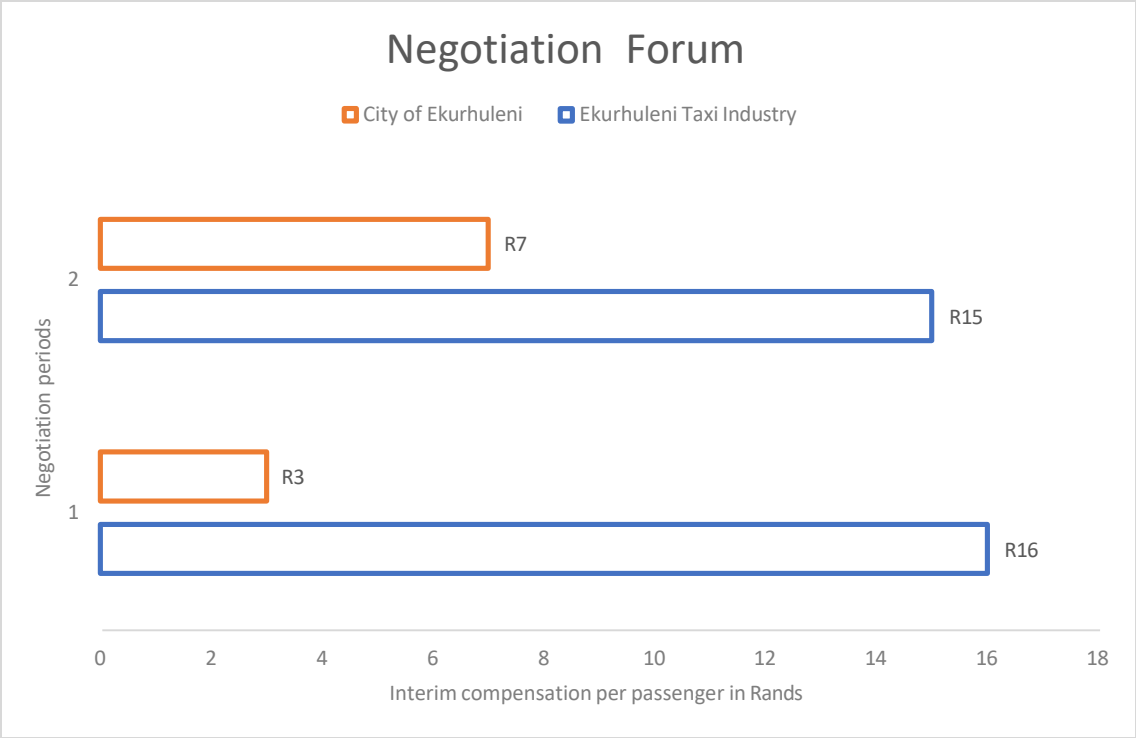

Figure 7.5: Offer two deadlock between the city and the CoE and Ekurhuleni Taxi Industry (Adapted from Four Aside Committee, 2017)

The platform enabled the rationality of the city to be questioned; this was evident when the industry posed questions specifically regarding the feeder system. Nonetheless, there was no room for the city to consider a plurality of perspectives because the plan was standardised, and they didn't have much power to make substantial changes.

7.2 Deadlock Experienced

One of the main reasons for a deadlock and delays in decision-making is often due to unilateral or one-sided strategies that are developed before the bargaining process. This often indicates that members know more about their position and solution and very little about the position or experience expressed by others (Druckman, 1967). The city did not refer to the feeder system again; however, they stressed that the interim compensation would be based on an incentive per passenger. Nevertheless, the city was constrained by the stipulated conditions by the

NDoT; specifically, the Harambee bus needs 3870 passengers per day to be operationally feasible and to fulfil the minimum requirements set out by NDoT. Thus, the city maintained that the industry would be incentivised according to their ability to deliver this number (StratAlign, 2017).

A framework stating the premium to be paid was set out, and these were the parameters the city was willing to engage on. No premium will be paid if the industry produces less than 1935 (50%) passengers per day. A premium of 6.50 ZAR per passenger will be paid if the industry produces between 1935 to 2941 (50-76% passengers per day). A premium of 10.00 ZAR per passenger will be paid if the industry produces more than 2941 (more than 76%) passengers daily.

The CoE had a fixed plan and strategy that they had developed beforehand based on feeder and trunk-haul based on the BRT guideline (Wright and Hook, 2007). It has been observed that agreements were reached more quickly when the negotiating parties did not form strategies or define a position before the bargaining process. Deadlock is observed primarily in instances where the negotiating parties interacted mainly with members of their group before the bargaining process and formed a position, such as in the case of the CoE (Druckman, 1967). When compromise is the intended goal, a problem-solving environment should be sought before representatives have developed their rationale or position.

The parties could not reach an agreement at the negotiation forum in Velmore in September 2017. Several ways of trying to resolve the matter were explored with no success. Ultimately, the two parties deadlocked on this matter: The city tabled an offer of 7.00 ZAR premium for passengers lost to the industry due to introducing the service, and the industry demanded a premium of 15.00 ZAR. From my observations of the negotiations, the city moved four places from 3.00 to 7.00 ZAR; meanwhile, the industry only moved one place from R16 to R15. During the negotiations, the industry expressed that anything below 13.00 ZAR is operating at a loss, hence their reluctance to move

(Negotiation Forum, 2017a). There was a deadlock; a suggestion was tabled that a four aside committee be formulated that would seek a consensus on the disputed matter at the Transport Management Centre in Kempton Park. There was still no consensus, and it was agreed for matter to be escalated at General Industry Transition Forum.

7.3 Navigating the Technical Rationale

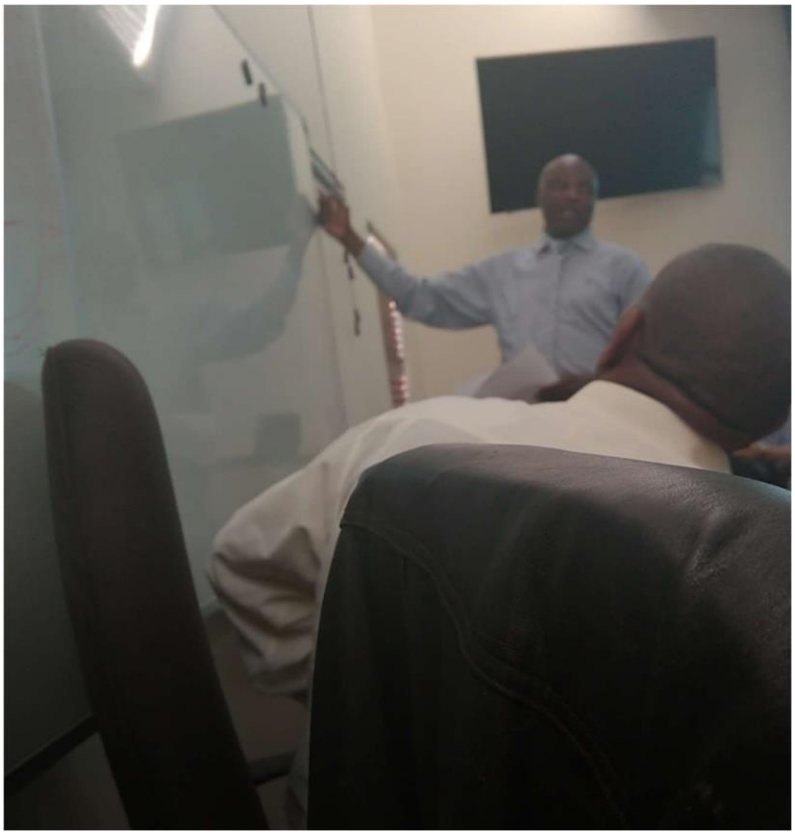

Figure 7.6: An Ekurhuleni Taxi Industry official rebutting the city's proposed compensation formula and presenting an alternative formula (Four Aside Committee, 2017)

During the four aside meeting that took place at the Transport Management Centre in Kempton Park on the 26th of September 2017, the focus was on the compensation formula. The formula was to determine the amount the city would pay to the industry to compensate for the loss of business per day. The formula was to include the incentive per passenger and the fare, as discussed at Velmore, and based on several factors discussed in detail in this chapter. Transport knowledge is often imbued with technical jargon and mathematical modelling. Much of the negotiations centred around calculating the business value and a compensation amount appropriate for the affected ETI operators.

The Project Management Unit, responsible for providing technical advice to the city, made estimations of the current minibus taxi operations (Four Aside Committee,

2017). It is important to point out that, at this point, these projections are made without conducting a market study to evaluate the business value, which was conducted at a later stage (CoE1_DH, 2020). At this point, the city estimated the current operations' operating the 19 kilometres monthly revenue of 33 462 ZAR with an estimated monthly income of 15 414 ZAR per minibus taxi as a benchmark figure for compensation (CoE, 2018; ETI Technical Advisors_ Harvest, 2017). To determine the interim compensation amount to be paid to the industry per day, the formula was based on passenger trips per day and bus trips per day. The calculation factored bus capacity (90), the number of trips per peak period (13), and fare plus a premium (13.00 + 3.00 ZAR). Thus, the average amount to be compensated to the ETI is 37 440 ZAR per day using the equation:

Compensation formula = X(Y*HZ*P)
Where X = Number of peak periods; Y = Number of passengers per bus; HZ = Number of trips per peak period; P = Fare per passenger including goodwill
= 2(90*13*16)
= 37 440 ZAR per day

Things took a different turn; during the four aside meeting, one of the senior ETI members presented an alternative compensation formula. Making demonstrations and calculations on a whiteboard, opening room for questions and objections (Figure 7.6). According to my observation, this was due to holding the minibus taxi industry to a stereotypical category as being uneducated and somewhat inferior (Druckman, 1967).

