

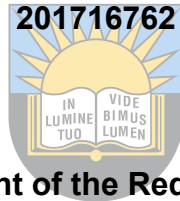


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**The Rise of 'Violent Non-State Actors' in South Africa: An Analysis of the
Taxi Industry in the Eastern Cape Province**

By
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201716762



**Thesis Submitted in Fulfilment of the Requirement for the Award of the
Doctor of Social Science Degree in Political Science**

SUPERVISOR: DR V FERIM

2024

DECLARATION

I, Myalezo Mato, hereby declare that the content of this study is my own work and has not been submitted to any other University for the award of a degree, either partially or in its entirety.

Signature.......... Date.....22/03/2024.....



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DEDICATION

I dedicate this work to all the victims of violence in South Africa, particularly gun-related and taxi violence. It would be amiss of me not to also dedicate this work to my late brothers, Lufundiso and Siyabonga Mato. Continue to rest in peace *baThembu!* I know you would be proud of me if you were here! I further dedicate this work to my late cousin, Yanga Sobopha, who also lost his life due to gun violence in May 2022. Continue to rest in peace *yhlo!*

To my children: Lingomso, Mikhulu and Owenzile, I hope you will use this as an imprint to map out your own trajectories later in your lives and always remember that with dedication, discipline and hard work, nothing shall stop you from achieving your goals in life!



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ACKNOWLEDGEMENTS

I would first like to acknowledge my Creator, God Almighty, for giving me strength to accomplish this project. I sincerely and unconditionally would like to express my gratitude to my supervisor, Dr Valery Ferim, for first making me believe in myself, that I am capable of writing and completing a PhD thesis. Sir you may not know how much impact the question you asked “will you do your PhD?” after completing my MA made in my life. Despite other things that we discussed that day, that question was an epiphany that made me realize that ‘actually I can do this’. Probably, if you did not raise it I would not have even considered studying a PhD. Thank you for your uncompromising, yet sincere and professional guidance, which encouraged me to pursue and complete this project, even under the most challenging circumstances of being a parent, husband and an employee of government. You made the journey walkable for me Doc. Without you, the project would have certainly become moribund.

I wish to acknowledge the support of my parents, whom even though they never received much of a formal education, had always remained the epitome and source of inspiration for me to pursue my studies. PhD is the most challenging, lonely and intimidating journey that requires consistency and discipline. I would like to thank my wife Yambathisa for keeping me company to ensure that I remain disciplined and consistent throughout this study and for all the support that she provided me despite a plethora of vicissitudes that I encountered along the way; you remain the best wife Masduli! I wish to thank my children for always understanding that ‘daddy’ had to be away from home at times, in pursuit of this project. I thank all my siblings who continued to support me even at times when I felt that this project was “too big for me”. I would most sincerely like to further thank the Government of the Republic of South Africa for partially financing this project, without this kind of support the project would certainly have become more elusive for me. I thank all my friends and colleagues who have encouraged me to keep going despite significant difficulties. Furthermore, I would like to thank the management of the South African Police Service (SAPS) and the State Security Agency (SSA)

respectively, for allowing me to interview their members for this study. I thank all the members who participated in this study as their contribution made a significant impact in the study. The assistance from the spokesperson of the Eastern Cape Department of Transport, Mr Unathi Binqose, in ensuring that I secure some interviews in that department is also appreciated. I thank Mafa Bavuma for linking me up with Mr Binqose. Moreover, I thank taxi operators, associations, drivers, commuters, retired law enforcement officers and those that are working for government for availing their precious time to participate in long and tedious interviews and surveys for this study. Special thanks further goes to taxi operators from Engcobo, East London (Oxford Street) and King Williams Town taxi ranks. Their ability to take their time, listen to me and eloquently express their views regarding their situation showed me a different and humane character of taxi operators, contrary to the general and often polemical views about them. Finally, yet importantly, I thank every individual, even those that I may have fallen short of mentioning by their names, that has made an impact towards the success of this study. *Ndinibulela ngokungazenzisiyo!.*



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LIST OF ACRONYMS

ANC: African National Congress
BATA: Border Alliance Taxi Association
BIKITA: Bisho and King Taxi Association
BH: Boko Haram
BCM: Buffalo City Metropolitan
CATA: Cape Amalgamated Taxi Association
CODETA: Cape Organization for Democratic Taxi Association
COSATU: Congress of South African Trade Union
CD: Cabo Delgado
DA: Democratic Alliance
DRC: Democratic Republic of Congo
ECTA: Eastern Cape Taxi Alliance
EFF: Economic Freedom Fighters
FATF: Financial Action Task Force
FSB: Russian Federal Security Service
GSDRC: Governance, Social Development, Humanitarian Conflict
ISS: Institute for Security Studies
ISIS: Islamic State of Iraq and Syria
IFES: International Foundation for Electoral Systems
ICRC: International Committee of Red Cross
Ipid: Independent Police Investigative Directorate
Jem: *Jaish-e-Mohammed*
KPTA: Katlehong People's Taxi Association
KZN: Kwazulu-Natal
Let: *Lashka-e-Taiba*
MILF: More Islamic Liberation Front
MEC: Member of the Executive Council
MISS: Minimum Information Security Standards
NPA: National Prosecuting Authority
NIA: National Intelligence Agency
NYWTA: New York Workers Taxi Alliance
NYC: New York City



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NSA: National Security Agency

Nanduwe: Nancefield Dube West Taxi Association

NTA: National Taxi Alliance

NTTT: National Taxi Task Team

NTR: National Traffic Registry

NLTA: National Land Transportation Act

NLTSF: National Land Transport Strategic Framework

OECD: Organization for Economic Cooperation and Development

OCSIA: Office of Cyber Security and Information Assurance

PAGAD: People Against Gangsterism and Drugs

PTTT: Provincial Taxi Task Team

PLHIV: People Living with HIV

PRAS: Provincial Registration Administrative System

PREs: Provincial Regulatory Entities

RCT: Rational Choice Theory

SAPS: South African Police Service

SATAWU: South African Transport and Allied Workers Union

SSA: State Security Agency

SAP: Structural Adjustment Policy

STS: Soweto Taxi Services

SANTACO: South African National Taxi Council

SASTA: South African School Transport Association

SAFTU: South African Federation of Trade Unions

TAC: Treatment Action Campaign

TLC: Taxi and Limousine Commission

TRP: Taxi Recapitalization Program

UDM: United Democratic Movement

USAID: United States Agency for International Development

US: United States

USTA: Uncedo Service Taxi Association

UAE: United Arab Emirates

VNSA: Violent Non-State Actors

VEs: Violent Extremists

WATA: Witwatersrand African Taxi Association



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ABSTRACT

This study investigated the rise of 'violent-non state actors' in South Africa, with specific focus on the taxi industry in the Eastern Cape Province. Contemporary South Africa has been a playground for violent non-state actors often evidenced by sporadic service delivery protests and gun violence in public spaces. Many authors attribute these to the failure of the state to provide public services such as security, water, employment, etc. Amongst these non-state actors, are taxi associations called mother-bodies. The deregulation of the taxi industry by the then apartheid government in 1987 resulted in the exponential inflow of previously oppressed black people into the taxi industry, which had now become the most accessible form of informal business for previously disadvantaged people. This resulted in the formation of many mother-bodies that subsequently became 'law unto themselves' due to the absence of formal state regulation amongst other things.

Since then, violent conflicts amongst these mother-bodies have become the order of the day. The study sought to determine the commuter's perspectives about the taxi industry and violence in the Eastern Cape Province, to determine ways in which the taxi industry has challenged the monopoly of the state over the legitimate use of force and to explore the reasons why taxi violence has largely gone unchecked by the state. Part of the key findings of the study were that there is a general sense of fear and insecurity amongst commuters especially female commuters who use taxis. Various cases of sexual assault, intimidation and psychological traumas caused by exposure to violence amongst commuters have been reported. It has also been determined that in order to effectively challenge the monopoly of the state over the legitimate use force, some taxi operators have resorted to the use of self-created laws to intimidate their competitors, use of mafia-like tactics, extortion and coercion amongst other things in order to impose monopoly over some lucrative routes, individuals and associations. In resolving some of these challenges, the study inter alia recommends for the formalization of the taxi industry by government, which will result in the subsidisation of the industry.

CHAPTER ONE: INTRODUCTION

1.1 Background of the study

Podder (2012: 6) argues that the rise of violent non-state actors has increased substantially in the world with their numbers multiplying by a factor of four in the Middle East and North Africa and by five in sub-Saharan Africa. Mandel (2013: 42) quoted in Ferreira, Braga & Villa (2021: 37) define violent non-state actors (VNSAs) as relatively autonomous organizations with significant and sustained coercive capabilities for organized violence. Ferreira et al (2021: 27) further argue that part of the biography of VNSAs refers to rebel groups and governance generated by them. Ulimwengu (2007) adds that rebel groups which have expressed incompatibility with government, militia operating locally based on support from an ethnic community or clan, warlords controlling geographical populations, vigilante groups and so on, are part of the 'non civic' or violent non-state actors.



Levitsky (2008) is of the view that generally, the VNSAs organize themselves in regions where there is a lack of governance and no guarantee of basic services. The resultant effect of this situation is the void between government and its citizens. Therefore any form of VNSA, arises in the area in order to fill the gap that has been left open by the government. Thomas and Kiser (2006) argue that for VNSAs to function properly in the form of a group, there has to be some form of a driving force to mobilize an identity group and possibly transform it into a fully-fledged VNSA. Williams (2008) postulates that the agents for these groups are opposed to the state and for these groups to function effectively, their agents must be skilled at mobilization. Villa and Pimenta (2019) are of the view that citizens will turn to other social entities for support when their government is consistently failing to deliver on their expectations. According to Cachalia and Schoeman (2017: 2), South Africa has an extensive history of far right extremism dating back to the 1970s. Far right groups that were based on Afrikaner nationalism mainly aimed at establishing the independent Afrikaner nation state carried out a number of attacks on black communities and these groups are still in existence to date.

The People Against Gangsterism and Drugs (PAGAD) movement, which was a vigilante group, based in the Western Cape Province carried out a number of attacks on civilians and state owned properties in the mid-1990s (Cachalia and Schoeman, 2017:2). The taxi wars have always been featured in the midst of this extremist environment and it is believed that the anti-liberation forces of the apartheid government sponsored some of these wars in order to curtail the liberation front (Vegter, 2020). Dugard (2001) argues that violent taxi associations called 'mother-bodies' in South Africa have been allowed to develop and expand without being checked by authorities, a clear indication that these mother bodies have subdued certain territories such that the government does not have control over the situation. It forms critical part of the study to ascertain how the state monopoly of the state over the legitimate use of physical force has been undermined by these violent taxi associations.

According to the National Taxi Lekgotla report (2020: 4) some of these associations sometimes possess mafia-like tactics, including the hiring of hit-men and all-out-gang warfare. Between 1991 and 1999, the fierce wars fought between rival taxi associations led to a total of 1,947 deaths and 2,841 injuries (National Taxi Lekgotla, 2020: 4). The South African Annual Statistics Crime Report (2017/2018) shows a damning picture of the extent of the impact of taxi violence in the Eastern Cape Province. Notwithstanding the above, mini-bus taxis remain the most accessible mode of transport throughout the country. Safer Spaces (2018) alludes to the fact that in general, the public transport is not easily accessible to people who live in marginal sectors of the South African society. This is one of the consequences of colonial and apartheid spatial economic planning. The Eastern Cape Socio-Economic Consultative Council (2003) for a period 2004-2014 attests to this observation by stating that many rural communities in the Eastern Cape have difficulties accessing public transport as a result of the systematic apartheid special socio-economic programs. In the Eastern Cape in particular this lack of access to public transport results in cases where learners drop out from schools, communities struggle to access local health care facilities, etc. Amongst three major modes of transport in South Africa, namely; buses, trains and minibus taxis, minibus taxis are the most accessible mode of transportation for those people that live

in marginal areas of the society. The Province of the Eastern Cape is one of these areas. The National Household Survey conducted by Statistician General of South Africa in 2020, Honorable Risega Maluleke, which was later reviewed in 2022 showed that 80,2 % of workers nationwide particularly in rural and semi-urban areas relied on mini bus taxis as their daily mode of transport to and from their workplaces. Trains and buses accounted for 3,2% (trains) and 17 % (buses) respectively (Maluleke, 2020). What complicates things for commuters about the taxi industry is the proliferation of violence, which continues to put their lives at risk coupled with frequently reported cases of sexual harassment and bad driving behaviour amongst other things (Safer Spaces, 2018). These cases remain endemic in the Eastern Cape Province. This shall be expanded further on Chapter Four of the study.

1.2 Problem Statement

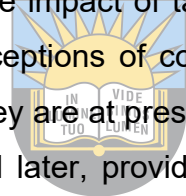
Fobosi (2020) is of the view that the problem of taxi violence in South Africa cannot be understood thoroughly without acknowledging the critical part that the taxi industry is playing in the country's economy. Cabe (2019) states that there are more than 200 000 minibuses which are responsible for transporting more than 15 million commuters in the country. It is estimated that the taxi industry generates about R90 billion annually. This means that the demand for the minibus taxis by commuters is high as minibus taxis are the most utilized mode of transport compared to other means of transportation. Lomme (2009: 3) points out that the competition amongst taxi operators for lucrative routes plays a profound role in the problem of taxi violence. Ngubane, Mkhize and Olifonbiyi (2020: 86) support this claim by arguing that one of the major causes of the persistent taxi violence in South Africa is the contestation for lucrative routes. The competition over the control and domination often results in an upsurge of violent occurrences especially gun-related murders (Ngubane, Mkhize and Olifonbiyi, 2020: 86).

