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CONTINUITY AND CHANGE IN THE SOUTH AFRICAN MINIBUS TAXI INDUSTRY

Lisa Seftel

University of the Witwatersrand
School of Governance

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Abstract

This dissertation seeks to identify the key features of the South African minibus taxi industry and understand the forces that have shaped it. The author, through qualitative interviews and participant observation, describes and analyses the different layers in the minibus taxi industry, from drivers to the national structures and how the taxi industry interacts with the state and private sector. A pervasive feature of the industry is the centrality of the role of violence, which is also explored as a strategic resource and binding constraint to change in the taxi industry. The dissertation aimed to establish the extent to which there has been continuity and change over the forty years of existence of the minibus taxi industry but concludes that there is an unyielding continuity in how the industry is structured and functions, to the benefit of a relatively few taxi leaders. In contrast, taxi drivers and owners of taxi vehicles continue to be marginalised from achieving decent livelihoods and accumulating wealth. In this context, the prospects of change where the needs of commuters are met, the state can fulfil its public transport mandate, and the taxi industry as a whole can prosper are poor. A prerequisite to change is an improved understanding by policy makers of who holds power in the taxi industry and the ability of the state to introduce measures to shift the balance of power to the majority of owners of taxi vehicles.

Keywords: minibus taxi industry; taxi operators; drivers; taxi violence.

Declaration

I, Lisa Seftel, declare that this dissertation entitled 'Continuity and change in the South African minibus taxi industry' is my own unaided work. I have acknowledged, attributed, and referenced all ideas sourced elsewhere. I am hereby submitting it in fulfilment of the requirements of the degree of Master of Management in the University of the Witwatersrand. I have not submitted this report before for any other degree or examination to any other institution.

Lisa Seftel

Signed at Johannesburg on 7 November 2021

Name of candidate	**Lisa Seftel**
Student number	**7820076**
Telephone numbers	**060 7711863**
Email address	**7820076@students.wits.ac.za**
First year of registration	**2019**
Date of proposal submission	**October 2019**
Date of report submission	**November 2021**
Name of supervisor	**Prof. David Everatt and Prof. Karl von Holdt**

Dedication

To Colleen McCaul and Chris Ngcobo who took a 'no easy ride' to serve the minibus taxi industry.

To BV Shabangu, Telo Selepe, Sam Sibisi and many others taxi leaders who are no longer with us and who contributed to giving the minibus taxi industry their own public transport lane.

To my family and friends who empathised with my choice to spend many hours and energy to untangle the workings of this enigmatic sector

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I registered for a Masters in 2019 and 2021, but in 2020 when Covid19 struck, I was sustained intellectually by participating in the emerging African Urban Mobilities network.

Table of Contents

1 Introduction to the research 1
1.1 Background 1
1.1.1 Background to the research 1
1.1.2 The South African minibus taxi industry 1
1.2 Towards understanding continuity and change in the minibus taxi industry 2
1.2.1 Problem statement 2
1.2.2 The research purpose statement and justification of the research 3
1.2.3 The research questions 4
1.2.3.1 What are the key features of the minibus taxi industry? 4
1.2.3.2 What role has the state played in shaping the nature of the minibus taxi industry? 5
1.2.3.3 What role has violence played in shaping the taxi industry? 5
1.3 Theoretical Framework 6
2 Literature Review 7
2.1 The South African minibus taxi industry: description 7
2.1.1 Minibus taxi statistics 7
2.1.2 Operational features of the minibus taxi industry 9
2.1.3 Legislative environment 12
2.1.4 Features of violence in the minibus taxi industry 13
2.2 The South African minibus taxi industry: history 14
2.2.1 Chronology of black commuter transport 14
2.2.2 Understanding the emergence of the minibus taxi industry 17
2.2.3 Post-1994 developments 19
2.2.4 Historical overview of violence in the minibus taxi industry 21
2.3 Conceptual framework to understand the minibus taxi industry 23
2.3.1 Defining the minibus taxi industry as paratransit 23
2.3.2 Locating the minibus taxi industry in between the formal and informal sector 24
2.3.3 The role of social and kinship networks 26
2.4 Towards understanding the role of the state 27
2.4.1 The political economy of South Africa's democratic transition 27
2.4.2 Patron-client relations 30
2.4.3 The coexistence of democracy and violence 31
2.5 Conceptualising and contextualising violence in the South African taxi industry 33
2.5.1 Conceptualising violence 33
2.5.2 Contextualising violence in South Africa 35
3 Methodology 38
3.1 Positionality 38
3.2 Research paradigm and strategy 39
3.3 Research methodology 41
3.3.1 Data gathering 42
3.3.2 Data analysis 44
3.4 Limitations of the research 44
4 Research findings 45
4.1 Structure of the taxi industry 45

4.1.1 Introduction 45
4.1.2 The taxi operator 47
4.1.3 The taxi driver 50
4.1.4 The taxi association 51
4.1.5 Association executives 54
4.1.6 The mother bodies: regional, provincial and national structures 56
4.1.7 Enforcers 59
4.2 Relationship with the state 63
4.2.1 Relationship with the policy making role of the state 63
4.2.2 Relationship with the regulatory role of the state 68
4.2.3 Relationship with law enforcement 70
4.3 Relationship with the private sector 73
4.3.1 Relationship with finance institutions 74
4.3.2 Relationship with motor manufacturers and dealerships 77
4.3.3 Taking advantage of the minibus taxi industry 78
4.4 Patterns of violence 79
4.4.1 Inter-association violence 80
4.4.2 Intra-association violence 83
4.4.3 Persistence of violence in the minibus taxi industry 85
4.5 Conclusion 88
5 Discussion and analysis 91
5.1 The typology of the taxi industry 91
5.1.1 Linking the layers in the taxi industry 91
5.1.2 The value of informality 93
5.2 The relationship between the taxi industry and state actors 95
5.3 The relationship with the private sector 97
5.4 The work that violence accomplishes in the minibus taxi industry 99
6 Conclusion. 103
7 References.. 106
8 Annexures.. 117
8.1 Annexure A: Guiding questions for semi structured interviews 117
8.2 Annexure B: Consent form 128
8.3 Annexure C: Sources 129
8.4.1 Documentary sources 129
8.4.2 List of respondents 130

List of abbreviations

BBBEE	broad based black economic empowerment
BRT	bus rapid transit
Cape Town Committee of Inquiry	Committee of Inquiry into the Underlying Causes of Instability and Conflict in the Minibus Taxi Industry in the Cape Town Metropolitan Area, 2005
Competition Commission	Competition Commission's Market Enquiry into Land Based Public Transport, 2020
Cosatu	Congress of South African Trade Unions
CBD	Central Business District
Gauteng Com*m*ission	Gauteng Commission of Inquiry into Taxi Violence, 2021
IT	Information Technology
JVs	Joint ventures
KZN	KwaZulu-Natal
MEC	Member of the Executive Council
NLTA	National Land Transport Act
NLTTA	National Land Transport Transition Act
NTA	National Taxi Alliance
NTTT	National Taxi Task Team
PRE	Provincial Regulatory Entity
SABTA	South African Black Taxi Association
SACP	South African Communist Party
Santaco	South African National Taxi Council
Top Six	Top Six Taxi Mangement
TRP	Taxi Recapitalisation Programme
UDF	United Democratic Front

1 INTRODUCTION TO THE RESEARCH

1.1 Background

1.1.1 Background to the research

The South African minibus taxi industry transports the largest number of South African commuters daily. When it arrived on the transport stage 40 years ago, it was seen as a beacon of black economic aspirations, heralding the development of a black middle class. Over the last 27 years, the state has initiated several significant interventions to transform the taxi industry to benefit commuters and contribute to more sustainable incomes for taxi owners. However, it continues to be regarded by policy makers and road users as a less than desirable form of public transport due to its informality, unruliness, association with violent acts and tenacity in avoiding full-blown legality (Schalekamp, Golub & Behrens, 2016; Mbalula, 2019; Netshitenzhe, 2020). For example, Gumede describes the industry as being managed by "untouchable mafia type taxi bosses who control roads, run protection rackets and behave with little regard for law and order" (July, 2019).

This dissertation seeks to understand the key features of the South African minibus taxi industry and determine whether there has been continuity or change since its emergence in the mid-1970s. The starting point is that the taxi industry remains a contested terrain for fare income and control of the taxi industry and its order. The interests in the taxi industry go beyond the operators and drivers and include the state and parts of the private sector that provide the taxi industry with resources ranging from vehicles to weapons. What is at stake are levers to significant accumulation and extraction of capital and symbolic power.

The following section (1.1.2) sets out a brief background to the minibus taxi industry while the remainder of the first section covers the research problem statement (1.2.1), the research purpose statement and justification for the research (1.2.2), the research questions (1.2.3) and the theoretical framework (1.3).

1.1.2 The South African minibus taxi industry

The minibus taxi industry emerged in the mid-1970s when the state-run rail and bus monopolies failed to provide sufficient services for black South Africans. The sector grew rapidly, increasing its market share of public transport, but the nature of organisation and level of economic sophistication

has remained similar over the last 40 years (Schalekamp, 2017; Mbalula, 2019). In 2020, 80,2% of public transport trips were made by taxi compared to 68% in 2013 (Statistics South Africa, 2020, p.3). In 2019, it was estimated that approximately 250 000 minibus taxis were in operation, responsible for 15 million daily commuter trips rendering the industry worth about R50 billion per year (Wasserman, 2019).

Almost all taxi owners and drivers are black. Individual taxi operators own their vehicles but are members of route-based associations while the drivers, who operate the vehicles for a percentage of fare revenue, experience poor working conditions. Operators generally seek to maximise profit rather than serve passengers who do not have alternative transport options and are thus often subject to long waiting times, perilous journeys, and multiple trips to reach their destinations (Schalekamp, Golub and Behrens, 2016). The main form of monetary exchange is cash. Many South Africans perceive the taxi industry as rundown, reckless and ruthless but unavoidable. As Ndumiso Ngcobo, a columnist for the Sunday Times, writes, "given the demographics of this country, it requires deliberate, meticulously planned, Herculean effort for anyone to live in Johannesburg without ever riding in a minibus taxi" (April, 2019).

The state's attempts to regulate and support the minibus taxi sector, with a degree of continuity between the apartheid and post-apartheid periods, have included controlling the number of operating licences issued, requiring minimum safety standards for vehicles and drivers, providing resources for the recapitalisation of taxis and the promotion of bus rapid transit systems with a guaranteed role for taxi operators on affected routes. However, the prevailing view from minibus taxi operators and citizens is that the state is unsupportive and ineffective in its relationship with the minibus taxi sector (Raseroka, 2019). Instead, the industry is viewed as being governed by 'big men', commonly called taxi bosses, with assassinations being a key mechanism of managing competition in an over traded market while the majority of operators and drivers live on the margins and passengers are subject to poor safety conditions, high fares and unreliable services (Behrens, McCormick & Mfinanga, 2016; Schalekamp, 2017).

1.2 Towards understanding continuity and change in the minibus taxi industry

1.2.1 Problem statement

With the mini-bus taxi industry transporting a significant share of public transport users and with a post-apartheid state committed to building a black middle class, it could have been anticipated that

the taxi industry would be a thriving majority black-owned sector, well organised in capitalist terms, vertically and horizontally integrated, at the cutting edge of innovation and customer focused. However, 40 years since its introduction, this is not the case. Instead, while significant profits have been generated in some instances, commuters experience the minibus taxi industry as unsafe, unreliable, and inconvenient. It is not economically organised in companies but in route-based associations to which vehicle owners belong and who nevertheless maintain impressive order.

Initiatives by both the apartheid and post-apartheid state to regulate, support and transform the minibus taxi industry, including legislation to manage supply and demand, taxi recapitalisation, and bus rapid transit systems, have not made a significant dent in the nature of the taxi industry. Despite several government-initiated commissions of inquiry across different spheres of government in Shoshanguve, Gauteng (1999), Western Cape (2005), Mpumalanga, KwaZulu-Natal (2000) and again in Gauteng (2021) and government-sponsored initiatives to curb violence in the industry, particularly assassinations continue. Thomas, who researched about 1 200 incidents of political assassination between 2000 and 2017, estimated that 43% of these were associated with the minibus taxi sector (2018, p. 5).

This dissertation explored three inter-related issues. Firstly, it sought to understand the various layers within the taxi industry, including owners, drivers, associations, regional and national structures and a variety of enforcers. Secondly, it explored the relationship between the taxi industry and state actors and other parts of the private sector, particularly the motor vehicle and financing sectors. Thirdly, it examined the patterns of violence and its persistence in the taxi industry.

The research triangulated interviews with various individual stakeholders with documentary evidence. Recognition was given to the fact that the "essence of an object is better (or probably only) captured by showing it simultaneously from multiple points of view" (Auyero, 2007, p. 26).

1.2.2 The research purpose statement and justification of the research

This dissertation goes some way towards giving the minibus taxi industry their dedicated lane in the public transport literature by paying attention to the voices and views of the taxi industry itself and understanding the industry from their vantage point. The research explores the histories and specificities of the mini-bus taxi industry in South Africa, focusing on Johannesburg commuter services to deepen understanding of how class, institutional, social, political and cultural dynamics have shaped this sector.

The minibus taxi industry occupies a peculiar space in transport literature. Firstly, despite it being the major mode of public transport, it is referred to as paratransit, which Behrens, McCormick and Mfinanga (2016, p1) say is an American term where the prefix para- refers to 'alongside', while transit is their term for public transport systems. From this perspective, paratransit is seen as playing a role alongside mainstream rail or buses and as a transitional mode that needs to be regulated, rationalised, restricted or reformed (Behrens et al., 2016). Secondly, while it demonstrates informal features, the taxi industry is formally organised on its terms and plays a significant role in the formal economy. Stakeholders outside of the taxi industry are often more desirous than the industry itself in becoming formalised.

Thirdly, in South Africa, the most far-reaching public transport reforms were set out in the 2007 Public Transport Strategy and Action Plan. The plan sought to put in place "a system that places over 85 percent of a metropolitan city's population within 1 km of an Integrated Rapid Public Transport Network trunk (road and rail) or feeder (road) corridor" (Seedat & Pillay, 2007 p. 400) and relegated mini-bus taxis to be part of a "fine grained feeder system" together with smaller buses, bicycles, pedestrian access and metered taxis (Seedat & Pillay, 2007 p. 403). Nevertheless, despite significant policy attempts to change the role of the taxi industry, its continuity as the central player in the South African public transport sector remains.

1.2.3 The research questions

Three research questions were asked. The first focused on the defining features of the minibus taxi industry to set a basis for the second two questions that focused on understanding the role of the state and other parts of the private sector and violence in shaping the minibus taxi industry.

1.2.3.1 What are the key features of the minibus taxi industry?

Chapter 4 seeks to define the contemporary features of the minibus taxi industry and, where appropriate, compare them with the past. The chapter identifies the functions, structures, and dynamics that have been constant features of the taxi industry over its 40 years of existence and are crucial to understanding the contemporary industry. The discussion in chapter 5 considers the significance of some of these features, the lack of change in key areas, and the contradictions it throws up.

1.2.3.2 What role has the state played in shaping the nature of the minibus taxi industry?

State regulation, support and transformation have not materialised as Deputy Minister for Transport Jeremy Cronin had promised, to "stimulate further economic activity" and "create the basis for a stable, safe industry" (Cronin cited in Dugard and Sekhonyane, 2004, p. 17). This research question explores why this has not occurred and the role of state actors in this regard. During the research, the role of other parts of the motor vehicle and related sectors also became relevant and is considered in the research findings.

The role of the state at a macro level, including the economic choices that the South African government made in the context of a global regime of financialised accumulation and the resultant impact on levels of growth, inequality, and inability to provide social stability, are the minibus taxi industry is explored. Regarding transport policy, the see-sawing between transformation initiatives and lacklustre implementation and between legislated regulation but *de facto* deregulation and lack of enforcement are analysed. Regarding violence, the role of various state actors in and towards violence in the minibus taxi industry is examined.

1.2.3.3 What role has violence played in shaping the taxi industry?

There has been a growing body of literature, mainly from Latin America, calling for a rethinking of the role that violence plays in the formation and sustaining of social orders both at the level of nation states as well as "small-scale orders constituted by local elites and hierarchies" (Stevens, Von Holdt and Auyero, 2019, p. 2). The study of violence, it is argued, should not be confined to the specialities of criminology, deviance, an aberrant social activity or gangs, but elevated to a social and strategic resource in addressing issues of power, domination, resistance, order and disorder (Auyero, 2007; Von Holdt, 2011; 2019; Arias & Goldstein, 2009; Barnes, 2016). Instead, the focus should be on the work that violence accomplishes (Stevens, von Holdt & Auyero, 2019).

The research sought to investigate the nature and patterns of violence to inform the discussion in chapter 5 on how different forms of violence simultaneously played a role in, firstly, enabling capital accumulation, secondly in regulating and maintaining order in the absence of the state being able to do so, and thirdly, reproducing repertoires of patriarchy, masculinity and traditional values.

1.3 Theoretical Framework

The theoretical framework is a dialogue between critical theory and other approaches while acknowledging that "one's worldview often determines an initial choice of theory" (Agee, 2009 p. 438). The literature review drew on theories and concepts from transport planning, political economy, sociology, anthropology, and psychology-based theories and concepts. The new institutionalism and political settlements approaches were also considered. These recognise that in studying institutions, one needs to look at formal and informal rules and conventions and that institutions embody value and power that are contextually embedded (Goodfellow, 2017; Lowndes, 2018). Goodfellow emphasizes the need to look at how informal institutions relate to formal ones and "how the specific nature of late capitalism shapes the power relations that underpin institutional arrangements" (2017, p. 203). Also considered were several theorists who look variously at patron-client relations, patrimonialism and neo-patrimonialism (Kahn, 2006; Khan & Jomo, 2000; Lodge, 2014, Uberti, 2015) as well as the application of these theories in the African and South African context (Gray and Whitfield, 2014; von Holdt, 2019).

Regarding violence, the recent work of South Africans and Latin Americans such as von Holdt (2011, 2014, 2019) and Auyero (2000, 2007) were considered. Their thinking was complemented by historians and sociologists such as Gibbs (2014) and Meagher (2005, 2013) who have focused on the role of masculinity and kinship. In addition, writings on inter-generational trauma by Prager (2016) and Gobodo-Madikizela (2016a, 2016b) have been reviewed.

While it is disputed that all social objects are merely socially constructed, the constructivist perspective that "people do one thing, and not another due to 'social constructs': ideas, beliefs, norms, identities or some other interpretive filter through which people perceive the world" (Parsons, 2018 p. 75) have been considered. The constructivist position is a reminder that when one interprets the world, one needs to be cognisant of one's own role in it (Parsons, 2018).

An important theoretical issue is the respective roles of structure and agency. The author has followed Marsh who argues that the relationship between structure and agency has shifted from being treated as "dualism" to be viewed as "dualities" and that the relationship between them should be seen as dialectical, interactive and iterative (2018, p. 200). Marsh adds a fourth kind of agency to personal agency, proxy agency and collective agency, that "entails the internalisation of values in such as way as to ensure that discipline becomes something not imposed externally, but the products of restraint learnt and then followed voluntarily" (Marsh, 2018, p. 203).

Further details on research methodology and positionality are contained in chapter 3.

2 LITERATURE REVIEW

The literature review is in five parts. Sections 2.1 and 2.2 draw on existing literature that describes the current taxi industry and its historical evolution in South Africa. Section 2.3 identifies different ways of analysing the taxi industry, while section 2.4 considers the literature on the state's role. Section 2.5 considers the literature on the role of violence.

2.1 The South African minibus taxi industry: description

Since its emergence in the 1970s, the minibus taxi industry has been variously depicted as victors of small business development, villains on the road and towards passengers, having vanquished inefficient bus fleets, or have become the victims of government initiatives such as bus rapid transit designed to replace them. This section of the literature review summarises the work of academics and researchers, although due to the relative paucity of academic work, inputs from journalists and commentators were also added. Section 2.1.1 sets out relevant statistics about the minibus taxi sector. Section 2.1.2 sets out their operational features. Section 2.1.3 briefly discusses the legislative environment. Section 2.1.4 describes the violence in this sector.

2.1.1 Minibus taxi statistics

Fifteen million commuter trips are estimated to be undertaken daily by about 250 000 minibus taxis (Wasserman, 2019) in South Africa. However, this figure may not be reliable due to poor regulation and licensing. The Department of Transport's National Land Transport Information System (NLTIS) in 2020 had records of only 137 000 legal taxis (Department of Transport, 2020, p. 7). The Gauteng Household Travel Survey conducted by the CSIR in 2019 shows that 21.3% of commuters use minibus taxis for peak time travel – a fairly consistent figure since 2000 and is the third most dominant mode after walking and private car use (CSIR, 2020, p. 41).

Arrive Alive claims that three are killed in taxi-related incidents of the 36 people who lose their lives daily on South African roads (2019). The website also quotes a study done by the Automobile Association of South Africa, which says there are 70 000 minibus taxi crashes per year and that taxis are involved in twice as many crashes as all other passenger vehicles (2019).

A survey of 1 237 respondents on public perceptions of taxi use and safety and crime in taxis by the South African Institute of Race Relations (IRR) in December 2018 indicated that the

vast majority (85%) of taxi users are black, young (71% below 44 years), with an educational level of Grade 12 or below (96%) and earning less than R8 000 per month (74%) (IRR, 2019, p. 2). This figure includes both minibus and metered taxis, with 64% of survey respondents using minibus taxis (IRR, 2019, p. 2). Forty-six percent of minibus taxi users perceived taxi drivers as aggressive, while 32% did not see them as safe (IRR, 2019, p. 2). One in two respondents had witnessed some experience of taxi illegality, with 70% observing taxi drivers breaking the rules of the road. Forty-three percent of all respondents said they had seen a taxi driver offering a bribe to avoid a fine, 44% said they had seen a taxi driver not been able to produce a driver's licence, and 45% had witnessed or experienced taxi-related violence (IRR, 2019, p. 3). The Gauteng Household Travel Survey conducted by the Council for Scientific and Industrial Research (CSIR) with a much larger sample indicated that more taxi users expressed dissatisfaction with taxi services than satisfaction, particularly regarding security. In respect of respondents that did not use taxis, the most common reason for not doing so was that they were too expensive (30%), followed by over-crowding (15%) (CSIR, 2020, p. 61). The lack of safety of taxi vehicles is confirmed in a survey of Temba Taxi Association owners where every one of the 72 owners that responded to the question of the number of accidents they had been involved in said they had been in an accident at least twice in 2006/7 (Mashishi, 2009, p. 75). Most had been involved in three or four accidents, and 8.5% had been involved in six accidents. Mashishi also asked respondents of the possible causes of accidents – 39% said the driver was negligent while 33% attributed the cause to mechanical conditions of the vehicle. A further 11% said the fault was negligent motorists (2009, p.76).

The minibus taxi industry sets its own fares. Transaction Capital reported in May 2019 that taxi fares between Soweto and the centre of Johannesburg were on average R16.00 compared to ordinary buses at R17.50, Rea Vaya BRT at R15.00 and PRASA rail at R9.50 (Wasserman, 2019). The Living Conditions Survey conducted in 2014/2015 by Statistics South Africa indicated that transport is the second largest household consumption expenditure item - an estimated R280 billion or 16,3% of total household consumption expenditure (Shange, 2017). In Gauteng, nearly 60% of households spend more than 10% of their income on transport, up from 55% in 2014 (CSIR, 2020 p.4). The percentage is higher in Diepsloot, north of Johannesburg, where commuters rely only on minibus taxis and most live far from work opportunities. A 2011/12 survey by the World Bank showed that 77% of Diepsloot residents use minibus taxis as their mode of transport while only 4% use their car and the rest mainly have to walk. The lowest quintile of Diepsloot households spends 48,65% of their income on transport (Mahajan, 2014, p. 233–234).

Taxis are an unsubsidized mode of transport. They receive only one percent of the total public transport subsidies provided by the government in the form of a capital subsidy for taxi recapitalization (Competition Commission, 2020, p. 81). The Competition Commission's *Market Enquiry into Land Based Public Transport* (referred to further as the Competition Commission) further argued that there are stark differences in infrastructure investment, service levels and quality standards between different modes of public transport in South Africa (Competition Commission, 2020, p. 5).

While Transaction Capital estimates that the industry is worth R50 billion per annum (Wasserman, 2019), the profitability of individual operators is more challenging to establish. An NTA spokesperson, Theo Malele, speaking to SAFM Morning Live on 25 October 2020, said that a taxi operator could make between R400 and R1500 per day depending on the route. SA Taxi estimate that over shorter-distance routes (such as a 23km trip between Soweto and Johannesburg), operator profits are around R25,000 a month. In comparison, longer distance trips (such as the 595km trip between Joburg and Durban) can lead to profits of around R37,000 per month (BusinessTech, 2021). Only 25% of respondents in a survey involving 94 taxi owners from the Tshwane based Temba Taxi Association in 2006/7 answered how much money they make. Respondents indicated they were not sure of their income and profits, their businesses were not separate from their personal finances, and they would not disclose their bank balances (Mashishi, 2009, p. 65).

2.1.2 Operational features of the minibus taxi industry

Mini-bus taxis carrying between 16 and 23 passengers are owned by individuals who belong to route-based associations from which they derive the right to operate particular routes at particular times of the day or week. While operators or owners provide the capital to purchase the vehicles, drivers drive the vehicles and collect fares while marshals, patrollers and route supervisors employed by the associations manage and direct drivers and passengers (Khosa, 1992; Schalekamp, 2017). In 2012, there were an estimated 187 000 individual minibus taxi businesses (McCormick, Schalekamp and Mfinanga, 2016), while in 2019, the Transport Education Training Authority (TETA) estimated that there are over 300 000 taxi sole proprietors (TETA, 2019, p. 18). The number of vehicles owned per taxi operator varies considerably between one and over 100 vehicles, although the norm is less than five. In the Temba Taxi Association survey, 19% owned one taxi, 31% owned between

two and four taxis, 35% owned between five and seven, 12% owned between eight and ten, and 3% owned 11 or more taxis (Mashishi, 2009, p. 69).

Often quoted features of the minibus taxi industry are overtrading on lucrative routes, unsafe competition, overutilisation of vehicles resulting in them being unsafe, lack of safety, comfort and overcrowding, long waiting times and poor customer service (Behrens et al., 2016). Behrens et al. (2016) point to the significant health, safety, climate and urban functionality externalities since ageing poorly maintained vehicles contribute to high greenhouse gas emissions resulting in increased air pollution, noise pollution, premature births, asthma and climate change. Driver behaviour such as speeding, illegal parking and frequent stopping contributes to congestion and a lack of road safety.

The minibus taxi operational model is highly responsive to demand (Schalekamp, 2017). This is double-edged for passengers and other road users. Passengers may like that minibus taxis take a *sho't left*[1] and do not require them to purchase fares or a fare product before boarding. However, as Behrens et al. (2016) point out, lack of schedules means long waiting times (either in the vehicle to leave) or along the road (waiting for vehicles to come). Often vehicles do not stop along a route or operate on a hub and spoke principle, forcing passengers to take more than one trip (Behrens et al., 2016)

Schalekamp, referring to the lack of comprehensive record keeping and limited financial reserves for vehicle maintenance and replacement, says that most minibus taxi operators appear to be focused mainly on "individual near-term concerns" (Schalekamp, 2017, p. 59). The minibus taxi industry is cash dominated despite various unsuccessful attempts to introduce electronic ticketing (Dugard, 2001; Barrett, 2003). This means, among other things, that significant untapped revenues are not taxed and unavailable for reinvestment into improving the public transport system (Klopp and Mitullah, 2016; Schalekamp, 2017) or the fiscus more generally. It also makes the taxi industry susceptible to laundering the proceeds of crime (Global Initiative Against Transnational Crime, 2019).

[1] When a commuter wants to disembark from a taxi, he/she will indicate to the taxi driver "*sho't left*, driver" who will then stop at the nearest point, not necessarily a designated and safe stopping area.

The financing of vehicles and the provision of vehicle insurance has become concentrated in a few financiers and brokers. Transaction Capital, which owns SA Taxi, has grown its earnings per share since listing in June 2012 at a compound annual growth rate of 21%. In 2019 it posted pre-tax profits of R500 million. In 2021, it had 32 890 loans on its book with a value of R12.2 billion and had insured 31 000 clients (Transaction Capital, 2020). According to Transaction Capital, most clients who choose to be insured are insured by SA Taxi (Transaction Capital, 2020).

The minibus taxi industry has a unique institutional structure in the form of route-based associations varying in size from less than 100 to over 1 000 members who are vehicle owners and pay subscription fees to associations. Associations control entry into the market, dispatching of vehicles, and management of taxi ranks. They are also meant to discipline drivers and operators and settle disputes, while many also manage stokvels, run burial societies and women's leagues. Associations are affiliated to local taxi councils which are represented on regional taxi councils and in turn on provincial and then national councils (Ingle, 2009). These councils, often called mother bodies, are meant to represent and support associations. No attempts to formalise these structures into a single government recognised structure has succeeded. The two main national structures are the South African National Taxi Council (Santaco) and the National Taxi Alliance (NTA). Santaco told the Competition Commission in 2019 that they have 956 affiliated taxi associations (2020, p. 226).