The technical advisors' analysis document reviews the formula that the ETI member presented, which is based on interim compensation amount per day (ETI Technical Advisors Harvest, 2017). The documents discount the formula presented by the industry. The main difference is that the calculated compensation amount per day is comprised of off-peak and peak hours. The factors included during peak hours: number of buses per day (6), number of passengers (90), hours travelled (8), number of trips per bus (3), fare per passenger plus goodwill amount (16.00 ZAR). The factors included for off-peak hours are the same with different values in the hours travelled (6) and the number of trips per bus (1). This increased the compensation amount per day exponentially from 37 440 ZAR to 1 306 368 ZAR, as calculated by:

RICO = 2*Rco
Rco = 2*(Xp*1.4*Yp*H*Zp*P) + (Xop*1.4*Yop*H*Zop*P)
Where RICO = Interim compensation amount per day; Rco = Compensation amount per day; p = Peak; Xp = Number of buses per day (6); Yp = Number of pax (90); H =

Hours travelled (8 during peak, 6 during off-peak); Zp = Number of trips per bus (3 during peak); P = Fare per passenger plus goodwill amount (16.00 ZAR); op =Off-peak; Xop = Number of buses operating off-peak (6); Yop = Number of pax off-peak (90); Zop = Number of trips per bus (1 during off-peak)

Rco = 2*(6*1.4*(90) *(8)(3)*16)+(6*1.4*(90)*(6)(1)*16)

Rco =580 608 + 72 576

Rco = 653 184

RICO = 2*653 184 = 1 306 368 ZAR

Essentially, the ETI formula assumes that the bus will carry passengers at full capacity (90) during peak and off-peak hours. Also, it was assumed that every bus will make three trips each for eight peak hours for six buses totalling 104 trips during the peak hours. Meanwhile, the technical advisors' analysis document shows that the Harambee interim bus service has a capacity of 26 trips (ETI Technical Advisors_ Harvest, 2017). Thus, the initial compensation formula presented by the city was kept.

Despite the demonstrations that the industry could make substantially more money per day 37 440 ZAR than the estimation of what they currently make per month of 33 462 ZAR and income of 15 414 ZAR. This is with the limited operation of 19 kilometres and operating with only six busses. There is the potential to increase substantially as the number of buses increases and they roll out more services in more areas. There was still reluctance and resistance from the industry. During the four aside meeting, one of the ETI members responded quite emotionally to the process. He initially pointed out that,

> *"uma ubalekela iskholo uzosithola phambile [Being a herd boy, never got a chance to look at these things… when you run away from school… it will catch up with you]."* (Four Aside Committee, 2017)

He shared the history of the taxi industry and how they were oppressed by the system. He was referring to one of the Project Management Unit officials as betraying them.

The ETI's technical advisor mentioned that the process of the interim negotiations and compensation was quite a fearful and emotional experience for the industry and that there was very little provision in the process to deal with this (TA_ETI, 2021). Asimeng and Heinrichs (2021) state that the culminating issue seems to be based on the fear of losing agency and control. Thus, based on behavioural studies by Bobadilla-Suarez et al. (2017), people are willing to forego monetary rewards for control, which is highly valued during these negotiations (Asimeng and Asabere, 2022). While there seemed to be a strong will to involve paratransit operators, there was no clear plan as to how

(Ahferom and Svensson, 2009). Piecemeal statements, such as “paratransit operators should be made to understand that this is an opportunity and not a threat”, remain unsubstantiated (Rizzo, 2017).

Nostikasari (2015) argues that modelling as a tool for transportation planning has limitations and that it should be accompanied by participatory processes. Not all transportation problems are mathematical (Kębłowski and Bassens, 2018). While modelling is based on science, participatory processes are informed by experience-based knowledge. The formula was based on assumptions and estimations about how users of Ekurhuleni, specifically the Tembisa region, would use the bus service at full capacity. An ETI representative mentioned that this model assumes that users of Tembisa do not travel within the Tembisa region; the bus would move linearly from Station 7 in Tembisa to Station 14 in Isando like an aeroplane (Four Aside Committee, 2017). During an interview with an ETI representative, they mentioned that there are redundant stations along the corridor (ETI 1_TEPTA, 2020). The industry knowledge as owners of the map with an intimate knowledge of the streets should be leveraged into the IRPTN plan (Sopranzetti, 2014).

Nostikasari (2015) developed a praxis for inclusive modelling and transportation planning, which could have been useful for this case study. One way of making transportation processes inclusive is to identify the ‘resistances’ to transportation modelling. These resistances are often clues of how citizens appropriate and use space. This evidence-based knowledge can be leveraged into transport modelling (Del Mistro and Behrens, 2015).

Butcher (2022) writes of emotionally engaged research as being considerate of painful or sensitive situations where there are complicated entanglements. The qualitative methods pointed out focus on alternative forms of vocabulary that are creative. These methods could include, but not limited to, drawing, photography, model building etc. This allows participants to communicate differently when words fail. These creative methods could have been employed, unlike relying solely on cold mathematical formulas. Forester (2011) used model building, allowing the participants to engage with the model to communicate their aspirations. He creates a pseudo budget using chips to indicate the limits of their aspirations. Maps and other illustrations, like words, can be used as spatial knowledge in the production of space (Dovey et al., 2018). This focus of the planner is not only about focusing on an outcome but on the inclusion of multiple voices. Outcome-based participation focused on an intended goal tends to not address the power imbalances (Vincent, 2022).

7.4 Finalising the Negotiations

The deadlock was not perceived by the negotiation forum as being irreconcilable; however, other platforms were sought to deliberate the matter further. Despite the feasibility of the feeder-based proposal being questionable, the industry could only deliberate on the incentive per passenger to be paid.

The negotiation forum meetings to deliberate further were held between the 4 and 6th of October 2017 at Velmore to present the General Industry Transformation Forum resolutions and to negotiate further, specifically on offer two (Negotiation Forum, 2017b). Initially, a consensus seemed inconceivable since the ETI expressed dissatisfaction, particularly with offer two's incentive per passenger.

The industry used offer one as a leveraging tool by tying a condition to offer one that the payment of 50% of offer one needed to be paid before the launch date or else no launch would be permitted to take place. The ETI used offer one as a form of surety to secure an agreement between both parties.

Offer two was not positively accepted based on factors such as the feeder system, which was unresolved, and the amount proposed was unfavourable to the ETI. Following the deadlock, the city and the ETI mainly deliberated on the amount for the incentive per passenger. The city moved up seven places from 3.00 to 10.00 ZAR and the industry moved six places from 16.00 down to 10.00 ZAR, the final agreed amount.

The bargaining resulted in a compromise; the city felt pressure from the NDoT to make the system operational and profitable with little to almost no reliance on a grant (CoE1_DH, 2020). The industry felt pressure from constituents of their associations to negotiate an amount that would make them profitable and 'not worse off'. Anything below 13.00 ZAR would be a loss for their business since this was the current passenger fare for the 19 kilometres in question. The industry would not be able to sustain the loss since it is not subsidised or has a grant to aid its operational expenses.

Nevertheless, even though both parties had to compromise on the incentive per passenger amount, the city's compromise, unfortunately, led to the ticket fare for the Harambee bus increasing from 7.00 to 13.00 ZAR not to pose an unfair competitive advantage to the industry. This adversely affected the users of the public system. The industry had to reduce their expected amount below their passenger fare to meet the city halfway. Formalisation often increases costs and requires subsidisation (Masuku, 2016). Higher fares, in most cases, put pressure on public authorities. Paratransit, in its current operational structure, requires minimal input in terms of regulatory or fiscal ca-

pacity (Masuku, 2016).

The city also offered the industry the station management opportunity, including a 30% opportunity to participate in value chain opportunities for the operation of the Harambee bus system (Negotiation Forum, 2017b).

A proposed date for the soft launch of the interim service was agreed to take place on the 13th of October 2017. The proposed service start date was the 16th of October 2017. An agreement on the revenue split was also signed: for every 13.00 ZAR charged per trip, per passenger, the taxi industry's portion would be 10.00 ZAR, paid in its fare box, and the city's generated revenue would be 3.00 ZAR. The revenue projections for current (2017/2018) and outer financial years is depicted in Table 7.1 (CoE, 2018b).

Table 7.1: Revenue projections for current (2017/2018) and outer financial years

	2017/2018 (ZAR)	*2018/2019 (ZAR)*	*2019/2020 (ZAR)*
Fare revenue	16 859 362	49 413 065	98 806 344
Expenditure	12 968 740	38 010 050	76 004 880
Net fare	3 890 622	11 403 015	22 801 464
Estimated pax	1 296 874	3 801 005	7 600 488
Fare per pax	13	13	13
Taxi portion	10	10	10
Net Fare per pax	3	3	3

Source: CoE, 2018b

A senior member of the ETI stated that these were one of the few interim negotiations whereby no shootings or violence took place (Negotiation Forum, 2017b). This could imply that the process of engagements was effective in as far as ensuring that the engagements are not antagonistic. Despite opposing views, the parties could still be somewhat friendly enemies. This could also be due to industry and the city having precedents and examples from previous cities that have implemented the BRT.

He thanked the Head of Department of the Transport and Provision Department for treating the ETI with respect and not deeming them as being uneducated. He pointed

out that he was educated in the street and the lessons learnt are what led him to being an influential and powerful member of the ETI. I observed that having the technical advisors on board, especially for the industry, assisted in orchestrating a technical process and provided the industry with some support in understanding some of the technical jargon. However, one may argue that this process did not prove to be simple or easy for the city either, who struggled to articulate their own proposals of feeder routes.

Not having geographic visual data referring to existing and potential routes during the negotiation limited the discussion seen with the feeder debate. Much of the discussions were space-specific and concerned very exact details regarding stations, relocation of associations to feeders, and most importantly, there was no indication spatially of the existing minibus taxi operations, which in a sense invalidated their operation. This is referred to as the 'politics of unseeing' whereby informality is not represented in official maps (Recio et al., 2022, p. 76). To make public transport reform more co-productive, planning processes need to step out of the formalised bodies to gain a deeper understanding of planning as it takes place on the ground. Within institutionalised or formal spaces, decisions are made to conform to the hegemony of typical planning norms and frameworks, which may not mirror the current living realities. As discussed in previous chapters, power influences what is seen as rational (Foucault, 2002) The industry needs to establish its own knowledge centres, resources and spaces for brainstorming and mapping its aspirations for public transport (Galuszka, 2019).