The National Taxi Lekgotla (2020: 2) argues that the process of deregulation of the taxi industry in 1987 led to an influx of new minibus taxi operators, keen to make lucrative business at any cost. The report continues to argue that due to

an effectively unregulated market and the fierceness competition for passengers and lucrative routes, taxi operators in South Africa organized themselves to form local and national associations, which perpetuate deadly violent activities. According to Vegter (2020: 7), the rivalries between the bosses of these associations could be as intense and as violent as rivals between drug lords. What was once a violent rivalry between competitors over routes and passengers turned into a violent-mafia-like enterprise to extract money, loyalty and compliance from taxi associations, owners and drivers (Vegter, 2020: 7). Grootes (2018) believes that this exponential spread of violence within the taxi industry raises questions around the ability of the state to utilize its security apparatus to curtail the violence.

The immensity of taxi violence in the Eastern Cape, which has claimed a number of lives over the years, has resulted in the current Premier of the province, Honourable Mr Oscar Mabuyane, establishing a task team called Provincial Taxi Task Team (PTTT), which consisted of six members. This task team has been viewed by many as being dysfunctional and fragile as violence continues to proliferate in the Province despite its existence (Velaphi, 2022). Between March 2021 and March 2022, 29 people had been killed in taxi wars in the Eastern Cape Province (News24, 2022). Some accused the Premier's task team of bigotry towards the interests of one taxi association in favour of the other. DispatchLive (2022) predicted that by the end of 2022, at the rate in which taxi violence was going in the Eastern Cape Province, there was a likelihood that taxi violence related deaths would reach or surpass 40 victims. Against this backdrop, it was deemed necessary to conduct a more in-depth inquiry into this problem of taxi violence in the Eastern Cape Province. The study sought to close the gap that was left open by previous researchers as they did not conduct inclusive inquiry, which incorporates the perspectives of all actors involved in the taxi industry such as policy makers in government, taxi drivers, law enforcement officers and commuters. Previous studies have only concentrated in one of the above mentioned key actors and not all of them. Another gap that the study has filled is that there has not been any study that has conceptualised violent taxi associations as non-state actors, this study has therefore filled that gap. The participation of all actors involved is particularly

important in the context of South Africa's participatory democratic policies. The government of South Africa places most of its policies on public participation, as the public is the main consumer of these policies. This makes the participation of commuters in this study particularly important, as their perspectives will guide policy makers on how to best respond to the problem of taxi violence in the Eastern Cape Province. Foundation for Human Rights (n.d) describes participatory democracy in South Africa as the one which is premised on the foundational principles of a democratic and open society. In this system, the will of the people is central and is protected by the law. In participatory democracy, acknowledgement of public processes at all levels of government becomes key. This sets a precedent for the citizens to actively participate in the affairs of their government (Foundation for Human Rights, n.d). The importance of commuters perspectives can also be extended to the future scholars of taxi violence. Such perspectives would give future or current scholars of the subject more empirical insights about the impact of taxi violence on commuters. If the study had not included the perceptions of commuters, the findings would not have been comprehensive as they are at present. The findings produced by the research, as it will be explained later, provided a comprehensive picture that include all actors involved in the taxi industry.



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1.3 Research Questions

Based on the problem stated above, the study advanced the following research questions:

- What are commuters' perceptions of the state of violence in the Eastern Cape taxi industry?
- In what ways have the taxi industry in the Eastern Cape challenged the state's monopoly over the legitimate use of physical force?
- Why has taxi violence in the Eastern Cape gone largely unchecked by the state?

1.4 Aim and Objectives of the Study

The aim of the study was to provide an analysis of South Africa's taxi industry in the context of Violent Non-State Actors (VNSAs) with specific focus on the Eastern Cape Province.

The objectives of the study were to:

- Determine the commuters' perspectives of the state of violence in the Eastern Cape taxi industry.
- Unpack the ways in which the taxi industry has challenged the state's monopoly over the legitimate use of force.
- Explore the reasons why taxi violence in the Eastern Cape has gone largely unchecked by the state.

1.5 Significance of the Study



The study plays an important role in providing a scientifically informed framework to policy makers in government and stakeholders within not just the taxi industry but also the broader public transport sector regarding the strategies to combat taxi violence. The framework that the study is referring to is based on recommendations outlined in Chapter 7, which amongst other things put forward the formalization of the taxi industry. The study further contributes to existing academic literature on challenges facing the taxi industry and serves as one of the guides to scholars in the field of social sciences. The study provides a guide by giving a scientific evidence on the rise and proliferation of violent non-state actors in South Africa by using the Eastern Cape taxi industry as a case in point.

1.6 Chapter Outline

Chapter One: Introduction: This chapter serves as an introduction, background of the study, aims and objective of the study as well as the problem statement and the research questions.

Chapter Two: Literature Review and Theoretical Framework: This chapter deals with the literature review and theoretical framework. In this chapter, the proliferation of violent non-state actors as well as reasons for their proliferation are discussed. Some potential strategies in countering this proliferation are also suggested. The global and African taxi industries are also discussed in this chapter with specific focus on the United States (US) medallion system, the Nigerian 'okada' mode of transportation respectively and the rise of the e-hailing system in South Africa.

Chapter Three: Research Methodology: This chapter explains the research methodology. The mixed methods of data collection that include both the qualitative and quantitative methods of data collection and analysis are also analysed.

Chapter Four: Commuters' perspectives on the taxi Industry and violence: This chapter explains the perspectives of the commuters about the taxi industry and violence.



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Chapter Five: The taxi industry and its challenge of the state's monopoly over the legitimate use of force: This chapter critically discusses the ways in which taxi industry has challenged the monopoly of the state over the legitimate use force.

Chapter Six: This chapter explores the reasons for the inability of the state to combat taxi violence in the Eastern Cape. Cross-provincial references are made to check how these reasons are unfolding in other provinces as well. These reasons then explain why taxi violence has largely gone unchecked by the state.

Chapter Seven: Conclusion, Summary of Findings and Recommendations: This chapter provides conclusion, summary of findings and recommendations. The recommendations advance a framework to sustainably address taxi violence in the Eastern Cape in particular, and South Africa as a whole.

CHAPTER TWO: LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Literature Review

Ramdhani et al (2014: 48) define literature review as “a survey scholarly articles, books and other sources relevant to a particular issue, area of research, or theory, and by so doing, providing a description, summary and critical evaluation of these works”. Ashed and Danson (2015: 31) are of the view that literature review is an important chapter in the thesis as it aims to give background and justification for the research that is undertaken. In literature review, the writer extracts and synthesises the main points, issues, findings and research methods, which emerge from a critical review of readings, to build a coherent argument, which leads to the description of a proposed study.

This section elucidates various accounts of different authors on the grounds for the rise of violent non-state actors (VNSAs). Almost all the authors agree that one of the fundamental grounds for the rise of VNSAs is poor governance or inability of nation states to provide basic services such as inter alia employment, security and water. This results in individuals searching for alternative means of governance or conferring upon themselves an authority to conduct state-like functions. This manifests in the rise of social groups like community policing forums, vigilantes and militias that exercise governance through self-regulation.

2.1.1 The Rise of Violent Non-State Actors (VNSAs)

Contemporary South Africa has experienced the proliferation of violence. Some authors associate this proliferation of violence with the then apartheid government and the failure of the democratic government to effectively disarm the society. Whyte (2010) is of the view that apartheid government deliberately allowed violence in black communities to proliferate with intentions to

disorganise black anti-apartheid movements. At the same time, there were illegal exchanges of fire arms and weapons between the apartheid government and some companies from countries such as Chile, Israel and Taiwan (Cawthra, 1991: 42). On the other hand, anti-apartheid movements were also rising and acquiring weapons from neighbouring countries that sympathised with their cause (South African History Online, 2019). In this regard, even upon the demise of apartheid, violence did not disappear, it remained as one of the solid legacies of apartheid in South Africa. It is believed that even the democratic state after 1994 was not effective enough to counter illegal exchange of weapons amongst non-state actors and individuals.

Cock (2004: 1) laments that post 1994 South Africa experienced what he terms “private militarism” caused by the failure of the state to disarm ex-combatants who were part of the struggle against apartheid. Whyte (2010) describes this situation as a “culture of violence” initiated by the apartheid government. Nowadays, as Williman et al (2022:1) puts it, violence has become part of the daily lives of many South Africans. It exists in their homes, schools and in their communities. Taxi violence which has been described by many authors as a direct consequence of the hastily deregulation of the taxi industry in 1987 by the apartheid government possibly as part of its disregard for the safety of black majority, features amongst this violence in South Africa (National Taxi Lekgotla, 2020). In this regard, the study discusses taxi violence by delving extensively into taxi associations also known as mother-bodies, which the study conceptualizes as violent non-state actors. Taxi associations will be discussed in chapters to follow. Before such conceptualization, it is deemed important for the study to critically discuss circumstances under which violent non-state actors arise and permeate.

Villa and Pimenta (2019: 7) argue that when weak states are unable to exercise effective governance across their territories, non-state actors use this as an opportunity to establish alternative forms of governance in a particular territory. For Villa and Pimenta (2019: 8) this happens when states lack the capacity to meet the demands of their citizens for security and other public goods. Ferreira,

Braga and Villa (2021: 37) add by arguing that the VNSAs thrive in situations where the nation states experience institutional weaknesses deepened by the decline of the welfare of the state. Penski (n.d: 11) espouses the views of Abrahamsen and Williams (2011) who argue that it is generally understood that states are the only legitimate providers of security to their citizens despite a salient global rise of private security industry for example, which suggests that the security has been commodified in the world. Despite the views of Abrahamsen and Williams, Penski (n.d: 2) echoes Max Weber's definition of the role of the state as the one which involves monopoly over the legitimate means of violence in a given society. In this regard, it is believed that the power to provide security in a given territory resides within the state, which is therefore the only legitimate provider of it to a given population. According to Ferreira et al (2021), the decline of the welfare of the state results in the formation of what they term 'hybrid governance'. Hybrid governance entails a situation in which VNSAs exercise state-like functions such as dispute resolution and resource allocation while overlapping or interacting with certain forms of state governance (Ferreira, Braga and Villa 2021: 37). Villa and Pimenta (2019) caution against the states that allow a space for the hybrid governance to occur in their territories. In this situation, the governments accept inability to deliver services, thereby creating an opportunity for hybrid forms of governance by non-state actors in a particular territory.

Williams (2008: 5) argues that VNSAs became a critical part of the project of decolonization of Africa and this was because rather than being submissive to the state authority, they wanted to control the state themselves. Williams (2008:5) states further that the VNSAs simply exploit the permissive space created by functional holes such as the lack of effective criminal justice. In other instances, they become the proxy for the state, thereby challenging its authority and legitimacy (Williams, 2008: 5). Marks et al. (2011: 48) bring a different challenge to the state centric view by suggesting that the interference of non-state actors in certain territories may not be always negative. Marks et al (2011) are of the view that the hybrid governance system may provide solutions in instances where the state is failing to intervene. The community policing forums, for instance, can work with law enforcement agencies to track and

apprehend criminal syndicates in a particular territory (Marks et al, 2011: 64). Abrahamson and Williams (2008: 551) seem to be supporting the idea of hybrid governance as they argue that to simply characterise violent non-state actors or private securitization as a direct consequence of the state failure alone is insufficient in the ever-evolving global order. They assert that the rise of securitization in the world must also be viewed within an international political economy that takes account of the new geographies of power brought into being by the devolution of authority to private actors. In the context of the above, the rise of violent non-state actors in the world is almost inevitable, thereby creating compelling conditions for their inclusion in state peace building and securitization processes.

Philipsen (2019) echoes the same sentiments by arguing that non-state actors need to be included in pragmatic peacebuilding efforts. Philipsen further laments that the armed non-state actors often act as important security service providers in conflict environments but are typically excluded from long-term strategies for peace. Currently, the United Nations (UN) is enhancing its efforts to engage with non-state actors in conflict settings to an unprecedented degree. However, for Philipsen (2019), this increased attention is largely directed towards the civil society as non-armed actors at the exclusion of armed non-state actors. It remains a subject of debate amongst authors on whether the state co-governance with non-state actors is a good idea, as some believe that hybrid governance will create a platform for the overthrow of government and subsequently, violence. Some authors are of the view that co-governance may not always lead to violence and overthrow of government when it is based on mutual understanding and cooperation between the state and non-state actors.

2.1.2 Key Dimensions of Violent-Non State Actors

The violent non-state actors are complex and at times, they can be difficult to eliminate in that they exist for different reasons and some of the reasons happen to coincide with states' interests within territories of other states. To affirm this assertion, Valensi (2021: 239) argues that the increasing role of

VNSAs has generated a dynamic whereby the global major powers such as Russia and the United States (U.S) as well as regional powers such as Iran, Saudi Arabia, and Turkey, confront each other by working with non-state actors.

2.1.2.1 Sponsorship of violent non-state actors

Lake and Berman (2019) argue that in some instances, the states do use non-state actors as proxies in pursuit of their own interests in foreign countries. For instance, to stabilize countries against the perceived European imperialism and to suppress local peasant movements that might demand land reforms, the US promoted local strongmen in the Caribbean and Central America in the early twentieth century and turned a blind eye to their repressive rule (Lake and Berman, 2019: 2). Based on the above assertion, it is clear that it may be difficult at times to deal with violent non-state actors especially when they receive support from the powerful states and politicians of the world. Ong and Singam (2021: 23) define the state sponsorship of violent non-state actors in the following way:


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State's provision of training, financial aid, arms, safe haven or other kinds of assistance to operationally independent terrorist groups (violent non-state actors).