The Competition Commission estimates that the industry is responsible for employing 300 000 drivers, 100 000 rank marshals, 100 000 car washers and 150 000 informal traders at taxi ranks (2020, p. 12). Drivers of minibus taxi vehicles are employed on a casual, temporary or ad hoc basis, with their labour rights rarely recognised by their taxi bosses (Barrett, 2003). Barrett identifies four different methods of employment of taxi drivers, namely: receiving no basic wage while taking home the fare revenue after paying over a fixed percentage to the operator; receiving a basic wage and similar to the above; handing over all fare revenue to the operator and receiving a wage, or handing overall takings to the owner, except for the takings of one designated day of the week. The first option is the most common while receiving regular wages is infrequent. Owners justify low wages on the basis that they allege that drivers steal up to 50% of the takings while drivers say that the low wages force them to pilfer (Barrett, 2003, p. 9). With 14-hour working days stretching from 05:00 to 19:00, there is very little adherence to the *Basic Conditions of Employment Act (1997)* and the relevant wage sectoral determination, which in any event only covers owners who have more than ten employees (Barrett, 2003).

In addition to drivers, associations employ queue marshals, route supervisors and administrators in their offices. In some cities, there are fare collectors, conductors or *guardjies* or *gaartjie*s[2] who travel on the vehicle. According to Barrett, vehicle washers paid by drivers to keep vehicles clean are "invisible" to their owners (2003, p. 10). Only about 2% of workers in the minibus taxi industry are female (Barret, 2003, p.2).

2.1.3 Legislative environment

In terms of the South African Constitution, public transport is a Schedule 4 competency which means that the national and provincial spheres of government have concurrent legislative competence. Public transport is thus regulated by national and provincial transport and traffic legislation to ensure road safety and manage supply and demand. The first piece of national post-apartheid legislation, arising inter alia from a consultative process with the minibus taxi industry, was the *National Land Transport Transition Act (NLTTA*) enacted in 2000. It included provisions to enable formalisation, including establishing Provincial Taxi Registrars and requiring associations to be democratically elected in terms of a standard constitution. This transitional legislation was replaced in 2009 by the *National Land Transport Act (NLTA)* that removed some of these provisions and introduced measures whereby taxi operators could become part of bus rapid transit (BRT) systems.

To manage supply and demand, both pieces of legislation required operators to acquire route-based operating licences from provincial bodies (previously called Operating Licensing Boards and now called Provincial Regulatory Entities (PRE)) based on directives from municipalities who are regarded as planning authorities. Operating licenses since 2000 were required to be route based while in the past, some were radius-based, allowing operators to function within a defined radius. Operators are required to provide the Board or PRE with a confirmation letter from their association supporting the application and, once receiving a license, can only uplift it after proving that they owned a roadworthy vehicle.

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[2] *Guardjies* or *gaartjie*s are the names given to conductors in the Western Cape.

Provincial and local traffic authorities are responsible for law enforcement, while the local government also allocates operators to taxi ranks (Behrens et al., 2016). In terms of traffic legislation, drivers of public transport vehicles are required to have Professional Drivers Permits.

2.1.4 Features of violence in the minibus taxi industry

Assassinations of operators and drivers, drive-by shootings where bystanders may get caught in the middle, vandalism against minibus taxi vehicles and by taxi industry members against other forms of public transport, crime against drivers and harassment including sexual harassment and rape of passengers are some of the violent features of the minibus taxi industry. Ingle (2009) did a website search on media platforms of the word "taxi" and concluded that hardly a day goes by without a violent incident being mentioned. Barrett (2003) found that most drivers were victims of some form of crime such as hijacking in the course of their work.

A report on gender based violence in public transport in the Western Cape and Gauteng prepared by Sonke Gender Justice (2019) found very high incidences of violence meted out to women passengers in taxis, including robbery, sexual abuse and harassment at gunpoint; verbally abusive drivers; and drivers in possession of unlicensed firearms. The most common form of sexual abuse reported was rape by minibus taxi drivers in taxis, often in remote locations off the usual taxi route at night or at taxi ranks (Sonke Gender Justice, 2019, p. 37). Eighty-eight percent of respondents thought they were at risk of being sexually harassed or groped on a crowded train, bus or taxi, 89% were scared to get on to a public transport vehicle if there were only men on board and 90% avoided public transport at night for fear of crime and violence (Sonke Gender Justice, 2019, p. 34). Commuters are often caught up in conflicts. As a focus group participant in the Sonke Gender Justice study said:

> *A taxi from Randburg came, offered a ride, later it was stopped by random people, shouting and saying we must all get off. We were physically escorted out of the taxi and it turned out that the people and the driver of the taxi were rivals/enemies. (Sonke Gender Justice, 2019, p. 39)*

The type of violence most associated with the minibus taxi industry is assassinations of taxi industry leadership. *Assassination Witness*, a report arising out of a collaborative project between the University of Cape Town's Criminology Department and the Global Initiative Against Transnational Organised Crime, recorded that in the period 2000 to 2017, 43% of assassinations recorded were

taxi related (Thomas, 2018, p. 5). This translates into approximately 606 individuals associated with the taxi industry whose deaths were recorded in the media (Thomas, 2018 p. 5)

Thomas (2018), Shaw (2017) and von Holdt (2019) have referenced an overlap between the individuals and motives of violent entrepreneurs in the taxi industry, gangs of the Western Cape and Western Johannesburg and political assassinations in KwaZulu-Natal. This includes the taxi industry providing "hitmen for hire" (Shaw, 2017; Thomas, 2018). A study by the Global Initiative Against Transnational Crime (2019) on gangs in Western Johannesburg has traced how drug lords targeted the taxi sector as a potential business opportunity using a combination of vote buying and intimidation to take over the Westbury-based Johannesburg Community Taxi Association (JCTA) and put vehicles on already saturated routes. As Ardé confirms in a book on violence in KwaZulu-Natal (KZN), the "industry is awash with cash, guns and killers, and it moves them around effortlessly" (2020 p. 20).

2.2 The South African minibus taxi industry: history

Section 2.2.1 sets out a chronology highlighting the key milestones in the development of commuter transport for black passengers in South Africa. Against this historical background, section 2.2.2 explores the emergence of the minibus taxi industry from the 1970s. Section 2.2.3 describes the post-1994 developments, while section 2.2.4 focuses on a historical overview of violence in the minibus taxi industry.

2.2.1 Chronology of black commuter transport

The table below sets out a brief chronology of the emergence of the black commuter taxi industry from 1932. As Woolf and Joubert argue, it shows that "minibus taxi transport and the associated vernacular emerged as a consequence of the system of segregation in South Africa and the resulting absence of any meaningful means of transport from 1908 onwards" (2013, p. 285). It further depicts a picture of firm state regulation in the first half of the 20th century, which unravelled as apartheid unravelled, as discussed in the next section. This section provides a tabulated chronological history of the minibus taxi industry; later sections analyse key moments from the table.

Table: Emergence of the black commuter taxi industry

Date	Development
1932	*Motor Carrier Transportation Act* (1932) prohibits the transportation of people without a permit and regulates taxis to carry no more than four people. This protected the monopoly of the government owned South African Transport Services SATS that operated both buses and trains (Woolf & Joubert, 2013)
1940s	Black taxi operators begin operating with sedan cars such as Chevrolets and Valiants (McCaul, 1990)
1977	Van Breda Commission of Inquiry into the Road Transportation Bill found that South Africa was ready for more unrestricted competition in transport (Dugard, 2001, p.131)
1977	*Road Transportation Act* (1974) amendments define buses as vehicles carrying more than nine people, creating a loophole for taxis to carry up to eight people without requiring a permit (McCaul 1990, Woolf & Joubert, 2013)
1978	Government allows ten-seater minibus taxis called 'kombi taxis' are to operate – but to carry only eight passengers while 16-seaters could carry 15 passengers (McCaul, 1990)
1979	First national organisation of minibus taxi operators, South African Black Taxi Association (SABTA) established (Barrett, 2003)
1981 -83	Welgemoed Commission Report reasserts the role of buses to better meet passenger demand. However, there is significant push back from within sectors of government, the motor manufacturing sector and bodies like Soweto City Council and president of the Ciskei homeland, Chief Lennox Sebe (McCaul, 1990)
1983 to 1986	In the face of opposition, the Ministers of Transport and Constitutional Development establish a National Transport Policy Study (NTPS). This is one of the first government initiatives to open its doors to a broad range of interests, including SABTA (McCaul, 1990). It finds that the existing transport policy is contrary to the values of competition (Dugard, 2001).
1986	Competition Board spurred by a call from the President's Council in November 1985 to promote small business development and deregulate the economy also begins an investigation into the taxi industry (McCaul, 1990).
1987 -1988	Government *de facto* deregulates the taxi industry by not only not enforcing permits but agreeing to many more permits. While 3 782 permits were approved in 1985/6, the number increased to 16 800 in 1986/7 and 39 604 in 1987/88. (McCaul, 1990, p.54). This deregulation is opposed by SABTA that fear that the industry would be taken over by white owners as well as new entrants

Date	Development
1989	Government reaches a compromise (called the 'deregulation agreement') between the recommendations of the Competition Board, NTPS and demands of SABTA and agree to restrict the number of permits for three years, after which permits would be freely available, but local authorities and liaison committees on which taxi associations would be represented would limit access to ranking facilities (McCaul, 1990). This agreement is never correctly implemented, and industry hopes of formalisation and expansion are dashed. Conflicts over routes intensify.
1995	Minister Mac Maharaj, Transport Minister in the first democratic government post-1994, establishes a National Taxi Task Team (NTTT) to address problems of violence and regulation in the minibus taxi industry. It consists of officials from the national and provincial departments of transport, ten taxi industry representatives and nine advisors (Dugard, 2001, p.144).
August 1996	After holding 36 public meetings involving 10 000 role players across the country (van Schalkwyk, 2016) and two taxi plenaries, the NTTT submits its findings in respect of government regulation of and support to the minibus taxi industry (Barrett, 2003; Dugard, 2001; van Schalkwyk, 2011)
1998	South African Taxi Council (Sataco) is formed.
1999	Arising out of NTTT, the original Taxi Recapitalisation Programme (TRP) is agreed with a budget of R4.4 billion – but not implemented due to implementation challenges in government and ongoing differences with some parts of the taxi industry (van Schalkwyk, 2011).
September 2000	The *National Land Transport Transition Act* (2000) is implemented to restructure and transform land transport, including incorporating the recommendations of the NTTT in respect of re-regulation.
September 2001	The South African National Taxi Council (Santaco) founded (Barrett, 2003, p.22) by bringing together the provincial taxi councils, Sataco and other structures that previously were at odds. However, shortly after its establishment, a splinter organisation is formed, the National Taxi Alliance and breaks away from Santaco.
2004	A revised TRP is approved by Cabinet at a cost of R7.7 billion. R5.5 billion is set aside for scrapping and R2.2 billion for system development and support, law enforcement strategy and development of a regulatory environment.
2006	Taxi scrapping starts with establishing a Taxi Scrapping Agency responsible for scrapping older vehicles and providing owners with a capital amount either to purchase new safety-compliant vehicles or exit the industry (Schalekamp & McLachlan, 2016).
April 2005	Sectoral determination is introduced to regulate wages and working conditions for taxi workers (Siyenga & Grive, 2018)

Date	Development
2006	National Department of Transport and National Treasury introduce a new Public Transport Action Plan that aims to introduce Integrated Rapid Public Transport Networks (IRPTNs) in South African cities that would then be able to access funds from a national Public Transport Infrastructure and Systems Grant. Part of the IRPTN objectives is to replace taxis with buses while giving affected taxi operators a stake in the bus system.
2009	*National Land Transport Act (2009)* is implemented to pave the way for IRPTN systems while retaining regulation of minibus taxis.
2019	Bus rapid transit systems have not gained traction in South African cities. Approximately 120 000 passengers use these systems in Cape Town, Johannesburg, Port Elizabeth, Tshwane and George (Venter & Hayes, 2017) while most public transport commuters continue to use minibus taxis.

2.2.2 Understanding the emergence of the minibus taxi industry

Taxis, which carried more than four people, began to grow in number against the backdrop of a failing bus and rail system and increasing demands for more flexible mobility from black commuters. In 1983 the Welgemoed Commission said there were 2 000 legal taxis and up to 4 000 illegal taxis operating in Johannesburg and Soweto. By 1989, McCaul estimated that there were 40 000 legal operators and 15 000 illegal operators in the country (1990, p. 35). Khosa says that the number of permits for both sedans and 16 seaters rocketed by 2 639% over six years (1992, p. 2). The numbers increased from 1 453 in 1984/5 to 38 317 in 1989/90 (Khosa, 1992, p. 2)

Drawing on McCaul (1990), Dugard (2001), and Khosa (1992, 1994), the emergence of the minibus taxi industry can be attributed to three factors. Firstly, the internal debates within a failing apartheid state on regulation or deregulation and the need to cultivate a black middle class created a gap in the market and encouraged minibus taxi growth. Secondly, the decline in manufacturing due to a declining economy produced retrenched workers who had the necessary capital to acquire vehicles and sufficient skills and experience of the urban economy to operate them. Thirdly, the growing South African motor manufacturing industry was keen to expand its businesses into new markets. This is discussed below.

McCaul (1990) and Dugard (2001) demonstrate how the national government vacillated between regulating and limiting the growth of the minibus taxi industry in favour of buses to supporting black small businesses and fears that enforcement would be "endless trouble" (McCaul,

1990, p. 45). For example, while in 1983 the Welgemoed Commission proposed that the bus industry be protected against new minibus taxi entrants, two years later, the Competition Board argued that "illegal entry could never be controlled … trying to keep them out would be futile and proposed complete deregulation" (McCaul, 1990, p. viii). Similarly, Dugard quotes the Minister of Transport in 1987 from *The Natal Witness*:

> *Being mindful of the fact that the taxi industry is very important for the small entrepreneur. … I have asked the police not to crack down on them. (2001 p.135)*

Dugard argues that deregulation aimed to "capitalise" portions of the black community and destabilise and exacerbate tensions in the run-up to negotiations for a democratic transition (2001 p. 132). She says that this "permit confetti" arising from deregulation led to acute competition between operators, who then organised themselves into associations "to act as informal agents of regulation", which contributed to the "endemic violence which characterises the industry" (Dugard, 2001, p.132). McCaul (1990) sees the role of associations slightly differently – she attributes the rise of nascent organisations to the need by taxi operators to engage with the state – mainly to manage the consequences of regulation and the threat that white business would take up the new permits that were being issued. McCaul quotes Knox Matjila, a South African Black Taxi Association (SABTA) official arguing that "it would be disastrous if whites were able to take over the field of enterprise which blacks have struggled so hard to establish" (1990, p. 30).

Secondly, in a case study focusing on the minibus taxi industry in Johannesburg, Gibbs shows how the mid-1980s was a "watershed moment for the nascent taxi industry" (2014, p. 435). He traces how the first taxi owners were better paid blue collar migrant workers who under apartheid could only visit their rural homes once or twice a year using trains and lorries, but were now able to purchase a car and drive themselves and their hostel friends' home for Easter or weekends for a fee. These taxi pioneers, capitalising first on a loophole in legislation that allowed them to move from smaller to larger vehicles and then on the deregulation initiatives discussed above. They were thus able to mitigate the impact of mass retrenchments and a declining rural economy as the apartheid state began failing in the 1980s. These pioneers would recruit rural young homeboys as drivers who moved into the hostels, burgeoning backyard shacks or informal settlements. Gibbs says this was "a moment of great ambivalence for male migrants as patterns of patriarchal accumulation suddenly shifted" (2014, p. 435).

Thirdly, the growth in minibus taxis was a bonanza for the motor manufacturing sector. For example, between 1980 and 1984, new minibus vehicle sales rose from 10% to 16% of all light commercial vehicles, with light commercial vehicles making up 30% of total vehicle sales (McCaul, 1990, p. 45). Individually and through the National Association of Automobile Manufacturers of South Africa (NAAMSA), motor manufacturers lobbied extensively against government initiatives to regulate and limit the numbers of minibus taxis. This, together with making vehicles easier to purchase and the availability of operating licences, contributed to an oversupply of vehicles and consequent conflicts.

McCaul's (1990) account ends just before the democratic transition, where she acknowledges the shift in government attitude to the taxi industry – from being side-lined to being accepted as a permanent feature of the transport scene. She quotes another SABTA leader, James Ngoya, saying that he sees the industry as having ambitious plans to capture unexplored niches in the economy if it can address the challenges of eliminating violence and bringing down the rate of accidents (McCaul, 1990 p. 117). These plans included the taxi industry taking over white municipal bus services, starting an airline, assembling minibuses, setting up a black-owned bank and moving to other southern African countries (McCaul, 1990 p.117.). However, these plans did not come to fruition, although some of the individual leaders in Sabta, such as Jabu Mabuza went on to play leading roles in the South African economy.

2.2.3 Post-1994 developments

By 1994 when the new democratic government came into power, the previous government's attempts at regulation were in tatters, there were multiple competing associations and federal structures and significant violence spurring the first post-apartheid Minister of Transport, Mac Maharaj, to initiate a consultation process with the multiple role players in the transport sector. Led by a National Taxi Task Team (NTTT), the process culminated in a Cabinet approved comprehensive, multi-stakeholder Taxi Recapitalisation Programme (TRP) that aimed to re-regulate, formalise and empower the minibus taxi industry. Components of the programme included establishing a taxi scrapping agency, allocating funds for scrapping allowances for operators to either purchase new, safer and larger vehicles or exit the industry, supporting the establishment of co-operatives, legislating new safety standards for vehicles and passing legislation (the *National Land Transport Transition Act, 2000*) putting in place a revised system of regulation (van Schalkwyk, 2011).

Further, the NTTT argued that the point of departure for a safe taxi industry was the development of a legitimate and representative structure from the lower echelons to the national level (NTTT, 1996). Thus, government invested significantly in supporting the establishment of the South African Taxi Council (Sataco) in August 1998 that subsequently became the South African National Taxi Council (Santaco) in 2001 (Barrett, 2003, p. 22).

Despite the extensive consultation process, the measures agreed to above were highly contested, with many stops and starts occasioned by a lack of consensus within government, difficulties in implementing certain aspects within agreed timeframes and resistance from different factions within the minibus taxi industry. The most significant conflict was between the government recognised Santaco and a grouping composed of the leadership from the leading six Soweto taxi associations, the Top Six Taxi Management (more often referred to as Top Six). They later joined with other taxi associations across the country to form the National Taxi Alliance (NTA). According to van Schalkwyk (2011), Top Six did not concur with the government that the taxi accident rate nor unroadworthy vehicles were a problem and did not support the taxi recapitalisation process.

After a decade of delay in implementation, scrapping targets were not met, specifications for new vehicles had to be modified, conversion of permits to operating licenses was uneven across the country and co-operatives were only set up in North West Province with limited success (van Schalkwyk, 2011). The Competition Commission says that the initial target for scrapping and recapitalising 100 000 taxis was revised in 2007 to 135 894. However, by September 2018, only 72 653 minibus taxis had been scrapped, and R4.4 billion was paid out to operators (Competition Commission, 2020, p. 75). The transformation of associations into more viable business entities able to bid for government public transport contracts did not get off the ground (Schalekamp, Golub & Behrens, 2016). Neither did an electronic management system to eliminate cash sales and driver pilfering. Tax compliance amongst operators remained low, as did the number of operators who registered their employees with the Department of Labour.

The next significant government initiative to address the lack of affordable and accessible public transport was the *Public Transport Action Plan*, which sought to fast track the implementation of bus rapid transit systems in twelve South African cities, leveraging funds that were made available to ensure a successful 2010 FIFA Soccer World Cup. The plan was to replace existing road-based services (primarily minibus taxis) and fill gaps in the rail service with bus rapid transit. Existing taxi operators would be the preferred operators of the new services, and a commitment was made not to compromise the number of employment opportunities or current income of operators (Schalekamp

& McLachlan, 2016). The proposals received a mixed reception from the minibus taxi industry and one of the reasons why bus rapid transit has not been introduced to the extent and at the pace that was initially envisaged is because of resistance from the taxi industry (Venter & Hayes, 2017)

This section detailed significant moments when the state tried to regulate, deregulate, transform or support the minibus taxi industry. Understanding why these moments did not succeed in their stated objectives was one of aims of the research.

2.2.4 Historical overview of violence in the minibus taxi industry

> *The struggle to control key resources which can accelerate the process of capital accumulation in the taxi business emerges as a cardinal feature in the origins and operation of taxi-related violence. The conflict appears to be largely economic in origin, although it operates in the structural and legislative context created by the state. At the same time, the significance of political affiliation, class, race and gender in fostering taxi violence need further investigation. (Khosa, 1992, p.6)*

As early as 1992, Khosa, one of the first academics to write about the minibus taxi industry, had begun to problematise a straight line equating the processes of capital accumulation and violence. Looking at the taxi industry and specific associations and conflicts, early authors sought to understand the complexity and multi-layered reasons for violence. This included pointing to taxi violence becoming intertwined with political violence in the transition to democracy (Dugard, 2011), the role of mother bodies (Dugard, 2011), a crisis in masculinity in the transition from formal jobs to those in the taxi industry at a time of decline in the rural economy (Gibbs, 2014) and over regulation by the state (Ingle, 2009).

Exact figures of the extent of violence associated with the minibus taxi industry are difficult to source. Khosa identifies 35 fatalities of prominent taxi operators from press reports, with 18 killed between 1988 and 1989 (1992, p. 3). Both Khosa (1992) and McCaul (1990) refer to conflicts in Katlehong where over 50 people were killed, 350 injured and 80 vehicles damaged after 300 operators clashed at the Natalspruit Hospital taxi rank in February 1990. Barrett (2003) says that between 1996 and 2000, as many as 200 people were killed in a taxi-related conflict in Shoshanguve. Dugard (2001), who researched the period from 1991 to 1999, says that taxi-related violence claimed an average of 19 lives a month, with a further 26 seriously injured every month.

Khosa (1992) identified six core reasons for the violence, including conflict of access to ranks and routes; the effects of deregulation leading to an oversaturated market; illegal or pirate

operators competing for a stake in the market; undercutting of prices between associations operating in the same area, and fronting for whites by certain black operators. Dugard says that while taxi wars before 1994 were "an integral component of political violence" during the democratic transition, after 1994, the violence underwent a "change in configuration" relating to the rise of regional structures or mother bodies (2001, p. 135) and conflict generated by government initiatives and government-initiated corruption. Barrett (2003) adds that, given the limited number of permits and difficulties in getting them, corruption became increasingly widespread with traffic officials being the worst offenders and a "powerful cocktail of conflict between taxi owners and the various tiers of government and law enforcement agencies" developed (Barrett, 2003, p. 8). As a result of the violence in Shoshanguve, the Gauteng government appointed a commission of inquiry that further found that not only did members of the police own about 10% of the taxis in the area, but they provided weapons, protected hit squads and even directly shot at drivers (Barrett,] 2003, p. 8). Dugard quotes Kate Bapela, the Gauteng Department of Transport spokesperson, as saying in 1988 that "the violence is complicated by the involvement of civil servants, especially police officers who own taxis" (2001, p. 148 -149). She also quotes a member of the SAPS Special Presidential Taxi Task Team, as saying in 2000 that:

> *Police involvement includes secret training camps for taxi hit squads, police hiring out weapons to be used in hits, hiring themselves out as bodyguards to senior executives, stealing dockets and warning suspects of impending arrests. (Dugard, 2001, p. 149)*

Dugard says the continuation and escalation of taxi violence in the post-apartheid era were "an indication of the success of violence as a means of extracting profits, of the tenacity of violence once sparked, and of the failure of the post-apartheid government to crack down on criminals and criminal organisations" (2001, p. 135). Writing in 2016 about violence in the minibus taxi sector across Africa, Klopp and Mitullah echoed the earlier reasons for violence and situated violence within the complex power dynamics that exist between small, diverse groups of operators organised in associations, complex relationships with government where paratransit can "either be co-opted, seen as a threat, courted as vote-buying machines during elections"; "the fragmentation of government institutions engaging with the industry which enables fees or bribes", and the fact that law enforcement officers and senior politicians also own minibus taxi vehicles (2016, p. 81).

The pattern emerging from the historical overview is one of continuity in respect of the operational features of the minibus taxi industry, the predominance of violence and the lack of traction of not insignificant government initiatives

2.3 Conceptual framework to understand the minibus taxi industry

The first research question (1.2.3) sought to understand the features of the minibus taxi industry and then to build a typology, including how the industry functions and is structured. This section reviews how transport planners define the minibus taxi industry (2.3.1), literature on informality (2.2.2.) and the role of social and kinship networks and bonds (2.2.4).

2.3.1 Defining the minibus taxi industry as paratransit

Paratransit is what transport planners call South Africa's minibus taxis, Kenya's *matatus* and Tanzania's *daladala.* Behrens et al. (2016) say that while paratransit is often defined as informal transit in the developing world, they prefer the equivalent French term *transport artisanal* as meaning small-scale, private enterprise based public transport services operating in developing cities. Common features attributed to paratransit include smaller sized, low passenger volume vehicles; more flexible schedules and routes; lack of official endorsement; the existence of route based associations; low profit margins, and intensive and often ruthless and violent competition (Cervero & Golub, 2007; Behrens et al., 2016; Mutongi, 2017; Rizzo, 2017).

From the perspective of commuters and governments seeking affordable and reliable transport, transport planners identify benefits but often focus on shortcomings of the operational models of paratransit (Cervero & Golub, 2007; Gwilliam, 2008; Schalekamp, 2017). The benefits are the "inherent advantages of small vehicles including speed, frequency and network density" (Gwilliam, 2008, p. 1188), the responsiveness of paratransit to changing markets and schedules and relatively low costs (Schalekamp, 2017). The shortcomings are "collectively damaging behaviour" (Cervero & Golub, 2007, p. 446) such as erratic services often only in peak time, competition "in the market" while public transport theory prefers competition "for the market", inefficient fare regulation; unfunded concessions; lack of safety; evasion of taxes; poor labour relations, and inefficient business practices (Cervero & Golub, 2007; Gwilliam, 2008).

Transport planners would prefer to view paratransit as "consummate gap fillers" (Cervero & Golub, 2007, p. 456) where "due to a lack of fiscal and institutional capacity, regular (i.e. formal)

public transport services fail to meet the demands of the marketplace" (Cervero & Golub, 2007, p.445). Transport planners who are often either part of government or consult to government do not recognise the minibus taxi industry as a mode on its own, but rather as a gap filler until something able to meet transport planners' benchmark of public transport emerges. As Behrens et al. point out, the literature on paratransit in the developing world has been eclipsed by the emergence of BRT systems which numerous non-governmental organisations and international financiers that Rizzo calls "BRT evangelists" say should replace paratransit (2017, p. 145).

When these large scale projects do not succeed, transport planners have called for policy alternatives to the BRT that are more "context specific and take into account local constraints" (Schalekamp, Golub & Behrens, 2016, p. 101). For example, Jennings, Bruun, Orero, McCormick and Browning argue in the final chapter of the book*, Paratransit in African Cities* (2016), that "strategies that aim to improve the profits and income security of owners have the greatest prospect of success" (2016, p. 273). They list measures such as business development, road space prioritisation, vehicle fleet renewal incentives, driver training and cashless ticket systems (Jennings et al., p. 273).

2.3.2 Locating the minibus taxi industry in between the formal and informal sector

The minibus taxi industry is frequently described as informal (Barrett, 2003; Behrens et al., 2016; Siyenga & Grive, 2018). However, this categorisation evades an appreciation of the reasons, nature and consequences of informality and very significant features of formality and relationships with the formal sector. This sub-section looks at conceptualisations of informality and how the taxi industry rather straddles the informal and formal vehicle sector.

Meagher defines the informal sector as having "income generating activities that operate outside the regulatory framework of the state" (2013, p. 2). According to Masuku, De Soto argues that the informal economy emerges when "the state cannot respond to the basic needs of the impoverished masses" and when "legality is a privilege available only to those with political and economic power, and those excluded - the poor - have no alternative but illegality" (2016, p. 32). North (1990) states that in the informal sector, "informal arrangements, transactions, and contracts are supported by mechanisms such as personal and repeated exchanges, trust, and reputation, in environments that are characterized by uncertainty, problems of collective action and free-riding" as is the case the taxi industry (Masuku, 2016, p. 34).

There are four ways in which the literature views the taxi industry straddling the informal and formal sectors. Firstly, as Ingle (2009) argues, the taxi industry supports many upstream and downstream formal economic activities such as advertising, motor repairs, vehicle financing, passenger insurance, and taxi rank maintenance. While Barrett (2003, p. 1) focuses on the minibus taxi industry as part of the informal economy because operators do not register as taxpayers or register their employees for unemployment or compensation, operators must have operating licences and drivers' Public Driving Permits.