7.5 Conclusion

The questions to be answered are: Have the concerns of the industry been considered in the planning and policy formula of the IRPTN? Have their concerns, motivations and aspirations been included in the negotiated plan?

The city's strategy for offering compensation and a stake in the VOC can be understood as a form of institutionalised co-production (Joshi and Moore, 2004). The city and the industry have had an unorthodox method of service delivery, which has been informal and somewhat contested. The city has provided facilities and infrastructure such as taxi ranks, road facilities and operating licences. Meanwhile, industry has provided the transport service mainly. There has been a form of interdependence that has not been well defined or institutionalised. The IRPTN sets new terms of engagement between the city and the industry, which has been forthright about replacing the current operations of the industry due to its negative externalities. Replacing the system with a more formalised BRT service, the city provides the infrastructure (BRT stations, dedicated bus ways, intelligent transportation system infrastructure), as well as an institutional setting in

the form of a VOC. The industry would provide a transport service on a 12-year contract, including other value chain opportunities, such as station management, security services and employment in the VOC (KTVR Annual General Meeting, n.d.). Furthermore, the BRT system would provide the main trunk service, and the minibus taxi industry would provide a complimentary feeder service. The IRPTN, based on expert knowledge and best practice operating using high technology could influence it being viewed as rational. However, the co- production of knowledge leads to more just and sustainable development outcomes (Vincent, 2022). Currently, it is quite expensive to compensate the industry, as well as fully replace the minibus taxi industry, and it may be unsustainable in the long run when the PTNG grant runs dry (CoE1_DH, 2020).

Some of the factors that the industry highlighted as causes for concerns included:

The Harambee BRT operations do not respond to the user demands of people in Tembisa (Four Aside Committee, 2017; ETI 1_TEPTA, 2020). Few people in the ETI stand to benefit, as the power dynamics in the industry have not been stabilised. The proposed feeder model must be resolved or proven financially feasible to the industry; otherwise it will result in much conflict for the industry and the existing operators.

While deliberation took place and the industry was allowed to voice its opinions, a standardised plan had already been formulated with a mandate to replace the inefficient paratransit system and make way for the BRT system. The CoE had very little room to manoeuvre. The CoE is also accountable to the NDoT and responsible for ensuring the operations are financially feasible as the grant is conditional.

Then, what is the justification for this plan? It seems that having an operational BRT system, despite not being the most feasible transportation model for Ekurhuleni, could gratify the desire to establish a sense of order and attain a certain aesthetic in line with world standards. This could reinstate the need for control and establish the presence of the state delivering services in the city and garner more votes.

Some partial agreement was attained by signing a Memorandum of Agreement in the sense that the industry consented to the operations of the Harambee bus service from Tembisa to Isando. The interim negotiations were able to bring the CoE and the ETI from a place of terminal enemies to friendly enemies. This was achieved by much deliberation and, eventually, compromise from both parties. The ETI does not agree with many of the city's proposals; however, they demonstrated respect and did not walk out of the process. The operators' concerns were considered in a sense; however, the fixed and standardised nature of the IRPTN plan offered little room for manoeuvre. Nev-

ertheless, the fragmented and individualistic nature of the industry poses a serious concern for any public transport reform. Despite the agreement, there has been contestation between taxi associations regarding who is liable for compensation and insinuations of the business being sold out by individuals (ETI 2_KETA, 2022). As mentioned in the previous chapter, one of the prominent members of the ETI who was majorly involved in the process was shot and killed. This means that there is more that needs to be done to establish unity and information sharing within the industry.

8 Chapter 8: Conclusion: The Relevance for Planning

In the previous chapter, the story of the interim negotiations was unpacked, and the realisation was that despite the platform and willingness of the parties to negotiate, the lack of flexibility in the IRPTN plan limited the potential of the negotiations. In this section, the research question will be addressed, and the approach's significance to planning knowledge and public transport reform, in general, will be highlighted.

The chapter unpacks the following:

-The theoretical position and objective of this research

-The research questions

-The research design and methodology that was used

-Recommendations to the field and future research

8.1 Theoretical Position and Objective of this Research

The study is a partial critique of the concepts of 'conflicting rationality' (Watson, 2003). Watson (2003) was a significant, even landmark, contribution to planning literature, providing an explanation for the failure of many of state's attempts to 'do good'. Watson (2003) was intended as a critique of assumptions of liberal western modernity (and, in planning, more specifically of Habermas-inspired collaborative planning) that consensus is reached through open dialogue and mutually agreed conflict resolution processes. These assumptions underplay the extent of difference between world views: the clash of rationalities, or the differences in worldview between the various parties involved, is so great that it is difficult to believe that any amount of discussion or conflict resolution could overcome the divide and achieve consensus. The study shares a similar sentiment in recognizing the limits of mega- projects and what they bring in their wake, particularly in claiming universal applicability and consensus. The deep differences in this case study were far beyond speech-level misunderstandings or an unwillingness to see the others' point of view. The deep differences between the ETI and the CoE was laden by a history of repression that marked the Apartheid era. The embedded decades of mistrust which would not be resolved by a positive approach to dialogue. The study also confirms Watson's (2003) claims that the 'rationality' or claims of the informal who are attempting to survive, materially and politically, in the harsh environment of Africa's cities were not considered in these master plans. This rationality is in fact counted as irrational against the norms of a 'Western rationality'. The

study adopted the pluralistic view that conflict is a vital and necessary facet of democracy and that planners need to learn from conflict instead of shying away from it. Since agonistic pluralists view consensus as an expression of hegemony, the co-production of knowledge through deliberative and collaborative approaches should lead to more just and sustainable development of public transport outcomes (Wei et al., 2016). Nevertheless, Watson (2003) also raised questions. It referred, for example, to 'fundamentally different and conflicting rationalities' which could be interpreted as meaning that mutual accommodation was largely impossible. It was also not clear what was meant by conflicting rationality. If we accept rationality as a process of reasoning, and the logic underpinning action, are we saying that people living in different circumstances, and coming from different backgrounds, have different processes of reasoning? The question raised by the idea of conflicting rationalities is how deep do the differences go? Are the differences fundamental? This led to an empirical voyage into the BRT negotiations, nevertheless Watson (2003) was only propositional. Also, the idea of conflicting rationality or deep difference may be interpreted as suggesting a binary between the rationality of the state (the will to govern) and the rationality of the paratransit industry (the will to survive).

It is important to clarify that Watson (2003) did not say that state action was bound to fail or that agreement was impossible. She concluded instead by referring to conceptual approaches for example the need for contextually bound approaches for example (Watson, 2003, p.403) refers to 'embodied objectivity' (Haraway), 'situated judgement' (Campbell) in planning suggesting that there is another way of pursuing planning that would result in better outcomes. However, this conclusion remained at a conceptual level and was not explained in detail.

However, De Satgé and Watson (2018) was an important clarification, elaboration, and application of the earlier concept of conflicting rationality which was a necessary aid for this study. It had the advantage of 15 years of further thought and offers a partial internal critique of the earlier use of the concept and has been a useful source in exploring the concept even further. The book indicates as such: 'The empirical work on the Langa case discussed in the preceding chapters endorses the validity and relevance of the concept of conflicting rationalities but cautions against the simplifications inherent in binary renderings of conflicting rationalities' (de Satgé and Watson 2008, p.188). It reaffirms the argument that differences are treated far too superficially in planning theory and practice and that current framings of multiculturalism and diversity, for example, fail to account for the conflicts that arise in planning processes. It also reaffirms the earlier argument that planning often falters because the state fails to read the

logic, motivations, interests, and dynamics of communities they engage with. However, the book does challenge the possible use of conflicting rationality to set up 'simple binaries between state and society'. The book points out the complex and often contradictory workings of the state and the diverse agendas of improvement as well as intrastate competition. The book also highlights how difficult it is for the state to achieve coherence. The book refers to 'entangled rationalities' although it mainly keeps to the language of 'conflicting rationality' and the slightly modified 'divergent rationalities. Another way in which the book moderates or modifies Watson (2003) is by expanding (or clarifying) the definition of rationality to avoid the implication that different groups have different reasoning processes. The book refers to rationality 'as a view, a "way of seeing", a position or perspective, a way of making sense of the world and a set of values, or perhaps a world view of actors in a particular setting'. De Satgé and Watson (2018, p.26-27). De Satgé and Watson (2018, p.226) accept that there may be 'mutual intelligibility' and 'translatability' across rationalities, and this does offer the possibility of some form of mutual understanding (which a purist view of conflicting rationality and deep difference may not allow for). In this discussion, de Satgé and Watson (2018) refer to Flyvberg who argues that power shapes what counts as being rational, and this does relate back to the argument in Watson (2003) that the views of the marginalised are often cast as irrational.

Overall, there is still space for a sympathetic critique of conflicting rationalities as a concept in planning. More attention needs to be given to the content and contribution of Watson (2003) and to the extent to which the idea of conflicting rationality was grounded and modified in de Satgé and Watson (2018). de Satgé and Watson (2018) tried to avoid binaries in terms of the rationalities of state and community (even if there was some slippage) and accepted the complexity of the modernising ambitions of the state, and the fragmentation of the state.