Ong and Singam (2021: 23) further argue that the dynamic of this activity is one of a patron-client relationship, where states outsource violence to non-state actors in order to achieve their strategic objectives whilst avoiding military reprisals. One of the many examples of state sponsorship of violent non-state actors is Iranian's provision of financial assistance, sanctuary and political support to Hezbollah, an Iranian proxy that is active in Lebanon (Ong and Singam, 2021: 14). According to the ICRC Position Paper (2021: 4), the current armed conflict map is further marked by a considerably number of states intervening, or assisting in armed conflicts abroad, in particular in the Middle East and on African continent. This has led to an increasingly dense and global web of interactions between allied state's militaries but also to alliances

between states and non-state armed groups. These sometimes two-way support relationships take various forms and involve a variety of points of common interests, constituting a relatively new phenomenon (ICRC Position Paper, 2021: 4). In Darfur for example, the Janjaweed militia group has been described by many as proxy of the Sudanese government that has been designed to suppress and obliterate opponents of the regime. It is inferred that the former president of Sudan, Omar al-Bashir officially organized the Janjaweed as the Rapid Support Forces under the command of the National Intelligence and Security Services. It is further believed that high profile politicians and military officers in that country played a significant role in recruitment, organization, equipping and training of the Janjaweed (The Conversation, 2019).

For Valensi (2021), the support of VNSAs by the state strengthens the VNSAs' military capabilities as they enjoy the best of both worlds; the advantages of irregular warfare as well as the advantages of receiving more sophisticated and advantaged weapons. The case of the involvement of the U.S in Pakistan and Afghanistan conflicts post and prior 2004 is classical of the state-non-state actor relations. According to Lake and Berman (2019: 161), post 2004, the U.S had lobbied the Pakistan Military to assist in its efforts to suppress al-Qaeda in Pakistan. Both the U.S and Pakistan shared common interests in this regard and the Taliban for instance was not a threat to the U.S at a time and there was therefore no need to focus on it. However, after 2004, the U.S prioritized countering the Taliban threat whereas Pakistan did not. For Pakistan, suppressing Afghan Taliban was perceived as extremely costly as it implied reversing Pakistan's thirty-year policy of using the same militants as proxies, which would have resulted in Pakistan's loss of influence in Afghanistan (Lake and Berman, 2019: 160-161).

As Casaca and Wolf (2017: 109) put it, on the other hand, Pakistan on its own is widely known to be a sponsor of armed groups for strategic political ends. For example, the former Pakistani President Asif Zardai allegedly publicly admitted that the country deliberately created and nurtured terrorist groups such as *Lashkar-e-Taiba (Let)* and *Jaish-e-Mohammed (JeM)* as a policy to

achieve short-term tactical objectives. However, what remains a surprise is the fact that Pakistani's name does not reflect in the U.S list of countries that sponsor terrorism (Casaca and Wolf, 2017: 109). In the context of the above, it becomes clear that the reaction of any state to a perceived violent non-state actor either within its territory or abroad depends largely on the interests of that state against those of the violent non-state actor. For so long as the violent non-state actor does not present any threat to the regime or embraces the interests of the regime, it is likely to operate without being challenged.

According to the Congressional Research Service Paper (2021: 1-2), due to their fundamental differences with the U.S and their alleged involvement with some violent non-state actors in their territories, the countries such as Syria, Iran, North Korea and Cuba are currently being listed by the U.S as sponsors of terrorism. The selectivity of the U.S in terms of listing other states as the so-called sponsors of violent-armed groups is rather alarming and concerning. In the case of Pakistan and Afghanistan for instance, the U.S created a profound confusion and ignored some of the atrocities initially committed by the Taliban for as long as these did not present any threat to the U.S interests in these territories. However, when other countries are doing the same in their own territories, they are likely to be listed as sponsors of violence or terrorism. Bayman (2020) attests to this assertion by arguing that the U.S government list of state sponsorship of terrorism is 'dated, politicized, analytically muddy, and in general not useful for distinguishing which states truly sponsor terrorism and how aggressively they do so'. Lake and Berman (2019: 2) depict it clearly that the U.S had never been objective in its combat of violent non-state actors in the world, in most instances the U.S has been at the centre of fuelling tensions in some countries with intentions of sustaining its foreign policy and hegemony. After the Second World War (WWII), the U.S promoted pro-Western leaders in Europe, recruiting them as allies against the Soviet Union and supported anti-communist leaders and rebel sections globally (Lake and Berman, 2019). Lake and Berman continue to argue that during the cold war:

It (the U.S) supported the Shah of Iran as its regional partner under Nixon Doctrine after the end of the 1970s, and then expanded this

strategy to include other conservative regimes in the Middle East in the pursuit of a "new world order" including regimes of President Hosni Mubarak of Egypt, and after interlude in the Arab Spring, President Abdel Fattah el-Sisi (Lake and Berman, 2019: 2).

The continued state sponsorship of violent non-state actors will sustain the activities of these organizations and at the same time frustrate the efforts of other governments and humanitarian organizations in the world to curb the rise of violent non-state actors. Reflecting on the violence amongst armed minibus taxi associations in South Africa, Dugard (2001) argues that the state law enforcement agencies during the dying apartheid years in South Africa contributed profoundly in the escalation of taxi violence amongst black communities. The apartheid government deliberately ignored forewarning on hotspot areas and purposefully failed to disarm the perpetrators of violence with intentions to destabilize black communities in order to disrupt and dismantle the anti-apartheid front. Eighteen years later, Vegta (2020: 7) argues that the state-sponsored destabilization of black townships during the apartheid years fuelled taxi wars in South Africa. Mmakwena (2022: 889) agrees with Dugard (2001) and Vegta (2020) by arguing that taxi violence in South was the tool that the apartheid government used to pursue their interests by dividing the people so that the apartheid government could achieve its objectives. Medina and Hepner (2013: 97) argue that in the case of Islamist extremist groups the online platforms are used to generate funding for these groups. These platforms contain propaganda, which demonstrates the strength of Jihad through attack and operations footages. Other extremist groups like al-Qaeda use charity organizations as front for funding (Medina and Hepner, 2013: 97).

Thirteen years since the observation of Medina and Hepner (2013), Ong and Singam (2021: 9) make a similar observation by arguing that most violent non-state actors or terrorists use crowdfunding, which is the most legitimate online tool to garner funding from their sympathizers. Ong and Singam (2021: 9) continue to argue that one of the underlying factors for such a prominence of overcrowding is generally a high level of online activity of many sympathizers of violent non-state actors in social media, forums, gaming chatrooms and other

internet platforms. Reflecting on the extent of the financing of terrorist activities, the Organization for Economic Cooperation and Development (OECD) (2019: 14) has this to say:

Those who engage in acts of terror require funds to support these activities. From everyday living and shelter, to travelling, training and equipment, to the acts themselves, funds must be raised. These funds may originate from third parties (financiers and supporters) or from their own assets or income, and from legal or illegal sources. Lone actors may self-fund their activities from legitimate sources (e.g. wages or income, savings, credit cards) or illicit means (e.g. crime, terrorist financiers or operators) or receive financial support from others (e.g. family, friends, public benefits, charities, etc.) (OECD, 2019: 14).

Financial Action Task Force (FATF) (2021: 8) argues that some other means of funding for insurgent organizations include committing a range of offences such as robberies, fraud or trade in prohibited goods. The US Department of Treasury (2018: 25) adds by asserting that terrorists expand their networks of funding to a variety of sources. The sources may include individuals and business people. For instance in the U.S, the funding of Islamist State of Iraq and Syria (ISIS) largely comes from individuals who travel or aspire to travel abroad to join ISIS in Iraq, Syria or other jurisdictions where ISIS regional affiliates are active. Funds used to support this travel-related activity usually come from legitimate sources as well as from small-scale criminal activities. In some instances, the funding maybe received from the state. For example, Hizbollah receives the majority of its funding, upwards \$700 million a year from Iran, which is the world's foremost state sponsor of terrorism (US Department of Treasury, 2018: 25). The press release which was issued by the US Under-Secretary for Terrorism and Financial Intelligence, Sigal Mandelker, in June 2018 illustrates how the state can conceal illicit activities in order to finance insurgent groups. The statement reads as follows:

First, using front companies and with the help of the Central Bank of Iran, an extensive currency exchange network in Iran and UAE (United

Arab Emirates) exploited the UAE's currency exchange market to procure and transfer millions in U.S dollar dominated bulk cash. It did this for the Qod's Force, which has been designated by the United States and EU (European Union), to fund the Qod's Forces malign activities and regional proxy groups by concealing the purpose for which the U.S dollars were acquired in order to conceal Iran's involvement and these illicit activities from UAE authorities, the network forged documents and purposively disguised its conduct behind seemingly legitimate businesses, hiding its illicit activities through front and shell companies (Mandelker, 2018).

As it has been demonstrated in the previous section, the state sponsorship of insurgent organizations in any form, particularly through funds complicates the efforts of the global society to fight insurgency.

2.1.2.2 *The growing influence of violent non-state actors in the world*



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Darwich (2021) is of the view that the non-state actors operating outside of state hierarchical control with military capabilities have grown rapidly in the international arena. These actors not only challenge the state monopoly through the use of violence and military means but there is a substantial evidence of these actors maintaining foreign relations and carrying out what looks like foreign policy with states and other non-state actors both during war and peace times. Darwich (2021) makes reference to the Middle East suggesting that the combination of state fragility and conflict created convenient grounds for violent non-state actors to thrive and to overpower the state during the so-called Arab Spring. In 2011, there was a proliferation of armed non-state actors in the wake of wars in Iraq, Syria, Yemen and Libya. Post 2011, having roots in pre-2011, riots evolved into groups with an extensive network such as Syrian Kurds, through the People's' Protection Units (PYG), the Islamist State, Jaysn al-Islam in Syria and the Houts in Yemen (Darwich, 2021).

In describing this challenge to the state further, Varin and Abubakar (2017: 2) have this to say:

Civilians, organized along ethnic, religious, economic and political lines, have taken up arms challenging the state's claim to legitimately monopolize the use of violence.

In addition, Salifulla and Ahmad (2020: 45) argue that the current situation in global politics is that terrorist groups are influencing the security and foreign policies of many countries, even super powers such as the United States (U.S). In most instances, such persuasion is coercive such as; issuing threats to bomb public spaces or literally launching assaults on unarmed civilians with intentions to acquire a favourable response from the government or in the worst case scenario to totally overthrow the government (Salifulla and Ahmad, 2020: 45). To affirm the above assertion, Dube and Rands (2021) refer to the rise of what they term violent extremists (VEs) in Cabo Delgado (CD) town, Mozambique.



Amongst other things Dube and Rands (2021) point out that the rise of violent extremists in CD came because of the failure of government to provide socio-economic and religious welfare to the citizens. The violent extremists in this area were instrumental and strategic in their recruitment plans. More like during the Arab Spring, they managed to recruit disgruntled youths, creating a permanent resentment against government, promising economic rewards and other forms of benefits. The project of launching attacks on state installations and unarmed civilians has been part of the modus operandi of these VEs. Their intentions had not only been for the government to yield to their demands but it had also been for the successful establishment of Islamic State (Dube and Rands; 2021). In addition, pointing out the same problem of weak state authority, Faria (2021: 10) has the following to say:

The crisis underlines the limited control of central government to control its territory and protect its citizens from harm, poverty, unemployment, lack of opportunities for young people, etc. The social and economic

causes are important as they define the religious context in which young people give in to the enticement of radical preachers to embrace Jihad and reject state institutions in favour of Sharia law.

The root cause of this instability, as Varin and Abubakar (2017: 2) put it is the feeling of disempowerment and threat on the part of citizens by existing political systems. In addition, the International Committee of the Red Cross (ICRC) Position Paper (2021: 4) supports the above statement by stating that the motivation for the existence of insurgent groups in parts of the world is an overlay of political, religious, economic and other motivations. The result of this feeling of disempowerment on the part of citizens and the seemingly inadequate state machinery to command sovereignty in a territory is the overthrow of the state by radical forces perceived as freedom fighters by the locals. This occurs when the violent non-state actors have successfully gained legitimacy over that of the state in a particular territory.



McCullough (2015: 5) argues that the armed non-state actors gain legitimacy through a variety of strategies, which include filling gaps left open by the state, drawing on national and religious ideological narratives to build a shared identity, redistributing wealth through taxation and challenging existing states that are perceived as illegitimate by significant parts of the population. An example to this will be how al-Shabaab for instance has managed to command legitimacy and amass support in Somalia and established some effective networks in some neighbouring countries (McCullough, 2015: 5-6). Chaudhry (2016: 167) argues that in various parts of the world, VNSA's not only intimidate business, corrupt politicians and lauder their proceeds, but they also engage in a myriad of activities that defy and weaken state sovereignty. In most African countries as well as Central Asia and Afghanistan, warlords are major players in the political system and economy. Chaudhry (2016: 168) continues to make the following observation:

In Iraq, insurgents, terrorists, militias and criminal organizations operate in a common opportunity space, intersecting and overlapping in ways

that make the restoration of a legitimate and effective central state particularly difficult.