Secondly, while the taxi industry may be regarded as informal to outsiders, it is internally formally structured (Masuku, 2016 p. 24) with "regulatory arrangements created, communicated and enforced outside of official sanctioned channels … often involving socially embedded practices or unofficial power structures"(Meagher, 2005, p. 8). Some theorists argue that in developing countries, certain economic sectors rely on internally formal but externally informal "coercive capabilities or traditional authority" because they cannot rely on formal institutions such as the rule of law (Goodfellow, 2017 p. 202). While the rule of law may work in advanced capitalist countries more steeped in "developed democratic capitalism" where "the power structure is shaped to a significant degree by capitalist profits", the situation is different in developing countries (Goodfellow, 2017, p. 202)

Thirdly, an exploitative relationship usually exists between the informal and formal economy that benefits formal economic players (Du Toit, 2008; Meagher, 2013). Mosiane (2011), in a case study of the Rustenburg retail sector, confirms that so-called informal businesses such as *spaza shops*[3] and taverns do not benefit from a relationship with the formal sector, but instead informal entrepreneurship benefits the formal sector that supplies them with goods. Rizzo, writing on the experiences of taxi drivers in Dar es Salaam, says that the informal modalities of employment and remuneration of the workforce can best be understood as a strategy by transport owners to transfer "business risks squarely onto the workforce" (2017, p. 74). Fourthly, informal modalities lower the costs to both the state and capital of the subsistence and reproduction of labour (Skinner, 2011, p. 6) as well as regulation and enforcement. Meagher points out that "by 'vesting' weak or illegitimate

[3] A *spaza* shop, also known as a tuck shop, is an informal convenience shop business in South Africa, usually run from home.

institutions [in the informal sector] with greater regulatory power, and by 'disinvesting' formal regulatory processes of power and responsibilities", transaction costs are reduced (2013, p. 5). At the same time, Meagher argues this brings "very different institutional baggage … into the ambit of formally sanctioned practices" (2013, p. 21).

2.3.3 The role of social and kinship networks

The fact that the taxi industry is organised economically in associations rather than companies and that there are ongoing relationships between urban forms of organisation and rural-based kinship circles point to the need to look at social networks. Meagher defines social networks as "informal arrangements based on social ties" (2005 p. 219). As much as social networks can become a productive source of social capital promoting economic efficiency and growth independent of the state and reducing the costs of economic organisation, they can also be "characterised by inequalities of power, strategic coalitions, dissembling and opportunistic collaboration" (Meagher, 2005, p. 225). Meagher looking at the informal sector in Africa attributes this to at least two related reasons (2005). Firstly, she argues that the state fails to pull its weight in the process of institutional development, among other things, due to the depredations of neo-liberal restructuring programmes. Secondly, since informal economies are characterised by economic insecurity, networks based on kinship, ethnicity and religion "enforce redistributive values at the expense of accumulation and economic development" (Meagher, 2005, p. 228). Meagher raises the possibility that "in the context of economic deprivation, institutional deterioration and communal dependence" networks can be vulnerable to "hijacking by political elites" (2005, p. 232) and that "references to witchcraft, increasing opportunism, social fragmentation and violent conflict are signs of extreme social stress rather than cultural backwardness" (2005, p. 232). Uberti says that in post-colonial contexts where bureaucracies are the product of external actors, "social obligations that particular networks impose on their members [spawn] a 'moral economy' with rules of its own" (Uberti, 2016, p. 329).

A significant feature of the taxi industry is the extent to which drivers and operators have origins in the migrant labour system. Many continue to have one foot in the urban and another in the rural areas of South Africa. Comaroff and Comaroff described migrant worker behaviour as "two radically different epochs that have come to co-exist in time" (1987, p. 193). This depiction is confirmed by Gibbs (2014) in a case study on masculinity in Johannesburg's minibus taxi industry. He says that despite "changing patterns of accumulation and household formation … kinship ties

continue to constitute key relationships of obligation and support" (2014, p. 431). Gibbs shows how in the 1980s, male migrants transitioned from factory work in urban areas due to retrenchments and the simultaneous decline of the rural economy to taxi owners, and how their family members or homeboys became taxi drivers. At the same time, the *izinduna* system of factory headmen and *izibonda* system of dormitory elders who controlled access to employment and hostels collapsed, and he argues that the resultant "profound sense of insecurity" led migrants to adopt strategies of "patriarchial aggrandizement" (Gibbs, 2014, p. 436). Gibbs (2014) sites as examples men boastfully driving their women around the rural areas with their acquired vehicle, using stock theft to purchase taxis and burning municipal buses to open new taxi routes. For Gibbs, these historical conditions gave rise to new modes of masculinity where there were "big men" who were able to keep control of their kinship networks and "failed men" who lived on the margins of the economy incapable of providing a stable home for their families and not able to command their social network (2014, p. 431). As a result, Gibbs argues that the taxi industry, one of the main forms of African capital accumulation, did not become an entrepreneurial success but became typified by "fragile economic foundations, exploitative working relations and murderous feuds" (2014, p. 433).

2.4 Towards understanding the role of the state

Sections 2.2.2 and 2.2.3 detail significant moments where the state tried and failed to regulate, deregulate, transform or support the minibus taxi industry, such as the decision of the apartheid government to allow minibus taxis to operate in the late 1980s and the introduction of taxi recapitalisation and bus rapid transit in the 2000s by the post-apartheid government. This section sets out theories that can assist in explaining and further interrogating these failures. Section 2.4.1. looks at theories that seek to understand the political economy of South Africa's democratic transition, while section 2.4.2. looks at how relations between emerging businesses and the state, called patron-client relations, have emerged in developing countries. Section 2.4.3. looks at the state's role in creating order and under what circumstances it fails to do so.

2.4.1 The political economy of South Africa's democratic transition

> *Despite significant economic progress in the years leading up to the global financial crisis, unemployment has increased over the last decade, poverty levels have begun to rise again, and millions of South Africans remain excluded through a lack of assets, skills and networks …*

> *although we have exceeded expectations insofar as democratic consolidation is concerned, we have yet to transform the economic patterns that exclude millions from the economy's benefits, and the cultural patterns that preserve the power relationships created by colonisation. (Ramaphosa, 2019)*

The above quotation comes from President Cyril Ramaphosa's speech in mid-2019 evaluating progress in implementing South Africa's *National Development Plan*. The reasons why economic and cultural patterns have not been transformed is a contested matter of political economy, of which a brief overview is presented here for contextual purposes. Ramaphosa's speech drew on Friedman (2019), who uses Douglas North's (1990) notion of path dependence to understand the nature of the democratic transition and to explain how in South Africa, the events of our apartheid past continue to impact the present even if past circumstances are no longer relevant. For Friedman, path dependency has enabled democracy to strengthen but to quote North, "behavioural routes, social connections, [and] cognitive structures… that underpinned the old order" have remained unchanged (2019, p. 283). Friedman sees a continuity between the pre-1994 and present periods in the highly concentrated nature of the economy and continued apartheid spatial patterns. While acknowledging the gain of achieving democracy, he attributes the problem facing South Africa to the failure of the 1994 negotiated settlement to "alter exclusionary economic and cultural patterns that excluded millions from benefiting the economy and preserved the power relations created by colonialization" (Friedman, 2019, p. 284).

Von Holdt goes beyond a path-dependency approach, looking at processes of primitive accumulation and how neo-liberalism has impacted post-apartheid South Africa. He argues that

> *… when the ANC was at last able to establish itself in government — it was of course the moment of globalisation and the ascendancy of neo-liberalism cemented by the collapse of the Communist regimes across the Soviet Union and Eastern Europe. (2019, p. 4)*

Neo-liberalism, which is "rooted in the idea that the promotion of individual economic freedom and private capital is the best way to organise economies and societies" (Rizzo, 2017, p. 15) has decisively shaped the nature of the current state and society, including through deregulation, privatisation and trade liberalisation. In respect of primitive accumulation, von Holdt sees it as a process of transforming social relations, ultimately producing at one pole capital and the other

labour and "thus inaugurating the capitalist mode of production" (2021, p. 3). In the South African context, he sees corruption as becoming a pre-eminent strategy of primitive accumulation since other legal processes such as black economic empowerment and land reform have had a limited impact (von Holdt, 2021, p. 11).

Netshitenzhe, speaking about the current conjuncture, reminds us that "lest we forget, capitalist class formation was historically a brutal, heartless and often violent process of competition and elimination" (Netshitenzhe, 2020, p. 9). He argues that within the context of the historical path dependencies of colonialism and the mineral energy complex, there can be diverse paths to capitalist class formation from "run of the mill entrepreneurs" to the "taxi industry who strive to avoid full-blown legality" to those who "try their hand at state capture" (Netshitenzhe, 2020, p.9). Von Holdt (2021) in considering the processes of primitive accumulation, would question whether all paths lead to capitalist class formation. Von Holdt says that there "may be several intermediate stages and the elapse of considerable time before wealth becomes capital and a wealthy elite becomes a capitalist class" (2021, p. 4). He sees corruption as a form of primitive accumulation facilitating a range of different elites, sub-elites or classes, including a "wealth political elite, a parasitic political/bureaucratic class feeding off the state, a comprador petit-bourgeoisie inserting itself between the state and both national and international corporations, and a black capitalist class engaged in a serious endeavour to build businesses" (von Holdt, 2021, p. 11).

Rizzo (2017) introduces the notion of roll back and roll out deregulation to describe the role of the Tanzanian state in respect of public transport. Rizzo blamed deregulation for taking residents "for a ride" (2017, p. 49), leading to an increase in vehicles on the road and a decline in safety and service to residents. When the neo-liberal assumptions of the supremacy of the market did not materialise, there was an attempt towards "state-led development", but these efforts "reveal[ed] above all the state's limited capacity to intervene" (Rizzo, 2017, p. 49). What Rizzo describes as "roll back and roll out" is similar to what Habib and Padayachee, tracing the continuity of neo-liberal economic policy during South Africa's transition, describe as "counter trends" such as the passing of labour and skills legislation and "contradictory impulses" such as black economic empowerment "that sometimes accompany the application of neoliberal economics" (2000, p. 253).

2.4.2 Patron-client relations

This section reviews the literature on patron-client relations and the political settlement approach to help understand the relationship between the state, the taxi industry, and the private sector, especially in developing countries. These relations are variously called patron-client relations (Kahn, 2006), patrimonialism, neo-patrimonialism (Lodge, 2014; Uberti, 2015), neo-feudalism (O'Donnell, 1993), political clientelism (Gray & Witfield, 2014), patron-client politics or factional politics. These theorists seek to refute the neo-liberal paradigm that sees rent seeking and corruption as a consequence of government attempts to control market forces; that increased democratisation will lead to a decline in corruption, and that corruption and economic development have an inverse relationship to each other (Khan & Jomo, 2000; Khan, 2006; Uberti, 2015). Khan (2006), in his study of developing countries in Asia, argues that political contestation organised through the mobilisation of patron-client relations are rational and effective strategies for accumulation. Similarly, Gray and Witfield (2014) argue that rent seeking and political clientelism, where benefits are conditional on providing political support, is integral to the contemporary processes of capitalist economic development in developing countries.

Lodge uses the concept of neo-patrimonialism to describe a situation where patrimonial and legal bureaucratic domination are interwoven and "personal rule exists alongside bureaucratic order, sometimes twist(ing) its logic, functions and output" (2014, p. 4). Lodge argues there has been a rise in neo-patrimonialism in South Africa since the African National Congress (ANC) transitioned from a mass movement to a ruling party after 1994, citing the rise of personal power, factionalism as well as an affirmation by the ANC of "traditionalist representations of indigenous culture" and appeals to "nostalgic recollections of patriarchal social order" (Lodge, 2014, p. 1-2). He argues that neo-patrimonial relations are a colonial residue, where similar to other post-colonial states the bureaucracy has been "invaded" by informal relationships and "personalised networks are met with public approval" (Lodge, 2014, p. 5-6). Lastly, that rapid institutional change generates disorder that corrupt political actors take advantage of while thirdly, under current economic conditions, "property rights … can best be secured and guaranteed through personal socio-political ties with the 'right' individuals"(Lodge, 2014, p. 18).

Uberti, like Khan, sees neo-patrimonial relations as a "rational response to the social and material environment of developing countries"(2016, p. 227). He builds on Lodge's narrative of both the "eminently personal" nature of corrupt relations (Uberti, 2016, p. 327) and the inter-connectedness of traditional orders and modernity and shows how "traditional bonds have become

eroded, and instead, patron-client relations have become reciprocal, interest based and progressively monetized" (Uberti, 2016, p. 328). By drawing on Kahn (2005) and North et al. (2009), Uberti argues that patronage networks may provide an "organisational framework and social legitimacy to accommodate redistributive demands and engender social stability, acting as the functional equivalent of formal bureaucracies in more advanced polities" (2016, p. 339). Further, Uberti (2006) says that neo-patrimonialism may be a coping mechanism for non-elites that use corrupt networks when confronted with government bureaucracy.

Uberti concludes that "studying the organisation of patron-client networks in specific contexts may offer valuable insights into the structure of rent- and bribe- flows that prevail therein" (2016, p. 342). Von Holdt has done this in respect of South Africa at the end of the term of office of President Zuma in 2018 and calls this structure of flows an "informal political economic system" (2019, p. 9). He qualifies that this is not a "structure which is centrally co-ordinated and planned but a pervasive and decentralised set of interlocking networks that reinforce and compete with each other in mutually understood ways, and include the use of violence as a strategic resource" (2019, p. 9). Von Holdt goes further in an unpublished paper to reflect on four cases of political assassinations linked to factionalism and competition for resources in the ANC between 2017 and 2020. He says that "since there is no high authority with sufficient coercive capability to settle these struggles, violence becomes an essential means of regulation"(von Holdt, 2021, p. 9).

2.4.3 The coexistence of democracy and violence

The classical definition of the state involves a system of power and authority that claims the legitimate right to use force and is composed of institutions of government, including the military and police, and a legal system that regulates society. However, there are many modern states where the monopoly of legitimate violence in respect of regulation and order no longer exists. Barnes (2016) identifies four kinds of crime-state arrangements. In a "confrontation scenario", there is high competition between the state and violent agents, such as in Mexico, Brazil, Sicily and El Salvador, where armed gangs kill mayors and police officials (Barnes, 2016). For Barnes (2016), this is seldom a long lasting phenomenon but occurs when there is a breakdown in more collaborative arrangements such as "enforcement evasion" where criminals can "hide and bribe" or "alliances" where there is tacit or formal co-operation for mutual benefit and "integration" where organised crime gains access to political influence and politicians recruit gangs to terrorise their opponents. It

is likely that at different times and in other areas, these or similar forms of crime state arrangements have existed between the taxi industry and the state.

Auyero (2007), focusing on collective violence during food riots in Argentina in 2001, delved into relationships between looters and those in authority. He introduces the concept of a 'gray zone', which he adopted from Primo Levi, who was writing about his experiences in a concentration camp identified a "hybrid class of the prisoner-functionary … where the two camps of masters and servants both diverge and converge" (Auyero, 2007, p. 31). For Auyero, collective violence happens in the gray zone — a paradoxical zone of shifting boundaries between what he calls "routine party politics" and "everyday life" and where "clandestine connections count"(2007, p. 7). In this zone, the "obscure and obscured actions of local politics, grassroots brokers and cops meet and mesh in seemingly co-ordinated ways" (2007, p. 124), producing a form of clientelism which may be "based on material resources, but has a crucial symbolic dimension" (2007, p. 67). In 2015, Auyero collaborated with Berti to write a book about how "violence specialists" (2015, p. 53) pacified a large Argentinian informal market called La Salada. They trace how an entrepreneurial group of street vendors became managers and enforcers of order at the market through force and the extraction of informal taxes from other vendors (2015, p. 40). This occurred through a series of "wars" against rival vendors where they "first made a show of force and negotiate[d] after"; formed alliances with law enforcement; improved the market infrastructure, and ultimately "expurgated [violence] from the social and commercial life of La Salada" (Auyero & Berti, 2015, p. 52). They say that "Castillo [one of the leaders] demonstrated by force that the best was to try to coexist. If not, tragedy would occur" (Auyero & Berti, 2015, p. 53).

Comparative research has shown that for various reasons, states can "co-exist with organised, violent non-state actors and stand side by side with multiple forms of substate order" (Arias & Goldstein, cited in Barnes, 2016, p. 8). The reason for these forms of collaboration relates to the increasing inability of the modern state to exercise both legitimate and symbolic power to enforce order. In examining the economic crises facing Latin American countries in the 1980s and 1990s, O'Donnell describes how citizens perceive weak states as "arenas for the pursuit of particularistic interest" (1993, p. 7). She argues that these citizens see no sense in sacrificing short term gains for an unpredictable future while instead abstaining from "maximising short term gains may provoke heavy losses" (O'Donnell, 1993, p.19).

Further, Arias and Goldstein argue that modern states can be characterised by "violent pluralism" while von Holdt coins the notion of "violent democracy" where "violence and

democracy may be mutually constitutive in countries of the Global South, with their particular histories of violence, power, inequality and contestation" (2014, p. 129). Notions of violent democracy or violent pluralism do not mean that the state is only violent or that democracy and order are enforced only by violence but rather that "democracy and violence are entangled and mutually shaping" (von Holdt, 2014, p. 142).

2.5 Conceptualising and contextualising violence in the South African taxi industry

This section looks at literature to assist in conceptualising violence (2.5.1) and then at the context of violence in the South African taxi industry (2.5.2) to complete the conceptual framework.

2.5.1 Conceptualising violence

The taxi industry's most visible manifestations of violence are assassinations, while their purpose goes beyond removing identified people to exerting "illicit power and influence over South African society, economy and democracy" (Thomas, 2018, p. 6). Rather than describing different features of violence or sub-classifying violence into, for example, actual, structural, collective, the threat of violence and violation, this dissertation conceptualises violence in respect of the taxi industry as the simultaneous exercising of physical and symbolic power arising out of a complex set of class, political and social relations and creating both order and agency and disorder and disempowerment at the individual and societal level. This conceptualisation is derived from the sources set out below.

Firstly, Bourdieu views violence as enabling order and restraint through direct, coercive social control and indirect and cultural mechanisms (Jenkins, 1992). He calls the latter symbolic violence where there is an "imposition of systems of symbolism and meaning (i.e. culture) upon groups or classes in such as way that they are experienced as legitimate, and this legitimacy obscures the power relations which permit the imposition to be successful" (Jenkins, 1990, p. 104). Bourdieu in *Acts of Resistance* (1988) says:

> *You can't cheat with the law of conservation of violence: all violence is paid for, and, for example, the structural violence exerted by the financial markets, in the form of layoffs, loss of security, etc., is matched sooner or later in the form of suicides, crime and delinquency, drug addiction, alcoholism, a whole host of minor and major everyday acts of violence. (cited in Auyero, 2000, p. 111)*

Secondly, several writers counterpose the empowering with the disempowering aspects of violence. Auyero argues that "popular conceptions and meanings of violence are contingent on time and place" and that the "exercise of damage-making actions sometimes express joint notions of pride, respect and dignity" (Auyero, 2007, p.135). Von Holdt et al. acknowledge that while violence can be experienced as empowering for those spurned by authority and condemned to live on the margins, it has a "corrosive effect on political and associational life", including entrenching male domination (2011, p. 28) and "feeds off local histories of violence, begetting cycles of violence and revenge" (2011, p. 29). His view is echoed by Gobodo-Madikizela, who argues that "the experience of oppression and violence shatter[s] the integrity of the self, and the desire for revenge is sometimes mobilised as a way of restoring one's sense of dignity. The tragic outcome of this kind of response is that it transforms victims into perpetrators, and often breeds never-ending cycles of violence" (Gobodo-Madikizela, 2016a).

Gumede argues that countries that have experienced the violence of colonialism, apartheid, and civil war experience trauma at an individual and mass level, damaging indigenous culture, collective identities, and individual self-worth (Gumede, 2019). He believes that the trauma becomes part of memory and identity, and individuals pass this "existential insecurity" to subsequent generations (Gumede, 2019). Some of the consequences of trauma include that victims "live for the now because no imaginable future appears possible" and societies "hold onto harmful cultural practices that give them a sense of place, self and identity" (Gumede, 2019). Prager argues that a traumatic past can continue to "intrude on current-day perception and shapes interactions between oneself and others … and even between oneself and individual representatives of various institutional orders", including bosses, politicians and police (2016, p. 16). He further argues that trauma is transmitted across generations, often unconsciously when for example, "violence towards and fear of others becomes communicated, both overtly and covertly, between parents and children" or sub-cultural communities (Prager, 2016, p. 18). In addition, Cabrera (unpublished) argues that often committing acts of violence and what happens in its aftermath are deeply held secrets and that carrying secrets perpetuates trauma, including across generations.

Thirdly, under what conditions can violence cease? North, Wallis and Weingast, who sought to address the "central problem of violence in human societies" (2009, p. xi) say that the cessation of violence "is not achieved when violence specialists put down their arms, but rather peace occurs when the violent devise arrangements (explicit or implicit) that reduces the level of violence" (2009, p. 31). These arrangements are called "doorstep conditions" to "open access societies" by North et

al. and usually occur where elites can organise co-operatively under the aegis of the state, and economic and political competition becomes impersonal, with the state providing third party enforcement (2009). Khan (2017) and Gray & Witfield (2014) take a political settlements approach where they focus on the distribution of power in society and argue that a political settlement is reached not when there is no violence in society but rather when the "levels of economic performance or political violence are sustainable in that system" (Khan, 2017, p. 642). Kahn introduces the concept of "holding power" of different organisations in society and their capacity to mobilize and organize, using a variety of resources, of which the capabilities of mobilising money is just one" (Khan, 2017, p. 645). Khan argues, with reference to Afghanistan, that the "distribution of power can be stable even with quite a lot of violence going on as long as formal and informal institutions are allowing powerful organisations to get access to enough resources to enable them to continue with their strategies" (Khan, 2017 p. 642). In this instance, these influential organisations have "holding power" to mobilise and organise (Khan, 2017, p. 645). It is helpful to integrate the above approach with the notion of violent pluralism discussed above which, as von Holdt argues, produces "unique forms of political practice, order, and subjectivity that need to be studied on their own terms" (2014, p. 131).

2.5.2 Contextualising violence in South Africa

A significant proportion of the taxi industry owners and drivers have their origins in KwaZulu-Natal (KZN) that has had a long history of violent conflict. Mchunu references several bloody "African liberation struggles" in KZN, from the Battle of the Ncome River (Blood River) between the Voortrekkers and the Zulu in 1838 to the battles between the British and the Zulu in 1879 and the Bambatha Rebellion in 1906 (2021, p. 144). He indicates that there were clan faction fights before the civil war between United Democratic Front (UDF) and Inkatha supporters in the 1980s and 1990s (Mchunu, 2021 p. 76). Mchunu writes that in the Midlands of (then) Natal:

> *Structural violence, repression and coercion were the central features of the era before colonialism and continued under apartheid. Violence embedded itself into every facet of society and shaped the nature of state power. (2021, p. 76).*

He makes a case for another form of intergenerational violence when

> *… conflict has continued or broke out sporadically for years, these behaviours [of violence] may eventually become accepted and may be common to large portions of the population and may be considered cultural phenomena. (Mchunu, 2021 p.12).*

South African writers have also linked violence to issues of masculinity, especially amongst young men from impoverished households. Writing in 1992 about violence in Durban townships, Campbell found that violence was "a socially sanctioned 'recipe for living' which is available to men of all ages for the reassertion of their manhood" (1992, p. 623). She argues that the crisis in masculinity amongst working class African men may explain the massive upsurge in violence in the early 1990s (1992, p. 614). Similarly, Pinnock traces a line from apartheid's forced removals to young men feeling unwanted due, amongst other things, to being on the receiving end of physical or sexual abuse by caregivers, teachers or relatives who had been subject to these removals. Pinnock argues that these have become the "tectonic forces" behind gang violence in the Western Cape (2019). To substantiate his point, Pinnock says that more than half of South African children report physical abuse by caregivers, teachers or relatives, one in three young people experience sexual abuse and more than 60% of South African children live in homes without a father (2019). Pinnock says that one way in which young men in gangs

> *… reclaim their masculinity is through violence against those with less status, most commonly children and intimate partners, but also other men. They're drawn to others like themselves who may be without empathy, sympathy and caring. They carry feelings of shame and anger which they generally hide with bravado and, often, violence. (2019)*

In Gibbs's case study of Johannesburg migrants in the 1980s, he describes how new modes of masculinity arose and how rising wealth amongst taxi owners who had both rural and urban families led to growing antagonisms within circles of intimates. He quotes an example where half-brothers would kill each other because their father only bequeathed to some of his offspring. Thus, he says in the eyes of these communities, "immoral is not when they break the law, but when their dealings ignore kin-based responsibilities and social ties" (2014, p. 446).

Ardé (2020) also considered the role of land dispossession and the migrant labour system in enabling violent actors. He interviewed a farmer from Msinga who told him "how the migrant labour system had created a stock of foolhardy, violently disposed young men" who "as the social fabric strained … became more brazen and reckless, behaving like *isishimane,* the Zulu word for single men without roots and structure in life" (Ardé, 2020, p. 130). The research and analysis will seek to draw on the above to confirm or add to the view of Dugard below in respect of taxi violence:

> *What is clear, however, is that once sparked, violence takes on a life of its own and is very difficult to eradicate. Much of the current taxi violence revolves around cycles of retribution, many with their origins during the apartheid era. (Dugard, 2001 p.135)*

3 METHODOLOGY

Ravitch and Riggan stress the importance of "critically examin[ing] and mak[ing] transparent the goals, commitments, frames of reference, guiding concepts and theories, and working assumptions" that influence research (2012, p. 52). This chapter starts with the positionality of the author (3.1) before discussing the research paradigm and strategy (section 3.2), research methodology and procedures (section 3.3) and the limitations of the research (section 3.4).

3.1 Positionality

Qualitative research is inherently subjective because "since the knower is embedded in the social scene of the interview, they are not independent of the respondent's response" (Olsen, 2004, p. 7). Thus, in qualitative research, there is unavoidable mutual influence often termed 'reflexivity' between a researcher and the research participants and issues of bias or reactivity can arise. Qualitative research theorists (Maxwell, 1996; Ravitch & Riggan, 2012; Vromen, 2018) stress the need for transparency and making explicit one's goals, value position, assumptions, potential biases and their impact on the research process. Ravitch and Riggan (2012), writing about Michelle Fine's research of youth development amongst Muslim Americans in a contentious political context, say that

> *… if one's research seeks to investigate the influences of power, hegemony, and inequality on identity development with marginalised and oppressed populations, one's research methods must interrupt broad social trends that seek to marginalise the voices of these research participants given the power structures and how they become instantiated and enacted within the research process itself. (2012, p.55)*

Maxwell says that while traditionally the background and identity of researchers has been seen as a bias to be eliminated from the research design, if it is explicitly raised and incorporated and a researcher's assumptions and values are not imposed uncritically on the research, it can be a "major source of insights, hypotheses and validity checks" (1996, p. 225). Further, as Said reflected:

> *Modern thought and experience have taught us to be sensitive to what is involved in representation, in studying the Other. … Perhaps if we remember that the study of human experience usually has*

an ethical, to say nothing of a political consequence in either the best or worst sense, we will not be indifferent to what we do as scholars. (cited in Agee, 2009, p. 439)

As indicated above, for about twelve years of the author's working life as a senior government official, she was involved with public policy issues on transport and had intensive engagements with the minibus taxi industry. From April 2005 to July 2006, she was the Deputy Director General: Transport in the Gauteng Department of Public Transport, Roads and Works, and from February 2009 to July 2019, she was the Executive Director: Transport in the City of Joburg. In South Africa, most government officials working in transport are black males. She is a white female and between five and ten years older than the average transport official. She was not a stranger or strange to the research respondents since they all knew her, and she had worked with them more or less closely over the years. In most instances, the respondents' relationship with the author was in the context of negotiations involving the taxi industry being incorporated in the Rea Vaya BRT. When asked for interviews, there was no reluctance to participate, and no potential respondent turned her down. The author conducted the interviews in January and February 2020, six to seven months after leaving the Transport Department in the City of Joburg and with no intention of returning. This appeared to contribute to them believing in her intentions to better understand the taxi industry for academic purposes.

The research sought to traverse sensitive, complex, hidden, almost intimate topics of what lies behind the steering wheel of the minibus taxi industry. Having a relationship of trust did not mean that respondents were completely open with the author. One interviewee explicitly told her that he could not talk about certain aspects of violence in his association. Others cut her questions short with phrases such as "that is how the taxi industry is". This could be because the author was still the 'other' or an outsider and secondly because talking about violence can be traumatic or bring back traumatic memories that respondents are reluctant to revisit. In addition, it may involve admitting to illegality. Where there was reluctance, respondents were not pressurised for more information. Despite the limits of the author's positionality, valuable insights were gained from the respondents. Where possible, verification of respondents' assertions was sought elsewhere.