However, this case study takes this element further, showing how intersected rationalities (used in the broader sense) can be. Also, even within the state or the taxi industry there are multiple rationalities, and, in the state, these may in fact obscure the will to govern. The contribution of this study is that there is more mutuality and intersection between these conflicting or contesting parties than is presented in Watson (2003) and de Sagté and Watson (2018). The finding of this study was realizing that the rationalities of the state and the paratransit industry are not necessarily conflicting. Beyond the corporate and technical veil, a strong individualistic interest united the efforts of the CoE and the ETI and sometimes caused them to be at loggerheads. Individualistic rationality is not always negative and can be important in recognizing the trade-offs in the

competing uses of resources (Knox and Parkinson, 2020). Nevertheless, this does not imply that there is no difference in rationality, that there aren't significant differences in rationality or that the negotiation process is not extremely complex. Rather, through a long process of repeated engagement, sufficient mutuality may emerge to at least support partial agreement instead of a downward spiral of violence and deteriorating relationships. The reference here is to positive forms of mutuality. The relationship between the CoE IRPTN department and the industry was initially opposing, it turned out to be for the better with the change in leadership particularly the Head of Department and the ETI leadership as explained in chapter 6. Furthermore, the industry having an office located within the CoE offices spatially allowed for some reciprocity. Another positive form of mutuality observed in this study is the pre-existing relationship and interdependence that existed before the implementation of the IRPTN through the Ekurhuleni Gauteng Taxi Region that is affiliated to SANTACO through the provision of taxi ranks and other transport services. This kind of positive mutuality offers better grounds for planning.

Because of this, there is more possibility to stabilise these relationships and negotiate agreements in terms of fares, routes, efficiency of the transportation system and the democratization of planning. This existing relationship was pivotal in steering these negotiations on the basis of some form of trust. These intersections are not always visible on the negotiation table, but they are crucial in reinforcing a locally produced solution. Nevertheless, the lesson that came from this study is that when contentious parties engage in a long process of repeated engagement, sufficient mutuality may emerge that may result in partial agreement instead of resulting in a downward spiral of violence. As a consequence of this, there is more possibility to stabilise these relationships and negotiate agreements.

What was interesting in this study was to see that something did come out of the engagements between the CoE and the ETI and negotiation happened. However, there were limits due to the very issue that Watson (2003) points out that the claims of those surviving in informality are considered as irrational. The main limitation to collaboration is that while there has been much effort to provide platforms for deliberation, the IRPTN plan and process were decided beforehand by powerful stakeholders, such as the NDoT and the BRT funders, i.e., the World Bank (Flyvbjerg, 1998). The IRPTN plan is centered around regaining control of the paratransit industry and replacing the paratransit with a more modern, safer, and environmentally friendlier form of transport. Thus, there is no room for the taxi industry in the IRPTN in its current structure and operations. Notwithstanding the negative externalities of the paratransit industry, lever-

aging the paratransit operator's knowledge could assist planners in developing more locally responsive solutions and possibly minimise project delays, resistance, destruction to property and even loss of lives that are often prevalent with the introduction of a BRT system, especially in Southern African cities. However, this cannot be done without stabilising the violence and unstable power dynamics in the industry, which is detrimental to the public transport reform's progress. Also, there is no need to return to the idealistic notions of collaborative planning critiqued by Watson (2003) to accept that some form of strategic accommodation may be possible, even likely. This is partly because of overlaps or entanglements of rationality but also because accommodation itself is necessary to achieve individual interests. Violence, for example, may serve a limited strategic objective for a period but sustained conflict or violence is unlikely to serve interests. There is thus a propelling force towards stabilisation.

Overall, the cases of the paratransit and CoE lie at the centre of relatively long-standing debates in planning theory, through which a number of critical scholars have sought to move beyond a consensus-seeking Habermas-inspired 'communicative' model in favour of theoretical frameworks emphasizing the immanence of power, conflict, and difference – and their particular prominence in Southern settings. The relationships (conflicts and negotiations) between the South African state and the minibus taxi industry are mobilized as a kind of 'case' to contribute to these debates; the industry is seen as valuable due to the 'long-standing history of political struggle and difference' between these sectors in South Africa and elsewhere. This case of Ekurhuleni takes it further demonstrating that in instances of deep difference that mutual accommodation is possible in a way that allows translatability and reciprocity. The study cautions against the assumption that the reasoning processes between conflicting parties are fundamentally incompatible. Therefore, this research holds significant empirical, theoretical, and policy-facing value.

8.2 Methodological Approach

The research design was formulated mainly as a case study to contest and even confirm the concept of conflicting rationalities. Watson (2003) recommends case research to get a better understanding of the nature of deep difference and to inform practice. Case selection was key in this study particularly for theory development. The CoE confirmed the researcher's observation regarding 'conflicting rationalities'. The use of participant observation was key in unlocking the vast knowledge and hidden practices between the paratransit and the CoE. The work of McCaul and Ntuli (2011) explores the main agreements and the structure of the negotiations in the City of Johannesburg. The CoE as a case study was a contribution and a rare opportunity to offer an understanding on the negotiations and also explored the conflict resolution mechanisms

that have been institutionalized. Nevertheless, there was a limited opportunity to make comparison with other cities, which limited the scope of the study. Having observed the negotiations. and triangulating this data through in-depth interviews and desktop analysis, allowed for much reflection. Participating in the ordinary day to day lives of city officials and the minibus taxi operators was invaluable and helped the researcher to fill in the 'missing dots'. For example, the appointment of technical advisors was such a critical part of the negotiations. I would not have understood this well had I only participated in the BID evaluation processes in the city. It was through witnessing the anxiety in which the industry negotiation representatives expressed during everyday engagements that I understood why this had to be a closed tender. The benefit of this methodological approach was quite evident in chapter 6, particularly in understanding the rationalities and the intersections of the city and the industry.

During my observations of the ETI, it became very clear that there was a lack of understanding of the discourse of power between the CoE and the ETI and the mutualities that reinforce their interactions beyond the negotiation table, as detailed in chapter 6 of this study.

The challenge was figuring out which information that informed my understanding I could produce as evidence considering that the information was sensitive and confidential. I struggled to express these findings without having a moral obligation to keep certain matters disclosed, especially having witnessed the sheer violence that is characteristic of this project. The challenges around this sensitive data were that one of the principal interviewees that spearheaded the negotiations was murdered, and it was speculated that his death may have been an assassination due to his involvement in the Harambe Project. Another of the study's key informants, specifically around the forensic interviews, was brutally killed. There were challenges with disclosing this data, including my safety and the safety of others involved in the reform project. One of the informants from the city that disclosed sensitive information following her expulsion from the city felt justified in sharing her side of the story and her version of events, which the newspaper masked. Nevertheless, it also subjects the industry to academia's cold and judgemental eye. It was important for this research to unpack the shifting mutualities and power dynamics in the industry because it is one of the undermining factors for the collaborative efforts of public transport reform. The CoE has co-opted a few powerful individuals to run the VOC without seeking to stabilise the existing power dynamics, thereby putting those that participate at risk of intimidation, violence and even loss of life. This was my motive in choosing to proceed with writing about it.

The limitation of this study was that I consulted mainly individuals that participated in the interim negotiations that had individualistic motivations to participate in the negotiations as opposed to the general members of the ETI. Most of the interviewees benefited from the process; thus, their views could be positively biased to favour the negotiation outcomes of the CoE.

8.3 Research Questions

The main research question for this study was:

To what extent have the collaborative mechanisms been used to stabilise the conflicting interests of power between the ETI and the CoE during the negotiation process of an IPTN?

To answer the question, I will answer these sub questions.

To what degree is the rationality of the CoE and the ETI conflicting?

De Satgé and Watson (2018) describe conflicts of rationality as interplays of deep difference that is revealed as the defining characteristics between actors, as in this case of the CoE and the ETI. To understand the relationship requires one to look beyond the interim negotiations.

The overarching sentiment expressed in literature was that the city is trying to take the livelihood of the taxi industry by introducing a BRT, this sparked protest and resistance from the industry. While the city argued that the BRT system is being handed to the industry, the main bone of contention is that the contract is limited to 12 years before being retendered. The security and control of a long-standing and historically rooted industry is being placed on a negotiation table.

The main points of conflict during the interim negotiations were mainly around the proposals that the CoE made to the ETI. Specifically, the compensation amounts being seen as not matching the business value of the ETI. The CoE felt that the ETI were making outlandish demands based on the assumption that the coffers of the state are bottomless. Furthermore, the contention also ensued due to the operational implications of the proposed feeder routes and the violence that would erupt if they were displaced to another contested territory. Overall, the model was viewed by the ETI as not being demand-responsive to the transportation needs of the city.

It is evident that the CoE and the ETI are not homogenous entities and thus the impact of the IRPTN project was contentious between the negotiating parties.

The main conflict between the members is who qualifies as being affected by the BRT

operation of Phase 1 A since this gives the right to claim the benefits of the BRT (as discussed in chapter 6). While this was determined largely through a rational modelling matrix system, this was based on who is more dominant and has a louder say. This is where the city needed to intervene to ensure the process is fair and those affected have the right to make their claims.The main form of conflict in the city was with the procurement processes, which is evident with the use of political power to obtain financial benefits. The budget motivated the city's strategy and choice to have a state-of-the-art BRT instead of BRT-lite. The study revealed that the state used political power to obtain financial benefits through procurement processes commonly referred to as tenders. The tenders are being awarded based on patronage networks. This includes appointing service providers less than capable of providing the service and strategically appointing politically aligned individuals to key positions (Martin and Solomon, 2016). The city and industry, in some instances, were seen working together to materialise these individualistic interests. It is important to realise that negotiating these individualised interests happens beyond the negotiation table and the boardroom.

The form of resistance displayed by the industry was initially defiant and conspicuous, but through much observation and interview responses, I discerned that the industry could be using delay tactics and feigned ignorance to advance private interests and to resist (Scott, 1985). The longer the interim negotiations take place the more they can 'double dip' with their minibus taxis in full operation while receiving compensation. As discussed in chapter 5, the city is required to fund the costs of the VOC, which is operated by the industry. Since November 2021, the VOC has been granted an extension to run parallel to the negotiation process until it is finalised. In addition, minibus taxis can operate and still receive compensation. It is uncertain whether the industry is willing to eventually comply with the IRPTN and relinquish their operating licences or if the ETI is using delay tactics with the superior motive of maintaining the status quo.