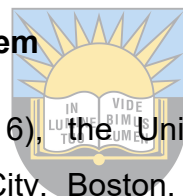
The violence that emerged in July 2021 in parts of KwaZulu-Natal (KZN) and Gauteng in South Africa, following the incarceration of the former president Jacob Zuma in which large numbers of people went out on a looting spree created a new debate around the capability of the South African government to maintain law and order. The rise of what looked like vigilante groups in Phoenix in KZN for instance claiming to be protecting their localities against the 'looters' which saw the killing and torturing of many innocent civilians, signalled what many considered to be the failure of the state to entrench its security apparatus to maintain law and order. Reflecting on these protests, Duncan (2021) argues that this was part of the culmination of the failure of the post-apartheid South African state to respond to worker and community struggles. Even the report on the panel of experts that was appointed by President Cyril Ramaphosa reflects that key intelligence structures of South Africa failed to proactively mitigate the occurrence of this violence (Africa, Sokupa, Gumbi, 2021: 140). Having conceptualised violent non-state actors and the conditions under which they occur, the taxi industry in South Africa can be considered as part of violent non-state actors caused by the unavailability or failure of the state to stabilize that industry through regulation. The section below looks at the global overview of the world's taxi industry using the US medallion system as a sample. The intention is to determine similarities or dissimilarities thereof with South Africa's taxi industry and how the U.S government managed to stabilize the taxi industry in that country through regulation and whether South Africa can learn anything from the US in that regard.

2.1.3 A sample of the global taxi industry: the case study of the US taxi industry

The OECD (2007) observes that in the world there has been a widespread recognition of the need to deregulate taxi industry in order to boost competition in economic activity. Countries like New Zealand, Ireland, the Netherlands, Sweden and the United Kingdom have undertaken major reforms on taxi

regulation, which involve the removal or substantial reduction in the extent of entry regulations. However, what the OECD report omits to observe are the disadvantages of the deregulation of taxi industry, which in the U.S (after the great depression of 1929) for instance, has manifested in unhealthy competition amongst taxi operators and created disputes. Amongst the global states, the U.S has been chosen to illustrate how its taxi industry is regulated and how this regulation affected the lives of the U.S taxi drivers. The U.S is chosen because of its economic status in the world and largely because the new technologically inspired taxi services like Uber and Lyft which had since spread across the world were first introduced in the U.S (NPR, 2018). Furthermore, this case study determines whether or not there were and is any recorded case(s) of violence within the current American taxi regulatory framework.

2.1.3.1 The U.S medallion system



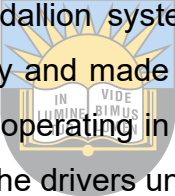
According to Bucholz (2019: 6), the United States (U.S) taxi industry, particularly in the New York City, Boston, Chicago, Philadelphia and San Francisco is highly regulated. One part of the regulation entails a fixed two part-tariff fare pricing, structure, where fares are based on a one-time flag drop fee and a distance-based fee. Another part of the regulation entails entry restrictions through a limit on the number of legal taxis that may operate. This is implemented by requiring drivers to hold a 'medallion' or permit, the supply, which are capped. Medallion cabs may only be hailed from the street and are not authorized to conduct pre-arranged pick-ups, a service exclusively granted to separately livery cars (Buchholz, 2019: 6). Patino and Engren (2020: 3) describe medallions as licenses that a taxi must have to be able to operate. These licenses can only be issued up to a particular number of taxis and are therefore limited.

Snead (2015) describes the basic element of medallion system as a small metal plaque that is affixed to a vehicle. Without one of these medallions, it becomes illegal to operate a taxi. The regulation entails tightly controlling every

aspect of taxi operations, from licensing of drivers to the fares that they may charge.

2.1.3.1.1 Advantages of the medallion system

The medallion system was introduced after the great depression of 1929 whereby a great number of people migrated to the taxi industry, which was not regulated at a time, leading to many illegal activities in the market. There was thus a mismatch between the supply and demand of taxis, which led to disputes between taxi drivers (Patino and Engren, 2020: 3). Rahel (2016; 5) adds that, this situation led to the collapse of fares as drivers participated in a race to the bottom for each additional customer, resulting in fights. The quality of drivers and cars deteriorated and the oversupply made congestion worse on the streets of New York City. To combat all of this, the Haas Act was passed in 1937, which established the medallion system. This new system required a medallion for every taxi in the city and made it illegal to operate a taxi without one, as such the number of fleet operating in the market was reduced, thereby putting the competition amongst the drivers under control (Rahel, 2016: 5).


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Another advantage of the medallion system is the reduction of violence amongst taxi drivers over route disputes because the system itself makes it impossible for the competition to flow beyond measure, in a manner that may result in conflicts and taxi wars as was the case after the great depression of 1929 (Patino and Engren, 2020: 3). McBride (2015:15) reveals that by limiting the number of taxicabs on the road, the medallion system protects the income of working drivers by ensuring an over-demand for rides. Another important factor that has been pointed out by McBride is that the proponents of the medallion argue that the medallion protects citizens through its rigorous licencing requirements such as background checks and fleet sizes.

From a security point of view, background checks play a fundamental role in determining an individual's security competence. In the US cities where the taxi industry was deregulated for some time, although there was some degree of benefit to the drivers, the results of the deregulation were not favourable to the stability of those cities. In 1979 for example, the Seattle city decided to deregulate its taxi industry with intentions to create economic inclusivity and allow for the flow of competition within the taxi industry amongst other things (McBride, 2015: 26). Although parts of this objective were met, the city witnessed significant challenges such as drastic taxi driver oversupply, long cab lines with both major cab fleet drivers and independent drivers, creating instances of "physical intimidation, of drivers who lied about the availability of bus service, who were slovenly, vulgar and rude". There was also the exponential rise of price discrepancies, premium fares and general unprofessional business practices. In this situation, lack of medallion leases created a general lack of oversight detrimental to quality within the market place (McBride, 2015:26).



In the above context, the key advantage of the medallion system is that it brought into existence a great degree of compliance and order within the US taxi industry, thus preventing the cases of 'taking law into own hands' by taxi operators as is the case in South Africa, which will be discussed in Chapter 5 of the study. This assertion has been identified as a gap in the current literature in that many authors, as it will be demonstrated in the following section, have only concentrated their attention on the economic limitations of the medallion system without taking into account its security advantages. This statement does not imply that the medallion system itself does not need improvement. As pointed out by Rahel (2016), it may be important for the U.S government to improve the current system and make it more compatible to today's technological advancements so that it can equally compete in the market with new ride-hailing services like Uber, Lyft, Taxify, etc. Even as the traditional taxi drivers in the U.S may be not happy with the advent of ride-hailing services, which they perceive to have overtaken them in profit making, the evidence

shows that violence has not been one of the means that they use to challenge this phenomenon.

2.1.3.1.2 *Disadvantages of the medallion system*

In as much as the medallion system in the U.S has played some significant role in curbing the scourge of tensions and dangerous competition amongst the drivers, it has created some unforeseen challenges for the taxi operators. Conway, Salon and King (2018) argue that the resultant effect of a limited market entry in the taxi industry which the medallion contributed to was the proliferation of ride-hailing services which seemed to be more convenient and cheaper and as well as technologically cantered. According to Conway, Salon and King (2018; 2), the ride-hailing services can be defined as the class of services that allow users to request a vehicle and driver using smartphones. In the U.S, the common examples of these include, inter alia; Uber and Lyft. The ride-hailing services are largely convenient due to their ability to offer consumers a platform to choose which of the ride hailing applications they wish to open and then order a ride for a pick-up, they then choose which type of vehicle or service they wish to use, using their smart phones (Conway, Salon and King; 2018). The ride hailing service became a serious challenge to the traditional medallion taxi driver.

According to Patino and Engren (2020: 3), the migration from the traditional taxi-use has resulted in a huge decrease in revenue on traditional taxi operators, forcing drivers into bankruptcy and poverty. Forys (2021) laments that the medallions have become increasingly expensive, costing several hundreds of dollars to achieve. A considerable number of taxi drivers, through this system, had taken loans with the hope to pay them back from the profits they would be making under this system. Alas, Forys (2021) points out that this system has proven to be a false promise and a financial trap mainly because of the incredible debt drivers often take on in order to purchase the right to drive a taxi. In addition, there is a string of taxicab drivers who commit suicide as a

result of inability to pay back their debts. The NPR (2018) report dated 15 October 2018 reveals that until the advent of the ride-share or e-hailing companies like Uber and Lyft in the U.S, the Medallion system operated relatively well and taxi drivers made enough profits to survive and take care of their families. Then the ride-share companies, Lyft and Uber came along. They operated without medallions or a cap on how many vehicles they could put on the road. The two companies used their venture capital to grow quickly and flood streets with cars. Medallion prices plummeted. In New York, they fell from around \$1.3 million to around \$160,000. In Philadelphia, they dropped from a high of \$ 545, 000 to \$10,000. Similar devaluations struck in every other city with monetized medallions.

Thousands of medallion holders each lost hundreds of thousands of dollars in equity (NPR, 2018). As a response to high interest rates of the medallion, the taxi drivers in the New York City in November 2021, embarked on a hunger strike under the auspices of the New York Taxi Workers Alliance (NYWTA) which is a union of over 25 000 taxi and app-dispatched drivers in New York. The hunger strike took place near the offices of the New York City Mayor, Bill de Blasio (Cruz, 2021). The Guardian (2021) reveals that on the 15th day of the hunger strike by NYC taxi operators, New York City's Taxi and Limousine Commission (TLC) agreed to a city backed guarantee to lower the monthly payments of taxi medallion owners or owner drivers to a maximum of \$170, 000, far less than average medallion debt which is around \$600,000 according to NYTWA. This was therefore considered a great victory by taxi operators as they have been battling with the problem for decades (Guardian, 2021). It is important to highlight that there has been and still is a long and ongoing debate on the usefulness of the medallion system in the U.S and whether it is a model that countries in the world may benchmark. A number of contradictions on this matter vary from political, economic to security considerations. Snead (2015) complains that medallion systems erect barriers to entry that protect existing taxi interests from competition. Snead continue to argue that:

The supply of taxis is set by law to be below market equilibrium or the point at which supply meets demand. There is always a shortage of taxis, so taxi owners are essentially guaranteed the right to charge above market prices and make above-market profits. Supply caps mean that firms have little prospect of growing their business to meet demand, so the rational entrant has no economic incentive to lower prices in order to compete for market share.

Rahel (2016: 12) makes the following observation:

The regulations that have protected the taxi industry for almost a century are now putting the taxi industry at a disadvantage when faced with the innovation of ride-sharing. During the time when these regulations have been in place, our society has evolved through advancements in technology and production processes. Cars have become more efficient and internet has brought massive change. Yet, with all this innovation and change, the taxi regulations have stayed the same. They are similar if not identical to the ones put in place 80 years ago.

Bagci (2018: 3) agrees by arguing that technological change may also interact with the regulatory regime and make some forms of regulation obsolete, or less relevant than when the regulations were originally conceived. Arguing against the medallion system, McBride (2015: 11) asserts that most regulations impose an inefficient uniformity on the market, meaning the taxicab market place becomes uniform in most. For instance, fare regulation leads to an inefficient allocation during both peak and off peak periods. Higher fares during high demand correlate with basic economic principles given the restricted supply. McBride (2015: 12) continues to argue that the evidence suggests that taxi ordinances and the government agencies that regulate taxis may not necessarily be motivated by concern for market failures and achievement of an efficient resource allocation. Other motivations include a desire to protect public transit, government revenue considerations, promotion of a city's image and the protection of existing taxi firms from competition (McBride, 2015: 12).

Staley, Annis and Kelly (2018: 3) add by arguing that taxi regulations in the U.S limit competition within the traditional taxi industry and therefore the ability of taxis to compete with ridesharing services is negatively impacted. These regulations also likely result in fewer taxis on the streets to serve customers. To increase competition and choices, cities should eliminate all taxi regulations that serve only to thwart competition (Staley et al., 2018: 3). Goldstein (2018) argues that limited regulation by the government on ride-hailing services has resulted and continues to result in the severe damage of the traditional yellow taxi. In March 2018, the medallion taxi operators marched to the City Hall of the New York City, demanding that the government should effect some regulations on ride-sharing services so that there may be equal competition between the traditional taxi services and ride-hailing services. In support of the idea of the regulation of ride-sharing services, Oviedo, Jaramillo and Nieto (2021) argue that governance and regulation of ride-hailing is particularly important in the context of combined disruptions from the sharing economy and from the initial stages of transition to a smart mobility system. Oviedo et al. (2021) further state that although it may be appreciated that the ride-hailing industry is still in an early stage of development, however, the opportunity of identifying valuable experiences, and to analyse trends and experiences, can be useful for lawmakers, policy makers and regulators worldwide (Oviedo et al., 2021). What is particularly interesting in the case of U.S taxi drivers is their ability to challenge their competitors (ride-hailing drivers) through approaching the lawmakers rather than resorting to violence.

2.1.4 A sample of Africa's taxi Industry: the case study of Nigeria

Kumar and Barrett (2008: 1) argue that the proliferation of minibuses and motorcycles as new modes of public transport in Africa have arrived to take place of faltering public bus services. Weak, fragmented and under-funded authorities have been unable to maintain existing bus services or to plan for expansion (Kumar and Barrett: 2008). Abuhamoud et al (2011) add by saying that in various parts of Africa, the motorcycle taxis are popular and most of drivers do not have licenses. To affirm this statement, Kumar and Barrett

(2008: 7) argue that in Lagos, Nigeria, they found that 37 % of vehicles were operating without a valid certificate of roadworthiness and 47 % without a valid test certificate. One driver in five acknowledged that he did not hold a valid drivers' license. In Nairobi, it was reported to be easier to obtain a forged certificate of roadworthiness for an unsafe vehicle than to submit for official inspection (Kumar and Barrett, 2008: 7). Kumar and Barret (2008) lament that this kind of a situation is caused in the main by weak regulations and lax enforcement. Motorcycles as mode of public transportation are found in countries like, inter alia; Benin, Togo, Niger, Nigeria, Burundi and Democratic Republic of Congo (DRC). The minibus and metered taxis are prominent in countries like, inter alia; Cameroon, South Africa, Swaziland, Sierra Leon, Lesotho, Namibia, Zambia, etc. (Abuhamoud et al, 2011: 54-55). This section of the study focuses on Nigeria as it is commonly known as the biggest and fastest growing economy in Africa (Oluroubi: 2022).