3.2 Research paradigm and strategy

Since a researcher's views of the world, prior knowledge and positionality shape their research, the research methodology is within an ontological and epistemological paradigm. According to Marsh,

Ercan and Furlong (2018), answering the question of whether there is a real world out there independent of our knowledge of it signals a researcher's ontological approach while answering whether and how a researcher identifies real or objective relations between social phenomena would indicate his/her epistemological approach. Marsh et al. emphasise that claiming that there is no real world out there does not mean that researchers deny that institutions and other social entities do not exist but rather that this reality has "no social role of causal power independent of the agent's/group's/society's understanding of it" (2018, p. 183). This would then direct him/her to an appropriate quantitative or qualitative research method. Somewhat simplistically, Marsh et al. Furlong say that if the answer is yes, to the first question, then a researcher's ontological position is foundationalism, and his/her epistemological position would either be positivism or realism. A positivist is likely to rely on quantitative methods and a realist on both quantitative and qualitative. If the researcher believes that the real world is a social construct where real relationships cannot be directly observed, then his/her ontological position is anti-foundationalism, or constructivist and his/her epistemological position is interpretivism. The research topic required the author to seek understanding, causal explanations and meaning, and thus the research paradigm was qualitative and realist while acknowledging the constructivist perspective.

Further, the author strove to apply the practice of 'thick description' to ensure that respondents views and voices dominated the analysis. For Vromen (2018) thick description involves a holistic, exploratory process that seeks to understand all relevant phenomena and their complex interdependence instead of reducing analyses to a few discrete variables. Donham (2011), in *Violence in a Time of Liberation: Murder and Ethnicity at a South African Gold Mine,* started his research in the context of a widespread assumption that ethnic conflict between Zulu and Xhosa mineworkers was responsible for the murderous conflict. However, in his preface, he says, "there has been altogether too much (premature) theorizing about ethnic violence when what is required first, is a deeper inquiry into just what constitutes a case" (2011, p. x). Through his research, Donham learnt that "hatred of an ethnic other … had little to do with the causes of the conflict" (2011, p. 4). He also cautioned that "narratives created after violence, particularly by victims, can therefore unconsciously project back onto the past attitudes and identities that were in fact created by the experience of violence itself" (Donhan, 2011 p. 8). The author was cognisant of these lessons in the conducting of the research.

While the literature review sets out several different theories, the author did not try to fit the data gathered into a single theory or prior hypothesis (as in deductive research) nor start without any

theory and only observations that could be theorised about (as in inductive research or grounded theory). Instead, abductive reasoning was used, which involves "interpreting or re-contextualising individual phenomena within a contextual framework with the aim to understand something in a new way" (Spens & Kovacs, 2005 p. 138). This process was creative, intuitive and iterative and has included some "theory matching" (Spens & Kovacs, 2005, p. 139).

3.3 Research methodology

> *Without meaning attached, and without understanding of causes and connections, a fact is an isolated particle of experience, is reflected light without a source, planet with no star, star without constellation, constellation beyond galaxy, galaxy outside the universe – fact is nothing". (Russell Banks, 'Affliction' cited in Auyero, 2007, p. 131)*

The research was not an inquiry into detailed facts. Mindful of the Banks quotation above, the study focused less on specific events and more on understanding the processes by which events and actions took place, how participants make sense of them, and how their understanding of events influenced or influenced their behaviour. According to Maxwell (1996), seeking causal explanation and meaning is an interpretive approach to social science.

In conducting the research, the following two examples were considered. Firstly, Anciano and Piper (2019), studying public, semi-public and private moments in Hout Bay, Cape Town, were able to "surface power relations beyond observable conflict" (2019, p. 22). By focusing on practice and patterns of behaviour, they argued that "space was opened up for more various and nuanced accounts of who governs and how they govern" (Anciano & Piper, 2019, p. 22). Secondly, Auyero (2007), in his research on the Argentinian food riots, also had helpful pointers on how to move from description to causal explanation. He sought first to study the background conditions and micro processes that generated the food riots looking at how participants made sense of and justified their own violent actions, and then examined the relational underpinnings and interactive dynamics, including scrutinising possible connections between patrons' brokers and clients.

Three sources of data were used. Firstly, semi-structured interviews were sought through the purposive sampling of key players in and associated with the minibus taxi industry. Secondly, relevant documentation, including proceedings of commissions on inquiry into taxi violence and research done by other South African researchers for masters and doctoral degrees and public policy

research were sourced. Thirdly, the author drew on her own experience as a public servant who worked for about 12 years in the public transport sector, as set out above. This is discussed further below.

3.3.1 Data gathering

Drawing from the literature review and personal experience, the author identified a list of individuals who have played or continue to play leadership roles in government or taxi industry structures. The author prepared a list of people to interview and a semi-structured set of questions to be asked, which was approved by the Ethics Committee. See Annexure A for a copy of the guiding questions.

Potential respondents were contacted, and in the period January to February 2020, ten people were interviewed. They were two former minibus taxi leaders, four current minibus taxi leaders, two advisors to the taxi industry, one former provincial government official and one former provincial political leader. After the first draft of the dissertation was completed, two more government officials from the City of Johannesburg were interviewed who assisted with information gaps and alternative viewpoints.

At the beginning of an interview, the author asked the respondent if the interview could be recorded while indicating that participation could be anonymous. At the end of the interview, the respondent completed the ethics consent form and was asked to indicate if they agreed that their participation should remain anonymous but they can be quoted; whether the author could use anonymous quotes in the research report; whether the information could be used anonymously for further research or if their words could not be used at all. The semi structured set of questions guided the interviews. However, after explaining the purpose of the interview as understanding change and continuity and the continuity of violence, interviewees quickly began to offer their own stories and explanations. After letting them relate what they wanted, the author would circle back to focus on some specific themes in the interview schedule. All those from the taxi industry insisted on confidentiality, including some who insisted that they may not be quoted anonymously. See Annexure B for a copy of the Informed Consent Form.

The author was known to all the interviewees. Auyero (2007) warns that participants often speak in codes in fieldwork and that it can be difficult for outsiders to understand these codified ways of talking and action. The author was mindful of accurately interpreting indigenous knowledge

embedded in culture, history, traditions, religion, language, and metaphors. For this reason, it was essential to triangulate what they said with research done by other researchers on the taxi industry and relevant documentation. The most helpful documentation I considered were the proceedings and reports of government inquiries into taxi violence in Gauteng, Western Cape and KwaZulu-Natal and in some instances, the subsequent deliberations of these reports in national and provincial legislatures. This was complemented by information and perspectives of policy documents and discussion papers such as the proceedings of the National Taxi Task Team (NTTT and papers prepared for Taxi Lekgotlas between government and the taxi industry. Also beneficial was government legislation and regulation. This documentation is listed in Annexure C.

The author was fortunate to find dissertations on the taxi industry where quotations and statistics could be sourced. This included a study on the perceptions of the Themba Taxi Association in Tshwane on taxi recapitalisation (Mashishi, 2009); on queue marshals at the Bree Street taxi rank in the Johannesburg CBD (Masuku, 2016); on taxi recapitalisation (Fobosi, 2021) and on taxi violence in two KZN towns (Molefe, 2016). Other researchers such as Bähre (2014) and Ngubane, Mkhize & Olofinbiyi (2020) have written articles based on their research work. Quotations and perspectives from the research on violence done by Shaw (2017, 2021), Thomas (2018), and the Global Institute Against Transnational Organised Crime (2019) were also sourced. These sources have done extensive work on violence in South Africa and the taxi industry in particular. A book, *War Party* by a journalist, Ardé (2020), contained several quotations that would have been similar to those of the respondents. The author was thus able to use these secondary quotations and avoid compromising the confidentiality of her respondents.

The third research methodology derives from the role of the author as a participant observer of the taxi industry between 2005 and 2006 and again between 2009 and 2019 as a senior official in the provincial and local government transport departments. As Deputy Director General: Transport in the Gauteng Department, she was responsible for regulation and licensing, including overseeing the process of conversion from permits to operating licenses and resolving taxi industry disputes. As Executive Director: Transport, she engaged extensively with the minibus taxi leadership across the City of Johannesburg. This included negotiations between the taxi industry and the City regarding them becoming part of the Rea Vaya BRT, regulating taxi ranks, and assisting the taxi industry to access business opportunities. She attended at least ten memorial services or funerals of assassinated taxi leaders and spoke at many. As a participant observer, she was able to fill gaps in the

typologies of the taxi industry and in their relationship with other social actors. That said, the author is aware that there may remain 'blind spots', but she has worked hard to identify and nullify them.

3.3.2 Data analysis

The primary analytic technique was to code responses from interviewees as well as the other research sources mentioned above into themes, mindful of the risk of losing the particular context of specific reactions. Maxwell (1996) suggests three different kinds of categories for coding: organisational, substantial and theoretical. The research was firstly organised into categories related to the thesis's research questions, namely the nature of the taxi industry, the role of the state, and the role of violence. Secondly, the data was coded in sub-categories such as the different layers in the taxi industry or the different forms of violence. Thirdly, the relevant data was linked to theoretical frameworks or concepts, such as patron-client relations.

The respondents' voices have been incorporated through direct quotations to capture unique perspectives and experiences (Vromen, 2018). Since most interviewees wanted to remain completely anonymous and not even allow their quotes to be used, sometimes their views had to be incorporated into a composite (unattributed) view and data and place references removed. In other instances, a quote from the original research was substituted with a quote from secondary sources such as journalistic accounts. Each respondent was given a code to manage the challenges of anonymity and ensure that the research findings are as readable as possible. All minibus taxi respondents are anonymous and are labelled as T (for taxi), A (for anonymous) and then numbered i.e. TA1, TA2. The government respondents that were comfortable to be quoted are labelled as G (for government) followed by their initials. The advisors were comfortable being quoted, so they are labelled as A (for advisor) followed by their initials. Annexure C sets out the details of the respondents.

3.4 Limitations of the research

Ideally, the research should trace the emergence of the minibus taxi industry from the 1970s and identify differences and nuances across, for example, the cities and rural areas of South Africa and commuter and long-distance associations. However, due to the limitations of time and length of a master's thesis, the dissertation concentrates on identifying broad and common themes focusing on associations with a base in Johannesburg.

4 RESEARCH FINDINGS

The research findings are divided into the following sections. The first section (4.1), based on information gathered from respondents, documentary evidence and participant observation describes the structure of the minibus taxi industry and its dynamics. The second section (4.2) explores the relationship with different state actors, while section 4.3 looks at the relationship with private sector actors. Section 4.4 looks at patterns of violence in the taxi industry. The concluding section (4.5) looks at a case study in Alexandra Township where many of the above mentioned relationships and patterns are interlinked.

4.1 Structure of the taxi industry

4.1.1 Introduction

The chapter begins with several vignettes, some of which are true stories, while others are composite of several stories about different people. In the forthcoming sections, these men and women are returned to and situated in the various structures of the taxi industry and the reasons for their successes, failure or assassination will become contextualised.

Mike Yende joined the taxi industry in 1984 as a driver for his brother, who owned a taxi. When his brother passed on, he took over his brother's business. His father was a senior member of the Alexandra Taxi Association. Over time he was reluctantly persuaded to take on leadership positions in the association and the regional structure. In 2012 he was assassinated (Vadi, 2020, p. 52).

SN left Msinga to seek work in Johannesburg in the mid-1990s without much formal education. He did not want to work in the suburbs cleaning or gardening and so through his family network got a job as a driver, first relieving his brother over weekends and eventually driving for an uncle when he had a license. He has never had the opportunity to become an owner despite promises from time to time from his boss that he would be promoted to own a vehicle. He wondered whether this was because he did not come from the same clan as the association's chairperson.

BB was a veteran in the taxi industry, known to deploy hitmen when his path was crossed. He started operating taxis in the 1970s when he was retrenched from an auto-assembly plant in what was then known as the East Rand, now Ekhurhuleni. When in the 2000s the new government came

with proposals to democratise associations and register routes, he did not really understand what they were doing but went along with it, hoping that this would stop the killings. He was war weary and hoped that route registration would stop conflicts with the neighbouring association. Things were better for a few years, but when the neighbouring association started to compete to transport commuters to a new mall, he returned to his old ways as lifelong president of the association.

JJ was a school teacher rising through the ranks of the education department to become a school principal. However, he was not satisfied with the money he was earning, so he joined a taxi association and purchased taxis. He rose through the ranks of the association to become an executive member. As an executive member, he could put more taxis on routes than ordinary members who were restricted to three taxis each. With the additional funds that he earned, he bought a farm near QwaQwa. He now divides his time between his taxi and farming operations.

TA5 and her husband both had permanent jobs in the late 1990s and wanted to earn more money. In the face of limited options at the time, they agreed that she would resign her job and operate taxis. Women are less likely to be killed, they believed. Because she says she was a talkative type, she made her way up the ranks of the taxi industry from the women's league to becoming co-opted as a deputy secretary and then elected for two terms as the secretary of her association. When the City of Johannesburg introduced the BRT to the taxi industry, she embraced it as a sustainable way to continue to earn money without the daily risks that she faced as a taxi operator, such as accidents, vehicle maintenance and theft of vehicles. She scrapped her vehicles and became a shareholder in the first BRT company, Piotrans. For a short period, she was the chairperson of the Board of Piotrans.

AH was chair of an association until his fellow executive members turned against him and forced him out. He could no longer continue to operate his taxis, and eventually the bank repossessed his vehicles. However, because he was the chair of an association, he also became an office-bearer in the regional structure and retained that position without owning vehicles. To earn an income now, he had to receive a salary from the regional structure or an allowance from government. With the regional structure being poorly organised, funds from affiliated associations did not regularly pay his salary. To supplement his income, he received a stipend from the provincial government for playing a liaison role.

NM was dismissed as a traffic officer with the Johannesburg Metropolitan Police Department (JMPD). He disputed his dismissal at the bargaining council, where while his dismissal was regarded as substantially fair, he received a pay out from the JMPD because they had not

followed due process. With the pay out he bought a taxi and secured a driver's license for his unemployed son through his contacts in his previous job. He also used his contacts in the executive of a taxi association to secure membership of the association. Still, he was not so lucky in securing an operating license from the PRE. Because he was operating an illegal taxi, his joining and annual membership fees amounted to R50 000. Unfortunately for him, after his contact in the association was murdered, he was prevented from entering the rank to pick up passengers. To make money, he transports friends and families to funerals and church services over weekends.

Sipho Mntambo ("Mkhulu") came from Newcastle and was one of the leading forces building commuter taxi associations between Soweto and the inner city of Johannesburg, eventually becoming the lifelong President of Bara City Taxi Association. He was the architect of Top Six Taxi Management, a federal structure of six Soweto-based taxi associations initially. He had a reputation for being a killer, including rumours that he personally executed rivals. Towards the end of his life, he wanted to move out of the taxi industry into the BRT and became instrumental in negotiations with the City of Johannesburg in this regard. Some allege that he died after being briefly arrested for the alleged murder of a rival taxi leader. The police allegedly applied a form of torture that is not visible on the surface of your body but manifests in death weeks or months after the person was released. Before he died, he lived in a house in the relatively upmarket suburb of Diepkloof, Soweto, playing horses and going to the shooting range for relaxation.

The next sub-sections situate these individuals in the different layers within the taxi industry namely, operators who own vehicles (4.1.2), drivers (4.1.3), associations to which operators belong (4.1.4), association executives (4.1.5) and regional, provincial or national structures or mother bodies to which associations affiliate (4.1.6). There are also queue marshals, route supervisors and other enforcers who play formal and informal roles in regulating passengers and operators who are discussed in sub-section 4.1.7.

4.1.2 The taxi operator

Taxi operators need to own a vehicle, have a driver and have access to a route which in transport planning terms means permission to travel from an 'A' point, which is the origin, usually a township, to a 'B' point usually the centre or central business district (CBD) of a town in the morning peak and back again in the afternoon. Permission is required in most economic sectors to conduct economic activity, and such authorisation is granted in the form of a license by the state while

business associations play a role in supporting and enabling individual entrepreneurs. However in the taxi industry, there is a unique arrangement in that a taxi operator has to be a member of an association to operate his or her taxi: "[The taxi industry] is regulated in that before I buy a taxi I need to go through a taxi association and there is a process to be followed" said Reginald Kwedi, founder of the Transport and Logistics' Student Association (Dlamini, 2020).

Recruitment of new members or asking members to add additional vehicles does not necessarily happen when there is an increase in the demand for transport. The recruitment process is rarely transparent and only sometimes codified in the constitution of an association. Chairpersons or executive members of associations recruit their family members or *home boy*s[4] to ensure that they maintain a loyal support base to keep them in power as well as reduce their need to support them if they remain unemployed (TA1, GTT). Significant numbers of taxi industry members in Gauteng come from KZN, and a respondent alleged that Zulu-speaking people used to say that the taxi industry belongs to them and that educated people must find office jobs (TA4). There are also intergenerational bonds in the taxi industry where sons take over operating taxis from their fathers (TA1). GPB, pointing to the familiarity and comfort of informality in the taxi industry, said it was something "grown within their community, their fathers handed down the business that their grandfathers had started". Since membership fees are a source of revenue for associations, new members are also recruited when an association needs additional funds (TA1, TA6). This often leads to an oversupply of vehicles in associations.

While taxi operators complain about the cost of new vehicles or the cost of finance (TA6), it is still easier to become a taxi operator than to enter other sectors of the economy. "You need a vehicle and a driver with a driver's license, and you do not have to follow social and community rules," said ADS. Moreover, in the context of declining economic opportunities and significant barriers to entry in many parts of the economy, more individuals want to become operators than there is a demand. "Prevailing executives allow new membership not relative to any economic viability [of the association] but because it is economically viable for them [as executive members]," said ADS.

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[4] A *home boy* is a man from one's usually rural neighbourhood, hometown or region.

Legislation requires taxi operators to apply for an operating license for a particular route (or set of routes), and only when they receive their operating license, should they purchase a vehicle which they present to the operating license authority, and their license is uplifted. The transitional NLTTA in 2000 required operators to have a letter from their association before they applied for a license. While the NLTA in 2009 removed this restriction, the *Gauteng Commission of Inquiry into Taxi Violence* (hereafter the Gauteng Commission) established that the Gauteng Provincial Regulatory Entity (PRE) illegally required letters from associations before they granted new operating licenses (2021, p. xvii). The Commission also found that in Gauteng, "well over 50% of taxi vehicles" are without operating licenses (2021, p. 55).

The Gauteng Commission established that there are generally three types of operators. Firstly, some operators have licenses linked to each vehicle they are operating. Secondly, some operators have additional vehicles without operating licensees. These other vehicles include sedans that operate local or trips internal to a township. The third type has no operating licenses but is allowed by the association to operate on the routes of the association. In these cases, the association operates in direct and open contravention of the law (2021, p. xvi). The Gauteng Commission established that these operators force their way into associations through threats and intimidation or in exchange for money (2021, p. 77). Respondents confirmed that currently, taxi owners might have one or two taxis with valid operating licenses and another up to eight "cousins" which are vehicles without licenses (TA3, TA6, ADS).

Risks facing operators are high relative to the rewards. Respondents referred to vehicles being involved in accidents, stolen or repossessed, and lacking access to a secure route. While associations are meant to support operators in return for their fees, operators also pay for insurance and for tracking companies to protect them when their vehicles are stolen. Because the association leadership controls operators, operators cannot be entrepreneurial through, for example, offering fare discounts or value added services. To the extent that they can diversify their businesses, such as enabling their wives or girlfriends to become cooking mamas at a taxi rank, it has to be with the nod of the association. Their ability to diversify into the formal economy is also limited because the majority are not taxpayers and thus unable to get tax certificates required if they wanted to bid for government tenders. Thus operators may nominally be owners of the means of production, their vehicle, but their ability to accumulate capital is severely limited. One of the few ways that operators can escape marginalisation is to become an association executive member, which is discussed further in section 4.1.4 .

4.1.3 The taxi driver

Owners of vehicles recruit drivers. Sometimes they are family members, and sometimes they are recruited off a list of unemployed drivers at the association offices (GM). Becoming a taxi driver is not necessarily a choice but often the only option facing unskilled migrant workers. As TA1 explained it is a way for men from rural areas to follow in the footsteps of their forefathers. In rural areas, men are seen as rich if they own a taxi, he alleged. However, not many drivers become owner drivers and many live miserable lives in overcrowded hostels, which become breeding grounds for hitmen and other forms of criminality (Ardé, 2020).

Most drivers do not have a formal employment relationship with their employer, the taxi owner. Fobosi said none of the 26 taxi drivers he interviewed had an employment contract (2021, p. 147). The majority of drivers are required to pay the vehicle owner a certain amount of the daily fares and take the rest as further discussed in section 2.1.2. Drivers at a Johannesburg inner city taxi rank told *New Frame* in November 2019 that they could not survive on the R500 per week they receive. So "they rely on *imali yesokisi*, the extra money [they make] after reaching the day's target required by the taxi owner. … The owner has no knowledge of this money, which ranges from around R200 to R300 a day" said one of their interviewees (New Frame, 2019). Another way in which drivers earn money is by becoming part-time hitmen. They can then be promoted to operators in exchange for executing a violent act or lending support to a particular faction in a taxi association. As GTT said, they are "the lowest ranking people, but if their association empowers them, they can kill".

Owners often feel threatened by drivers because, like SN referred to above want to become promoted to owners. Drivers, on the other hand, believe their bosses do not respect them. As a driver quoted by Ngubane et al. said:

> *An owner will fire you whether you are doing your job or not. Should he wake up one morning and decide that he no longer wants you working for him, then you are gone and there's nothing that you can do about it. We can't even take these people to the CCMA. (2020, p. 102)*

TA3 complained that drivers cause many accidents because they are uneducated and not able to read road signs. It appeared that he did not see it as either his responsibility or that of his association to train drivers or send them on advanced driving courses. As a driver quoted in Ngubane et al. said:

If the taxi has been involved in a road accident or a shootout, the first thing he will ask is "How bad is the damage to my vehicle?" They have no personal regard for us. (Ngubane et al., 2020 p. 101)

The irony about drivers, APB said, is that: "Control lies with the driver, to a degree with the owner and to a slight degree with the association. Outside of that it is all show". Since drivers do not get a fair return for the operational control they exercise or respect from taxi bosses and commuters, commuters and other road users suffer the consequences of their power and powerlessness through poor driver behaviour, lack of customer care and harassment of women passengers. Masuku, who did a dissertation on queue marshals at Bree Street rank in Johannesburg, observed the power dynamics between drivers and marshals. She cites examples of drivers and marshals turning away passengers because they communicated in English or did not want to get into a particular taxi due to its condition or the driver's attitude (2016 p. 85).

4.1.4 The taxi association

Taxi associations are the business units that sustain and organise taxi operations. Without an association, "anybody can come and drive anywhere"(TA4). Regional operators initially organised themselves into associations to defend their operations and against competition from white businesses and bus operators as well as from restrictions on the supply of taxis by the state, as further discussed in section 2.2.1. The leadership or 'big men' in the early informal mother bodies chose individuals to become chairmen and imposed themselves on the remainder of the operators (GTT). A chairman could have been chosen because they were a *home boy* or had access to violent resources, and it was better to co-opt this person than to fight them (GTT).

In the late 1990s, the National Taxi Task Team (NTTT) considered the role of associations and suggested that they be supported and strengthened to become the building blocks of a new dispensation with a standard constitution, a code of conduct for owners and drivers and a register of routes. The view at the time was that associations could be a legitimate form of formalisation where the association applies for the routes which were then used by all its members (GTT). The NLTTA passed in 2000 thus incorporated provisions requiring all associations to adopt a standard minimum constitution and hold regular elections. This heralded a process of democratisation which was initially supported by the emerging national leadership of the taxi industry. However, GPB said

this was a deal involving government agreeing with the highest representative body that associations would control their members and deliver. However, "there was no chain of command on the taxi side" (GPB). Like BB in the introductory section, many operators lost confidence in the government process. Often more than one association would claim similar routes, and so route conflicts were not resolved. According to respondents, government did not have a proper plan or capacity for dispute resolution and law enforcement (GTT, TA6). Instead, associations and mother bodies had to set their own rules and employ their own *squad cars*[5] because the route registration process in Gauteng was not completed (TA1).

According to GTT, the agreement on a Standard Constitution involved a trade-off: Members needed to elect their executive every two years, and if so, executive members could be compensated for the services they performed for ordinary members. It was the government's view that if association members paid their executives for the services they performed for them, they would not be able to avoid servicing their members and would not steal money from the association or fight amongst themselves (GTT). Democratisation was both welcomed and questioned by the taxi industry leadership. Some respondents believed that government did a good thing by introducing democratisation because it challenged the entitlement of chairmen who thought that chairmanship should be forever (TA2). Others complained that taxi associations had elections every two years while the national government only had elections every five and that there should not be a limit on electoral terms if a chairman continued to be supported by their association members (GA1). Associations also got around the provisions of the standard constitution by promoting chairpersons who had served for many years to lifelong presidents, as happened with BB. While some associations continue to have regular elections for office bearers, many bypass this process.

No role was included for associations in the NLTA that followed the NLTTA in 2009. This may have been because the national Department of Transport realised that the NTTT vision for associations was unsuccessful. However, a Department of Transport discussion document in preparation for the 2020 National Taxi Lekgotla argued that "the disestablishment of the Provincial Taxi Registrars created a vacuum and removed the only basis for regulating taxi associations and

[5] *Squad cars* are cars operated by designated members of a taxi association, sometimes called route supervisors, to patrol routes.

enforcing adherence to a Code of Conduct by individual operators (2020, p. 2). As the Gauteng Commission confirmed, associations remain firmly in place as the anchor for taxi operations. The associations "control who gets to join them, they control routes and dictate where each operator must operator. They also allow those without operating licenses to join them" (Gauteng Commission, 2021, p. xvi).

Operators are required to pay a variety of fees to their association. To become an association member there is a joining fee which, according to the Competition Commission, can range between R30 000 and R120 000 per vehicle (2021, p. 252). Annually there are membership fees and then either daily, weekly or monthly ranking fees. In addition, there are *ad hoc* collections of money, sometimes known as bucket money or *imali yebakede* where cash is required to be put in a locked bucket at the rank (Molefe, 2016, p. 68). When the call for bucket money goes out, taxi operators in the rank become fearful because they believe that the funds are needed to hire a hitman, confirmed GBM. "The said money was not accounted for anywhere, and no one was allowed to enquire on how it was used," said Molefe (2016, p. 68). This money is significant. As Molefe continued, "the money made by taxis operating on the routes was nothing as compared to what was made from the bucket in a day" (2016, p. 68). Most fees are collected in cash. Marshals usually collect daily fees at the taxi ranks. More organised associations require operators to come to the office daily or monthly, and very few have speed point machines at their offices. GBM said that when meeting with the taxi association leadership at their offices, piles of cash would be evident.

Fees are used for different purposes. Bähre showed how in the Western Cape these fees or what he calls "taxes" shifted over time from providing social security – "material and emotional support to members' families and contributing money for funerals" (Bähre, 2014, p. 581) – to become "war chests" to hire hitmen (Bähre, 2014, p. 586). Fees are meant to contribute to the running costs of the association as Bashir Ismail, chairman of the Chatsworth Minibus Association (CMA) explained to Ardé: "costs for the office, for wages for managers and monitors at ranks, two radios and security – which is the biggest cost" (2020 p. 115). Members of the CMA paid R5000 to join the association and R200 per week per taxi in 2019 (Ardé, 2020, p. 115). The Competition Commission heard evidence from the Greater Bloemfontein Taxi Association that membership fees also contributed to funeral costs (2020, p. 227).

Association fees can change drastically within a short space of time. Due to an increase in demand for membership, joining fees in TA's association increased from R10 000 to R20 000 in the space of one year. GBM said that R20 000 is low for membership fees and quoted experiences of

membership fees being as high as R100 000, especially where there were lucrative routes. When formal joining fees are set very high, applicants bribe executive members to allow them in at lesser fee rates (TA5). The Gauteng Commission said that associations "charge exorbitant fees that are generally not accounted for when paid by the new members" (2021, p. 61). It is sometimes tricky for association executives to resist the pressure to take on new members who may be eager or desperate to operate a vehicle. Speakers at the funeral of Sam Sibisi, Deputy President of the Ivory Park Taxi Association (IPTA) in 2017, intimated that he was gunned down for refusing to allow further new members to join the association, recalls GBM. He was "sacrificed for safeguarding the process when there was no demand for more vehicles", said GBM. The following sub-section deals with the simultaneous power and vulnerability of association executives.

4.1.5 Association executives

The executives of associations are responsible for running the affairs of associations. The democratisation process referred to earlier led to association members being required to elect an executive led by a chairman and including a vice chairman, general secretary, public relations officer (PRO), treasurer, an executive member responsible for discipline and sometimes for training. It is extremely rare to find women in leadership positions except as general secretaries or deputy secretaries. In most associations, there are powerful *indunas* or *izinduna*, the literal translation of which is are headmen, but in the taxi industry, are generally known as men who have access to violence and exercise significant informal control. Instead of making themselves available for leadership positions, *izinduna* force operators who are beholden to them to occupy formal roles in the association (GBM).