The form of consensus that was reached with the signing of the Memorandum of Agreement enabled the interim operations of Phase 1 A. There was no violence or shooting before this consensus was reached; however, the power dynamics that were not curtailed or stabilised have resulted in violence and shooting following this agreement. Thus, one could argue that the conflict is less overt, using strategies that benefit the actors. While there is conflict, the interdependence between the negotiating parties enables engagement to continue.

Is there evidence of overlaps or entanglements of rationality between the CoE and

ETI?

The minibus taxi industry and the state have been in a broad sense working together through regular long-term arrangement to provide transport services in the CoE. The CoE has been offering infrastructure in the form of taxi ranks and regulating the licenses to operate while the ETI been providing services and the fleet. This arrangement while being undefined and informal is referred to by Joshi and Moore (2004, p. 40) as “institutional co-production”. This form of interdependence and sustained engagements should be recognised as an important base for engagement and a positive resource for planning.

The minibus taxi-industry in South Africa has a strong alliance to the African National Congress (ANC) party. This is due to their role of advocacy and transporting the political elite during the apartheid struggle (which I discuss in chapter 6). The political involvement of the taxi industry in the history of the ANC obfuscates the neat binary between the state and paratransit displaying a dynamic form of entanglement and contention. The interdependence between the state and the minibus taxi industry could be missed at first glance when observing the negotiations.

Thus, there has not been a stark difference in rationalities; rather, interests are competing, intersect and are reinforced by power. Importantly, the ETI and the CoE do not engage on a *tabula rasa* meaning a clean slate, they have existing power relations and interests, which have marked their engagements before the BRT negotiations and throughout the process.

While it is assumed that the CoE has a technical rationale, it is evident that to a great degree, the rationale vacillates between control and pursuing financially individualistic interests. To pursue their individual interest, the CoE and the ETI used the special purpose vehicle KTVR to solicit funds from the National Department of Transport. The CoE and ETI in some respects were seen to work together to pursue their individual interests and take advantage of the IRPTN budget. The evidence in the study also pointed out a strong alliance between senior members of the ETI and the ANC mayoral committee members. In some instances, these mutualities were reinforced by fear, violence and intimidation (Bähre, 2014). As pointed out in the study a number of members involved in the project were intimidated and some killed.

Is there room for strategic accommodation in an integrated or co-produced plan?

There was to some degree a level of collaboration or dialogue between the negotiating parties. De Satgé and Watson (2018, p.226) accept that there may be ‘mutual intelli-

gibility' and 'translatability' across rationalities, and this does offer the possibility of some form of mutual understanding, which a purist view of conflicting rationality may not allow for. In this case study the conflict though being deep, and longstanding is not about value but based on interest.

There was some value in the orientation of public transport reform efforts to the institutionalisation of collaborative and conflict resolution mechanisms between the state and the paratransit industry. This approach being process sensitive as opposed to being results orientated. The IRPTN process employed a diverse range of engagement platforms and strategies to bridge a long-standing divide between the state and the paratransit industry. I observed that repeated engagement has, in a sense, introduced a communicative rationale to an industry that has relied on violence and dominance as a means of conflict resolution.

There were several institutionalised democratic frameworks seen with the various platforms employed to resolve conflicts and deadlocks, i.e., General Industry Transformation Forum, working groups, four-aside etc. However, many deliberations concerned the compensation amount rather than the actual IRPTN model (as discussed in chapter 7).

The limitation that was observed is that the state-led interventions were not flexible but were top-down, negating fundamental lessons that could be learnt from the ETI who have an intimate knowledge of the map and the area (Huchzermeyer and Misselwitz, 2016). The knowledge of the ETI as a demand-responsive, flexible, and resilient transport system was not considered in the policy formulation (Lomme, 2008). The policy formulation process demands that policymakers have an excellent knowledge of the specific public problem (Van Schalkwyk, 2011). However, the CoE did not seem to be open to understanding their plan's counter effects, for example, the affected operators moving to feeder operations. This leaning to one's own views is described as a form of egocentrism (Buzerman et al., 2000).

Another limitation was that the numerous incentives offered during the negotiations influenced the ethical standards and morals of the participants of the negotiations (Tenbrunsel et al., 1996). In this sense individualistic interests ruled at the expense of the public good seen with the billions of rands and poor outcome of a BRT. To be practically rational, according to MacIntyre (1988), is to act to achieve the ultimate good of humanity; to be capable of impartiality but not to concede to one's interests. Bowing to your interests is to your detriment, since you are robbing yourself of the opportunity to contribute to the good of society. (MacIntyre, 1988). Thus, the accommo-

dation of interests should not be at the detriment of the public transport users in the City of Ekurhuleni.

To what extent have the collaborative mechanisms initiated by the state been used to stabilise the conflicting interests of power between the ETI and the CoE during the negotiation process of an IPTN?

The CoE's rationality was questioned and challenged, especially the operational aspects of the IRPTN policy, for example, the feeder operations. These were some of the points of contestation and deliberation. The ETI felt they were compromising since they yielded their operating licences for a 12-year contract, which would be retendered. They also felt they were risking a familiar business to join a VOC, a business model in which they had no say. The ETI's concerns could not be considered because the IRPTN was decided beforehand and is being rationalised by a veneer of knowledge-power as being expert and best practice.

The 'consensus' reached was the amount that the CoE would compensate the ETI. The ETI compromised to have a lower amount than their current operational figure, and the CoE compromised to compensate the industry with an amount that would make the VOC operations unsustainable and reliant on subsidy (discussed in chapter 7). One could argue that compensation was bargained; however, since power was not stabilised, a false sense of consensus was reached.

While the evidence points out that the tensions and differences in the interim negotiations translated into a more democratic space whereby deliberative platforms were provided, and debate was systematically driven. Genuine negotiation is not feasible when the requirement for public transport reform in the form of a BRT system has been driven by the state's recognition or perception of the problem, which has been to replace the minibus taxi industry and to displace them to operate a complimentary feeder role.

There is no bargaining when the outcome is already fixed, the negotiation process is, therefore, not genuine (Dalgarno et al.,2018).

Furthermore, the state was not open and honest about the compromises the ETI would have to make. As covered in chapter 7, they would need to reduce their fleet significantly, only a handful of 'affected' operators would be able to participate in the VOC or access value chain opportunities, and they would be displaced to operate in the peripheral areas as a feeder service. The former transport minister's (Jeff Radebe) words, "no one would be worse off" and there would be "no job losses or profits" (In-

stitute for Transportation and Development Policy, 2009), set an unstable foundation of unrealistic expectations, especially for the minibus taxi industry who had to negotiate an incentive per passenger that is lower than their passenger fare (as discussed in chapter 7). The objective of the BRT model was principally initiated to replace the paratransit operations. Rizzo's (2017) hypothesis for the delay of the Dar es Salaam Rapid Transit system in Tanzania is that project delays cannot be understood as simply a project management issue. It is often the result of realising that the BRT cannot be understood as a win-win solution constituencies stand to lose from the process and people will need to make way for the process. It is dishonest for political leadership to say that "no one will be worse off".

Violence, especially in the ETI, has and will continue to undermine any efforts of reform unless the efforts focus on the non-tangible aspects of public transport, such as informality, co- production and the embeddedness of transport systems.

The ETI has not transformed much; rather, a couple of powerful members from the ETI were recruited to the new VOC. It seems Van Schalkwyk's (2011) assertions that the paratransit industry is interested primarily in gaining security and protection from the warring factions between the different associations were true and that is their main concern as opposed to being co-opted into the IRPTN project. The violence and fragmentation of the ETI have not been factored into the reformation efforts, which remains an undermining factor for any reformation effort.

Interestingly, I observed the impact of consistent engagement on the process. Beyond the focus of this study, the evidence presented in the study shows that, to a significant extent, the CoE unintentionally transformed the antagonism wherein the CoE and the ETI were enemies to a place where the relations between the two parties is no longer open and extreme. The constant engagements were fruitful in that they enabled some level of trust to be built between the CoE and the ETI. This was observed with the introduction of a project office in the municipal holdings for the ETI, contributing significantly to fostering continual engagements. Initially, the ETI would walk out of meetings when they felt their views were not being considered; however, during the interim negotiations when there were deadlocks, the ETI continued to participate (CoE4_DH, 2020). Some of the respondents of the ETI stated that the meetings with other associations of the ETI reduced the antagonistic tensions among each other, having to share hotel rooms and space with each other (ETI 6_BOTA, 2021).

One strategic intervention included merging the mother bodies of taxi associations: EGNTA with the SANTACO. Another significant strategy was involving as many as-

sociations as possible in the initial stages of the project and then shedding the number of participants subtly selecting affected operators. A lot of time was dedicated to establishing that level of understanding between the CoE and ETI.

Another unrelated factor was time and being able to learn from the experience of other associations. The paratransit industry initially demonstrated resistance to the state's solicitations; however, this candid resistance has declined since the initial introduction of the IPTN, for example in Johannesburg. Thus, it is important to note that the case of Ekurhuleni is not isolated from the other metropolitan cities in South Africa that have implemented the IRPTN or BRT in their cities. The introduction of collaborative processes in various cities has allowed cities to learn from one another and paratransit operators informally discussing their lessons from the experience has resulted in the institutionalisation of conflict resolution mechanisms necessary to avoid agnostic relations that result in violence. As mentioned, in cities such as the City of Johannesburg where the system was still new, the level of mistrust between the state and the minibus taxi industry was still deeply ingrained between the two parties and there were no precedents for paratransit operators to reference.

As more cities institute BRT systems, paratransit operators realised that the BRT system has not fully replaced their operations. Appealing in some cases, paratransit operators were able to 'double-dip', continuing their individual operations (which many have been doing so informally in any case) and participating as shareholders in the VOC being compensated for having relinquished their operating licenses, while the city has a competitive advantage with the subsidy of grants and improved transportation. The paratransit operator's rapid responsiveness to the emergence of polycentric cities and their footprint in the transportation market is currently unmatched, and the minibus taxi industry is aware that the state's response to these emerging spaces is comparatively slow and they have the grace to continue operations.