In this regard, it will probably be important to understand how the taxi industry has contributed to the economic development of that country without omitting the violent aspect of it. As part of understanding the violent aspect of it, the argument by Nzeadibe (2021: 2) that some studies have revealed that Boko Haram (BH) insurgents have used the Nigerian taxi industry to access their targets and to breed fear and cause instability in that country, will be explored. Due to the state of volatility and insecurity in the informal and unregulated taxi industry of Nigeria, particularly within the motorcycle mode of transportation, the government has since sought to regulate the sector by passing a variety of regulations and legislations. However, this has not yielded any positive results as the use of motorcycles for commercial purposes continues to proliferate in that country, and instead it has created further clashes between motorcycle riders and law enforcement officers and as well as criticism from commuters and experts. Some of these regulations entail inter alia; National Road Traffic Regulation of 2012, Lagos State Transportation Law 2012 and Lagos State Transportation Sector Reform Law of 2018 (Templers, 2020), (Techpoint Africa, 2022).

Meagher and Yanusa (1996: 1) argue that Nigeria has the largest and arguable the most dynamic, informal sector in Sub-Saharan Africa. Informal activities are estimated to have increased from approximately 50% of the workforce in the late 1970s to 65% by the late 1980s. The motorcycle taxis have arisen in Nigeria as part of this informal sector and as alternatives to formal means of employment. They provide a valuable public service, transporting passengers and goods between rural and urban areas and through congested streets, at the same time employing many young men (Fortune et al, 2015: 7). Olubomehin (2012: 1) states that the collapse of public intra-city transport system in Nigeria paved a way for the emergence of motorcycles as means of public transportation. Popularly referred to as Okada, motorcycles are used for public transportation in most Nigerian towns. Its use for commercial purposes has had a significant impact on the economy and society (Olubomehin, 2012: 1).



Kumar and Berrett (2008: 6) list Lagos amongst the capital cities in Africa that, in recent years, have seen the rapid growth of motorcycles for commercial use as a consequence of the poor state roads and inability of bus companies to meet growing demands. Olubomehin (2012) further maintains that although the motorcycles were used since the days of colonialism in Nigeria, they were used mainly for private purposes. In the main, mini-buses and railway modes of transportation were used. The deterioration of intra-city transportation system from the 1980s saw the proliferation of motorcycles. Rapid population growth as well as the decrease of public transportation were also the contributing factors to the rise of motorcycles (Olubomehin, 2012). Nzeadibe (2021: 1) adds by arguing that as the economy declined and the city population grew, people had to find other ways to survive, including operating Okadas. Private motorcycles were converted to commercial use. Fuso Green Lab (2022) has quoted a recent sentiment in Lagos, Nigeria that “the existing state-owned bus and ferry transport services, alongside private operators of commercial transport buses cannot cater to the transport needs of the city’s (15) million residents”. This, and other considerations, makes the okado to remain the most preferred mode of transportation in Nigeria albeit the recent decision by the

government to ban its use over concerns of its involvement in fuelling insurgency, accidents and crime. There are other modes of public transport in Nigeria, like mini-buses and buses, however, this section of the study has particularly chosen to focus on Okada due to its popularity and perceived economic feasibility in Nigeria.

2.1.4.1 *Advantages of the okada*

Olubomehin (2012: 23) argues that the Structural Adjustment Policy (SAP) which was introduced by the General Badamosi administration in 1986 proved to be very harsh on Nigerians and grew rapidly unpopular. SAP compounded the woes of the people by reducing the earning powers of the average Nigerians. There was a high rate of joblessness and many companies collapsed. Even companies that did not fold up could not operate in full capacity. It was this group of unemployed and jobless people that now pioneered the commercial motorcycle business in Nigeria (Olubomehin, 2012: 23). It becomes clear that the motorcycle taxi business has, to some extent, filled the gap that was left open by the state by creating employment opportunities for the unemployed especially the youth. Amaefula (2017: 69) supports this claim by stating that in some South-eastern states of Nigeria, okada provides a high rate of employment second only to government as an employer of labour. In addition to the advantages of Okada, Olubomehim (2012: 233) suggests the following:

The advantage, which motorcycles have over other transport modes, can also be said to have accounted for its use for commercial transportation and widespread nature of the okada business. One of these advantages is that it reaches areas where commercial vehicles may not reach due to bad road. There is no road that is too narrow and there is no area too remote for motorcycles to reach. Besides, unlike motor cars, they are able to take passengers to their doorsteps. Also they are faster and save time than other means of transportation. They

are capable of manoeuvring their way through traffic congestion and they do not stop like commercial vehicles at bus stops to pick passengers.

Starkey (2016: 2) attests to the above assertion by adding that the okada mode of transportation provides many benefits. They effectively extend reach of roads as villagers can request the motorcycle taxis using mobile phones. Where there is no alternative means of transport, even pregnant women and people with ill health praise the access provided by motorcycle taxis (Starkey, 2016: 2). Arosanyin (2010: 55) adds by suggesting that motorcycles as a means of public transport have come to stay as a vital mode and source of employment and income for the teaming urban unskilled and semi-skilled labour and their families. Arosanyin (2010: 55) further cites a study that was conducted in 1998 by Adeyemo in Port Harcourt, which showed that by that time motorcycles as commercial passenger transport provided employment and income to the operators. The average income of the operators before and after entering the business were compared and the average income was found to have increased by 710.6 % (Arosanyin, 2010: 55). It cannot be overstated that the key advantage of okada in Nigeria is its ability to create employment opportunities for the unemployed people, particularly the youth.

2.1.4.2 *Disadvantages of the okada*

Despite the advantages of the okada system as discussed in the previous section, there are some disadvantages of this form of transportation. Amaefulate (2017: 33) argues that there is a high rate of okada accidents in most Nigerian towns and villages and this is precipitated by the risky riding behaviour of okada riders. Over the years, the rising number of casualties from accidents involving okada riders increased exponentially, and these risks were prevalent with reports of a number of security personnel deploying that mode of transportation (Itua et al, 2022). Idris (2020) suggests that in 2020, the Lagos Ministry of Transportation reported that a great number of people were killed

due to motorcycle accidents. The Ministry reported that motorcycles killed over 11,000 people between 2011 and 2019 and there were at least 600 deaths between 2018 and 2019 that were attributed to motorcycles (Itua et al, 2022). Nzeabe (2021: 2) makes the following observation:

For instance, the U.S Consulate General in Lagos recently issued a security alert about crime and insecurity being fuelled by operators of motorcycle taxis. They noted that men on motorcycles follow vehicles until they stop at a traffic light or intersection. They then approach the vehicle and rob the occupant.

Itua et al (2022) observe that there are a number of risks involved in the use of okada and some of these involve its use by criminals as a means of quick getaway from crime scenes such as banks and residential areas. In many cases, the okada have been used to snatch handbags and mobile handsets from unsuspecting passers-by. Nzeadibe (2021: 2) further alleges that some studies have explained how Boko Haram uses motorcycles to further their insurgency. This is evidenced in recent demands by bandits to the Kaduna state government to provide motorcycles as part of ransom for the safe release of kidnapped university students (Nzeadibe, 2021a: 2). Another important factor which was noted by BBC (2012) was the rise of violent clashes between the okada riders and authorities as okada riders resisted attempts by government to ban the use of this mode of transportation. The ban came as a result of indications that the okada were used by Islamic insurgents who had attacked a church amongst other things.

Nzeadibe (2021: 1) notes a similar trend by stating that in Nigeria, there are often violent clashes between the okada riders and law enforcement officers who seek to impose a ban on okada. Akinpelu (2022) argues that because of the reasons stated above, the Nigerian government in Lagos has imposed a ban on the use of motorcycles using the existing legislation such as the Lagos State Transport Sector Reform Law of 2018. This has come after a number of years wherein the government had tried to issue bans on okada temporarily or

permanently without success. Akinpelu (2022) argues that the people of Nigeria are divided over the ban of the okada with some citing economic consequences of the ban whilst others are agreeing to the ban citing security ramifications of the okada. Anaba (2022) asserts that some economists have warned that if the Nigerian government proceeds with the ban of okada, it is estimated that Nigeria will soon lose around N400 billion and 20 million jobs. Anaba (2022) is of the view that the proliferation of criminal activities like, robberies, insurgency, cannot be exclusively attributed to okada as these are widely national issues that go beyond okada. As demonstrated in the case study, the rise of okada mode of transportation in Nigeria has been hailed as being the best model for economic emancipation of unemployed people especially the youth within the informal sector, whilst at the same time it is the most convenient and affordable means of transportation for the poor people in Nigeria. However, its shortcomings such as infiltration by insurgents, crime and frequent accidents remain major areas of concern. It has to be further noted that the kind of violence that occurs in this mode of transportation is usually amongst the riders and law enforcement officers over politics of formalization and bans as opposed to traditional taxi wars amongst rival taxi associations as is the case for instance in South Africa today.



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2.1.5 The rise of e-hailing services in South Africa

The rise of e-hailing services has contributed and continues to contribute to the already volatile environment within the transport industry in South Africa. Statista (2023) reveals that there is an intense competition between traditional taxi companies and ride-hailing services due to the world of new e-hailing companies entering the worldwide market and South Africa has attracted a significant increase of ride-hailing services. These companies are moving from providing traditional taxi services to the services that can be booked via apps, which makes the process more transparent for customers than ever before. Stupendous investments of automobile manufacturers in ride-hailing services further fuel the growth of the service throughout the world and South Africa (Statista, 2023). The taxi operators have for a long time in South Africa

conducted their business without any solid competitor except for buses and trains until the advent of e-hailing services. In 2013, the U.S uber operator began entering the South African transport market. It was then followed by the Estonian company called Bolt. This particular mode of transportation proved not only to be good and convenient for customers, but also created new decent jobs market (Diko, 2022). According to Smith (2020), many people view e-hailing service as the safest and convenient mode of transportation. During his study, Smith discovered that most people favoured e-hailing services based on both monetary and non-monetary benefits like convenience, safety, availability and reliability.

In her study of “the influence of e-hailing apps on urban mobilities in South Africa”, Giddy (2019) found amongst other things that uber has received popularity in South Africa because of its user friendliness through allowing individuals to move throughout the city freely. In this research, the commuters expressed their feelings that uber has transformed both their personal mobilities and broad mobilities in South Africa. Another study that was conducted by Smith titled “Assessing the adoption and utilization of e-hailing services: The Case of Cape Town, South Africa” found that most people favoured e-hailing service because it helped them to avoid drinking and driving and it also made it easy for them to avoid having to search for limited parking when driving in their cars and also provides convenient and safe rides to the airport (Smith, 2020: iv). The proliferation of e-hailing services in South Africa then prompted some degree of competition and hostility between the traditional taxi drivers and e-hailing drivers, wherein a number of e-hailing drivers have been attacked by taxi operators. More like in the US, South Africa has seen calls for the regulation of e-hailing services, to avoid both the exploitation of drivers by e-hailing companies and violence that comes from traditional or mini-bus taxi operators. The only difference between the US and South Africa on the question of the advent of e-hailing services is that in the US there are little or no recorded incidents of attacks on e-hailing drivers despite the calls for its formalization. In South Africa, a number of violent and deadly attacks on e-hailing drivers by taxi operators has been recorded. In the Eastern Cape, taxi drivers have been accused of intimidating e-hailing drivers, claiming that the e-

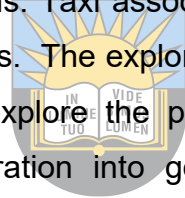
hailing drivers are stealing their clients (Chirume, 2021). Simelane (2023) provides an account of the meeting that took place in Kliptown Police Station in Gauteng between the e-hailing drivers and taxi operators after violent attack of e-hailing drivers by taxi operators in Maponya Mall, Gauteng. The representative of the Soweto Taxi Services (STS) complained that the e-hailing drivers no longer operated within their allocated spaces, and that they were now picking customers from the malls where mini-bus taxis were operating. On the other hand, the e-hailing drivers were complaining of sporadic and unprovoked attacks by taxi operators. The representative of e-hailing drivers lamented absence of regulation as the main cause of clashes between e-hailing drivers and taxi operators. He further asserted that “in the absence of a regulatory framework, you then find chaos as though we are enemies and we are not. It’s as a result of the government’s failure to regulate the sector that today we find ourselves in a meeting with such a strong security presence” (Simelane, 2023).



In South Africa, a number of instances where e-hailing drivers are brutally assaulted and murdered by competing traditional taxi drivers have been recorded. To support this claim, Karim (2019) reports on complaints by some Uber drivers in Cape Town, South Africa, against the abuse by taxi operators. One Uber driver allegedly complained that he was high-jacked at gun point and a week later was warned by a taxi driver that they would impound his vehicle if they saw him operating Uber anywhere near their spot (Karim, 2019). In Gauteng, a number of incidents on intimidation of e-hailing service drivers by taxi operators is reported regularly. An incident at the Eastgate Shopping Center bares testimony to this claim. Mlambo (2020) reports that e-hailing drivers were barred from picking up passengers by the Eastgate Shopping Center and cab metered taxi drivers forcefully parked their vehicles in parking spots allocated e-hailing drivers.