The most crucial role of associations is the regulation of the supply and demand of vehicles. As the operating licensing system has become less effective (see later 4.2.2.), the role of associations in regulating which taxis, irrespective of whether they are licensed or not, has increased (GBM). In addition, said GBM, associations will allow one operating license to be used to register two or three vehicles because it takes the PRE so long to process applications. Few associations have an interest in preventing overtrading whereby too many vehicles are deployed on a route. While some associations declare a moratorium on new members or vehicles and turn down applications for recommendation letters to the PRE (GDS, TA2), this practice has declined (GTT). The role of association executives in "internal rationalisation" to prevent overtrading and to allow every member

to operate both lucrative and "desert routes" where there is low patronage has also declined (GTT). Increasing certain operators have access to more and lucrative routes as the Gauteng Commission confirmed: "The vehicles owned by the Association and by some powerful individuals in the Association do not wait for their turn in loading lines."(2021, p. xvi). Executive members, especially the chairpersons, have more vehicles operating on routes than others (TA2, TA5, TA6). As Molefe writes:

> *"If the person became the chairperson in the association, he had more powers than any other member of the association; for example, the chairperson could have 20 taxis whereas the other members could only be allowed to have up to a maximum of five taxis. Both associations (Maphumulo and Stanger taxi associations) had a norm that the chairperson could have more taxis than the others." (2016, p. 66)*

Chairpersons earn significantly more than other members by having more vehicles on routes and having the power to control who joins the association and extract higher fees and bribes if necessary. GA1 went further and said that "you will never find a chairman that is not a killer". He said that in his experience when there were collections, the money would not go to other executive members but only to the chairmen. They thus needed to kill to eliminate potential rivals who would challenge their power (GA1).

Executive association members are also responsible for liaising with government officials, although more on operational issues such as licensing than on strategic issues, which are the responsibility of the regional, provincial or national structures. An important function in this regard is the provision of recommendation letters for operating licences. Here they play a significant gatekeeping role, as the Gauteng Commission indicated above in section 4.1.2). Molefe related how "if you were not in favour of the chairperson he could hold your taxi operation permit application whilst the people who applied after you had obtained theirs" (2016, p. 66). On the other hand, association executives recognise that they need to service their members to remain in power. TA6 saw himself as "an important 'go-between' between the government and taxi owners." He said the taxi owners "had an inferiority complex and a shyness to expose themselves to government" (TA6).

There is very little book-keeping and accounting for associations' funds, which is predominantly collected in cash, which can be hidden and not accounted for (GIV). Money left over after paying for running costs can be kept a secret by the association chair (GA1). A taxi boss

interviewed by Ardé confirmed: "The taxi associations handle the money. The chairs of each association make the most money. He controls the money. With that power, you can do what you want" (Ardé, 2020, p. 131). It is this access to money and power that "makes the incumbent executives resist vacating their positions even when they have been voted out of office" or "avoid calling for elections", said the Gauteng Commission (2021, p. xvi). It is possible to find association executives who "do not have vehicles and do not have operating licenses either, but they end up in the leadership of the Association through unscrupulous means", the Gauteng Commission further found (2021, p. 63). An example of this is what allegedly happened with the Johannesburg Community Taxi Association (JCTA), which operates in Westbury, Johannesburg after the Rea Vaya BRT was introduced in 2015. About 50 taxis were taken out of operation since they were to be replaced by buses. However, gangsters and drug lords allegedly infiltrated the association, gaining leadership positions, sourcing illegal permits and began operating in the place of the removed taxis. (Global Initiative Against Organised Crime, 2019 p. 18 – 19).

Some executives have tried to venture into ways of increasing revenue and business for themselves and their members. A common form is through purchasing and operating a petrol station which has been successful in some instances. However, ADS pointed out it is not easy to force drivers to fill up at association owned garages. TA5 indicated that in Ekurhuleni, an association had acquired franchises for three fast food outlets after asking each member to put in R2500 to purchase the franchise.

While executive members usually receive a stipend or salary from their association, their source of significant income is having preferential access to lucrative routes, being allowed to operate more vehicles than fellow association members and having access to significant pools of cash. These powerful positions can be enhanced by going up the taxi ladder to hold office in the regional, provincial and national structures. By virtue of their positions, chairpersons often sit on these structures or are elected or appointed to them. Alternatively, they decide who sits on these structures to defend and protect their interests (GA1). The following section discusses these structures.

4.1.6 The mother bodies: regional, provincial and national structures

The apex structures in the taxi industry are regional, provincial and national structures to which associations are affiliated, referred to as councils or mother bodies, responsible for strategic liaison

with government and business partners. Before the processes initiated by the NTTT described in section 2.2.2, mother bodies were controlled by self-appointed presidents who battled each other for control over routes (GTT). Today, at a national level, the South African National Taxi Council (Santaco) is the formal structure recognized by the government to represent taxi operators' interests. However, Santaco never incorporated all taxi associations, and over the years, the National Taxi Alliance (NTA) has established itself as an alternative body, sometimes recognized by different spheres of government and sometimes not. As an Alliance, other regional structures such as Top Six Taxi Management from Gauteng have associated with the NTA. The introduction of BRT around 2009 in Johannesburg split associations and led to the emergence of a third structure, the United Taxi Associations Front (Utaf). In many instances, the presence of two national structures is reproduced at a local level, where two associations affiliated or associated with either Santaco or NTA would service the same township or route. For example, in Alexandra, the Alexandra Taxi Association (Ata) and Alexandra Randburg Midrand Sandton Taxi Association (Armsta) were initially affiliated with the regional taxi council associated with Santaco. However, allegedly when conflicts began, Armsta decided to join Top Six Taxi Management, a founder member of the NTA (TA4). In other areas, conflicts have led to the dominance of one association over another.

As with associations, the democratisation process sponsored by government at the turn of the century was resisted, subverted and never completed. Neither Santaco nor NTA hold regular elections, have report backs or produce financial statements (Cape Town Committee of Inquiry, 2005 p.10). As the national Department of Transport acknowledged in a discussion document in preparation for the National Taxi Lekgotla 2020: "Santaco is yet to undertake its final transformation into a truly industry representative structure through an inclusive transparent and consultative manner" (2020, p. 7). Santaco national leadership have offices at the national Department of Transport and receive an annual income currently of R20 million (Emmett, 2021). Emmett says that an unnamed source "alleged that for at least three years, the department's auditors have been unable to account for this allowance because they don't understand what it is for"(2021).

Fobosi asked both NTA and Santaco spokespersons about their representivity in 2018. Santaco's Chief Strategic Manager said:

> *We are a national structure. Across the country we represent approximately 160 000 members who represent approximately 268 000 vehicles in the country. The number is not equal because if you have 160 000 members you will not have 160 000 vehicles because others have 1 and others*

have 3. Some have their vehicles repossessed and some don't have, this is why you see the difference in numbers. (2021, p. 157)

While, the NTA spokesperson said:

It is quite challenging to give you a round figure of the number of members that we have in a country but safe to say that we control over 70% of taxi industry throughout the country. We have representatives throughout 8 provinces except Western Cape. In each and every province we operate in we have a sizeable number of operators. Johannesburg or Gauteng being the pulse of the countries heartbeat we control most of the associations in this province. (Fobosi, 2021, p. 157)

While some respondents said that their association joined a mother body so that it could deal with disputes and liaise with government on their behalf, they also alleged that benefits meant for operators "stay with the top echelons" (TA3) and "the end-user at the bottom of the ladder never benefits" (APB). Operators, APB continued

… don't trust the regional councils because they don't understand what they are talking about and know that if they go along with their ideas, somewhere along the line, they will take a slice of "my income and I will lose control of the three cars that I have, and with which I know exactly what to do.

When Fobosi also asked the Chief Strategic Manager of Santaco about its relationship with members, he said:

We do have a working relationship for instance if you call a meeting, members will happily come. Members are like your children at home, not all of them will like you the same. When you call some to order they feel like you don't love them. You can't expect them to love you the same. There are those who complain, who understand when they are disciplined and there are those who don't understand when they are being disciplined, otherwise we have a good working relationship. (2020, p. 157)

GIV reflecting on his time when he was Gauteng MEC for Transport, felt that the Santaco Gauteng leadership had no sense of building a business or servicing their members by addressing their needs and arranging benefits for them. Instead, he said his interactions with them would get bogged down in how much they would be paid to attend meetings. "They would only be interested in immediate short term benefits for themselves," GIV said. GBM, a City of Johannesburg transport official, said that when a difficult discussion or engagement between the City and the taxi leadership was required, the mother body representatives would insist on three-day sleepovers at a conference centre or hotel before anything else could happen.

Some of the same people that started Santaco are still in leadership positions. NTA has suffered from several divisions and the passing away of most of its initial leadership. While, formally, some of the earlier mother bodies are not meant to exist anymore, it is alleged that they continue to wield informal power and extract dues from associations (GTT). In addition, many real powerbrokers, such as *izinduna*, do not occupy formal leadership positions because, as GIV says, "it comes with personal threats, controversy, organizational stresses and challenges while if you are in the shadows and back rooms, you can wield tremendous influence". Shaw says that "most taxi owners are reluctant to talk publicly about the role that the mother association bodies play, but … there is a consensus that this is where the real money is made in the industry" (2017, p. 73). This includes through their business wings, deals with business partners and shareholding in government initiatives such as the taxi scrapping agency, which is further discussed in section 4.2.2 . To maintain these positions requires access to guns and other means of violence exercised by enforcers. The following section discusses the various enforcers in the taxi industry.

4.1.7 Enforcers

Queue marshals, patrollers, squad controllers, route supervisors, private security guards, *izinduna* and *izinkabi* are the various names given to enforcers who play different roles in regulating and enforcing order in the taxi industry. In KZN and the Western Cape, there are also conductors, sometimes called *guardjies* or *gaartjies* who ride with the driver. These individuals rarely have a formal employment relationship or enjoy work security and often owe their existence to a social or cultural relationship with the association leadership. A significant proportion of enforcers are from northern KwaZulu-Natal, a place with a substantial history of land dispossession and violent conflict, as discussed in section 2.5.2. The various kinds of enforcers will be discussed in turn.

Queue marshals, also sometimes called controllers or *inkosi yolini* (king of the lines), are responsible for the day to day control of the activities at taxi ranks, ensuring that drivers load at the right places and that passengers queue in an orderly way (Competition Commission, 2020 p. 255). Masuku describes how at taxi ranks

> *… every row of the taxis arranged for various destinations, queue marshals assigned to every parked and ready to leave taxi, calling out commuters, directing commuters to their desired taxis and even telling the taxi drivers what number their taxis are in transporting passengers in relation to their colleagues. (2016, p. 14)*

Combined with this customer-centric role is that of enforcing order. The primary function of queue marshals armed with *sjamboks*[6] or guns is to collect rank and other fees or collections from taxi drivers. While they are meant to guide passengers to vehicles, this can also involve forcing passengers into overloaded, old or unsafe taxis. Masuku describes how at Bree Street rank when there is a robbery or assault on passengers, the call goes out "*vimbani bo*" (meaning stop them) and marshals using an assortment of *sjamboks,* whips and other items frequently viciously attack the culprits (2016, p. 64). However, queue marshals are not known to protect female passengers from harassment and gender based violence. Masuku describes how she observed special "match making" favours that queue marshals do for drivers so that a girl a specific driver has been "eyeing" gets into his taxi (Masuku, 2016, p. 82). A focus group respondent told the Sonke Gender Justice study on gender based violence in public transport that:

> *I was called names at the taxi rank, by drivers and by the gintsa's [queue marshals] because of what I was wearing … and I was really embarrassed and afraid of what can happen to me next. (2019, p. 39).*

Another respondent in the study said:

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[6] A *sjambok* is a heavy leather or plastic whip which was traditionally used against cattle but has been used variously in conflicts including by members of the police force in South Africa.

We really need to make taxi drivers and even their queue marshal helpers, know that it is not right to call people, especially women and girls, insulting names. (Sonke Gender Justice, 2019, p. 41)

Route supervisors, patrollers or association officials who travel around in squad cars are usually responsible for guarding routes against illegal operators or operators from rival associations (GBM). While methods differ across associations, GBM said that if a patroller finds a vehicle that is not known in their area, they will stop it, take the money from the drivers and force passengers out of the vehicle. On the other hand, route supervisors are usually responsible for "allocating the work, internally", said GBM. Here if a driver is found where he should not be, his money is taken away and given to the "rightful person while the operator or driver will face an internal disciplinary hearing" (GBM). In addition, squad cars often act against private vehicles picking up passengers, much to the unhappiness of commuters. Respondents indicated that route supervisors and squad cars were introduced because law enforcement failed them (GTT, TA6). Over the years, these enforcers have become more organised and institutionalised. The Gauteng Commission said that squad cars are often operated by armed men who enforce the routes of the association illegally (2021, p. 51). Vehicle dealerships often donate sedans to associations in exchange for their business, but these same vehicles are "found in hostels and used to threaten other taxi operators" (GBM).

Taxi bosses have increasingly contracted or bought private security companies to protect them and their assets. Ardé interviewed the "boss of a taxi protection outfit", who told him that in Durban alone, there are 15 sizeable private security companies providing protection at taxi ranks as well as riding "shotgun with taxis on contested routes" (2020, p. 121). The Gauteng Commission found that "security companies that cause terror in the ranks and openly display high calibre firearms are employed" without the knowledge of other operators or permission of the municipalities responsible for these ranks (2021, p. 54). The Gauteng Commission said the popular belief was that these security companies originate in KZN (2021, p.79). In his dissertation on taxi violence between the Maphumulo and Stanger taxi associations, Molefe describes how security guards exercised a reign of terror at ranks and had become more powerful than the police (2016, p. 91). "Security guards did not have the respect of the police … they even cocked their firearms in front of the police station", a SAPS detective told Molefe (2016, p. 100). Molefe also alleged that if a private vehicle collided with a security guard vehicle, the vehicle would be impounded at the taxi rank, and large sums of money would be exchanged for its release (2016, p. 100). Shaw believes that

the taxi industry contracts private security firms because, unlike private individuals, they are allowed to secure licences for semi-automatic weapons. These legal and illegal weapons as a result of poor firearm control, are then used in taxi shootouts (Shaw, 2021, p. 207). It is not unusual for taxi bosses to be accompanied by up to five private security officers armed with more than one gun each, including pistols and machine guns, when attending meetings or visiting taxi ranks (personal experience).

While queue marshals and route supervisors are public-facing, others were more difficult to research, including *indunas* and *izinxabi.* GA1 saw *indunas* as the real decision makers behind the formal association leadership. He said some might also be members of the association, but their role was to bring discipline to the association and quell situations of instability (GA1). They were also "killers" or would instruct who was to be killed (GA1). According to TA5, when Top Six was started, it arranged for their affiliates to have five *indunas* each. TA5 said that there was good co-operation with the police, so when an *induna* gets information about the location of a stolen car, they inform the police who will reclaim the vehicle. On the other hand, GTT said that indunas could move around freely because the Top Six leadership was allegedly connected to the police.

The last group of enforcers are known as hitmen or *izinkabi*. The literal translation of *inkabi* is an ox and *izinkabi*, oxen. However *izinkabi* in the taxi industry are generally known, as the Gauteng Commission of Inquiry described them, as gunmen usually hired from other provinces and "paid large sums of money to take out operators as directed by those hiring them" (2021, p. 57). Shaw quotes a *Weekend Argus* newspaper article: "It's easy to hire a hitman. Just ask around at a taxi rank" to confirm that the taxi industry is a source of readily hired killers, both for the industry and outside (2017, p. 72). One of the hitmen Shaw spoke to referred to his commissions as "call-outs" (2017, p. 72). As a taxi boss told Ardé:

> … *route dominance is down to firepower" so if you want to increase routes "you hire hitmen, izinkabi from all over but the best ones come from rural areas like Nongoma. They are professionals. Their job is to kill. They know that. (2020, p. 118)*

Molefe says that in most instances, *izinkabi* did not come from the same area as the taxi owners but would come and do their work and leave, thus enabling taxi owners to hide their link to murders that they had allegedly initiated (2016, p. 70). Whenever new *izinkabi* appear in associations, a route conflict is brewing, said GTT. They are recruited either to take over the routes of associations or to protect the association routes from being taken over, GTT added. While some *izinkabi* are rewarded

with membership of an association or the right to operate a taxi on a route (Gauteng Commission, 2021, p. 80), most want money for their jobs, which is where collections or bucket money comes in. *Izinkabi* can also be dispensable. GTT told of an incident where an *izinkabi* wanted "too much", and so the taxi association chairperson found another *izinkabi* to assassinate him. *Izinkabi* exercise both real and symbolic power. GTT related an incident where Mntambo did not like how what his colleagues were saying in a meeting. He left the meeting, but when he returned the next day, his colleagues did not say a thing since rumour had it that Mntambo's *izinkabi* were around.

This section concludes the description of the role of different actors and structures in the taxi industry. The following sections look at relationships between the taxi industry and state and private actors.

4.2 Relationship with the state

The minibus taxi industry has or is required to have relationships with several linked and yet differentiated state actors. These include political leadership, transport officials, regulators and law enforcement officers at national, provincial and local levels. These relationships operate at many levels, including formally and informally in illicit and illegal ways. The relationship between the taxi industry and policy makers and politicians is set out in sub-section 4.2.1, while sub-section 4.2.2 covers the regulatory relationship and sub-section 4.2.3, the enforcement relationship.

4.2.1 Relationship with the policy making role of the state

The literature review (2.2.2) set out government initiatives to formalise and transform the minibus taxi industry, with the most significant being the work of the NTTT that gave rise to the TRP, and the NLTTA and NLTA. The literature review points out that there was often reluctant support and sometimes fierce opposition to these measures from the taxi industry. All industry structures have consistently called for subsidisation and complained about their differential treatment in the face of high subsidies going to the Gautrain, the Passenger Rail Agency of South Africa and the subsidised bus sector (Competition Commission, 2020, p. 13). This section points to the wide divergence between the promises made by state actors and the minibus taxi industry's expectations in respect of taxi recapitalisation, transformation, formalisation and subsidisation.

Successive government ministers and provincial members of executive councils have consistently held out that the Taxi Recapitalisation Programme (TRP) would enable formalisation,

subsidisation and thus transformation. For example, the Minister of Transport in April 2019, Blade Nzimande, when announcing a "Revised Taxi Recapitalisation Programme", promised that it would unify the taxi industry by "introducing collaborative ownership and operating models, using structures such as co-operatives and corporatisation." In turn, he said this

> *… will lead to improved working conditions for drivers, eliminate fierce competition, enhance professionalism … [and] will create wealth for taxi operators by rationalizing taxi routes, eradicating overtrading on routes, and thus increasing profitability and sustainability. (Nzimande, 2019)*

However, the TRP programme, which involved the appointment of a service provider to pay out a scrapping allowance to operators who forfeited their vehicles, has neither delivered on its targets nor led to the objectives raised by Nzimande above. By September 2018, 72 653 out of a target of 135 000 taxis had been scrapped, with a total of R4.4 billion paid in scrapping allowances (Emmett, 2021). Despite introducing a new taxi scrapping agency in early April 2019, in February 2021, the current Minister of Transport, Fikile Mbalula quoted the same number of outstanding taxis (63 000) to be scrapped (Emmett, 2021).

There are several reasons for the low levels of scrapping. Firstly there is a large gap between the scrapping allowance – which started at R50 000 and in 2019 was R124 000 – and the cost of buying a new vehicle (Fobosi, 2021, p. 167). The current price of a new Toyota Quantum minibus is about R500 000. Secondly, vehicles had to be purchased before 2007 to be eligible for scrapping. Thirdly, only vehicles that have a valid operating license could be scrapped, excluding large numbers of unroadworthy vehicles (Fobosi, 2021, p. 167). Fourthly, there was little appetite from taxi operators to scrap their vehicles. As APB said, "taxi operators were being asked to trade in their robust Toyota Siyaya's which had cheap parts and could be fixed simply by backyard mechanics for expensive Toyota Quantums with complicated electronics". Similarly, Fobosi said the NTA argued for another scheme with Toyota where new Siyaya vehicles would only cost R140 000, had two extra seats and were easily maintained (2021, p. 170). The TRP thus became one of many broken promises between government and taxi operators. Opposition from the leadership structures of Santaco was more muted because they have a shareholding in the taxi scrapping agencies (Emmett, 2021; Fobosi, 2021). Santaco was a 40% shareholder in the Siyazi Consortium that won the tender to be the first TRP service provider (Emmett, 2021).

Further failed promises include support to co-operatives, the rolling out of the BRT system and support for corporatisation and accessing the public transport value chain instead of meeting the demands for subsidisation. For example, in respect of corporatisation, the 2018 revised *White Paper on National Land Transport Policy* indicated that taxi operators owning one or two taxis would be consolidated into companies operating fleets of taxis on behalf of shareholders and government would assist the minibus taxi industry restructure into companies. This has not been given effect to, and the national Department of Transport's discussion papers in preparation for a National Lekgotla in October 2020 does not refer to this White Paper proposal (2020a; 2020b).

The research sought to understand why government policy options did not lead to their desired transformative results. For example, Ismail Vadi, early in his term of office as Member of the Executive Council (MEC) for Transport in Gauteng believed that "taxi operators can become major player in the public transport value chain" (Vadi, 2020, p. 50). He told taxi leadership at the launch of the Gauteng PRE in 2011 that "it is in the real interest of the Broad Based Black Economic Empowerment project of our government that your stakeholding expands into other components of the public transport sector." (Vadi, 2020, p. 50). Similarly, when *Gauteng's Twenty Five Year Integrated Transport Master Plan* was released in 2014, MEC Vadi said the "plan supports the drive towards corporatisation. This will allow taxi operators to receive subsidies on government contracts; improved safety and quality of service to commuters, and a stepping stone for the industry to advance to bigger business" (Vadi, 2020, p. 115). After his term of office had ended, asked why corporatisation and transformation had not occurred in the taxi industry, he asked the following question:

> *Why would you choose to remain organizationally fragmented if united you become stronger organisationally including being able to negotiate with other sectors of the industry for tyres parts, etc.? (GIV)*

He answered the question himself: "It gives them a sense of power, influence and immediate control of their operations and they thrive on that" (GIV). He said that association leadership were

> *…more interested in tangible immediate weekly benefits than being involved in bigger deals. In addition, there is profit in the taxi industry otherwise they would not be operating and a subsidy*

will just line the pockets of the leadership and not lead to a qualitative improvement in the service. (GIV)

The Competition Commission's had similar observations to GIV. While it acknowledged that "the top concern from the taxi industry is that subsidies skew competition in favour of the subsidised services"(Competition Commission, 2020, p. 47), the Commission said that the taxi industry did not produce sufficient evidence to conclude that subsidies impede competition given the inefficiencies observed in the subsidised services (Competition Commission, 2020, p. 47). The Commission also observed that the minibus taxi industry had competitive advantages due to its reliability and easy access to commuters (Competition Commission, 2020, p. 47). Instead, the Commission recommended that the minibus taxi industry be subsidised through increasing funding for taxi recapitalisation (2020, p. 22). It argued that passenger subsidies would be challenging to target the poor while having a massive impact on the fiscus (Competition Commission, 2020, p. 66).

Another of the recommendations of the NTTT was to support the establishment of co-operatives by the taxi industry. This was again promised by Minister Ndebele when he relaunched the revised TRP (see above). However, the co-operative model has not taken off. Fobosi's respondents indicate that this could be because of competing interests between operators but also because government was not sincere in supporting the taxi industry (2021). ADS explained how he saw the challenges facing the Greater Rustenburg Taxi Co-operative. He indicated that in the beginning, the operators or shareholders put R100 into a kitty complemented by government funds, and a piece of property was bought. Over the years, the property was used for various purposes, including a petrol station but without a formal shareholder agreement and running on business principles. The seven directors were paid an income, initially by government and after that from the proceeds of the petrol station. ADS alleged that:

The directors are the only ones benefiting with a fixed income, while the shareholders were told that their hundred Rands are still in the trust. They, however, do not receive any proceeds from the co-operative, and as a result, there is no incentive for them or their drivers to use the petrol station.

While formal government pronouncements have often not materialised, when politicians need the taxi industry to vote for them and ferry voters to polling stations, promises are more expeditiously met and mutually beneficial outcomes achieved. On the eve of the 2000 general

election and in the face of opposition to implementing the BRT system, former President Jacob Zuma agreed at a taxi indaba that "we hold our horses" until after the elections (personal recollection). Respondents also pointed to how those in positions of political power took advantage of the taxi industry. TA3 said there were lots of "big ANC aunties" in his taxi association.

The relations between political and taxi industry leaders go deeper, including securing assassinations of opponents. Shaw writes about how one of the most powerful KZN taxi bosses, Sputla Mpungose became an indispensable ally to political leadership and could "call the shots by funding or supporting local politicians" because he could commission violence (2017, p. 70). Shaw traced how since Mpungose joined the ANC as a regional political leader, he had evaded imprisonment for one charge of rape and four charges of murder (Shaw, 2017, p. 70). Ardé tells of when in April 2015, the Hawks were looking for Mpungose they traced him to the offices of the Member of the Mayoral Committee for Transport, Willis Mchunu (2020 p. 143-4). However, when the cops arrived at these offices, they were not allowed in and Mpungose later "slipped out" (Ardé, 2020 p. 143-4). Major General Johan Booysen, a former KZN Hawks head involved in investigating taxi violence, told Ardé:

> *There is no actual or real political will to tackle the root causes of taxi violence. The perpetrators of taxi violence invariably have links with politicians. (2020, p.158).*

Shaw confirms strong links between political and taxi leaders in KZN, where cousins of former President Jacob Zuma, the four Gcaba brothers, are regarded as powerful taxi bosses. (2021, p. 161). He quotes a senior state official: "They are the most feared family in the entire provincial taxi industry and have a reputation countrywide as untouchable dons" (Shaw, 2021, p. 161). Shaw (2021) further details how guns, especially police guns that were decommissioned and destined for destruction, landed in the hands of gangsters in the Western Cape. He followed SAPS investigators to establish whether or not these decommissioned guns were also used in taxi violence in KZN. The SAPS investigators from Project Impi were exploring, among other things, links between the Gcaba brothers and members of the political elite, including the Minister of Police, Bheki Cele (Shaw, 2021, p.166 – 179). Shaw records how Project Impi was "summarily blocked. … The overwhelming weight of suspicion would imply a political veto from above"(Shaw, 2021, p. 173).

This section demonstrates an effective stalemate between government and the minibus taxi industry on implementing policy and transformation measures. At the same time, a more dynamic client-patron relationship exists when it comes to serving each other's interests, including the

commissioning of violence. The government has been unable to deliver on commitments that the majority of the taxi industry did not want in any event. While the taxi industry, on the other hand, wants subsidisation, which the government has been unable to deliver on, and the Competition Commission inquiry believes is not warranted. Lastly, the ability of the taxi leadership to provide decisive leadership is undermined by the fact that they have been co-opted into the structures of implementation, such as being offered shareholding in the taxi scrapping agency. A similar approach is evident in respect of regulatory and law enforcement relationships between the state and the taxi industry, which is set out in the following two sections.

4.2.2 Relationship with the regulatory role of the state

In the wake of the NTTT and NLTTA, significant attempts were made by government in the early 2000s to democratise associations, register routes and better manage the supply and demand of operating licenses. One of the key provisions in the NLTTA was to restrict historically awarded indefinite licenses to a maximum period of seven years. While the National Department of Transport introduced a new Information Technology (IT) system to facilitate issuing licenses, it fell to provincial governments to engage with operators to regularise routes, rationalise existing permits, and issue new operating licenses. Although legislation provided for municipalities to determine supply and demand and include such in an Integrated Transport Plan, the actual process of route registration did not take this into account, at least in Gauteng (GTT). When registration of routes was initiated, associations were required to complete forms describing the routes they were operating, including the origin, destination and which streets they travelled on. From the Office of the Registrar, government officials were meant to verify these routes and then they would be allocated to an association (GTT).

The route registration and operating licensing processes received a mixed reaction from taxi operators. TA6, who was instrumental in getting his vehicles and those of his fellow association members compliant, said:

> *Under Kgaps [Kgabiso Mosunkutu, MEC for Transport in Gauteng] we had the opportunity to understand where the legislation was going and to even enjoy to comply … The level of compliance was quite high and personally, that is where I made a lot of progress with regards to my business.*

This included being able to register routes that had previously been invaded by neighbouring associations (TA6). While some welcomed the move, others who had more to gain from remaining unlicensed fiercely resisted the introduction of operating licenses. For example, Top Six stood to lose out on significant incentives that they had negotiated with Toyota on behalf of the taxi associations if they had to limit the number of vehicles they could purchase and operate. Most operators affiliated with Top Six thus refused to apply for operating licenses (personal experience).