8.4 Further research

As mentioned by Galuszka (2019) in his article "What makes urban governance co-productive", to a large extent, urban planning in cities of the south takes place outside of the orthodox planning offices using unofficial mediums. The researcher suggests further understanding of how particularly the minibus taxi industry in South Africa resolves conflicts of routes, this could be a positive contribution for the theoretical development and practical application of agonistic pluralism. While it seems as though there is no communicative rationale in the taxi industry in South Africa, I was surprised to learn after the research was concluded that the taxi war I had witnessed, as referenced in chapter 6,

resulted in some form of mutual agreement. Two taxi associations that have been at loggerheads including the death of some operators and even the loss of a taxi executive, were able to sit together and negotiate the route operations. It would be valuable to determine how these meetings are facilitated, who the representatives are, the setting of the negotiations, and how these agreements are translated into formal instruments such as operating licenses. It would also be valuable to map the routes of taxi associations. Access into the minibus taxi industry remains difficult especially when discussing sensitive matters pertaining to politics and routes. It is not only a safety issue for the researcher but can be dangerous for the participants of the research. Therefore, for such research to be conducted there needs to be training and tact. The researcher also needs to be trained psychologically on how to deal with death and loss which is currently the status quo in the industry. Nevertheless, this kind of research remains valuable and could provide a better understanding of how conflicts are resolved where there is deep difference and provide better grounds for planning.

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Appendix A: Interview Questions

1A Interview Guidelines for Category A: City of Ekurhuleni officials
Introduction
Acknowledge interviewee for taking the time to meet with me and accepting the interview. At this time, I will introduce myself, let him/her know what I am studying and my research interest and how he/she may contribute to body of knowledge through this interview, so as to put him/ her at ease through the process of sharing. In reiterating why, I am here, I would like to have a dialogue with you about the IRPTN and the ongoing negotiations with the MBTI, specifically your involvement in the project.
Process
As per our previous correspondence, there are a few 'house matters' that need reiterating:
- The interview is expected to take 1-1.5 hours long
Interview Format
I am interested in the role and your involvement with the IRPTN project. It's vital for me to understand how you are experiencing the process and negotiating some of the outcomes. I plan to break up the interview into five key discussion points:
- Short introduction Q&A session to provide context as to how you found yourself being involved in the IRPTN
- Perceptions and relevance of the IRPTN
- Policy challenges faced throughout the project
- The IRPTN project: specifically, your involvement in the negotiations
- Any 'reflections' you may have about the whole process
The Interview
Short Q & A session
- What is your exact position at CoE, since when?
- When did you start getting involved in the IRPTN project?
- What is your mandate there?
- What is your objective?
- What are the different project phases you have been involved in so far, in the IRPTN?
- What are your time frames for the project?
Impetus of reforming public transport
- What do you think has motivated the need for a BRT system?
- To what extent do you think the minibus taxi industry is informal?
- Why have you collaborated with MBTI in realising the BRT and the IRPTN?
- Do you feel like the involvement of the MBTI has been a positive step in realising the IRPTN?
- How has the state sought the MBTI involvement in the planning and design of the IRPTN policy?

- How has the role of performance score cards influenced your ability to perform?

Policy Scene
- How does the transport reform policy influence the wider post-apartheid transformation strategy?
- What is the municipalities policy on public participation processes?
- How is the project funded?
- What is the policy process for accessing funds?
- How has policy limitations i.e., Municipal Finance Management Act (MFMA) influenced the negotiations?
Setting the negotiation scene
- Who represented the state during the negotiations?
- How were the representatives chosen?
- Where were the negotiations held?
- How many negotiation sessions took place and for what purpose?
- What was the objective of the negotiation sessions?
- What was the offer that the CoE put on the table?
- Do you think that offer was reasonable?
- What are some of the factors that motivated for such an offer?
- How do you think the MBTI responded to the offers that were presented?
- Do you think their response was reasonable?
- Was there any conflict during the negotiations?
- What were the main points of conflicts or disputes experienced?
- What were the trade-offs that the CoE encountered during the negotiations?
- Are there any compromises that had to be made?
- Could you say that the session resulted in consensus or an agreement?
- Do you feel as though the sessions were fruitful in the objective set out in the beginning?
PTNG and compensation
- Please explain to me your experience managing the PTNG grant and what that entailed?
- Where you subjected to scorecards and KPI's individually and on a project level and do you feel that influenced your decision-making in any way?
- What were some of the performance measures that influenced grant conditions?
- Do you feel like the terms and conditions associated with the grant limited the project in any way?
- Do you feel the ITDP and development banks' lending has influenced the development trajectory of the IPTN especially pertaining to the IPTN and BRT?
- Do you feel that the compensation of the taxi industry was a worthwhile expenditure?
- Do you feel demolition would have been the best practice?
- Was there a budget for the negotiations? please share with me roughly the budget breaks down
- For the IPTN in the city what took up most of the budget?
- What do you feel could have been prioritised in the budget?

Routes
- Please explain to me the designed routes.

- What motivated this choice of routes?
- How were the routes decided? What were your targets
- Please explain how you plan to integrate routes with
- Who were the stakeholders involved in the design and development of the routes?
- Were there any feasibility studies prior to routes
Reflections
- What have you learned from the project?
- If you can share with us, how has this process shaped your thought process?
- What are some of the highs and lows thus far?
- Retrospectively, would you do anything differently, given the outcomes?
- Do you feel this process could have been handled and planned better by the CoE and the National Department of Transport (NDoT)?
- Do you feel you did enough and were equipped for the job at hand?
- How do you see the CoE and the MBTI successfully executing this initiative/project?
Conclusion
It has been a great pleasure and privilege conducting this interview. Thank you for your time. I will correspond with you further if there are any misunderstandings, to ensure that the data or your input is positively interpreted.

Appendix B: Research Approval

B1 Ethics Approval Letter

UNIVERSITY OF THE WITWATERSRAND JOHANNESBURG

Research Office

HUMAN RESEARCH ETHICS COMMITTEE (NON-MEDICAL)
R14/49 Mkhomazi

CLEARANCE CERTIFICATE	**PROTOCOL NUMBER: H19/08/24**
PROJECT TITLE	Conflicting rationalities: Negotiating a process of inclusion between the mini-bus taxi industry and the BRT
INVESTIGATOR(S)	Miss Z Mkhomazi
SCHOOL/DEPARTMENT	Architecture and Planning/
DATE CONSIDERED	16 August 2019
DECISION OF THE COMMITTEE	Approved
EXPIRY DATE	06 October 2022

DATE 07 October 2019 **CHAIRPERSON** (Professor J Knight)

cc: Supervisor : Professor M Sihlongonyane

DECLARATION OF INVESTIGATOR(S)

To be completed in duplicate and **ONE COPY** returned to the Secretary at Room 10004, 10th Floor, Senate House, University. Unreported changes to the application may invalidate the clearance given by the HREC (Non-Medical)

I/We fully understand the conditions under which I am/we are authorized to carry out the abovementioned research and I/we guarantee to ensure compliance with these conditions. Should any departure to be contemplated from the research procedure as approved I/we undertake to resubmit the protocol to the Committee. **I agree to completion of a yearly progress report.**

_____ _____/_____/_____
Signature **Date**

PLEASE QUOTE THE PROTOCOL NUMBER ON ALL ENQUIRIES

B2 Permission Letter: Ekurhuleni Taxi Industry

SANTACO EKURHULENI REGION

3 AGAPANTHUS STREET
POMONA
KEMPTON PARK

Reg. N o. 2006/038944/08
Contact: 011 979 5023/32
Contact: 083 595 1895
Facsimile: 086 603 6419
Email: bjmahlangu@webmail.co.za

To: The Ethics Board
University of Witwatersrand
Braamfontein, JHB

Date: 8 April 2019

The Ekurhuleni Taxi Industry is aware that Zonke Mkhomazi is a PhD student at the University of the Witwatersrand. And is conducting research under the title:

Conflicting Rationalities: Negotiating a Process of Inclusion between the Mini-Bus Taxi Industry and the BRT in Ekurhuleni, Gauteng.

The Ekurhuleni Taxi Industry (ETI) give Zonke Mkhomazi permission to conduct research.

The research conducted may include the following; conducting interviews, making observations, sending out questionnaires or accessing reports and archival material with Taxi Associations affected by the BRT negotiations and the respective technical advisors.

Yours Sincerely

BJ Mahlangu



Secretary General

Mr. M.P Mashego (Chair); Mr. M.K Mtshali (Deputy Chair); Mr. B.J Mahlangu (Secretary General); Mr. K.P Chabalala (Dep. Sec); Mr. S.C Skwambane (Treasurer); Mr. M.S Vilakazi (Training); Mr. A.S Tshabalala (Grievance); Mr. M.K Mtshali (D.C Chair); Mr. S.S Mohlambi (Conflict Chair); Mr. K.C Moabelo (PRO); Mr. B.M Msiza (B&M); Mr. T.M Mohlala (GLO) Mr. M.D Motha (Labour); Ms. P Ngema (Social & Health)

B3 Permission Letter: City of Ekurhuleni

Memorandum

To:	The Ethics Board University of Witwatersrand Braamfontein, JHB
From:	Dorothy Mabuza Head of IRPTN
Enquiries:	011 999 6194
Email:	Dorothy.Mabuza@ekurhuleni.gov.za
Date:	08 April 2019

City of Ekurhuleni

Head Office

TRANSPORT, PLANNING & PROVISION
6th Floor Kempton Park Civic Centre
Cnr. Pretoria Rd & CR Swart Dr.
Kempton Park

Private Bag X 017
Kempton Park
1620

Tel: +(2711) 999-4732
Fax: +(2786) 636 9031
www.ekurhuleni.gov.za

SUBJECT: ZONKE MKHOMAZI PERMISSION TO CONDUCT RESEARCH AT THE CITY OF EKURHULENI DEPARTMENT OF TRANSPORT AND FLEET

The City of Ekurhuleni (CoE) is aware that Zonke Mkhomazi is a PhD student at the University of the Witwatersrand. And is conducting research under the title:

Conflicting Rationalities: Negotiating a Process of Inclusion between the Mini-Bus Taxi Industry and the BRT in Ekurhuleni, Gauteng.