Many other incidents of assault of e-hailing drivers and vandalism of their cars. These are the incidents that Uber and Bolt companies strongly condemned (Mlambo, 2020). In an effort to explain how taxi operators have challenged the

monopoly of the state over the legitimate use of physical force, Chapter 5 of this study unpacks a variety of incidents and ways wherein taxi operators unleashed violence and threats on e-hailing services and how they have effectively become law unto themselves through imposing self-regulated rules on e-hailing drivers and even private motorists, posing as traffic officers although they are not legally empowered to do so. This is a vacuum left by the state in terms of regulating the industry, thus bearing testimony to the views of various authors, as discussed earlier, who argue that in the absence of state control, VNSAs find an opportunity to permeate and adopt state-like functions. This section stands to reason that the South Africa's public transport industry remains volatile due to autonomous taxi associations and operators who claim the monopoly over the public transport sector by imposing self-regulated rules on their competitors. Often, they use violence to enforce their control of the sector. In this regard, the concept of VNSAs can be expanded further to explain the behaviour of taxi associations. Taxi associations are therefore categorized as part of violent non-state actors. The exploration of VNSA's in the dimension of the taxi industry can help explore the possibility of disarmament of taxi associations and their incorporation into governance through formalization which will be discussed later in the study.



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2.1.6 Strategies used to address the rise of violent non-state actors

The reviewed literature highlights that some of the reasons for the continued existence of violent non-state actors have something to do with the failure of the state to meet up to the expectations of the citizens (Villa and Pimenta, 2019; Ferreira et al, 2019; Williams, 2008). In this regard, the citizens resort to alternative means of governance. There is a number of strategies that may be considered in dealing with the exponential rise of violent non-state actors and these are, inter alia; Inclusive participation, strengthening of service delivery, maintenance of law and order, vetting investigations and strengthening of cyber security.

2.1.6.1 Inclusive participation

In the general sense, when the citizens feel left out in the development of programs that the state intends to implement in their communities, the result is usually a feeling of resistance against those programs and state authority. The International Institute for Sustainable Development (2016) is of the view that the overall goal of public consultation is to engage key stakeholders, groups such as citizens, non-governmental organizations (NGOs) and interest groups to provide their input into the planned development and especially on those impacts that directly or indirectly affect people's livelihoods. Reflecting on the notion of inclusiveness, Williams (2008: 6) argues that it is essential that states ensure that no group is excluded from seeking political influence or receiving a fair share of resources and services because of its affiliation or its identity. Weak states suffer from deficits in legitimacy, capacity, provision of public goods and inclusiveness. This can result in insurrection or ethnic conflict (William, 2008: 6). Hirblinger, Landay and Paffenholz (2018) are of the view that in cases of protests and incipient violent conflict, inclusive arrangements can bring grievances from the street to the negotiating table. Where violence has already developed into full-fledged armed conflict, inclusive arrangements can ensure that the reduction of violence is based on more than short-term military calculations. Such arrangements can set the stage for sustained political reform processes, which if inclusive, can help prevent the recurrence of violence in the longer term (Hirblinger et al., 2018).

Reflecting on transitional justice processes, Haider (2016: 10) argues that inclusive participation in all aspects of transitional justice processes (design, implementation, evaluation) can be important not only in fostering local ownership and perceptions of legitimacy but also as an opportunity to empower local populations and challenge a range of exclusions and power relations at local, national and international levels. Victims need to be seen at the core of transitional justice measures and given recognition as right-holders, so as to enable them to become citizens again (Haider, 2016: 10). Geneva Inclusive Peace and Transition Initiative (2018) in its assessment of inclusion in conflict settings suggests that inclusion plays an important role in preventing violence,

importantly, how inclusion contributes depends on the conflict type and kind of violence displayed in cases of popular protests or armed conflicts. It also depends on the nature of political processes, which span from the initial halting of violence through negotiations to the implementation of political agreements. Part of the findings detailed in the assessment report suggested that a combination of different modalities of inclusion is important for preventing violence and sustaining peace.

These modalities include; broader direct representation at the negotiation table, observer status, consultations, inclusive commissions, high level problem solving workshops, public decision making and mass action (Geneva Inclusive Peace and Transition Initiative, 2018). Piri and Kjellin (2021: 2) describe the process of inclusion as that which allows people to participate in activities, thereby enabling them to form reciprocal relationships with others. Arguing from the psychological perspective, Piri and Kjellin (2021: 2) further assert that the social inclusion can in turn have positive effects on the health of the population. In this regard, it is safe to suggest that when the psychological wellbeing of the people is taken care of, the likelihood of the occurrence of violence and crime may be positively affected to some degree. The International Foundation for Electoral Systems (IFES) (2021) emphasizes the importance of ensuring that individuals who are part of multiple marginalized identities are not pushed to the side-lines. These include traditionally underrepresented groups such as women, persons with disabilities, youth, indigenous groups, and radical, ethnic and religious minorities. The evidence shows that religious minorities, youth and indigenous groups have actually been the key targets of recruitment by terrorist or extremist organizations or they themselves have participated in the formation of such organizations. Darden (2019: 1) mentions the feeling of exclusion on the part of youth as one of the reasons that make them susceptible to recruitment by terrorist organizations.

2.1.6.2 Strengthening of Service Delivery

The literature reveals that in most instances, the perceived failure of the state to provide basic service delivery for its citizens is likely to create fertile grounds for the emergence of VSNA's. Holdt et al. (2011: 3), reflecting on some of the causes of collective violence in society have this to say:

Many of those who participate in the violence are unemployed, live in poverty, and see no prospect for change in these circumstances. Theirs, they feel, is a half-life, as they are unable to participate as full citizens in the economy and society. Impoverished young men, in particular, experience this as the undermining of their masculinity as they are unable to establish families. Protest provides them with an opportunity to exert their masculinity through violence and to experience themselves as representing the community.

McCullough (2015: 3) argues that there is evidence to support the idea that citizens who perceive their government as relatively effective, competent and procedurally just, are more willing to comply, albeit-quasi voluntarily. McCullough refers to the Marx Weber's theory of the state by, inter alia, arguing that Weber's ideal type of bureaucracy influenced an understanding of the state in terms of institutions and service delivery. Fragile states were defined as states which failed to fulfil these core functions and this lack of service delivery in fragile states was understood to be the main cause of their weak legitimacy (McCullough, 2015: 4). Williams (2008: 5) holds the view that:

Strong and effective states have a significant extractive capacity but match this with the provision of collective goods ranging from the maintenance of security and order to healthcare and welfare. In addition, they engage in sound management of the economy, which includes not only fiscal prudence but also the creation of a degree of reliance that enables the economy to absorb the disruptive consequences of exogenous shocks. States that are highly extractive but do not match

this with collective provision are typically seen as exploitative- which undermines their legitimacy.

Ramakrishnan (2013) argues that delivery of various public goods and services is the basic responsibility of the state. The state has a very important role to play in making available the essential public goods and services that ensure certain minimum level of wellbeing to everyone in need of these (Ramakrishnan, 2013). The ability of the state to render basic services to its citizens is likely to prevent unnecessary occurrence of violence which would be mainly caused by service delivery deficiencies. The Organization for Economic Cooperation and Development (OECD), (2008: 14) asserts that:

The state is built and maintained through the collective action of the public or at least a large segment of the public, whose interests encompass much of the nation. In a fragile state, this 'public' is missing or weak. Thus, although self-serving and perhaps market based provision of goods may be possible, the more public aspects of service delivery tend to crumble or disappear (e.g. vaccinations, school curricula, teacher training, law enforcement and water facilities). Coordinated policy making and leadership within (and across) service sectors suffers... Its effects stretch beyond poor services to include conflict, state collapse, loss of territorial control, low administrative capacity, extreme political instability, ineffective policies and repression and denial of recourse to subgroups of a population.

Williams (2008: 7) adds further by arguing that as a precursor to the formation of VNSAs, the recipient of the state services that in this case is the citizen must first feel like the state has failed him. As the legitimate governing body, the state is the recipient of his expectations for education, employment and security. This failure can take the form of incapacity to provide basic services or effectively allocate resources and/or it can manifest as excessively coercive response (Williams, 2008). Writing on the state of public violence in South Africa, Breakfast and Nomarwayi (2021: 11) argue that violence has been symbolic in social protests in both the pre-1994 and post-1994 contexts.

Recently, it has been the epitome of dissatisfaction amongst local residents on issues of water, sanitation, housing and roads amongst other things. It is widely accepted that the post 1994 violent protests are associated with lack of service delivery or slow pace of service delivery in some instances (Breakfast and Nomarwayi, 2021). Donkers (2014: 6) adds by arguing that in the South African context, the historical backlog of services, the in-migration into cities, the issues of relative deprivation of those exposed to better services in an urban context, the socio-economic dynamics and high unemployment all play a part in the outbreak of violent protests. Ngcam (2019) adds by making the following observation:

The violent service delivery protests mostly prevalent at a local level of government have been associated with the results of apartheid, which was central to segregation, with the majority of the people (black people) being marginalized with regard to basic needs including clean drinking water, proper sanitation, access to health care, formal housing and access to infrastructure.



Twala (2014: 159) argues that the perceived failure by the African National Congress (ANC) led government to deliver basic services to its people, particularly to those residents in the poor areas, has contributed to the surge of violent protests in South Africa. He further argues that the slow pace of the provision of service delivery has resulted in socio-political problems. In the context of the above assertions, it becomes undisputable that the lack of service delivery by the state in society is likely to have a profound contribution in the rise and the sustainability of VNSAs particularly when the VNSAs have the capacity to meet the needs of their patrons. The consensus amongst authors is that poor service delivery is the one of the main reasons for the formation of violent protests that end up becoming violent non-state actors in most instances. There is therefore a need for governments to strengthen their service delivery initiatives in order to curtail possibilities of the rise of VNSAs.

2.1.6.3 Strengthening of law enforcement

The U.S Department of Justice (2019: 2) report argues that the leadership within law enforcement agencies should consider incorporating emerging techniques such as de-escalation into policy and training on the use of force and interacting with individuals in crisis. The report continues to argue that these leaders should think critically about how internal affairs operate in their agencies, how investigations are conducted and communicated with stakeholders. The report further proposes the following:

Modern policing rests upon the foundational precept that the effective control of crime, disorder and fear requires community participation and assistance. Communities are vital sources of information about crimes, offenders and ongoing criminal or social problems. Using techniques of community policing and engagement, law enforcement agencies can obtain information they need to solve problems proactively and facilitate the process of informal social control that generates ongoing, sustainable public safety (U.S Department of Justice, 2019: 6).

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Perhaps the arguments of Marks et al. (2011) and Philipsen (2019) that challenge the state centric view when it comes to provision of security to its citizens finds some vindication in the view of the U.S Department of Justice Report. In addition, the United Nations Office on Drugs and Crime (UNODC) (2011: 1) advises that amongst other things, where policing has been militarized and maybe undemocratic and authoritarian, efforts must be made to enhance civilian control over the police. The report continues to suggest that it is necessary to increase public confidence in the police by upgrading levels of police service delivery as well as by investigating and acting in cases of police misconduct and finally by reducing corruption within the police service. The Institute for Security Studies (ISS) (2019) argues that part of strengthening South Africa's law enforcement front for instance, involves boosting the capacity of investigators and prosecutors. The ISS continues to argue that the South African Police Service (SAPS) Anti-Corruption Units and the Integrity

Management Service need much greater support to identify and remove corrupt, brutal and dishonest police officers. Staff shortages in the Directorate for Priority Crime Investigation (Hawks) and National Prosecuting Authority (NPA) need to be addressed as a matter of urgency. Investigations and prosecutions are the cornerstone of the rule of law. Without success in this area, public trust in the criminal justice system will continue as violent crime increases.

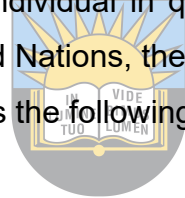
The ISS (2019) also holds a view that policing alone may not sufficiently contain violence and what is needed as an addition is the support of civil society programs established to prevent violence. In addition, Breakfast and Nomrwayi (2021: 124) make an observation that currently the ANC led government does not have a national security strategy. Thus, Breakfast and Nomrwayi recommend amongst other things that the national government alongside other spheres of government should develop such strategy. In the process of developing this strategy, the security cluster consisting of the Departments of Defense, Intelligence, Security and Police should be at the center. The public and civil society should be taken on board in making this policy for both security and development (Breakfast and Nomrwayi, 2021).

2.1.6.4 Vetting Investigations

Traditional methods of determining the individual's security competence such as vetting investigations are deemed suitable in public institutions. Oppernman (2017) is of the view that the need for law and order remains important, however such an approach means equally activating conservative approaches of vetting and investigations of certain individuals. The report by the Office of the United Nations High Commissioner for Human Rights (2006: 4) asserts that vetting can be defined as a method of assessing a person's integrity to determine suitability for public employment. The citizens are unlikely to trust and rely on public institutions that retain or hire individuals with serious integrity

deficits, which would fundamentally impair the institution's capacity to deliver its mandate (United Nations Office of the High Commission for Human Rights, 2006: 4).

Perhaps the observation by Mmakwena (2022) which talks about corrupt elements within law enforcement circles highlights the necessity for the state to strengthen its investigative capabilities when recruiting potential law enforcement members. In 1996, the South African government adopted what it termed Minimum Information Security Standards (MISS), which provides guidelines on how the vetting process of individuals in the public sector should be administered. The MISS (1996) provides that vetting is a process of determining a person's security competence. Carta Intelligence & Security (2018) expands this view by stating that the central objective of vetting is to examine whether there are any issues that could cast doubts on the reliability, credibility or judgement of the individual in question. In another report on the status of vetting within the United Nations, the Office of the United Nations High Commissioner (2018: 23) asserts the following:

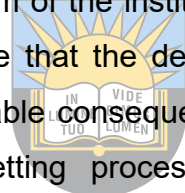


Information on alleged perpetrators can also attribute to institutional reform efforts in countries in transition. Vetting processes operate to exclude from public institutions, persons who lack integrity- evidenced by their lack of adherence to international standards of human rights and professional conduct. Where due process concerns are adequately addressed, information from the United Nations mandated investigative bodies may be particularly helpful in depoliticizing vetting efforts, as the information will have been gathered according to a sound methodology and from a source outside national processes. (Office of the United Nations High Commissioner, 2018: 23).