This process of regulating supply and demand had varying degrees of success across the country, and in Gauteng, where most commuter and long distance taxis originate, had all but collapsed by 2019. Both the Competition Commission market enquiry into competition in public transport and the Gauteng Commission of inquiry into taxi violence have tried to unravel the reasons for this. The Competition Commission found that the time taken by PREs to issue operating licences was between nine to 18 months, while the NLTA requires licenses to be issued in 60 days (2020, p. 13). In Gauteng, they found that a significant backlog had existed since 2007 (Competition Commission, 2020, p. 13). The Competition Commission listed the lack of capacity at municipal and provincial level; delays by municipalities in providing directives to the PRE; lack of functioning IT systems; gaps in the legislative and regulatory framework concerning the allocation of new routes, and that the PREs would issue unlawful directives and moratoria on operating licenses leading to an increase in illegal operations (2020, p. 248 - 9). The Gauteng Commission further established that PREs required, without a legal basis, applicants to have letters of recommendation from their associations. As this Commission pointed out, the "PRE uses the Associations as gatekeepers to stop individuals who are not members of Associations from entering the Minibus-Taxi Type Service Industry" (2021, p. xvii). "Government must shoulder responsibility for the fact that operators and officials have to wait for 18 years for [IT] systems to be upgraded", said the former MEC for Transport in Gauteng, Ismail Vadi (GIV).

During his term of office, Vadi ended a moratorium on issuing operating licenses and urged operators to uplift their licenses. He said that at the end of a process to uplift licenses, about 3 000 were not uplifted (GIV). This could have been because operators who needed licenses did not have vehicles, had left the industry or could not afford to pay the high joining fees now required by associations (GBM). GBM also said that the province did not "clean their system", so many mistakes and irregularities could have been present in the operating licensing system. Vadi told Fobosi that "some people don't want to register. They want to be outside the system and operate illegally, or their vehicles are not complying, so they rather operate illegally (2021, p. 122). Taxi

respondents blamed poor regulation on corruption in the system of operating licenses and no subsequent consequence management. TA6 alleged that taxi operators infiltrated government while government officials abused taxi operators: "Everyone is eating now because of a lack of consequences, and in parallel, they victimise taxi operators who refuse to be bribed". GBM referred to a whistle blower who alleged that an individual associated with the PRE would speedily arrange valid operating licenses for an additional fee. At the same time, others would wait months if not years to get a license. The Gauteng Department of Transport promised to investigate the whistle blower's allegations, but when GBM followed up, he said "everything went cold - the investigation was never concluded".

As a result of the above, increasingly, taxi operators have stopped relying on government regulation to address their challenges. An NTA spokesperson told Fobosi that "some routes are being given [by the PRE] to people who don't qualify or have not been working in those routes and end up being given operating license to work in those routes" (2021 p. 138). He regarded this as a cause of violence. "Another cause for taxi violence is new developments", he said and complained that local government never calls taxi operators to a meeting so that transportation can be planned ahead of those developments" (Fobosi, 2021 p. 138). APB said that when regulation fails, "with a bit of luck they [frustrated taxi operators] do not hire hitmen but will blockade a road to get the attention of an MMC [Member of the Mayoral Committee]". This, he says, may sort out the problem for a short time, but increasing those who seek to abuse the system, such as illegal operators, gain the upper hand and takeover (APB). Thus, in the place of government regulation, taxi associations have stepped in with their own regulation, deciding who will operate which routes. This self-regulation is strictly enforced by executives of associations and their enforcers as discussed in section 4.1.7 while state law enforcement is either weak or compromised, as the next section spells out.

4.2.3 Relationship with law enforcement

The responsibility for minibus taxi law enforcement is fragmented between the South African Police Services (SAPS), Metro Police, municipal traffic officers, and provincial traffic police. Fragmentation, according to both the Competition Commission and Gauteng Commission, limits its effectiveness. (Competition Commission, 2020, p. 19; Gauteng Commission, 2021, p. xiii). The result said the Gauteng Commission is that the impact of law enforcement is minimal, and instead, a "general sense of impunity prevails where those who breach the law are unlikely to be punished"

(2021, p. xiii). However, the research points out that the relationship between law enforcement officers and the minibus taxi industry is more significant than fragmentation.

Law enforcement officers often originate from the same families and communities as taxi operators. Thus some have a vested interest in the taxi industry because it provides their close family members with an income, which otherwise they may be responsible for (ADS). Further, if they exercise the law, they are seen as "traitors in that microenvironment", said ADS, while "very few policemen irrespective of colour can stand up to bribery from the taxi industry," said TA6. This is because, in addition to the issues mentioned above, when the taxi industry bribes, it bribes with cash and "the weight of cash is huge"(ADS). The Gauteng Commission said that "both the corrupt officers and the taxi drivers have become so brazen that they no longer conceal their corrupt exchanges"(2021, p. 49).

There are significant allegations that "police officers were alleged to be owners of taxis or they were having relatives who are in the taxi industry", a detective told Molefe (2016, p. 84). Fobosi's taxi driver and taxi owner respondents repeatedly said that problems in the taxi industry couldn't be solved because, as one told him: "Government officials are involved in the taxi industry. So there is no political will" (2021, p. 129). The Gauteng Commission established no compliance with Section 13(d) of the NLTA, prohibiting law enforcement officers and their immediate families from having a direct business interest in public transport (2021, p. 48). The Commission writes that the

> … *EMPD [Ekuruhuleni Metropolitan Police Department] confessed that they were not aware of this legal requirement and the TMPD [Tshwane Metropolitan Police Department] had never undertaken such an investigation [to establish if their members were owners and operators in the minibus taxi industry]. (2021, p. xiv)*

Molefe describes how in Stanger, if law enforcement wanted to conduct an operation, they would need to recruit police and members of the Public Transport Enforcement Unit (PTEU) from other areas because local police leaked information to the taxi associations (2016, p. 80).

The Gauteng Commission said that taxi operators' pleaded for more effective action by the SAPS regarding investigations, arrests and prosecutions of those who have committed violent acts (2021 p. 55). However, respondents pointed to mutually beneficial relationships between association leadership and police officers. GA1 estimates that about 15% of association members are employed

by the JMPD or SAPS, which he says "is too much" if you want law enforcement to function effectively. They are able to alert association members when there are road blocks but also unlawful release suspects and drop charges (GA1; Ardé, 2020, p.141). GTT attributed the success of Top Six founder, Mtambo, to the fact that he was able to "spread his wings" by recruiting his relatives and local police officers into his association. Moreover, through connections to senior police commanders, he built a structure of illegally armed *indunas* and got away with often blatant acts of violence and impunity against rival taxi associations (GTT). An incident in this regard is recorded in section 4.4.1 . The Gauteng Commission confirms the above with anecdotal evidence of collusion between law enforcement officers and those responsible for violence and that law enforcement officers abet criminal activities and protect them from the law (2021 p. 48,49). GTT, who is a former government official, said:

> *We side with associations which are wrong and make them right, we take something below the carpet that comes from the association to give them verdicts in disputes which are pro them, and we do not follow the correct steps of conflict resolution.*

There is little evidence of effective prosecution of perpetrators of taxi violence. The Chief Strategic Manager of Santaco alleged to Fobosi that:

> *There are cases that can be quoted when police sometimes say they have killed [taxi] people . If police kills, so who is supposed to investigate the case and open the docket? If the police kills who is going to be arrested? The police can't arrest themselves. (2021, p.137)*

GIV said that despite the large number of violent acts and many criminal investigations under his watch as MEC for Transport in Gauteng, there was only one prosecution. The perpetrator got a 30-year prison sentence (GIV). The Gauteng Commission heard evidence that special police tasks forces such as a Joint Provincial Taxi Task Force established in 2014 was considered to be effective. However, it said that it and other similar initiatives were usually "short lived and often dissipate without any rational explanation" (2021, p. xiv). TA6 alleged that sometimes based on intelligence reports or an outbreak of violence, a particular association leadership would be locked up for a period, and when they were released, "things became quiet". He implied that they were terrorised or

tortured in prison. He also alleged that when the police arrest the leadership of a warring association, rival members could be at risk of being assassinated.

Often when allegations of police or government collusion in taxi violence become too strident, government's response has been to initiate commissions of inquiry to investigate the causes and extent of taxi violence. These commissions (Gauteng Commission, 2021; Cape Town Inquiry, 2005) have found evidence of connections and collusion between the taxi industry, law enforcers, regulators and politicians and the almost complete lack of consequence management. However as GBM said:

> *Commissions may have good recommendations, but they do not have teeth and are not implemented. If a finding blames law enforcement, it is unlikely that law enforcement is going to probe itself.*

Further, as Dugard has pointed out, while government is often accused of not doing enough to stop violence,

> *… many attempts to intervene in the taxi industry have upset fragile symmetries and have exacerbated existing conflicts or have sparked new ones. Government interventions invariably create disturbances, from which certain protagonists stand to gain while others stand to lose, and this frequently leads to violence. (2001, p. 144)*

The above three sections point out that the relationship between politicians, transport policy makers and law enforcement officers and the taxi industry bosses is often mutually beneficial, while policy imperatives and actions that would benefit taxi operators or drivers are missing. A similar pattern is evident in the relationship between the taxi industry and the formal, informal, legal and illicit private sector elaborated upon in the next section.

4.3 Relationship with the private sector

The taxi industry has been a critical economic resource for other parts of the motor vehicle sector, including vehicle manufacturers and the associated value chain, financiers, fuel companies, insurers and outdoor advertisers - referred to as dealers by taxi operators. The vehicle value chain includes motor vehicle repair and maintenance businesses, tyre, glass and other fitment centres, panel beaters and businesses selling spare parts. In 2019, it was estimated that taxi operators spent R39 billion on

fuel and R2 billion on insurance (Ardé, 2020, p. 113). Consultants and entrepreneurs who advise the industry on business skills or introduce them to services such as payment cards or Wi-Fi can also be seen as part of the value chain. Lastly, gangsters and other underworld business persons deal in drugs, arms, and illicit items through and in partnership with the taxi industry (Shaw, 2017, p. 75).

The research findings below discuss the different relationships between the taxi industry and the private sector. It demonstrates that the most common interface between taxi operators and the private sector are the national structures that have gained the most financially. In contrast, there has been minimal transformation in the way that it is defined in South Africa - as a short hand for increased ownership and control in the hands of previously disadvantaged black South Africans. The first sub-section looks at the relationship with finance institutions(4.3.1), then the relationship between motor manufacturers and dealerships and the taxi industry (4.3.2), and ends with a review of more opportunistic and illicit private sector relationships (4.3.3).

4.3.1 Relationship with finance institutions

From inception, national taxi structures sought to make money over and above or in place of membership fees. James Chapman, a national advisor of the first taxi mother body, the South African Black Taxi Association (SABTA), set up an independent arm called Taxi SA Marketing (Taxsam) to negotiate discounts and special deals from suppliers and financed itself from the "kickbacks" it received as a result (McCaul, 1990, p. 77). One of these arrangements was called a debenture scheme. According to GTT, when an operator wanted to purchase their first car, they could buy a debenture from SABTA, who would invest their money, so it was easier for them him/her to purchase a second car. However, GTT, an operator before he became a government official, said: "We did not get those debentures; we only got certificates". GTT alleged that SABTA collapsed as a result. Whether this was true or not, the practice of mother bodies setting up business wings to negotiate deals with the motor vehicle sector and getting kickbacks in return is an established model in the taxi industry.

In the early days, Top Six agreed with Toyota's financing arm that each time a sale was arranged through them, a certain sum of money would go to Top Six. The operators were also told that they would get a discount by buying through Top Six. However, the discount was allegedly added to the vehicle's purchase price – something they may not have realized because they were required to pay in instalments (GTT). In return for Toyota's money, Top Six was responsible for the

enforcement of repayments, and if a member did not pay, the *indunas* would be after them (GTT). However, by the time the debentures were due, the "money had been eaten by the hierarchy" said GTT. He was referring to a long standing tension between operators and their leadership on the whereabouts of this money. At some point, this deal between Top Six and Toyota may have closed out Santaco affiliated associations while giving Top Six affiliated associations access to more vehicles at lower prices. This could be one of the reasons for the growth of Top Six affiliates in Soweto and increasing tension between them and Santaco-affiliated associations for new routes and conflicts over existing routes. Further, when in the mid-2000s, government initiated a process to convert permits to operating licenses and limit new entrants, which would have limited the number of cars that could be purchased, Top Six was very opposed to this (personal recollection).

Over time motor manufacturers and the traditional banks have exited taxi financing, and new players have emerged, most prominently, SA Taxi, owned by Transaction Capital. They have spread their wings since 2012 from vehicle financing to insurance, refurbishing of vehicles and maintenance. Since listing on the Johannesburg Stock Exchange in June 2012, their earnings per share have grown at a compound annual growth rate of 21% (Ardé, 2020, p. 114). Taxi operators allege that SA Taxi charged very high interest rates (GBM). A taxi operator at Wanderers Taxi Rank told Fobosi in 2018:

> *Taxi finance is not right. It's not right. It has condemned a lot of people because it takes their vehicles away from them. A person cannot even miss one month's payment, and on the second one they are repossessing the vehicle. It has condemned a lot of people. It's a butchery in there my brother. You pay forever for your vehicle, and the car instalment doesn't decrease. (2021, p. 142)*

GBM said taxi operators patronised SA Taxi because they had lower requirements than other financial institutions. They could do this because, as the operator in the quote above indicates, they had mechanisms to repossess vehicles quickly (GBM).

The Competition Commission confirmed that "interest rates charged for the provision of credit to finance minibus taxis may be exploiting minibus taxi operators" (2020, p. 14). The Commission redacted the interest rates of financial institutions in its published report. However, it indicated that as developmental credit providers, SA Taxi

> *… are allowed in terms of the NCA [National Credit Act] and the associated regulations to charge a maximum of Repo Rate + 27% which currently translate to 33.55% (as at 24 January 2020). On the other hand, traditional banks can charge a maximum of Repo Rate + 17% which translates to 23.55% (as at 24 January 2020). (2020, p. 242)*

In 2018, SA Taxi entered into a black empowerment deal with Santaco, who gained a 25% equity position in their business in a deal valued at R1.7 billion (de Wet, 2018). SA Taxi stood to benefit in several ways from this deal. Firstly, they were able to start raising finance from local institutions like Standard Bank who required clients to have black empowerment partners. Secondly, they were able to enlist Santaco in the co-management of defaulters. As APB said: "You can get finance for your taxi at a huge interest rate, and if you manage to pay it back, that is great. If not, six months later, the financiers reclaim the taxi, and they go through the same process with another operator with an almost brand new taxi". In 2019, SA Taxi repossessed about 200 vehicles a month which was about 11% of their loan book (Ardé, 2020, p. 114).

Today, the majority of taxi vehicles are insured by SA Taxi. As the Competition Commission said: "SA Taxi Finance has no real competition" (2020, p. 14). In 2018, SA Taxi introduced a scheme where for each insurance product they sell, at an approximate value of R1670 (in early 2020), R50 is given back to taxi industry structures. According to respondents, R20 goes to the association, R20 to the regional structure and R10 to the national structure. When the author did interviews in early 2020, respondents talked about regrouping and reviving structures such as Top Six and Utaf (now called the Johannesburg Gauteng National Taxi Alliance or JGNTA) to be able to access these funds that were being deposited quarterly into their accounts (TA1, TA5). All SA Taxi insurance clients are required to install vehicle trackers. SA Taxi says that operators benefit as they can track their vehicles, including if they are stolen or if their drivers make additional trips (GBM). However, most operators are not familiar with this technology. They often sign additional contracts with vehicle tracking companies who will also track, trace and return their vehicles when stolen (personal recollection). Instead, SA Taxi further gains by having access to the data from the tracking devices and making data-driven decisions in a historically opaque industry (GBM).

This sub-section shows how an entrepreneurial finance institution, SA Taxi has built on previous models of opportunistic relations between financiers and mother bodies to make significant profits while taxi operators are squeezed financially and put under pressure by the

structures meant to represent them and to pay up when they are defaulting. The following sub-section looks at similar relationships with motor manufacturers and dealerships.

4.3.2 Relationship with motor manufacturers and dealerships

There is a view in the taxi industry that those who manufacture and sell minibus taxi vehicles should be on the same side as the taxi industry because they are making money from them (TA4). However, this has not been the case with motor manufacturers and dealerships. After unsuccessful lobbying in the 2000s, motor manufacturers reluctantly agreed to the minimum specifications promulgated by government as part of the NTTT recommendations. These specifications make taxi vehicles safer but also more expensive. Toyota provides the vast majority of taxi vehicles, with the most common brand being the 15-seater Quantum. The Nissan Impendula and Mercedes Benz sprinter are the next most common brands. Chinese produced minibus taxis such as the Inyathi and Beijing Automotive Works (BAW) came onto the market due to the changes to minimum specifications but are the least preferred brands by taxi operators (Fobosi, 2021, p. 141).

Motor manufacturers contribute little to promote regulation or taxi safety which one respondent said they should do since "each time a taxi cuts in front of a car, it impacts their brand" (APB). Toyota had partnered with the University of Pretoria to offer short courses for taxi drivers and officials who staff taxi association offices. However, according to participants, this was more of a public relations exercise than improving driver training or the business skills of the association (GBM). According to the Competition Commission, "dealerships and banks are required to approve funding and release motor vehicles only when there is proof that an operating licence has been secured" (2020, p. 253). However, the Commission indicated that some dealerships and banks sell minibus taxis without requesting operating licences (2020, p. 253).

While Toyota is no longer in vehicle financing, some of their dealerships have incentive schemes for associations. When associations facilitate that their members go to a particular dealer, the association gets some money from the dealer. Dealerships also donate cars to taxi associations for use as squad or patrol cars, despite being used for questionable purposes. GBM recalls that Halfway Toyota gave Utaf cars when it was fighting the introduction of BRT. "If the BRT were to succeed, there would be a smaller market for Toyota's vehicles", said GBM. TA6 said that sometimes dealerships would borrow you a brand new fancy car which can spread rumours that "this one is benefitting", putting the taxi leader at risk of being assassinated.

4.3.3 Taking advantage of the minibus taxi industry

The taxi industry is "*ibisinisi lomuntu omunyama leli*" (meaning: "this is a black man's business") a queue marshal told Sibeko, bemoaning the fact that because it was a black person's business, he was not treated well (2016, p. 120). This sub-section looks at how the taxi industry is treated in a desultory and opportunistic fashion because it is black and has specific features such as being informal, violent and township based, which is taken advantage of even if not successfully. APB related an incident when the former Minister of Transport, Mac Maharaj tried to introduce representatives of Corrobrick to the Santaco national leadership. Corrobrick wanted to provide taxis with 5 kg trailers to transport bricks to township traders. "The Corrobrick guys were saying this was great because this leadership can control the taxi owners, but of course, they don't", APB said. He said nothing came of this deal and a similar proposal from Telkom for Santaco to deliver telephone directories in townships. More recently, start-ups and social entrepreneurs have tried to entice the taxi industry to partner with them in introducing technology into their operations, such as cashless ticketing using smart cards or wifi in taxis. Very few schemes have lasted beyond a couple of months in an environment where drivers rely on cash for remuneration, and operators are very suspicious of schemes where they do not see the cash and a middle man will take a fee (APB, ADS).

Drug dealers and money launderers have infiltrated associations and mother bodies or used them to launder illegal transactions. APB explained how and why this happens:

> *If you are bringing in cash from drugs or prostitution and you go to the bank, at some point SARS is going to ask you where the money comes from. But if you purchase a taxi, the cash can look like it legitimately comes from a taxi business – while in reality you do not need the taxi to make money.*

Shaw sees the taxi industry and criminal gangs as "inextricably linked", reinforcing and sustaining each other:

> *The taxi industry provides the criminal gangs and their drug trafficking businesses convenient access to clientele – taxi ranks are prime markets for the sale of drugs – while taxis provide an ideal*

> *means of drug distribution. Meanwhile, investing in the taxi industry is an easy way for gangs to launder money in an industry with a high cash turnover and little oversight. (2017, p. 75)*

Shaw also traces the increase in armed security by the taxi industry to their increasing alliance with those in the drug trade (2017, p. 76).

This sub-section concludes the section on the relationship between the taxi industry and other parts of the private sector. It has demonstrated that "no or limited transformation within the public transport industry across the value chain (financing, manufacturing, fuel supply etc.)" has occurred (Competition Commission, 2020, p. 19) or, as Xaba puts it more forcefully – the taxi industry "collects crumbs from its total value chain" (2020).

4.4 Patterns of violence

The research findings in the previous sections show how intrinsic and pervasive violence is to taxi operations. Says the main character in a novel about a taxi driver, *The Last Stop*: "The taxi industry will never be a good place. It is built with blood" (Mofokeng, 2017, p. 96). Commissions of inquiry have tried to define and unpack the reasons for violence. A commission of inquiry into taxi violence in the Western Cape which reported to Parliament in 1999, defined taxi violence as follows:

> *The conflict between or within taxi associations, with the exclusive aim to promote one or both of an association's primary goals, namely: Financial gain and control over routes and/or taxi ranks (expansion of power base).*

The Gauteng Commission, when unpacking the reasons for violence, says they were

> *… presented with testimonies related to fights over money, especially 'bucket money'; competition for executive positions in the associations; fights for territorial dominance; unlawful and criminal take-over of businesses of other operators; retribution and pure thuggery among other causes. (2021, p. xv)*

The following sub-sections will focus on discerning patterns of violence to show what violence accomplishes. Firstly, it will demonstrate that violence regulates and orders the industry to increase access to routes and money. Secondly, violence is often layered, with mixed or multiple

motives and rationalized in particular ways, possibly to normalise it while simultaneously creating cycles of violence. Sub-section 4.4.1 looks at inter-association violence, while sub-section 4.4.2 looks at intra-association violence. Sub-section 4.4.3 looks at how violence has become a way of life in the taxi industry.

4.4.1 Inter-association violence

There are several patterns of violence when neighbouring associations or associations from different mother bodies want to operate on the same route or routes. Encroachment of routes can be planned and executed in ways that resemble warfare and include rituals associated with going into battle. GTT related this story:

> *If there is no law enforcement and an association want's to encroach a route, they call their cousins from KZN to come together with their AK47s[7] and reinforce the route for about three to four weeks, suffocating the local association. When they win the route, they will be paid by getting a taxi on the route, in the name of a proxy of an association.*

Of importance in this story is the warlike language used by GTT: "reinforce", "suffocating" and "win". Various rituals harking back to traditional warfare accompany route encroachment or subsequent retaliation, including the prior or post slaughtering of particular rituals such as the slaughtering of animals and the use of *muthi*[8]. Ardé tells a story about a perpetrator visiting a *sangoma*[9] to get a spell on someone who "he needed him dead"(2020, p. 110). When the brother of the Sizwe Taxi Association chairman, Mbongiseni 'Nsimbi' Mpungose, was killed near Eastgate Shopping Centre on 24 March 2019, the association returned to the spot of the assassination with

[7] AK47 is an automatic assault rifle.
[8] "*Muthi* refers to medicine that not only heals or destroys the physical body but also helps to usurp power from rivals and kin (Mchunu, 2021, p. 186).
[10] A *sangoma* is a highly respected healer who diagnoses, prescribes and often performs rituals to heal a person physically, mentally, emotionally, or spiritually.

the hearse of the dead man and performed a cleansing ceremony which involved shooting a significant number of gun shots into the air (Pijoos, 2019).

Another metaphor for encroachment was explained by Hettie Potgieter, a lawyer who has worked with the taxi industry for many years and in July 2020 became an administrator for the Mamelodi Taxi Association (MATA) after an alleged gangster infiltrated the association. She said he "reversed" cars into MATA. She explained to her interviewer that reversing meant bring in cars from other places and putting them in line at the rank (News24, 2021). Molefe describes a related practice of *ukuteta* which he says loosely translated means "riding on the back of the other" (2016, p. 66). In this instance, licenced taxi operators would allow an unlicensed operator to use his/her license to operate. This practice also contributed to conflict in the associations Molefe studied in KZN (2016, p. 66).

Police play different roles in route conflicts. Dugard, reporting on a 1999 Commission of Inquiry into taxi violence in Shoshanguve, quotes newspaper reports since the authorities decided not to release the report because of its "sensitive revelations" (2001, p. 26):

> *The commission's report named police officers allegedly colluding in the violence, identified corrupt police stations] in the area (The Citizen, 1999, October 13; The Pretoria News, 1999, October 13) and detailed examples of how 'police officials leased government property, including firearms, bulletproof vests and police uniforms, to taxi associations for use in their attacks against rivals' (cited in The Mail & Guardian, 2000, 28 January-03 February). Shockingly, the commission found evidence that particular police officers had participated in the actual attacks against taxi drivers and owners. On July 15 1997, for example, 'police officers at Rietgat police station [in Soshanguve] joined with several taxi owners who were kitted out in police equipment and went on a shooting spree at a Soshanguve taxi rank'. (2001, p. 26)*

Shaw relates an incident in August 2015 where two detective constables were charged for the murder of a taxi boss, Makhosonke Mpungose whom they kidnapped and then murdered (2017, p. 187). Allegedly there was a dispute between two taxi associations, and

> *… a decision was said to have been taken by a collective of owners that Mpungose should be killed. Members of the association sought out the assistance of police officers, and the two detectives were allegedly recruited to do the hit. (Shaw, 2017, p. 187)*

One of the most treacherous and bloody battles fought between Top Six and the local structure of Santaco, called the Regional Taxi Council (RTC) to control Soweto routes, was in respect of the Diepmeadow Association who transported passengers from Diepkloof and Meadowlands to the CBD of Johannesburg. The story related by TA6 below may not be factually precise but has a reality in the discourse and memory of taxi operators. The association was divided, with some members belonging to the RTC and others belonging to Top Six. According to TA6, early one winter morning, while drivers and marshals were drinking tea and eating *vetkoek*[10], they were attacked with military precision, and many died. Together with mortuary vans, ambulances and forensic pathologists, the police were quickly on the scene – something unusual – and the RTC members who had survived were picked up for having illegal firearms. After this incident, most operators, out of fear, went over to the Top Six association while no one was arrested even though TA6 alleges that it was common knowledge that Top Six had masterminded the attack.

Sometimes when there is a stalemate in a route conflict between two rival associations, possibly until one or other association can regroup and rearm, JVs are agreed upon (GBM). JVs are short for joint ventures where each association agree to put a certain number of taxis on the route. Some JVs involve a *tipa* system where taxis on their return routes must travel without passengers. This is not a sustainable solution since it reduces the revenue to the driver and operator. While the Registrar's offices facilitate some JVs, most are 'gentlemen's agreements' policed by illicit or informal means by squad cars, route supervisors or *izinkabi* (GBM). The government no longer wants to get involved in JVs, says GBM, making this a further example where regulation has shifted to associations.

Bold and brazen tactics are used by taxi bosses to establish control. An example of this is when Top Six tried to win associations operating from Meadowland, Soweto into their fold. Its leader, Mtambo, became a mediator with the understanding that when he mediates, the association that comes out the winner must become a member of Top Six. The winning association would then

[10] *Vetkoek* is a traditional South African small, unsweetened cake of deep-fried dough.

be "extinguished as a competitor" and would get ongoing protection from Top Six in exchange for payment and support (GTT). GTT continued:

> *The rival associations were invited to meet in a hall where police checked everyone for weapons at the entrance. Mntambo allegedly came with two weapons – one in his clutch bag and one that he handed in, so he was not suspected of having a second weapon. While he was sitting on the stage, he saw people peeping through the ceiling. He opened his clutch bag, and he shot one, shot two and shot three and stood up and told the police that they brought him into this meeting for him to be killed by these people.*

According to GTT, Mntambo could not be arrested by the police because his evidence would be that he opened fire in self-defence. In addition, the rival associations would leave the meeting under no illusions of the power that he wielded, concluded GTT.

These route conflicts involve assassinations of key individuals but extend to attacks on vehicles, passengers and members of the public who are caught in the crossfire. Assassinations are the more common form of violence which is focused on in the following section on intra-association violence.

4.4.2 Intra-association violence

Section 4.1.5 sets out how becoming an association executive member and chairperson, in particular, is a route to significant power and access to cash. This section looks at the use of violence within associations and how association leadership uses violence to achieve and entrench their positions as well as for various complex instrumental and performative motives. The NTA spokesperson referred to in sub-section 4.2.2 explains further reasons for intra-association violence to Fobosi as follows:

> *There is also question of jealousy where people are jealous of somebody's success. Another issue is the issue of leadership where everyone wants to be a leader even though they don't have leadership qualities. Another main cause is that people that are voted into the executive of individual organisations do not have necessary qualifications. You would have a person voted and training*

> *officer who has never been trained or who is not trainable. You would have people elected as chairperson because they are gun slingers, or they can wield a stick or are masculine. (2021, p. 138)*

The Gauteng Commission found that some killings arose out of "personal jealousy" when a member "appears to be developing by increasing their fleet and other signs of progress and one or more members of the same Association hatch a plan to eliminate such a progressing member" (2020, p. 79). Similarly, respondents in research reports talk about "greed". Ngubane quotes one of her respondents as saying

> *… greed is the cause of taxi violence. They [association executives] don't want to see another individual prosper in this industry. When one owner fails to properly manage his business, he becomes jealous and kills the one who is doing well. In Mpumalanga Township many people have died who were not even involved in anything dishonest. They were killed just because they were doing well. (2016, p. 98)*

Molefe quotes his respondents as saying that "greed came into effect because other members of the Maphumulo or Stanger taxi associations wanted to remove their chairperson so that they could hold the position that would allow them to make a lot of money" (2016, p. 66). According to Molefe, of the 33 opinions that he sourced on the reasons for taxi violence, greed scored the highest – at seven (2016, p. 65).