The City of Ekurhuleni hereby give Zonke Mkhomazi permission to conduct research at the Ekurhuleni Transport Department.

The research conducted may include the following; conducting interviews with IPTN officials or technical advisors , making observations, sending out questionnaires or accessing reports, recordings and any archival material.

Yours Sincerely

Dorothy Mabuza
Head of IRPTN

29/04/2019.
Date

Memorandum

To: Naledi Modibedi
HOD: Human Resources

From: Hitekani Mashele
Act. Head of Department

Enquiries: Dorothy Mabuza
Head of IRPTN

Email: Dorothy.Mabuza@ekurhuleni.gov.za

Date: 09 April 2019

Head Office

TRANSPORT, PLANNING & PROVISION
6th Floor Kempton Park Civic Centre
Cnr. Pretoria Rd & CR Swart Dr.
Kempton Park

Private Bag X 017
Kempton Park
1620

Tel: +(2711) 999-4732
Fax: +(2786) 636 9031
www.ekurhuleni.gov.za

SUBJECT: RECOMMENDATION FOR THE APPROVAL FOR MS. ZONKE MKHOMAZI ,PHD CANDIDATE TO CONDUCT RESEARCH IN THE DEPARTMENT OF TRANSPORT PLANNING & PROVISION AND FLEET WITHIN THE IRPTN UNIT.

BACKGROUND

Zonke Mkhomazi spent a year at the City of Ekurhuleni (CoE) doing an internship June 2017-May 2018 at the transport and Provision Department. In which she participated in various task including; administrative support for BEC Reports, negotiations and general assistance. During the time (September 2017) at the municipality, she enrolled for a PhD at the University of the Witwatersrand, Johannesburg, South Africa. She was inspired to do this to contribute to the empirical body of knowledge that is somewhat lacking in the implementation of the IPTN.

The research seeks to the process of negotiations between the Mini-Bus Taxi Industry and the City of Ekurhuleni in realizing an Integrated Public Transport Plan (IPTN). The research seeks to understand the challenges, limitations and opportunities in trying to implement the IPTN project. Seeing as the CoE is currently implementing phase 1 A. The empirical findings of the research seek to contribute towards the implementation of the upcoming phases of the Bus rapid Transit System.

In order to make this possible, the researcher is requesting permission to spend 6-8 months (August 2019- February 2020) to conduct unpaid research at the Ekurhuleni municipality transport and planning department. This serves as a recommendation from the head of the IPTN Dorothy Mabuza. Who believes that the research conducted is appropriate and needful for the department.

B4 Letter Confirming being a Bona Fide Member of the Taxi Industry

TEMBISA PRETORIA TAXI ASSOCIATION

Oakmoor Taxi Rank
3413/20 Ext.7
Oakmoor Station
Tembisa
1632

P.O Box 87
Olifantsfontein
1665
Tel: (011) 077 0913
Fax: (011) 926 2571

TO: WHOM IT MAY CONCERN

Dear Sir / Madam

This letter serves to confirm that **Mrs Zonke Mkhomazi I.D. no. 910129 0271 086** who is residing at 22 Shirley Road, Birchleigh North, **Kempton Park** 1619 is a bona-fide member of the above-mentioned taxi association which affiliate under SANTACO. She is a member since 2020.

Mrs Mkhomazi is honest and loyal toward this association, as such we recommend her for any assistance that she may need.

Your favourable consideration toward this matter will be highly appreciated.

Yours in Transport

M.B. LETSOALO
SECRETARY

TEMBISA PRETORIA TAXI ASSOCIATION
TEPTA
2021 -11- 12
P.O. BOX 019
OLIFANTSFONTEIN 1665
Tel: (011) 077 0913

TEPTA
Striving for better service

Chairman: M.P Mashego, Deputy Chairman: M.P Mazibuko Secretary: M.B Letsoalo, Deputy Secretary: P. Mnguni
Treasurer: W.J Malereka, D.C: H. Motshweni, Grievance: M.P Mkhomazi, P.R.O: M.J Ubisi,
Training Officer: H. Mhlanga, Social & Health S.S Maseko

Appendix C: Institutional and Contextual Documents

C1 Acceptance of Appointment as Facilitators



STRATALIGN
ALIGNING PEOPLE WITH STRATEGY

11 Fricker Road Illovo, Johannesburg, 2196. PO Box 3231, Houghton 2041.
Tel +27 11 268 5597 Fax +27 86 693 6017.

7 April 2014

Ms Shandre Daniels
The Tender Office
Sanburn Building, Ground Floor
68 Woburn Avenue
BENONI
1501

Re: **ACCEPTANCE OF APPOINTMENT CONTRACT NO:** PS-PT 05/2014:

APPOINTMENT OF INDEPENDENT FACILITATOR FOR THE INDUSTRY TRANSITION PROCESS OF THE INTEGRATED RAPID PUBLIC TRANSPORT NETWORK (IRPTN) BETWEEN THE EMM AND THE AFFECTED OPERATORS IN THE NEGOTIATIONS OF THE VEHICLE OPERATING CONTRACT AND OTHER RELATED MATTERS FROM DATE OF AWARD UNTIL JUNE 2016

Dear Shandre

Thank you for the letter of appointment we received relating to Tender No PS-PT 05/2014.

We gladly accept this appointment and will comply with the requirements set out in the letter. We will deliver the necessary documents to the designated address as indicated. (Including the original of this letter)

We look forward to working with the City of Ekhuruleni.

Yours Sincerely

Alan Brews
CEO

Directors: Charles Nupen, Alan Brews, Bontle Mpakanyane
Company Registration No: 2005/042273/07 Vat Registration Number: 4470228620

C2 Appointment of Facilitators

MEMORANDUM

Ekurhuleni
METROPOLITAN MUNICIPALITY

To: Mr. George Maleke
Mr. J.J Dlamini
Ms. Imogene Mncwango
Mr. J. Khumalo

From: Ms. Y. Mashilwane
HOD Transport

Tel No: (011) 999-3845

Enquiries Mr. Nelson Rikhotso

18 July 2014

Head Office

TRANSPORT: PLANNING & PROVISION

6th Floor Kempton Park Civic Centre
Cnr Pretoria Rd & CR Swart Drive
Kempton Park
1619

Private Bag X017
Kempton Park
1620

Tel: +(2711) 999 3845
Fax: 086 622 9828
www.ekurhuleni.com

Dear EPTI Coordinators

Re: Appointment of Technical Advisers for the EPTI

Your letter dated 06 May 2014 has reference.

Please be informed that the City has now informed Axios Consulting of the termination of the contract for the provision of technical services to EPTI. Axios was given a notice period of 14 days to advance reasons why the City should not terminate the contract between the City, EPTI and Axios. Axios has to date failed to make submissions as requested and the City now considers the contract terminated.

In various discussions and meetings that were held between EPTI and the City it was agreed that the City is to consider several options for the appointment of the new technical advisors. Below are some of the options that were considered by the City, these options are as per the prescripts of the Municipal Financial Management Act (MFMA) and the City's Supply Chain Policy.

Option 1 Competitive bidding process- Goods or services above a transaction value of R200 000 (VAT included) and long term contracts may only be procured through a competitive bidding process, subject to paragraphs 11(2) and 36 of this policy; and

Option 2 Deviation from procurement processes- 36. (1) (a) The accounting officer may –dispense with the official procurement processes established by this policy and to procure any required goods or services through any convenient process, which may include direct negotiations, but only –

(i) in an emergency;
(ii) if such goods or services are produced or available from a single provider only;
(iii) for the acquisition of special works of art or historical objects where specifications are difficult to compile;
(iv) acquisition of animals for zoos and food for such animals and/or botanical specimens for nature and game reserves; or
(v) in any other exceptional case where it is impractical or impossible to follow the official procurement processes;

C3 Termination of contract with Axios

PREAMBLE

Whereas the COE and the EPTI have entered into an JMOU for the support and capacitation of previously disadvantaged public transport operators to enable the leveling playing-fields in the negotiation of a Vehicle Operating Contract for the first phase of the COE's IRPTN service, in terms of section 41 of the National Land Transport Act, (NLTA)

And whereas the JMOU provided that the COE will provide capacitation support, including project office support to the EPTI

And whereas the COE has made available to the EPTI project offices, to be used by the EPTI under the conditions contained herein;

Now Therefore the parties agree as follows:

A. Definitions

EPTI means Ekurhuleni Public Transport Industry

C4 Joint Memorandum of Understanding between the City of Ekurhuleni and Ekurhuleni Public Taxi Industry