Carmen (2018: 8) illustrates that the vetting method is utilized by all national intelligence structures in South Africa to assess security competence of individuals. It therefore can be said that the purpose of vetting investigations is to assist in the protection of national security. The elements essential for national security emphasize that the government protects its people, territory

and the infrastructure which also incorporates the information and asserts of government (Carmen, 2018: 8).

In the context of the above, it becomes uncontested that vetting can play a critical role to detect criminal elements that may have intentions either to protect or advance the agenda of violent non-state actors within public institutions. To further support this claim, the United States Agency for International Aid (USAID: 2021) views the process of vetting as an enhanced risk mitigation approach that USAID employs to reduce the risk of the diversion of tax payer funds and other resources to individuals or entities that are terrorists, supporters of terrorists or affiliates of terrorists. The Publication II of the United Nations Development Programme Bureau for Crisis Prevention and Recovery Justice and Security Sector Reform (2006: 9) stresses the idea that to maximize its impact and ensure its sustainability, vetting generally needs to be part of a major broader reform of the institution concerned. The Publication II (2006: 11) continues to allude that the design of a vetting process should seek to prevent certain undesirable consequences and a thorough analysis to determine conditions for a vetting process and to assess the risks of undesirable consequences is necessary before designing a vetting process.



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2.1.6.5 Strengthening of cyber security

It is fast becoming obvious that the world is beginning to move towards the fourth industrial revolution and as such, most countries in the world are beginning to invest more of their resources in the enhancement and safeguarding of their cyber security. Guadagno et al. (2010: 25) argue that the terrorist organizations particularly, al-Qaeda have successfully made use of the internet and other multimedia recruitment strategies to increase their support. For Maness and Valeno (2018: 259), technological improvement is continuous and ubiquitous. It impacts people's lives because each new advance alters how people communicate and analyze information; it changes how people interact with the world. Change can lead to dependence, and therefore cyber conflict

and cyber war have become dominating issues of concern in the realm of international relations (Maness and Valeno, 2018).

Tsakanyan (2017: 339) adds by suggesting that cyber security threats are one of the main national security, public safety, and economic challenges every nation faces in the 21st Century. Cyberspace is a defining feature of modern life. Tsakanyan (2017) further suggests that the need for cybersecurity is growing ranging from particular cases to national and international, becoming the main problem of diplomacy in world politics. Singholm (2013: 1) asserts that the special characteristics of cyberspace such as its asymmetric nature, the lack of attribution, the low cost of entry, the legal ambiguity and its role as an efficient medium for protest, crime, espionage and military aggression, makes it an attractive domain for nation states as well as non-state actors in cyber conflict.

However, it is important to make a determination on how violent non-state actors use the cyberspace to advance their interests. Tsakanyan (2017: 341) points out the threat of the rise of non-state actors that use cyberspace to target civilian infrastructure for political gains. The report released by Council on Foreign Relations (2018) reveals, amongst other things that in 2018, the Russian Federal Security Service (FSB) estimated that cyberattacks by then had already cost the global economy \$300 billion annually and Juniper Research predicted the figure of \$8 trillion within the space of 5 years from 2018. To counter and defer this kind of threat, Tsakanyan refers to a variety of actors that are involved as identified by Robinson et al. (2012). These actors include, inter alia, the following:

- National level policy units with responsibility for cyber-security issues, for example, the Office of Cyber Security and Information Assurance (OCSIA) in the United Kingdom (UK) and Estonian Authority for Information Systems (RIA) in Estonia;
- Operational agencies which are; intelligence, armed forces and law enforcement agencies which may be involved in the delivery of elements

of the state's cyber capability; cyber-deterrence, cyber-warfare, investigation, countering or investigating cybercrime, for example; USCYBERCOM and the National Security Agency in the U.S (Tsakanyan, 2017: 34).

In combatting cyber-attacks by non-state-actors, Van der Meer (2020: 2-5) proposes the following key possible interventions:

- Due Diligence

The concept of due diligence could be used in the community of states to bind other states by law, to take action against cyber-attackers operating in their territories. Failure may then necessitate legal procedures or self-defense by the victim.

- Request for the state to take action

When there is sufficient evidence that a cyber violation was committed in a host state, then the victim state may request the host state to take action in line with agreed upon legal standards. Ideally, a request for action can be done at a technical assistance level, for example involving Computer Emergency Response Team experts.

- Capacity Building

If the host state agrees, but is not able to take action against a non-state actor, then a team of technical experts can be dispatched from another state to assist the host state on short-term basis. On a long-term basis, capacity building process can be undertaken to train the host state to avoid similar occurrences in future.

- Diplomatic Action

If the host state has the capacity but is unwilling to act against the non-state actor, then a diplomatic protest can ensue against the host state.

This may take place in the form of expulsion of diplomats or other officials representing the host state.

- Legal Measures

This strategy implies indicting organizations or individuals involved in cyber-attacks. However, the shortfall of indictment under criminal law is that indicted individuals will only be arrested if they visit the country in which they are indicated. Public 'naming and shaming' of any individual or state involved in cyber-attacks maybe a viable option in this regard. This could play a role in limiting further attacks to some extent.

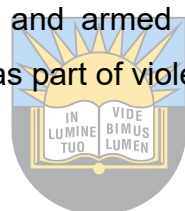
- Sanctions

Sanctions may be imposed on any individual who has committed a cyber-attack or on states that deliberately host cyber-attackers. Sanctioning could, inter alia, entail: blacklisting of individuals, travel bans, termination of trade deals, etc (Van de Meer, 2020: 2-5).

Council on Foreign Relations (2018) report suggests that governments, global industry and experts from academia and civic society should work together to prevent cyberwar, restrict offensive cyber operations by non-state actors and mitigate daily economic threats that Information and Communication Technology (ICT) pose to the global economy. The report proceeds to emphasize that governments and global technical community should develop improvements and updates to core internet protocols to make cyber incident attribution more effective on the technical level. This will help verify compliance with principles of international law such as non-interference in the internal affairs of other states, including elections and hold states more responsible for what happens in their cyber realm (Council on Foreign Relations, 2018).

The study appreciates the lack of comprehensive research in dealing with VNSAs, particularly in South Africa. With regards to the taxi industry in South Africa, a significant research has focused mainly on government interventions to the taxi industry through the TRP for example and in the process the

comprehensive views of commuters and taxi operators have been omitted. Although there has been some consultation with taxi operators, it has been accused of not being entirely inclusive. This study seeks to address this gap by bringing to the fore the views of all parties involved in the taxi industry, which include government officials, taxi operators and commuters. An examination of the views of taxi operators and commuters is an important addition to the literature because the phenomenon of taxi violence is beginning to attract interest to scholars because of its intensity. It is therefore important to include all actors involved in the taxi industry to avoid the subjectivity in literature. Such a comprehensive collection of data empowers the study to arrive at objective and balanced findings, which hopefully will be accommodative to all parties involved as opposed to a single actor like government. Secondly, a significant portion of literature has conceptualized violent non-state actors in the exclusive context of regional and international militias and armed groups. Whilst placing the similar attention on militias and armed groups, the study brings a new definition of violent taxi industry as part of violent non-state actors.



2.2 Theoretical Framework

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In the analysis of the taxi industry with violence being the main focus of the study, the study has employed the Rational Choice Theory (RCT) as the theoretical framework. Although the study has employed RCT, it is important to note that the study is not theoretically guided in its entirety as it is also based on empirical evidence through data that was obtained from commuters, law enforcement agents, government officials and taxi operators themselves based on empirical evidence. Bouchrika (2024) defines the empirical research as any study whose conclusions are specifically acquired from “concrete, verifiable evidence”. It is a kind of research that is guided by scientific evidence rather than theory alone. This form of research has specifically been effective for the researcher because it enabled the researcher to deduce findings based on not only theory but also on empirical evidence. Furthermore, the RCT has specifically been derived from the work of Ray Paternoster, Chae Mamayek Jaynes and Theodore Wilson (2017) and the title of their work is “Rational Choice Theory and Interest in the ‘Fortune of Others’”. According to

Paternoster, Jaynes and Wilson (2017: 2), the RCT implies that individual actions are based upon self-interested appraisal of the costs and benefits of alternative courses of action, with the action being taken the one with greatest perceived utility. The current RCT of human actors, then is the one of the heightened rationality and narrow regard for one's self-interest, referred to in the economic literature as a 'self-regarding preference'.

This particular explanation features in explaining the violent actions of taxi operators. In most instances, the taxi operators engage in acts of violence with an intention to acquire lucrative routes, which will give them economic leverage over their competitors. The taxi operators also engage in violent acts in order to reject the government's intentions of formalizing the industry and they perceive these intentions as means to subvert their accumulation of capital. In order to maintain their profit, they resort to violence that is criminal in nature. As Paternoster, Jaynes and Wilson (2017: 3) put it, the criminal activities done by individuals are outcomes of individuals' rational consideration of the risks and punishments as well as the gains of crime. In the above context, it can be argued that the taxi operators who commit murder are fully aware of the consequences of crime in terms of the law. However, they resort to violence with intentions to maintain and protect their businesses. In this regard, their individual selfish interests outweigh other considerations. In South Africa, since impunity seemingly generally goes unpunished, the gains of violence often outweigh the costs due to lack of consequences. Ideally, in RCT, if the costs outweigh the benefits, it dissuades individuals from taking that course of action as they are rational beings.

2.3 Chapter Conclusion

The persistent rise of violent-non state actors in world politics is complicated by inter alia; the sponsorship of these actors by some states, which is mainly caused by greed for power and political survival. In the community of nations, the states are expected to work together to find solutions to common problems facing humanity. Failure of states to work together, weak law enforcement

capabilities, lack of basic service delivery, etc. including the collusion of some states with violent non-state actors in order to achieve their selfish political ends make it more difficult to combat violent non-state actors in the world. The global idea to move towards the deregulation of taxi industry may have some economic advantages in terms of opening up the market and provide a fair opportunity for most citizens to participate in the economic activity within the industry.

However, the uncalculated deregulation of the industry may create instability and may result in unhealthy competition, which was seen shortly after the Great Depression of 1929 in the U.S. This competition resulted in the overcrowding of the industry, taxi wars over routes and what was deemed to be the overburdening of ecosystems as described by environmental experts (Patino and Engren, 2020). For this reason, the U.S government had to introduce the Medallion system that amongst others limited the number of people that wanted to join the taxi industry. Although this measure drastically reduced taxi wars and brought competition under control however, it is widely criticized for bringing taxi operators in massive debts and its failure to extend its mandate to cover for e-hailing taxi services that compete unfairly with traditional taxi operators. The lack of violence or complete absence of violence between e-hailing operators and traditional taxi drivers in the U.S remains standing out as something positive.

The abolishment of the okada taxi system in Nigeria by the government has received a number of criticisms from the ordinary Nigerians who are using this mode of transportation as both their means of economic survival and travelling purposes. This action has also been criticized by experts in economics and politics citing it as a potential for major economic setback in Nigerian informal sector and as well as a reason for violent clashes between okada riders and law enforcement agencies. Although the government's decision for banning this industry is based on legitimate security and safety concerns, however, experts believe that other means of dealing with security and safety concerns could have been exhausted first, instead of simply placing a ban on okada (Anaba, 2021). In South Africa, the attack of e-hailing drivers by taxi operators on

accusations of 'stealing customers' remains a fundamental concern. Cyber security remains a common challenge to many states in the world and a variety of measures to combat cyber-attacks committed by violent non-state actors have been recommended by academics and governments all over the world. Above all, the inclusion of other actors like the members of the public in the form of churches, academia, women, etc., has been recommended by most authors, with a few clinging on the state centric view.



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CHAPTER THREE: RESEARCH METHODOLOGY

3.1 Introduction

According to Halperin and Heath (2012), the research methodology refers to the way in which data is gathered and examined. This process allows the researcher to arrive at specific conclusions and generalizations based on the collected data. Rajaskar, Philominathan and Chinnathambi (2013: 5) add by arguing that the procedures that the researchers use to describe, explain and predict phenomenon are called methodology. This particular study has chosen the mixed method of data collection as a way of describing, explaining and predicting the phenomenon of taxi violence in the Province of the Eastern Cape.

3.1.1 The location of the study



The selected taxi ranks for interview purposes were Engcobo Taxi Rank, King Williams Town Taxi Rank and East London (Oxford) Taxi Rank. These ranks were selected due to their level of accessibility and proximity to the researcher, which would help the researcher to save much-needed funds for the study. The researcher also believes that uncovering the opinions of the respondents from these locations would help provide some data that is not readily available in the media. However, it is important to note that for secondary sources of data on the taxi industry other towns like Port Elizabeth and Mthatha, are also included in the study as part of generalization of the taxi industry in the Eastern Cape Province. In addition to generalization, the study has also made cross-references to other provinces around the country like Western Cape, Kwa-Zulu Natal (KZN), Gauteng and other provinces. This has helped the researcher to understand the phenomenon of taxi violence in the entire country, South Africa.