There is often a complex multiplicity of motives for assassinations in the taxi industry. Shaw tells how Western Cape taxi boss Victor Mbulelo suggested limiting the number of taxis each person in the association owned in response to the increasing number of taxis on the road. He was not supported by other members of his association who arranged a well-known hitman called Khobe, to kill him (2017, p. 61). In Shaw's investigation, he established that Khobe had previously been hired by Mbulelo to "terrorise a bus company, Golden Arrow, so that commuters would be forced to switch to taxis" and that Mbulelo had not paid Khobe. Two decades previously, when Khobe was 14 years old, he had been abducted by the same Mbulelo, possibly because he was a "young lion of the ANC" and tortured by him – when he was part of a criminal gang with links to the police (Shaw, 2017 p.62). While Khobe was arrested, his four accomplices, who turned state witness, were all killed (Shaw, 2017, p. 62).

TA6 said that killings would be orchestrated and planned as a financial process for a significant once-off financial benefit. The person arranging the hit would budget for lawyers, hitmen, guns, cars – "maybe that is about R200 000, and if you are lucky, you will only use R50 000 to pay for the hitmen, and there are no arrests, you have R150 000 to share amongst you and your associates" (TA6). But most often, assassinations have to do with ensuring control. As GA1 says, either a chairperson needs to get rid of those who may be a threat to his power or someone will assassinate a chairperson if they don't follow the instructions of the *indunas* or those that control him. He related an incident of a chairperson that tried to use the funds of the association to invest in a petrol station. He was assassinated and since then, the work on the petrol station is at a "standstill" (GA1).

One of the most disturbing features of intra-association violence is how taxi operators end up "funding their own murder" said GBM. As set out at 4.1.4 and confirmed by the Gauteng Commission: "Some incidents of violence are preceded by movements of monies often collected illegally from taxis in the ranks" (2021, p. 78). GBM indicated that a message would go out at a taxi rank that operators need to put in an extra amount of money before their vehicle leaves the rank and it could be that this money will be used to assassinate an operator who contributed. These known codes are one indication as to how normalised and routine violence is in the taxi industry. The next sub-section looks at this in more detail.

4.4.3 Persistence of violence in the minibus taxi industry

> *There is no doubt that the Minibus Taxi-Type Service Industry is among the most dangerous, if not the most violent and feared industries in South Africa. … The minibus taxi-type model is so unorthodox and unique in itself to the extent of encouraging and contributing directly to the recurrence of conflict and violence. (Gauteng Commission, 2021, p. viii)*

The above quotation from the Gauteng Commission confirms how persistent, normalised and commonplace violence is to the taxi industry. One of Masuku's respondents in her study on queue marshals told her that "some drivers would resort to killing the current marshal to get their desired" person employed (2016, p. 59). A commuter told the Sonke Gender Justice study that:

> *Taxi drivers are making most people [referring to passengers] angry. In many people they are making angry, some of them do come back and fight back. When that happens, they don't say it's*

the passenger that was provoked by the driver. They will blame it on taxi violence. (Sonke Gender Justice, 2019 p.40)

ADS tried to qualify violence. He said:

Recently there was a conflict between two associations and there was violence – but it was not aggressive or excessive. There were no killings. The big association wanted to give the small association a lesson, and so they came with sjamboks.

Similarly, while Ardé regarded the Chatsworth Taxi Association as "scrupulous in avoiding the use of violence" (2020, p. 117), in another breath he quotes the chairperson as saying:

We don't have a mafia operation. … We are disciplined and organised. Of course, you need a couple of heavy ous[11] in this business. If you don't then other guys will take a chance on your route. (Ardé, 2020, p. 116)

When national and city governments wanted to promote the BRT to taxi associations, they showcased *Transmilenio*, operating in Bogota, Columbia and arranged study tours for taxi leadership to see for themselves. ADS related how the taxi leadership "met one of the bus company leaders who had been an informal operator and had become really powerful with private guards, drivers and his own helicopter". He said that they might have returned with the knowledge or belief that "there was probably a lot of violence to establish who was most powerful" (ADS). He implied that while government officials regarded BRT as an opportunity to reduce violence, some of the taxi leadership who came into the BRT may have envisaged continuing to utilize violence to achieve power and control in the BRT system.

Taxi industry masterminds have used conflicts to blame the government or a rival association masking the real reasons for assassinations. When the first phase of the BRT was

[11] 'Heavy ous' in this context refers to a group of tough men.

introduced, a few key people who had signed up to be part of the BRT system were killed, and there were allegations that they were killed because they were involved in BRT. However, it would later transpire that the real motives involved fights over women, livestock, or issues they faced in their home village (GBM). Similarly, between 2019 and 2020, seven WATA treasurers were killed in the midst of a route conflict between Nanduwe and Wata in Soweto. GA1 intimated that despite the conflict between the rival associations, he did not believe that Nanduwe hitmen were responsible for these killings, even though it can be a compelling narrative. Instead, the assassinations were more likely as a result of struggles within the WATA executive.

In situations of extreme conflict, the value placed on life and lives diminishes. GTT told of an incident where a taxi owner from Nqutu was assassinated. When his relatives came with *izinkabi* to look at the corpse, they decided to avenge his death by killing five drivers. The Gauteng Commission found that some killings are associated with the silencing of the hitmen who were engaged to eliminate a member of an Association (2021, p. 79). Taxi leaders often know when they were being targeted either because of threats or tip-offs from inside their ranks and their relations with the SAP's crime intelligence divisions. It can also be because they realise that this is an inevitable result of their actions. A police officer in KwaZulu Natal told Shaw that taxi bosses

> *… know exactly where they are in the line of succession and how close they are to being the next target on the hit list. Can you believe that they even get upset if someone lower-ranking than them gets killed first? (2017 p.74)*

It is also hard for targeted leaders to be vigilant and stay in hiding. Telo Selepe from Armsta evaded getting killed for a long time, always moving homes and never taking off his sling bag containing his pistol until one morning he went for a walk outside his house and a sniper killed him (personal recollection). Others are stoic, recognising that they will be killed if they take apex positions in their organisations. As IV said: "If I am the victim, I am dead, its finished".

Almost as significant as who gets killed is who does not get killed. Both the Santaco and NTA spokespersons whom Fobosi interviewed on the reasons for taxi violence laid significant blame at the government's doorstep (2021, p .136) Yet, government officials are very rarely the target of assassinations. One exception was the murder of Sonwabo Ngqola, Deputy Chairperson of the PRE in Gauteng, "in what appears to be a well-orchestrated ambush" (personal correspondence, 13 April 2021). When a person blew the whistle on a Registrar of taxi associations

and routes who was bribed with offers of farm land, the whistle blower was killed, and the Registrar left alone (GTT). Similarly, individuals outside of the taxi industry ecosystem, such as white or Indian advisors, survive despite being complicit in perpetuating the modus operandi of the taxi industry. When probing a respondent on why "James Chapman is still around" after being such a controversial figure in respect of debentures and the business wings of Santaco, he said: "Blacks do not kill whites, this is what you must know" (GTT). This may relate to the fact that the ability of law enforcement officers to protect assassins is reduced when they kill outside of their immediate community.

4.5 Conclusion

This chapter on research findings opened with vignettes providing the reader with insights into who taxi operators are. The chapter then described the different layers within the taxi industry and how the taxi industry relates to both state actors and the motor vehicle sector. While violence permeates the entire chapter, the last section reflects on the patterns of violence, including the fact that there is often no single instrumental motive for violence. Drawing on respondents and personal recollection, the chapter concludes with a case study of the mixed and multiple motives behind the violence in April 2016, ostensibly over routes to the recently opened Mall of Africa in Midrand, located prominently just off the M1 freeway between Johannesburg and Tshwane.

Almost 50 people died in this conflict, including leadership from the allegedly rival taxi associations, the Alexandra, Randburg, Midrand and Sandton Taxi Association (Armsta) and the Alexandra Taxi Association (Ata). In April 2016, at the height of the dispute as to who should operate to the Mall of Africa, the deputy chairman of Ata was gunned down leaving the Ata offices and the following day, the Armsta general secretary was killed taking his child to school. Three days later, the deputy chairperson of Armsta was assassinated at his house in Limpopo.

Both associations have their origins in Alexandra Township. Since they were formed, the relationship between the two associations can be characterised as periods of war and unease truces. Over the years, both associations have lost critical leadership through assassinations, including Mike Yende, referred to at the beginning of the chapter. While Ata focused its attention on Johannesburg CBD to Alexandra routes, the Armsta leadership, with an entrepreneurial eye on the future, looked for routes where new development was likely to happen. In the 1980s, the Armsta general secretary allegedly went to the City of Johannesburg's Development Planning Department and paid R300 for a map setting out the future development nodes. He consequently went to the Registrar's Office and

applied for these routes (GA1). However, years later, when these developments materialised, Armsta was accused by both Ata and government officials of corruptly buying these routes from the Registrar's Office. These allegations were not proven despite a forensic investigation and an inquiry by the Gauteng Department of Roads and Transport. When the conflict over the Mall of Africa routes erupted, the Department tried to resolve the matter through this legal inquiry, and the City of Johannesburg initiated a mediation between the two taxi associations by a group of church leaders. Police affected some arrests, but no one was charged or convicted for the assassinations (GBM). Armsta defended themselves at the legal inquiry and also got court orders to preserve their rights to the routes (GA1).

In September 2017, the two associations went away to a workshop to ostensibly discuss the forthcoming introduction of BRT between Alexandra, Sandton and the Joburg CBD. According to GBM, instead of discussing the BRT, they discussed peace. They decided they did not want violence anymore, and the chairmen of the two associations shook hands and hugged each other. *Izinduna* were also involved, GBM said. Two weeks later, they signed a peace accord witnessed by political and community leaders (GA1). However, nothing changed in terms of who could transport commuters to the Mall of Africa. Both associations continued using different routes to the Mall of Africa, and neither had access to the taxi rank built by the mall management for the convenience of passengers (GBM). Despite the peace accord, assassinations of Armsta leadership continued. Over the next year, the chairperson and other executive members of Armsta were killed.

How have different role players understood what is at play here? The Gauteng Commission said that they heard that:

> *The Africa Mall route was somehow registered to two associations, which is an anomaly. It has since transpired that one of the Associations involved may have acquired the route irregularly through the assistance of some employees.*

Mediators contracted by the City of Joburg to bring peace said that the parties are not finding each other, and after a while, they stopped agreeing to meet in mediation (GBM). GBM, a City of Joburg official, saw Ata as a bully to access more routes by provoking violence and rendering ineffectual the court orders awarded to Armsta. GA1 says that the violence was provoked by forces in Alexandra who under the aegis of Alexandra for the Alexandrians, wanted more access to these lucrative routes and that it was not necessarily a conflict between the two associations. He argues that some of the

leaders who lost their lives were killed due to internal conflicts but were timed to appear that they were killed due to the rivalry (GA1). Thomas (2018), on the other hand, blames the state's response to corruption as the underlying reason. She refers to the illegal and unregulated issuing of operating licences; police corruption and lack of empathy; lack of consultation by government and private developers when building new malls; the ownership of taxis by government officials and their families and the "opaque relationship between government and taxi association management" (2018, p. 18). GA says that the peace accord was easy to achieve a year later because "the BRT was coming. They knew they had to work together to form a bus operating company for the BRT." GIV argued that violence was used as an intimidatory tactic to shift the balance of power in a localised area.

These different perspectives all have some truth to them. However, none sufficiently pick up the underlying intersecting dynamics of economic accumulation, the role of violence in regulating order and the power dynamics that perpetuate cycles of violence. The body of this chapter described many of these dynamics, and the following chapter will analyse them.

5 DISCUSSION AND ANALYSIS

The first research question in section 1.2.2 sought to understand the features of the minibus taxi industry to set a basis for the second two questions that focus on understanding the role of the state and violence in shaping the minibus taxi industry. The research questions are returned to in this chapter to firstly confirm a typology of the taxi industry in section 5.1; secondly, to discuss the relationship between the state and the private sector (section 5.2.) and lastly, to evaluate the work that violence accomplishes (section 5.3). This chapter will bring together the literature review with the research findings to demonstrate how the structure of the taxi industry is oiled by violence to enable extraction of capital by a relative few taxi bosses, parts of the private sector and certain state actors. Taxi bosses or elites use violence to regulate order in the taxi industry to the detriment of taxi drivers and operators.

5.1 The typology of the taxi industry

The literature review canvasses diverse approaches to understanding the features of the South African minibus taxi industry, including the approach of transport planners (2.3.1), straddling the formal and informal sector (3.2.2) and as being simultaneously part of modern, urbanising and rural, patriarchal social orders (3.2.3). These sections highlight how the industry provides a public transport service but is privately owned; is regarded as informal but plays a role in and intersects significantly with the formal sector and, while located in a modern, predominantly urban world, draws on rural, traditional and patriarchal social orders to regulate itself. Section 3.3.1 looks at how the economic and political processes after apartheid have led to new patterns of capital accumulation and class formation, which could apply to the minibus taxi industry. This section shows how structure of the taxi industry, with its multiple layers, is sustained through violence (5.1.1) and how the structural domination of taxi associations leaders and mother bodies is further enabled by the nature of informality in the taxi industry (5.1.2).

5.1.1 Linking the layers in the taxi industry

The research findings (4.1) show how the taxi industry comprises many layers with contradictory, counter-intuitive, but coalescing interests. Six features are identified

and discussed below. Firstly, the 40 years of unyielding continuity of the taxi industry demonstrates that minibuses are a transport mode of their own. The minibus taxi industry is not, as transport planners sometimes describe it, 'para-transit' in transition to formalisation or to complement other modes of transport. Despite significant government initiatives and commuter dissatisfaction with their services, there has been very limited transition to different operating models or structures. There has been significantly more continuity than change.

Secondly, those who own vehicles are called operators. Yet, they relinquish operational control to drivers and enforcers and strategic control to the associations they are required to be members of to earn a living. Strategic control over routes, innovation and change is exercised by the leadership of taxi associations who are either bolstered or constrained by mother bodies at a regional, provincial and national level.

Thirdly, drivers have operational control of the actual routes they operate and the money they collect, since they do have a formalised employment or contractual relationship with vehicle owners. Drivers also have more opportunities to be entrepreneurial than their bosses to get extra income, sometimes by being customer friendly but more often by rat running and speeding, at the cost of road safety. Similarly, enforcers usually linked to association chairpersons and executive members, have operational control over owners as well as over beating up competitors, forcing commuters onto unsafe taxis or killing problematic emerging leaders. Depending on the social or cultural ties of enforcers or the value of their information, they may either be defended by their taxi bosses or have to take the consequences for the actions of their superiors.

Fourthly, the majority of operators, while they may be regarded as emerging capitalists since they nominally own the means of production, do not resemble owners of other asset classes. Not only are they significantly indebted to financial institutions and are rarely able to use their assets as collateral for capital accumulation, but they are also severely dominated, controlled or beholden to the leadership of associations to which they pay significant fees, leaving them with income levels more akin to those in the working class. Transport planners refers to passengers who do not have alternative transport options as 'stranded passengers'. Operators can very well be characterised as 'stranded' - squeezed between the institutional structures of the taxi industry, drivers and enforcers. In addition, both drivers and owners are disadvantaged by the lack of adequate state regulation, while the lack of state regulation benefits other layers in the taxi industry and private sector. For example, the lack of regulation of taxi driver wages or the lack of owners' access to financial regulators to complain about high interest rates enables association executives to extract high fees

and vehicle manufacturers and financiers to earn significant profits. Thus the ability of operators to do business is mediated through several more powerful players, both within and outside of the taxi industry, including association chairpersons and executives, mother bodies, traditional power mongers such as *izinduna*, enforcers, financiers and criminal elements such as gangsters and drug lords. The only way an economically ambitious or entrepreneurial operator can increase his revenue and revenue sources is to make his (or her – but usually his) way using democratic or undemocratic means to the association executive and chairpersonship in particular. Here he (or she) would have access to significant cash, the ability to place additional vehicles onto routes and enforcers especially *izinduna* and *izinxabi* to threaten and eliminate rivals.

Fifthly, the research shows that the predominant way association executives accumulate capital is to deploy violence and the threat of violence to extract cash from their members in the form of joining, membership, ranking fees, and collections or bucket money. On occasion, association executives successfully operate garages or sign agreements with dealerships to get additional revenue, but primarily these allegedly non-profit associations receive significant amounts of money through this unique form of rent seeking backed by violence.

Lastly, it is mother bodies to which a limited number of chairpersons of associations are also part, who often have the most significant capacity to accumulate money and power. While positioning themselves to government as representative liaison officers safeguarding and protecting taxi operators' interests through policy and business wings, they derive their power from having access to the state and the motor vehicle sector as well as being able to leverage sources of power from traditional forms of authority. As gatekeepers or third parties who may not even own taxis, the funds they acquire are rarely invested in building and growing taxi businesses, thus blocking the way for capital accumulation, formalisation and potentially of the industry. The features discussed above are further facilitated by the way in which the taxi industry is able to straddle formality and informality, as discussed in the next section.

5.1.2 The value of informality

"It [the taxi industry] is informal because the owners want it to remain informal", said APB. Owners want the taxi industry to remain informal since it enables them and their drivers to survive. While informality enables association executives, mother bodies and their partners in the private sector to thrive because, among other things, it provides a cover to impose their own regulation and order

through violence. A key feature of informality is the extensive use of cash. Drivers hide some of their cash takings from their bosses while executive association members have access to large pools of cash to pay hitmen. In addition, for those involved in criminal activity, the taxi industry becomes a perfect place to launder their money. For association and mother body leadership, they stand to gain more financially as GIV says from the "tangible, immediate, weekly benefit" of ranking fees than they will gain from discounts through bulk buying spare parts or tyres or taking responsibility for the proper management of petrol stations in the formal economy.

While government in the early 2000s hoped that encouraging taxi bosses to organize in associations would promote formalisation, they have remained informal in relation to the state but have become highly organised internally. So, while minimal tax is paid directly by the taxi industry to the South African Revenue Service, industry associations play the role of a tax authority forcing operators to pay significant amounts of their income back to associations in the form of joining, membership and ranking fees, and *ad hoc* 'collections' of money. The allocation of routes by associations is an example of how the apparent informality and refrain of taxi chaos belies the fact that the taxi industry is very structured (Masuku, 2016). The matching of supply and demand is often more accurate and responsive than what transport planners try to achieve in legislated Integrated Transport Plans. While GIV said that "the system works with its own logic and rhythm … we have a dual model of self-regulation and limited state regulation", the research findings have demonstrated that the self regulation has overtaken the limited state regulation, and the self regulation is added and abetted by the threat and use of violence.

The taxi industry operating model is often equated with that of mafia organisations. This was borne out in the research findings. Shaw argues that mother bodies are "classic racketeering organisations" and would fit into the definition of a mafia industry - collecting money using the threat of violence while performing no substantive service. The money collected is then used to take out competitors inside and outside their ranks (Shaw, 2017, p. 74). The research findings demonstrated increasing linkages between parts of the taxi industry and organized crime and dereliction of duty by law enforcement agencies to police the taxi industry because of their own illegal involvement.

Lastly, the minibus taxi industry's informal modalities lowers the costs to both the state and capital of regulation, enforcement, and the subsistence and reproduction of labour. As Meager points out in the literature review, this also brings "very different institutional baggage … into the ambit of formally sanctioned practices" (2013, p. 21). For example, associations deploying

taxi squad cars to regulate driver and operator behaviour invests these weak institutions with power while regulatory power is taken away from traffic police. It provides a role for otherwise illegitimate enforcers and a rationale for the illegal use of violence.

The ability of the minibus taxi industry to straddle the so-called formal economy and the informal, illicit or illegal economy enables capital accumulation by mother bodies and association executives at the expense of drivers and operators. The following sections will discuss the role of the state and the private sector in either aiding or abetting this.

5.2 The relationship between the taxi industry and state actors

In 2004, Dugard and Sekhonyane argued that "state regulation, support and transformation has not materialised" as Jeremy Cronin promised to "stimulate further economic activity" and "create the basis for a stable, safe industry" (2004, p. 17). In 2020, a journalist wrote:

> *The government's long-standing failure, despite years of carnage, lawlessness and gunfire, to regulate the taxi business, has come home to roost. Taxi bosses know that when the taxis stop, the economy stops with them. Now that's realpolitik. (Ash, 2020)*

As these quotations demonstrate, while there have been moments of commitment to significant socio-economic change such as the introduction of progressive legislation, taxi recapitalisation, and the BRT, the state has not sufficiently regulated, formalised, or transformed the minibus taxi industry. In this section, the research question on the role of state actors, including transport planners, regulators, law enforcers and politicians, is returned to and why the change that these actors envisaged did not occur. Four inter related reasons are set out, namely, the nature of the post-apartheid state; the lack of cohesion amongst state actors and between it and the minibus taxi industry; a weak state and the predominance of rent seeking patron-client relations. These are discussed below.

Firstly, section 2.4.1 demonstrated that the nature of the democratic transition, the emerging global regime of globalised and financialised accumulation and rent seeking in the form of state capture has led to declining economic growth, increased inequality and a state with reduced capacity to provide social welfare and ensure order. Rizzo(2017) shows how in conditions of neo-liberalism in Tanzania, one can find both rolled back and rolled out regulation of minibus taxis. The history of the minibus taxi industry (2.2.) and the research findings suggest a similar picture, showing how the

apartheid state at times reduced the requirements for permitting or licensing and encouraged the growth of the minibus taxi sector and when these initiatives failed, tried unsuccessfully to re-introduce regulation. A similar picture emerges in the post-apartheid state, where transport policy and practice have swayed between transformation initiatives and inactivity, legislated regulation but *de facto* deregulation and dis-enablement. To some extent, the TRP and the introduction of BRT can be seen as counter trends or contradictory impulses of a neo liberal state as described by Habib and Padayachee (2000).

Secondly, the transformation plans of the national, provincial and local transport departments assumed an alignment between their stated public policy objectives and the political will, capacity and interests of all state actors on the one hand and between the taxi industry and the state on the other. This is not the case. The incident quoted by Ardé in the research findings of how the previous Premier of KZN hid a taxi boss from the police is just one of several instances when the state did not act in unison. Another example is the lack of investment in IT systems to license operators efficiently. More significant is the fact that there was a coalescing of the views of the different layers in the taxi industry against the state's stated transformation objectives. The taxi industry leaders who have holding power in associations and mother bodies did not support transformation initiatives such as TRP and BRT since it would cut off their access to the various extortionist rents that they extracted from operators, such as joining fees. At the same time, formalisation and the regulation of cash collected by the taxi industry would not bring about improved returns for drivers and operators. Drivers would benefit less if they did not have access to cash, and operators would have to pay government taxes diminishing their already squeezed income.

Thirdly, the literature review and research findings show how the regulation of supply and demand envisaged by the NLTTA and NLTA has all but collapsed, and control of the number of vehicles on routes has shifted to association bosses. Regulation and enforcement by the state have been replaced by regulation and control through violence by the taxi industry. Many law enforcement officers, government officials and political leaders are too materially invested in the taxi industry by owning taxis themselves, relying on bribes from taxi operators for additional revenue or as a source of hitmen to further their political agendas. Khan argues that the rule of law usually exists in developed countries where it is in the interest of productive organisations who depend on "complex contracting to generate their wealth" (2017, p. 648). This is not the case in South Africa. Neither the taxi industry leadership nor their patrons within the state favour enforcement of the rule of law since, as Khan says, they rely on evading or "distorting the implementation of rules that

they see contrary to their interests" (Khan, 2017, p. 649) and their own "informal enforcement to carry out their important transactions" (Khan, 2017, p. 648). These informal enforcers within the taxi industry are route supervisors, rank marshalls, *izidunas* and *izinxabis*. The taxi industry thus has its own informal but often codified and rigid system of violent regulation, supported by their own moral order, in the absence of the state effectively managing public transport provision and protecting operators from competition and crime. In addition, this system provides significant job opportunities for what could be called violent entrepreneurs.

Fourthly, in examining the economic crises facing Latin American countries in the 1980s and 1990s, O'Donnell describes how citizens perceive weak states as "arenas for the pursuit of particularistic interest" (1993, p. 7). She argues that these citizens see no sense in sacrificing short term gains for an unpredictable future while instead abstaining from "maximising short term gains may provoke heavy losses" (O'Donnell, 1993, p. 19). She could be describing the taxi industry which to advance their interests, have established "power circuits that operate according to rules that are inconsistent with, if not antagonistic to, the law that supposedly regulates the national territory" (O'Donnell, 1993, p. 9). These power circuits are patronage networks which Uberti sees as providing an "organisational framework and social legitimacy to accommodate redistributive demands and engender social stability, acting as the functional equivalent of formal bureaucracies in more advanced polities" (2016, p. 339). When in particular, the mother bodies' structures and business arms liaise between the state and the private sector, one could argue that they can be seen as the functional equivalent of formal bureaucracy. However, in South Africa, as the research shows this liaison function often masks a more collusive and self enriching relationship between taxi elites which barely accommodate redistributive demands nor engenders social stability in the taxi industry. Instead, these patron-client relations function to reproduce unequal power relations which do not serve public transport policy objectives. Certain state actors, taxi bosses, and private sector partners benefit while taxi operators and drivers are taken for a ride. The following section focuses further on the relationship between the taxi industry and the private sector.

5.3 The relationship with the private sector

McCaul's book on the emergence of the minibus taxi industry ends in 1990, but looking forward to the next decade, she quotes one of the early taxi leaders, Knox Matjila, as predicting that the 1990s will be the decade where the black transport entrepreneur will be the leading figure transitioning from the informal to the semi-formal sector (1990, p. 113). Similarly, Khoza (1992, 1994) envisaged

that the taxi industry would be a forerunner for capitalist accumulation and upliftment of small black enterprises. The research findings show how an emerging stratum of black entrepreneurs did indeed carve out a way to operate their businesses in the face of an opportunistic motor manufacturing and finance sector and a weak state. However as section 5.1 demonstrates operators who are vehicle owners come out at the bottom while the gatekeepers to these assets such as association executives come out on top. This section looks at how the private sector in South Africa facilitated and disproportionately benefit from this relationship.

De Soto (1990) has argued that having an asset is critical to accumulate capital and build a stable middle class. When the taxi industry started in the apartheid years, black South Africans were prohibited from purchasing land in most parts of the country, and thus access to a vehicle was an important asset to enable capital accumulation. However, to purchase and eventually own their vehicles, taxi operators have to rely on their association membership to operate routes and the relationship between the associations and mother bodies to secure financing. In turn, an exploitative relationship developed between the business wings of the mother bodies and the motor manufacturing and finance sectors. Section 4.3.1 shows how SA Taxi, the most prominent taxi vehicle financier, has been able to achieve significantly high returns not only by charging high interest rates but also by deploying strategies which, on the face of it, may benefit taxi operators but, in reality, do not. While the Santaco leadership may gain financially from its 2018 BBBEE with SA Taxi, the financier also gained by getting access to local finance which they were initially not able to secure. Again, while the deal may provide some discounts and funds to associations, the key risks and costs of managing defaulters shift to the industry. The research findings also show how conflict can emerge over the proceeds of funds and donations of vehicles from financiers and motor dealerships to associations and how incentives for the sale of vehicles leads to an oversupply of vehicles and a greater likelihood of conflict.

Further, while industry associations in other sectors of the economy have enabled access to finance or support to individual business owners to grow, taxi associations and mother bodies in the taxi industry have not supported operators. Instead, they have leveraged their command and control over operators to deliver their money to financiers, insurance brokers, motor manufacturers and fuel companies. Taxi recapitalisation as Bähre argues can be described as "regulated financialisation of the industry [which] generated heavy costs for individual taxi owners" and good returns for vehicle manufacturers and the banks (2014, p. 585). It made "made taxi associations into powerful and

lucrative brokers between taxi owners, car dealers, banks and government agencies", which "passengers eventually had to pay for"(Bähre, 2014, p. 585).

Taxi operators are not only squeezed by powerful mother bodies in concert with big capital, but also by criminal mafia, sometimes in cahoots with the state. Ardé (2020) and Shaw's (2017, 2021) research point to significant links between the KZN taxi leadership and criminal activities, including the drug economy, to which he argues law enforcement agencies and politicians turn a blind eye. Based on the research that he did, Ardé argues that there is an underworld and overworld in South Africa and the two are not only enmeshed but that the underworld threatens to "rear larger" than the overworld and warns that "the criminal economy is bigger than we know" (Ardé, 2020, p.38).