Appendix D: Ekurhuleni Taxi Industry Structure between SANTACO and EGNTA

Ekurhuleni Taxi Industry			
SANTACO		**EGNTA**	
East Side		**East Side**	
Greater Brakpan Taxi Association	GBTA	Nigel Taxi Association	NTA
Daveyton Kempton Park Taxi Association	DKTA	Springs Long Distance Taxi Association	SLDTA
Benoni Taxi Association	BTA	Springs Taxi Association	STA
Springs Taxi Association	STA		
Springs Long DistanceTaxi Association	SLDTA		
South		South Side	
Reicher Park Boksburg and District Taxi Association	RPBDTA	Greater Alberton Taxi Association	GATA
Katlegong Peoples Taxi Association	KAPTA	Gauteng Empangeni Taxi Association	GETA
		Greater Brakpan Taxi Association	GBTA
		Germiston Janene Furse Long Distance Taxi Association	GJFLDTA
		Germiston and Natalsruit Lond Distance Taxi Association	GNLDTA
		Germiston Pietersburg Long Distance Taxi Association	GPLDTA
		Germiston Polokwane Pietersburg Long Distance Taxi Association	GPPLDTA
		Greater Germiston Taxi Association	GGTA
		Reicher Park Taxi Association	RPTA
		Voslorus and Boksburg District Taxi Association	VBDTA
		Thaba Bosiu Express Service Taxi Association	TBESTA
		Zamokuhle Long Distance Taxi Association	ZLDTA
		Taung Bophinma Long Distance Taxi Association	TBLDTA
		Thahameso Ntswanatsutsi Thusanang Taxi Services	TTS
North Side		**North Side**	
Kempton Park Taxi Association	KETA	Oakmoor Commuters Transport Service	OCTS
Tembisa Lethabong Taxi Association	TELTA		
Birchleigh Oakmoar Taxi Association	BOTA	Makgorometsa Taxi Association	MTA
Lethabong Taxi Association	LETA		
Johannesburg Tembisa Taxi Association	JTTA		
Tembisa Pretoria Taxi Association	TEPTA		
Tembisa Long Distance Taxi Association	TELDA		
West Side		**West Side**	
Tembisa Alexandra Taxi Association	TATA		

Appendix E: Letter showing Ekurhuleni Public Transport Industry was initially inclusive of other members (CoE, 2014)

EKURHULENI PUBLIC TRANSPORT INDUSTRY
B617, 6th Floor, KEMPTON PARK CIVIC CENTRE, KEMPTON PARK

Date: 23 July 2014

To: HOD – Yolisa Mashilwane

CC: MMC Thumbu Mahlangu

Dear Madam,

RE: PARTICIPATION OF AFFECTED INDUSTRY OPERATORS IN THE PROCUREMENT OF BUSES FOR THE INTEGRATED RAPID PUBLIC TRANSPORT NETWORK

Ekurhuleni Public Transport Industry (EPTI) comprises of Taxi Associations, Independent Bus Operators, JR Choeu, Putco, Meter Taxis, Scholar Transport Associations and Ekurhuleni Women In Public Transport. All five structures are represented in the EPTI Committee (EPTIC). EPTIC also consists of Industry Transition Forum (ITF) and Super Structure (SS). EPTIC is in a process of establishing a Trust which will have trustees from the industry and non-executive trustees with professional background in legal, technical and finance disciplines. EPTIC has formed a legal entity known as Tshabelo (Pty) Ltd, a trading company which also includes operators from the northern region as directors. Professional expertise will be appointed to assist in the day to day running of the company. We want our company to be a Special Purpose Vehicle (SPV) and acquire business on behalf of EPTI in all IRPTN projects. Please refer to attachment A on the beneficiaries model.

Our engagement with Ekurhuleni Metropolitan Municipality ("EMM") has revealed that it is the intention of EMM that buses for the Integrated Rapid Transport Network ("IRPTN") be owned and operated by a Vehicle Operating Company ("VOC"). It has also been revealed that EMM intends for the VOC to be owned by the affected industry operators. We are in support of this proposed structure and, as previously mentioned, have already taken steps towards organizing ourselves into an entity that has the professional competence and operating capacity to play this vital role (refer to attachment A). As such, the plan to set up a Special Purpose Vehicle ("SPV") for the purpose of procuring the buses is one which we believe we can enhance. We are of the view that we are ready to take up ownership of the SPV. In doing so, we will be afforded the opportunity of procuring the buses in a transparent and open tender process that will be to the satisfaction of EMM.

We wish to register our sincere appreciation for EMM's efforts thus far with regard to procuring the buses on behalf of affected operators. However, we consider ourselves to be key stakeholders to the ultimate success of the project and would therefore request to have more active participation in all processes relating to the funding and acquisition of the buses. In light of this, we believe that the responsibility for procuring the buses should rest with us as the current representatives of industry operators who will form the VOC. EMM has a critical role to play in the implementation of the project relating to setting up the supporting infrastructure, setting the specifications for the buses, signing the Concession Agreement with the VOC among other indispensable roles that cannot be played by any other party.

We are aware that EMM has recently appointed a Transaction Adviser and Arranger for the purpose of procuring funding for the bus fleet. We also understand that subsequent to the appointment, you have conducted a round of roadshows in which you met with several prospective funding partners for the buses. We wish to inform you that we, acting in good faith, have also taken the initiative to approach several prospective funders in our own capacity as affected operators. In the interest of ensuring alignment, we do

Appendix F: Ekurhuleni Metropolitan Municipality Bid Evaluation Committee

EKURHULENI METROPOLITAN MUNICIPALITY
BID EVALUATION COMMITTEE
ITEM

The BEC at its meeting held on 06 July 2017 resolved as follows:

RESOLVED

1. ***That*** *the contents of the bid adjudication report by the Chairperson of the BEC for the award of a bid for Contract: PS–PT 32-2017: The appointment of a Project Management Unit (PMU) for the Planning, Implementation and Operation of the Ekurhuleni Integrated Rapid Public Transport Network (IRPTN) From Date of Award Until 30 June 2020,* ***BE REFERRED BACK*** *for amendments:*

1.1 *Page 22,43: Zonke Mkhomazi (Administrator) should be removed from the "persons involved in the evaluation of the bid as she declared in the BEC meeting that she did not participate in the work of the Departmental Evaluation Panel. Instead, there should be a one liner below the table that explains that during the evaluation of the bid, the evaluation panel relied on the administrative support and assistance of an intern, Ms Zonke Mkhomazi. Response: Addressed and amended in the report, including the matter of the resignation of the Project Manager, ~~Mr Tommie Snyman,~~ and the subsequent appointment of Mr ~~Siyabonga Nedu~~ as the new Project Manager*

1.2 *Page 24: Bidder No.7: ADI Investment (Pty) Ltd: The committee members are concerned that there is no clear provision of information in terms of experience for this bidder. Addressed reassessed the document and the following was found:*
Bidder no.7.ADI Investment (PTY) LTD
Staffing Profile:
Leader: Systems Planning not included
Leader: Operations in Industry Transition not included
Marketing and Communications: No BRT/IRPTN experience indicated
Experience:
No BRT/IRPTN experience indicated
Irrelevant experience indicated includes; housing developments and renovations of school, clinics and houses.

1.3 *Page 24: Thoko Consulting Engineers: The tender document indicates, see attached in terms of "Infrastructure and resources available" and "Size of enterprise and current*

Appendix G: Plagarism Score

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A thesis submitted to the Faculty of Engineering and the Built Environment, University of the Witwatersrand, Johannesburg, in fulfillment of the requirements for the degree of Doctor of Urban and Regional Planning.

UNIVERSITY OF THE WITWATERSRAND JOHANNESBURG

By

ZethuZonke Bella Gavrilov

457848

Conflicting Interests: Negotiating a process of inclusion between the Mini-Bus Taxi Industry and the BRT

Supervisor
Prof. Phil Harrison
Co-supervisors
Prof. Alison Todes
February 2022

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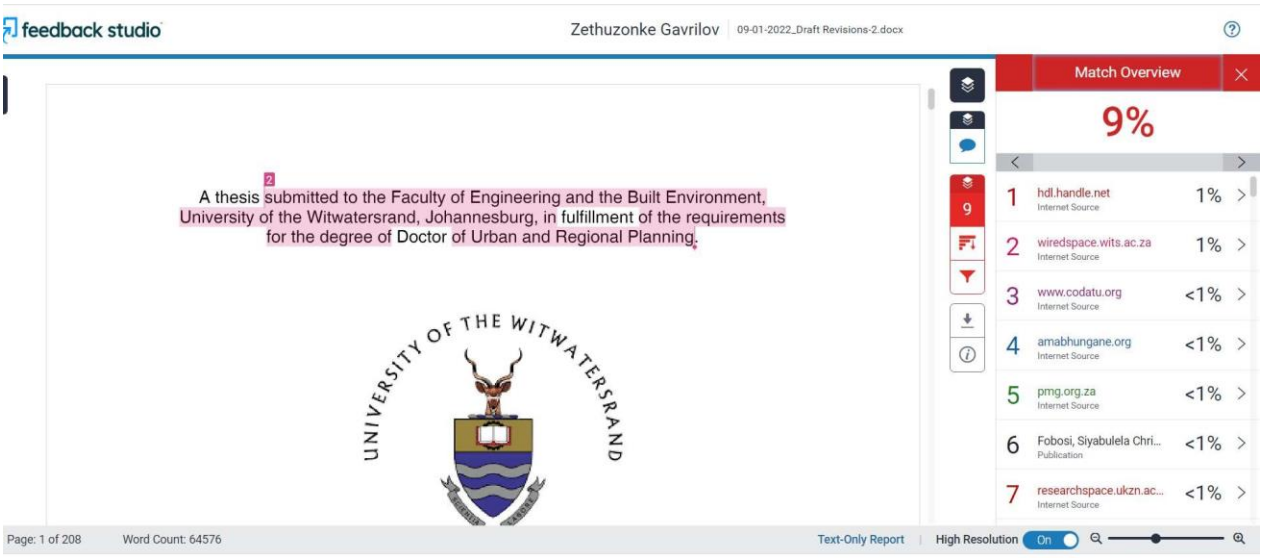
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Zethuzonke Gavrilov
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Appendix H: Certificate of Copy-Editing

CERTIFICATE OF COPY-EDITING

CONFLICTING INTERESTS: NEGOTIATING A PROCESS OF INCLUSION BETWEEN THE MINIBUS TAXI INDUSTRY AND THE BRT SYSTEM

By

ZETHUZONKE BELLA GAVRILOV

Has been copy-edited by

DR S H Taylor

20 March 2023

info@topacademicediting.co.za

Disclaimer

I do my best to ensure that all errors relating to language (grammar, punctuation and spelling) and consistency are resolved. The author is responsible for checking the document and accepting or rejecting the suggestions made through track changes. I am not responsible for any copy-editing issues arising from subsequent amendments to the document by the author.