The research has demonstrated that it is possible to draw a line from deals between vehicle manufacturers, finance houses and mother bodies to the oversupply of vehicles to under-regulation by the state. Talk of formalisation by government to end violence would not be in the interests of these actors since it is precisely route conflicts due to oversupply and under regulation that keep the private sector and their taxi boss allies in pocket and power. In the same tragic vein, the instability caused by ongoing violence is functional to these interests. The following section will look at the work that violence accomplishes.

5.4 The work that violence accomplishes in the minibus taxi industry

> *Violence may be simultaneously related to social order and disorder, may have destructive and productive effects, may be both embraced and disavowed as a social process, and may be mobilised as a social resource by social subjects, community formations, elites and the state and its concomitant apparatuses. (Stevens, von Holdt & Auyero, 2019, p. 3)*

As the above quotation prompts, the literature review set out the various intersecting roles that violence plays in enabling economic accumulation; in enforcing regulation and creating order, including an alternative moral order in the face of a failing state legitimacy; in the social reproduction of violent masculinities, and in reproducing inter-generational trauma. This final section argues that actual and symbolic violence has become constitutive of the minibus taxi industry as a "strategic resource" (von Holdt, 2019, p. 9), enabling economic accumulation, law and order, and reproducing certain social repertoires. However, while creating agency, violence can create cycles of violence that appear as never-ending and destructive. This is detailed below.

Firstly, violence has been used to advance the economic interests of the taxi industry as the preferred mechanism of accumulation. As GIV said:

> *Violence in the taxi industry persists to this day is because it is a useful tool, it advances their economic interests and strengthens their power play. We are not talking about state power but about power in society and about advancing economic interests in unlawful ways.*

Apartheid prohibitions on access to democratic and other rights, including property, and then after 1994, the limited success of black economic empowerment and land reform has prevented other means of economic accumulation. Thus von Holdt (2021) sees emerging capitalists turn to corrupt practices as a form of primitive accumulation. In the case of the minibus taxi industry, operators turned against each other, competing ferociously and violently for access to routes and passengers, as section 4.4.1 demonstrates.

Secondly, violence has become a mechanism to create order and regulate the industry in the absence of the state being able to do so. Section 4.2.2 and 4.2.3 demonstrate that either the state is too weak or benefits from collusive relations with parts of the taxi industry. Meagher argues that when violence steps in, it not only mimics the state's law and order but can also involve a new or different, reconstituted symbolic order, bringing "different institutional baggage"(2011, p. 21). Auyero (2007), Auyero and Berti (2015) and Barnes (2016) refer to instances in South America where gangs set up alternative systems of law and order, introduce forms of social welfare and in so doing also "expurgate" violence (Auyero & Berti, 2015 p. 52). The research findings demonstrate similarities and differences in this regard, as is explained below.

There are predictable and known patterns or rules in the South African minibus taxi industry even if they are not written down or even openly acknowledged. While the legal right to operate a certain route or access a certain rank is meant to be bestowed on an operator who has met certain legal conditions and enforced by law, in practice, this right is enforced by those who exercise power backed by violence and the threat of violence. Within this violence there can be a significant entanglement between the physical removal of an individual and the message that the removal of a person conveys. For example, when the call is made for bucket money to be collected, it is regarded as a signal that someone who has stepped out of line is due to be assassinated. Unlike the case study of the Argentina market, where similar turf battles between traders eventually ended when the ongoing violent instability no longer served their interests, in South Africa, there is continuous

instability and conflict, extending over years as the case study of the Alexandra taxi associations in section 4.5 demonstrated. In this instance, under the guise of a route conflict to a new mall, instability was fostered, and violence continued despite signing a peace agreement. This is because currently stabilisation is not in the interests of those holding power in the taxi industry, whether they are taxi bosses, certain state actors or parts of the private sector. The greater the degree of instability, the greater the potential for association executive members to compete against each other for the high cash volumes derived from passenger fees, for members of law enforcement to own taxis and for criminal elements to use the taxi industry for money laundering.

Thirdly, respondents often pointed out that violence in the taxi industry is because the taxi bosses are greedy and like power. Thus, the use of violence is a way in which powerless men gain power. Ardé wrote:

> *In a country where violence is political capital, young men are attracted to it like moths to a lamp. Their merciless violence is easily conducted, and they go from being nobodies to men of power and prestige. (2020, p. 131)*

The research findings confirm the literature review and Gibbs' (2014) work that the taxi industry has subverted traditional and predominantly rural kingship and clan structures such as *izinduna* and *izinxabi* as well as traditional rituals. In addition, as argued by Langa and Kiguwa "militarised masculinities continue to become valued and reinvented for current circumstances" (2013, p. 23). Thus rituals have become not only organising tools to commit violent acts in the interests of economic accumulation, regulation and control but also ways of asserting patriarchy and masculinity. As Gibbs wrote: "Male migrants are still concerned with building a chain of stable relationships that allow them to become "big men", presiding over a substantial home" (2014, p. 448). Thus, they forge patriarchal, ethnic or territorial routes to circumscribe or exclude the rights of others (Stevens, von Holdt, & Auyero, 2019). Gobodo-Madikizela argued in the literature review that "the experience of oppression and violence shatter[s] the integrity of the self, and the desire for revenge is sometimes mobilised as a way of restoring one's sense of dignity." (2016a). In instances where the assassination of a taxi leader may not seem to make sense, it could be that while there is a minimal return on investment regarding money, there could be a significant return in terms of prestige and power.

Lastly, in the literature review, Gumede (2019) and Prager (2016) argued that one generation's trauma becomes part of the memory and identity of the next generations, intruding on current day perceptions and shaping interactions. Inter-generational trauma is also an accomplishment of violence. Several respondents indicated that most taxi owners have their origins in KZZ which as Ardé (2020) and Mchunu (2021) have pointed out, is "mired in layers of grinding poverty, political violence and militancy" (Ardé, 2020 p.105). KZN is the land of the Battle of Blood River, the Bambatha Rebellion, Anglo Zulu wars, apartheid forced removals and the civil war between Inkatha and UDF supporters in the 1980s and 1990s. Drivers and operators have escaped grinding poverty by becoming involved in the taxi industry but continue to carry and perpetuate their violent legacy. Following Gumede and Prager, the traumas associated with the above mentioned processes may remain with this generation or been passed on to subsequent generations who operate in taxi associations. Cabera also argues that populations that are traumatised cannot make decisions or organise themselves (undated, p. 9). It could be that in addition to individual and mass trauma, taxi associations acting as collectives over generations can also embody trauma. This may explain the research findings in sections 4.1.4 and 4.1.5, which point to increasingly undemocratic and dysfunctional taxi associations.

While the discussion in section 5.1 shows how violence sustains the taxi industry operating model and structure, this section shows how violence simultaneously empowers and disempowers different layers within this model. The concluding chapter considers whether routes out of violence can be forged.

6 CONCLUSION

> *Violence is an endemic feature for over 40 years [of the taxi industry]. This is not by chance – it is an orchestrated part of the strategy. (GIV).*

The concluding chapter builds on the latter part of this quotation. One of the defining features of an orchestra is that it is made up of members playing different instruments. A second feature is that it would not produce beautiful sounds without a conductor to harmonise the instruments and hold the players together. The conclusion seeks to identify the relative power and capabilities of the various stakeholders and who is responsible for "holding power", as described by Kahn (2017) or for change. Khan (2017) also argues that:

> *The only way to start understanding the distribution of organizational power in a society is to look at its history and see how organizations have mobilized, won and lost in the past. This assessment is an art, and it requires a deep understanding of the history, sociology and ideological and identify cleavages in a country, and how they have overlapped with and been used to mobilise around resource issues. (2017 p.640)*

There has been an unyielding continuity in the distribution of organisational power in the minibus taxi industry, both internally and between it and other parts of the motor vehicle sector and state actors. Violence, particularly assassinations, remains an essential means of economic accumulation and creating order. There have been hardly any shifts in the amount or nature of violence between the pre- and post-apartheid periods or in response to more or less regulation. While internationally there has been significant innovation in public transport provision, local attempts by the state and private sector such as electronic ticketing, BRT and ehailing to bring innovation and change have in the main not succeeded.

This dissertation considered at least four reasons for the unyielding continuity in the minibus taxi industry and why change that would benefit citizens, commuters, drivers and operators has not happened nor is unlikely to occur under the prevailing conditions in South Africa. Firstly, the organisation of the taxi industry into associations and mother bodies bolstered by enforcers threatening and committing violence serves to economically and operationally marginalise taxi drivers and the majority of owners or operators. Not only are operators and drivers unable to

operate outside of the rules and order imposed by taxi bosses, but they are unable to accumulate sufficient capital to introduce innovation, diversify their businesses or exit the industry.
In this scenario, change can only happen if associations and mother bodies are either disbanded or their power disabled.

This leads to the second reason why change has not happened and is unlikely to happen. It is in the interests of the private sector and certain state actors for the power of associations and mother bodies to remain intact. As Bähre writes, "taxi associations have become a key economic resource for the state through taxes, licenses and fines; for law enforcement officers through bribes; for warlords through 'membership fees' and protection rackets; for banks through obligatory credit; for insurance companies through obligatory policies; and for car manufacturers and dealers through obligatory vehicle replacement (2015 p. 590). Further, as a respondent indicated, the taxi industry is "a black man's business" (Sibeko, 2016, p. 120) whose informality is taken advantage of by traffic cops, politicians, finance institutions, and motor manufacturers.

Despite the stated desire of both the apartheid and post-apartheid governments to nurture the taxi industry to become part of the black middle class, patron-client relationships have primarily benefited the formal sector, certain state actors and a few in the taxi elite. Advocate Moerane, who chaired a Commission of Inquiry into political violence in KwaZulu-Natal between 2011 and 2017, told Ardé that "effective change…required upsetting the lines of patronage" (2020, p. 87). For Moerane, this would involve a "professional and efficient police service that would act without fear, favour or prejudice" and "the separation of powers, duties and functions between public representatives and officials" (Ardé, 2020, p. 87). However, upsetting the lines of patronage is not simply about better law enforcement or enforcing the separation of powers. It goes to the heart of the nature of political power in contemporary South Africa with a determined focus on the often corrupt distribution of public sector rents. Von Holdt (2021) argues that corruption is a form of primitive accumulation that facilitates various elites, arguably also the minibus taxi executive associations and mother bodies. These elites are less interested in capital accumulation and more interested in rent extraction. Thus, while politicians and policy makers often make commitments to formalise the taxi industry, there is limited movement either in legislation or practice. Instead, exceptionalism persists, with one set of rules for small businesses and another for the taxi industry, which the state does not effectively implement since there is little political will or capacity. Thus, violence becomes a more effective form of regulation to enable capital accumulation and the maintenance of the status quo.

Thirdly, patterns of violence are deeply entrenched and have become routine. In the context of South Africa's multi-generational history of dispossession and disempowerment, violent acts perpetrated under a different moral order, replace powerlessness with agency players. Formalisation or adopting modernised forms of entrepreneurship, such as prioritising customer care or innovation, will not bring the same financial and prestige returns as deploying violence. Wallis, North & Weingast (2009) argue that change can only happen when those that currently use violence recognise that they have more to gain from a routine and predictable regime than from rent seeking and the use of violence. This time has not yet come in South Africa.

Thus, what are the prospects for change? Firstly, there needs to be a recognition and understanding by policymakers of the differing interests within the taxi industry on the one hand and the common interests between taxi bosses, mainly in the executives of associations and mother bodies and certain parts of the private sector and the state on the other. Further, understanding the constitutive role of violence in the taxi industry in enabling economic accumulation and control is critical. Secondly, there needs to be a realignment of who holds power in the taxi industry away from association and mother body leadership towards *bona fide* capitalists from among taxi owners. After all, the motive forces of capitalism are those who seek to accumulate capital, not third parties intent on extracting rents. This can only happen when firstly, a sufficient number of influential figures see that the current model has become dysfunctional for capital accumulation and want to convert their operations into *bona fide* businesses with legal legitimacy and to whom violence is no longer functional. Furthermore, secondly, change can happen when the state pro-actively supports these owners or operators, ensures the rule of law and effective law enforcement, and no longer gives credibility and authority to association and mother body structures. Under the current political economy, this is a long wait for commuters.

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8 ANNEXURES

8.1 ANNEXURE A: Guiding questions for semi structured interviews

Interviewees or respondents are divided into the following categories:

B.1 Respondents who have worked in government but are no long working in government	B.3 Respondents who used to be involved in the minibus taxi industry in leadership positions but are no longer	B.5 Respondents who are not from the taxi industry but have in the past or currently provide them with services as financiers, motor manufacturers and professional advice.
B. 2 Respondents who are currently government officials	B.4 Respondents who are currently involved in leadership positions in the minibus taxi industry	

Below, guiding questions are set out for the above categories.

B1. Respondents who have worked for government

When the minibus taxi industry emerged in the mid-1970's it was seen as a forerunner for black economic empowerment, enabling a black middle class. 40 years later this has not materialised. My thesis is looking at the reasons for this. I am looking at the different initiatives of government – from deregulation and reregulation during the final years of apartheid, the NTTT and taxi recapitalisation programme and the introduction of IRPTNs, BRTs and then IPTNs.

I want to interview you about your role in respect of these programmes, what you think they achieved, what worked and what did not and if you are still involved in this sector, how you see the minibus taxi industry now and its future trajectory.

The interview will be in three parts. The first part will focus on learning about the role that you played. The second part will seek your views on initiatives of the government like the NTTT and

BRT. If there have been memorable incidents for you, I would like to hear what happened, your role in it and your views on it. The last part will focus on how you see the future of the minibus taxi industry.

Part I

1. What is your name? (and current position if relevant)
2. What role did you play in government in relation to the minibus taxi industry?
3. Depending on the person, explore:
    a. Organisational position/size of organisation/direct reports
    b. Policy/strategic issues he/she may have been involved in
    c. Operational issues he/she may have been involved in/size of budget
    d. Key partners – in and outside of taxi industry

Part II

4. Looking back, how successful do you think your role was? What would you do again? What would you do differently?
5. If not covered above, what do you think of what was achieved/not achieved could have been done differently in respect of:
    a. Regulation
    b. NTTT including taxi recapitalisation, new standards, attempts at co-ops
    c. BRT/IRPTN's/IPTNs
6. If not covered above, what do you think now of the role at the time of:
    a. Government – Transport Department
    b. Law enforcement
    c. Violence. Probe: Cycles of violence/can violence be stopped?

Part III

7. What do you think of the future trajectory of the minibus taxi industry?
8. Explore issues of:
    a. Role in public transport including relationship with buses/BRT/rail
    b. Formalisation/regulation/role of government

c. Violence and role of various parts of government (policy makers, politicians, law enforcement, local government, regulatory bodies)
d. Violence and the role of the taxi industry

B2. Respondents who are currently working in government

When the minibus taxi industry emerged in the mid-1970's it was seen as a forerunner for black economic empowerment, enabling a black middle class. 40 years later this has not materialised. My thesis is looking at the reasons for this. I am looking at the different initiatives of government – from deregulation and reregulation during the final years of apartheid, the NTTT and taxi recapitalisation programme and the introduction of IRPTNs, BRTs and then IPTNs.

I want to interview you about your role in respect of these programmes, what you think they achieved, what worked and what did not and how you see the minibus taxi industry now and its future trajectory.

The interview will be in three parts. The first part will focus on learning about the role that you play. The second part will seek your views on past and current initiatives of government including the initiatives you are involved in. If there have been memorable incidents for you, I would like to hear what happened, your role in it and your views on it. The last part will focus on how you see the future of the minibus taxi industry.

Part I

1. What is your name? (and current position if relevant)
2. What role are you playing in relation to the minibus taxi industry?
3. Depending on the person, explore:
    a. Organisational position/size of organisation/direct reports
    b. Policy/strategic issues he/she may have been involved in
    c. Operational issues he/she may have been involved in/size of budget
    d. Key partners – in and outside of taxi industry

4. How successful do you think you are? What can you regard as your successes? If you did not succeed, what were the obstacles and why?

Part II

5. What is your view of the minibus taxi industry? Their strengths and weaknesses?
6. What do you think of past government initiatives in respect of:
    a. Regulation
    b. NTTT including taxi recapitalisation, new standards, attempts at co-ops
    c. BRT/IRPTN's/IPTNs

    Probes: If these were not successful, why? Was it factors in or outside of the control of government?
7. If not covered above, what do you think of the role at the time of:
    a. Regulatory role of government - for safety and regulating supply and demand
    b. Public safety and law enforcement role of government including in safety of women
    c. Developmental role e.g. in promoting public transport, taxi recapitalisation, transformation,
    d. Role of taxi industry leadership
    e. Conflict and violence

Part III

8. What do you think of the future trajectory of the minibus taxi industry?
9. Explore issues of:
    a. Role in public transport including relationship with buses/BRT/rail
    b. Formalisation/regulation/role of government
    c. Role of various parts of government (policy makers, politicians, law enforcement, local government, regulatory bodies) – both in relation to support/lack of support/corruption/stopping violence/starting violence
    d. Role of the taxi industry in violence/corruption/competition with other modes

B.3 Respondents who used to be involved in the minibus taxi industry in leadership positions but are no longer*(These respondents will include people who have retired, have migrated to other sectors or have become involved in the BRT)*

When the minibus taxi industry emerged in the mid-1970's it was seen as a forerunner for black economic empowerment. 40 years later this has not materialised. My thesis is looking at the reasons for this and what could be done differently to change the future trajectory of the minibus taxi industry. I am looking at how the minibus taxi industry has evolved as well as how it has been impacted by government initiatives such as taxi recapitalisation and BRT. I am also looking at why the industry has so many violent conflicts.

I would like to interview you about your life in the taxi industry, how you see it's role and future.

The interview will be in three parts. The first part will focus on where you come from - how you first started with the minibus taxi industry including memorable incidents that you can recall. In the second part, I would like to hear your views on what happened in the past – including in respect of government initiatives in respect of regulation, taxi recapitalisation and BRT. The last part will focus on how you see the future of the minibus taxi industry.

Part I

1. What is your name? (and current position if relevant)
2. How did you get involved in the taxi industry? (Look at where the person came from, why got involved, etc)
3. What roles have you played?
4. Depending on the person, explore in relation to the different roles:
    a. Organisational position/size of organisation/direct reports. *Probe*: Role of associations, why were associations established?
    b. Operational issues he/she may have been involved in/efficiencies/innovation
    c. Key relationships/ partners – in and outside of taxi industry including government

d. Social and institutional issues - family business/from same area/role of traditional leaders/how are conflicts resolved/ role of DC's, role of taxi associations in community/role of women?
e. Financial issues – how earned money/sufficient money/fares/value chain/over trading – managing supply and demand/compensation

Part II

5. Looking back, how successful where you in your role was? What could you not achieve? What would you do again? What would you do differently? How supportive were you of government initiatives?
6. If not covered above, what do you think of what was achieved/not achieved could have been done differently in respect of:
    a. Growing the taxi business? *Probe:* There were many promises/plans for expanding the taxi business to buses, airlines, contracted services which have not materialised. Why do you think this is the case?
    b. Role of regional structures/mother bodies/formal and informal leadership
    c. Regulation/formalisation
    d. Role of government in respect of NTTT including taxi recapitalisation, new standards, attempts at co-ops and later BRT/IRPTN's/IPTNs
    e. Relationship with government including politicians
7. If not covered above, what do you think now of the role at the time of:
    a. Government departments and the role of legislation
    b. Law enforcement
    c. Violence. *Probe:* Cycles of violence/can violence be stopped?

Part III (Only asked if they are still active in thinking about the taxi industry)

8. What do you think of the future trajectory of the minibus taxi industry?
9. Explore issues of:
    a. Role in public transport including relationship with buses/BRT/rail
    b. Formalisation/regulation/role of government /future role of associations

c. Role of various parts of government (policy makers, politicians, law enforcement, local government, regulatory bodies) – both in relation to support/lack of support/corruption/stopping violence/starting violence
d. What role would you like government to play – business development/road space/driver training/cashless ticket system etc
e. Diversification/value chain/? New vehicles from China/India/electric vehicles
f. Role of the taxi industry in violence/corruption/competition with other modes

B.4 Respondents who are currently involved in leadership positions in the minibus taxi industry

When the minibus taxi industry emerged in the mid-1970's it was seen as a forerunner for black economic empowerment. 40 years later this has not materialised. My thesis is looking at the reasons for this and what could be done differently to change the future trajectory of the minibus taxi industry. I am looking at how the minibus taxi industry has evolved as well as how it has been impacted by government initiatives such as taxi recapitalisation and BRT. I am also looking at why the industry has so many violent conflicts.

I would like to interview you about your life in the tax industry, how you see it's role and future. The interview will be in three parts. The first part will focus on where you come from and what is your role today in the minibus taxi industry -including memorable incidents that you can recall. In the second part, I would like to hear your views on how the taxi industry has evolved including the past and present role of government initiatives in respect of regulation, taxi recapitalisation and BRT. The last part will focus on how you see the future of the minibus taxi industry.

Part I

1. What is your name?
2. How did you get involved in the taxi industry? (Look at where the person came from, why got involved, etc)
3. What roles have you played?

4. What is your current position if relevant?

5. Depending on the person, explore in relation to past and current roles:
    a. Organisational position/size of organisation/direct reports. *Probe*: Role of associations, why were associations established?
    b. Operational issues he/she may have been involved in/efficiencies/innovation
    c. Key relationships/ partners – in and outside of taxi industry including government
    d. Social and institutional issues - family business/from same area/role of traditional leaders/how are conflicts resolved/role of DC's, role of taxi associations in community/role of women
    e. Financial issues – how earned money/sufficient money/fares/value chain/over trading – managing supply and demand/compensation
6. How successful do you see yourself? As a businessperson? As a minibus taxi leader? What have you achieved? What have you not achieved? What would you do differently?

Part II

7. If not covered above, what do you think of what was achieved/not achieved could have been done differently in respect of:
    a. Growing the taxi business
    b. Role of regional structures/mother bodies/formal and informal leadership
    c. Regulation/formalisation
    d. Role of government in respect of NTTT including taxi recapitalisation, new standards, attempts at co-ops and later BRT/IRPTN's/IPTNs
    e. Relationship with government including politicians

8. If not covered above, what do you think now of the role at the time of:
    a. Government departments and the role of legislation
    b. Law enforcement

c. Violence. Probe: Cycles of violence/can violence be stopped?

Part III

9. What do you think of the future trajectory of the minibus taxi industry?
10. Explore issues of:
    a. Role in public transport including relationship with buses/BRT/rail
    b. Formalisation/regulation/role of government/future role of associations/owning routes
    c. Role of various parts of government (policy makers, politicians, law enforcement, local government, regulatory bodies) – both in relation to support/lack of support/corruption/stopping violence/starting violence
    d. What role would you like government to play – business development/road space/driver training/cashless ticket system etc
    e. Diversification/value chain/? New vehicles from China/India/electric vehicles
    f. Role of the taxi industry in violence/corruption/competition with other modes.

B.5 Respondents who in the past or currently provide the taxi industry with services

When the minibus taxi industry emerged in the mid-1970's it was seen as a forerunner for black economic empowerment. 40 years later this has not materialised. My thesis is looking at the reasons for this and what could be done differently to change the future trajectory of the minibus taxi industry. I am looking at how the minibus taxi industry has evolved as well as how it has been impacted by government initiatives such as taxi recapitalisation and BRT. I am also looking at why the industry has so many violent conflicts.

I would like to interview you about your relationship with the taxi industry (if relevant) and how you see it's role and future. The interview will be in three parts. The first part will focus on your relationship with the taxi industry. In the second part, I would like to hear your views on how the taxi industry has evolved including the past and present role of government initiatives in

respect of regulation, taxi recapitalisation and BRT. The last part will focus on how you see the future of the minibus taxi industry.

Part I

1. What is your name?
2. What is your relationship with the minibus taxi industry? *Probe:* What do you do to improve the relationship?
3. How significant is taxi business for your overall business? (especially for insurers, motor manufacturers etc)

Part II

4. What do you think of what was achieved/not achieved could been done differently in the past in respect of:
    a. Growing the taxi business
    b. Role of regional structures/mother bodies/formal and informal leadership
    c. Regulation/formalisation
    d. NTTT including taxi recapitalisation, new standards, attempts at co-ops
    e. BRT/IRPTN's/IPTNs
    f. Relationship with taxi associations and structures including mother bodies?
5. If not covered above, what do you think now of the role at the time of:
    a. Government departments and the role of legislation
    b. Law enforcement
    c. Violence. Probe: Cycles of violence/can violence be stopped?

Part III

6. What do you think of the future trajectory of the minibus taxi industry?
7. Explore issues of:
    a. Role in public transport including relationship with buses/BRT/rail
    b. Formalisation/regulation/role of government/operating licensing

c. Role of various parts of government (policy makers, politicians, law enforcement, local government, regulatory bodies) – both in relation to support/lack of support/corruption/stopping violence/starting violence
d. Role of the taxi industry in violence/corruption/competition with other modes
e. Diversification/value chain/? New vehicles from China/India/electric vehicles

8.2 ANNEXURE B: Consent Form

Lisa Seftel 7820076, Masters Student, WSG

RESEARCH PROJECT: MINIBUS TAXI INDUSTRY IN SOUTH AFRICA

Researcher: Lisa Seftel, Masters in Management by Dissertation 2019

I _____agree to participate in the above-mentioned research project. The research has been explained to me and I understand what my participation will involve.

Please circle below:

I agree that the interview may be audio-recorded	YES	NO
I agree that my participation will remain anonymous	YES (anonymous)	NO (I can be quoted)
I agree that the researcher may use anonymous quotes in her research report	YES (the quotes can be used but are anonymous)	NO (I can be quoted)
		NO (I can't be quoted at all)
I agree that the information may be used anonymously by further research, following this study	YES (the information can be used but anonymously)	NO (I can be quoted)
		NO (I can't be quoted at all)

_____

Signature

_____

Name of participant

_____

Date and place

8.3 ANNEXURE C: Sources

Two separate sources are listed below. 8.3.1 sets out the list of documentary sources, while 8.3.2 is a list of respondents.

8.3.1 Documentary sources

Type of document	**Name of document**	**Name used in the dissertation**	**Source**	**Date**
Legislation	*National Land Transport Act*	NLTA	National Department of Transport	2009
	National Land Transport Transition Act	NLTTA	National Department of Transport	2000
Policy	*White Paper on National Land Transport Policy*	N/A	National Department of Transport	2018
Commissions of Inquiry	*Commission of Inquiry into taxi violence in the Western Cape*	*Commission of Inquiry into taxi violence in the Western Cape*	Minutes, Safety and Security Parliamentary Portfolio Committee on 21 September 1999	1999
	Committee of Inquiry into the Underlying Causes of Instability and Conflict in the Minibus Taxi Industry in the Cape Town Metropolitan Area	Cape Town Committee of Inquiry	Report to the Premier from the Chairperson, Adv Dumisa Ntsebeza	2005
	Competition Commission's Market Enquiry into Land Based Public Transport	Competition Commission	Competition Commission	2020

Type of document	Name of document	Name used in the dissertation	Source	Date
	Gauteng Commission of Inquiry into Taxi Violence	Gauteng Commission)	Gauteng Department of Roads and Transport	2021
Reports	*National Taxi Task Team Final Recommendations*	NTTT recommendations	National Department of Transport	1996
Discussion documents	*Taxi Industry Regulation: Re-imagining Tomorrow's Taxi Industry: Discussion document: National Taxi Lekgotla 2020*	National Department of Transport discussion document	National Department of Transport	2020a.
	Unity and Leadership: Re-imagining Tomorrow's Taxi Industry Discussion document: National Taxi Lekgotla 2020	National Department of Transport discussion document	National Department of Transport	2020b

8.3.2 List of respondents

Category	Code	Name	Position	Date of interview
Advisors	ADS	Darko Skrbinsek	Advisor to the taxi industry, CEO of Future of Transport (FOT)	30 January 2020
	APB	Paul Browning	Advisor to the minibus taxi industry, retired	22 January 2020
Government	GA1	N/A	Official, City of Johannesburg	29 August 2021

Category	Code	Name	Position	Date of interview
			Transport Department	
	GBM	Ben Maseko	Official City of Johannesburg Transport Department 2008 – present	15 August 2021
Government	GIV	Ismail Vadi	Former MEC for Transport in Gauteng	12 February 2020
	GTT	Terrence Tsoale	Former official, Gauteng Department of Roads and Transport	23 and 31 January 2020
Taxi industry	TA1	Anonymous	Current minibus taxi leader	11 February 2020
	TA2	Anonymous	Current minibus taxi leader	6 February 2020
	TA3	Ivan Mathews	Former minibus taxi leader, Johannesburg Inter-township Taxi Association	13 February 2020
	TA4	Anonymous	Current minibus taxi leader	13 February 2020
	TA5	Grace Molefe	Held leadership positions in Soweto Taxi Services, Top Six Taxi Management and the taxi operating investment companies that invested in the Rea Vaya BRT	21 January 2020
	TA6	Anonymous	Former minibus taxi leader	28 January 2020