3.1.2 Mixed Methods Research

According to Cresswell (2013), mixed methods research is an approach that combines the use of both qualitative and quantitative methods of data collection. Dawson (2009: 15-16) argues that a qualitative research explores attitudes, behaviours and experiences through such methods as interviews or focus groups. It attempts to get an in-depth opinion from participants, whilst quantitative research generates statistics with large-scale survey research, using methods such as questionnaires or structured interviews. Contact with participants usually lasts quicker than in qualitative research designs (Dawson, 2019: 15). The combination of both these methods in a research constitutes the mixed method of data collection as defined by Cresswell (2013). For Cresswell (2013), mixed methods involve philosophical assumptions, the use of qualitative and quantitative approaches and the mixing of both approaches. It is more than simply collecting and analysing both kinds of data but it involves using both approaches in tandem so that the overall strength of the research is greater than either qualitative or quantitative research. Referencing the work of Tashakkori and Cresswell (2007: 4), Doyle (2009: 176) adds by arguing that mixed methods may be defined as a research in which the investigator collects and analyses data, integrates the findings and draws inferences using both qualitative and quantitative approaches or methods in a single study.

Doyle (2009: 175) further argues that mixed methods of data collection emerged in response to the limitations of the sole use of quantitative or qualitative methods and is now considered a legitimate alternative to these two traditions. The philosophical underpinning of pragmatism allows and guides mixed methods researchers to use a variety of approaches to answer research questions that cannot be addressed using a singular method (Doyle, 2009: 175). Kabir (2016: 204) adds by stating that mixed methods encompass multifaceted approaches that combine to capitalize on strengths and reduce weaknesses that stem from using a single research design. Using this approach may assist to increase validity and reliability of the research. Using a mixed methods approach is one way to develop creative options to traditional or single design approaches to research and evaluation (Kabir, 2016: 205). In

the context of the above, the study holds a view that the dynamics of violence within the taxi industry in the country and the Eastern Cape Province in particular cannot be thoroughly understood using a single method of data collection. For this reason, the approach of a mixed method of data collection was applied in the study. The reason mixed methods of data collection have been chosen is because of their ability to provide an overall picture of the phenomenon. In this instance, as discussed earlier, the complexity of taxi violence in South Africa in general and Eastern Cape in particular, requires the utilization of both quantitative and qualitative methods in order to get the full picture and sufficient evidence about taxi violence. It is the view of the researcher that a significant number of studies that were previously conducted on taxi violence have not necessarily addressed this phenomenon through the mixed methods of data collection, as such, the majority of existing literature on taxi violence only addresses one aspect of it.

3.1.3 Methods of data collection.



3.1.3.1 Primary Methods of data collection

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Kabir (2016: 204) defines *primary data* as a kind of data that has been collected from first-hand experience and which has not been altered in any form. It is a data that has not been published and is more reliable, authentic and objective. Because it has not been changed or altered by human beings, its validity is greater than the secondary data. In the study, data was obtained directly from inter alia; the commuters and taxi operators themselves who are the key subjects of the study. What makes the primary data collection even more important in this particular study is that a research that is only based on secondary data is not always very reliable and may have biases because secondary data has already been manipulated by human beings (Kabir, 2016: 204). Khuc (2021: 3) adds by stating that the primary data is fresh and collected directly. Investigation methods are flexible to suit research questions. Primary data directly serves the current research and more specifically, this kind of data helps researchers in finding the bottom line of the problem in predictive analysis. Khuc (2021: 4) continues to argue that, as primary data is

crucial, its investigation and collection must be done with meticulous attention and precision. Thakur (n.d) agrees with Khuc (2021) and speaks of primary data as those data which are collected afresh and for the first time and thus happen to be original in character. Thakur summarizes the key advantages of primary data in the following way:

- Original and independent collection increases the authenticity of data.
- Direct collection enhances the reliability of data.
- The data is used in both qualitative and quantitative research methods.
- Hidden information can be collected through primary data.
- After analysis, primary data can be used as secondary data.

Kabir (2016: 205) mentions the following key sources of primary data collection as important considerations; experiments, surveys, questionnaires, interviews and observations. The researcher has applied the following methods of primary data collection:

- Surveys

The number of responses that were received from key respondents were captured.



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- Questionnaires

Questionnaires were utilized consisting of both closed-ended and open-ended types of questions. The intention of designing questions in this manner was to try to simplify questions in order to make a room for responses by respondents as simple as possible. The researcher believes that this objective was achieved.

- Interviews

Face-to-face and telephonic interviews were held with government officials who are responsible for policymaking and implementation of law enforcement in the taxi industry and as well as with taxi operators themselves. The same interviews were also held with the commuters in order to understand their perspective about taxi violence. The purpose of these interviews was to get balanced and informed responses from all

interested parties. It is applying this method of primary data collection that helped the researcher to get a well-informed feedback and thorough understanding of the real issues of contention between taxi operators and the government and amongst taxi operators themselves.

- Observations

The researcher personally observed the behaviour of taxi operators during rides and sometimes at hitch-hiking spots where they turned commuters away and forced them to take mini-bus taxis instead of hitch-hiking. Illegal taxi patrols and blockades of roads by taxi operators were also observed.

3.1.3.2 Secondary Methods of Data Collection

The primary data was supplemented by secondary data derived from sources such as; journal articles, academic papers, internet sources, books, online news outlets, live broadcast coverages, and documents from key government departments and law enforcement agencies. Social networks like twitter have also been used in some cases in order to study the general public perception about how taxi violence is affecting the people. Ajayi (2017: 2) is of the view that secondary data collection involves gathering data that already exists. This kind of data is the one that has already been collected by investigators, agencies and organizations earlier. The sources of secondary data collection include, inter alia: government publications, websites, books, journal articles and internal records (Ajayi, 2017: 3).

These secondary data sources assisted the researcher to be able to have an appreciation of the existing literature on taxi industry. Because of their nature of being economically resilient, these sources have empowered the researcher to obtain a reliable information whilst saving on financial costs. Government publications have helped the researcher with a thorough understanding of government's policies in relation to the taxi industry. Books and journal articles have provided some academic insights on the dynamics of the taxi industry,

which entail, inter alia the reasons and motivations for taxi violence. The researcher discovered an interesting nexus between the views of the commuters and taxi operators obtained through primary data as well as those reflected in secondary data. Online news outlets, live news coverages and internet sources have provided a detailed account of a number of taxi violence incidents across the country and in particular, within the Eastern Cape Province. According to Good & Healthy; Dakota Communities (2022), although there is a belief that secondary data sources may have some shortcomings, however, the proponents of this method of data collection argue that it may be reliable especially when it is collected by experienced statisticians or researchers. Persons with limited technical data training are able to collect secondary data with ease. Secondary data may be used if it is available and accessible from quality sources; it may be used if it is relevant to the information being sought. Moreover, accessing secondary data expedite the data collection process and provides information to communities and/or workgroups who lack the resources necessary to gather primary data (Good & Healthy: Dakota Communities, 2022). As shown in the evidence, it is worth mentioning that the researcher has consulted all relevant and useful secondary data sources available at his disposal, that contain a good account of the extent of taxi violence in the Eastern Cape Province and the country in general.

3.1.3.3 Sampling

According to Bless and Hugson-Smith (2013:83) sampling refers to the process of selecting the sample from a population in order to obtain information regarding phenomenon in a way that represents the population of interest and allows for an accurate generalization of results. The study has followed purposive or judgmental sampling approach. According to Taherdoost (2016: 23), this approach is a strategy in which particular settings, persons or events are selected deliberately in order to provide important information that cannot be obtained from other choices.

In-depth interviews were conducted with 7 taxi operators in the Eastern Cape Province, and 13 government officials comprising of law enforcement officers

and retired experts. A total number of 368 commuters were surveyed through the Five Point Likert Scale. 10 additional commuters were selected randomly for interviews. This number was chosen based on the fact that the researcher had selected three taxi ranks in the Eastern Cape Province with reasons having been given in Section 3.1.1 of this chapter. The numbers of the selected participants that are shown here are based on the level of similarities of responses that the researcher obtained during in-depth interviews as well as the proximity of respondents to the information itself. Parts of this information were also confirmed through secondary sources of data collection. The researcher did not feel the need to continue to interview more people when the responses were already similar and as it was concluded at this stage, the data had been saturated. It is also worth noting that interviewing commuters and taxi operators was not easy because the topic of taxi violence is quite sensitive and most taxi operators and drivers including commuters were not entirely comfortable in participating in the research for fear of victimization.

However, the researcher was able to persuade them to participate in the manner that met their expectations. In this regard, the researcher had to be careful not to interview too many people and for his own safety. In terms of reporting data from respondents, the study categorizes respondents in the following manner:

- Commuters: A-F: These are different commuters who did not form part of surveys, they were interviewed differently. The additional 3 commuters that were later interviewed are referred to as “Another Commuter” in the study.
- Law Enforcement Agents and government officials: G-J and R-Z. This is due to the fact that the responses from law enforcement agents and government officials did not come around the same time.
- Taxi Operators or Drivers: K-Q. It is important to note that the terms taxi operators and taxi drivers are used interchangeable, as it is the belief of the researcher that the two terms can be used to mean the same thing. A taxi operator can be anybody that operates the taxi and a driver can

be anyone that drives the taxi. These words have been used interchangeable throughout the research.

For the perception survey based on the selection that was made on three towns in the Eastern Cape namely; Engcobo, King Williams Town and East London, 368 commuters were surveyed. The sample size calculator was used to select the number of respondents to be surveyed. The total number of commuters that participated in the Likert Scale questionnaire was 368. This number was decided based on the approximate amount of trips that 15 seater mini-bus taxis take per day in selected towns in the Eastern Cape Province. The selected towns were; Engcobo, King Williams Town (KWT) and East London (EL).

In Engcobo, it was found that there are approximately 11 trips a day that occur in which taxis transport commuters from town to Manzana village and each taxi ferries 15 commuters. The total number of commuters that the taxis ferry is 165 per day specifically from Engcobo to Manzana village. The confidence level for 165 was 95%, Margin of error was 5% and population proportion that was selected was 50%. The sample size calculator showed that 116 commuters out of 165 is an appropriate number to be surveyed.

In KWT it was found that there are approximately 15 to 20 trips that various taxis undertake to ferry commuters specifically from KWT to Bhisho and surroundings per day. Each of these taxis ferry about 15 commuters. 15 trips were selected and for these trips, taxis take about 225 commuters per day from KWT to Bhisho. For this number of commuters, the confidence level was 95%, margin of error 5% and population proportion was 50%. The sample size calculator showed that a sample of 143 out of 225 commuters in KWT should be taken. Therefore, in KWT alone, 143 commuters who travel between KWT and Bhisho participated in the study.

In East London, it was found that there are approximately 10 to 15 trips that occur in which taxis ferry commuters between East London and Mdantsane and each of which carry about 15 commuters. 10 trips were selected and of

these 10 trips it was revealed that the taxis ferry about 150 commuters that travel between EL and Mdantsane per day. The confidence level for this number was selected at 95%, margin of error at 5% and population proportion was 50%. The sample size calculator showed that out of 150 commuters, a sample size of 109 commuters should be selected.

The above sample size was chosen after getting clarification from commuters, taxi drivers and leaders of taxi associations about the approximate number of commuters that are using taxis in each of the selected taxi ranks. It is important to appreciate that in South Africa, the phenomenon of taxi violence is a thorny subject. Taxi operators and commuters alike tend to be reluctant to participate in studies about taxi violence and as a result there are few comprehensive studies on taxi violence that include all actors involved in the taxi industry. Therefore, the researcher did not have the liberty of interviewing many people for the study, however, an effort was made to recruit as many respondents as possible.



This brings the total number of commuters that were selected and participated in the survey questionnaire to 368 from selected towns. As stated earlier, because of the similarity of responses from experts and surveys, the researcher felt there was no longer a need to interview more people. The commuters were recruited based on their daily encounters with taxi operators. The researcher wishes to further state that it was not easy to interview commuters and to even involve them in the survey because taxi operators are generally feared. It took a lot of explaining and convincing on the part of the researcher to get the commuters' participation and most of these commuters were engaged around taxi ranks where most people commute. Both the commuters and taxi operators were given a thorough explanation about the purpose of the study and what it seeks to achieve. Similar explanation was given to law enforcement officers and government officials who formed part of the study. It is worth mentioning that because of the sensitivity of the topic itself, all respondents requested not to be audio recorded.

The researcher relied solely on note taking in order to gain the trust of respondents. Most respondents requested that their names must not be recorded in the university's ethical forms. The researcher granted these wishes as part of ensuring the safety of respondents and complying with ethical principles such as anonymity and avoidance of harm. The participants were selected based on their familiarity with the taxi industry in order to obtain a balanced perspective of what is happening within the taxi industry. Commuters were selected in order to understand their perspective of the taxi operators. Taxi operators were selected because they are the main subjects of the study. They were also selected for the researcher to understand their motives for violence including their feelings about how the government is treating them. The government officials and law enforcement agencies were selected based on the important role that they are playing in taxi related conflicts through policies and the enforcement of law and order. A total of number of 398 key respondents participated in the entire research, respectively.



3.2 Methods of data analysis

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3.2.1 Thematic Analysis

The study followed thematic analysis as a preferred mode of analysis. Ibrahim (2012: 41) believes that thematic analysis could be appropriate when the research seeks to investigate and identify how current situations are influenced by participant's points of views, amongst other things. Namey et al (2008) highlight that in thematic analysis "codes that have been developed for ideas or themes are then applied or linked to raw data as summary markers for later analysis which may include comparing the relevant frequencies of themes or topics within a data set, looking for code co-occurrence or graphically displaying code relationships". For example, during in-depth interviews, the researcher experienced the frequency of words like; extortion, intimidation, fear, psychological trauma, abuse, etc. These words have helped the researcher to design themes that explained the perspectives of the commuters in Chapter 4. Similarly, the similarity of responses from key respondents as well

as the secondary sources of data has helped the researcher to develop relevant themes for Chapters 5 and 6.

Pathon (2020: 424) suggests that coding is an analytical technique in which data is arranged and categorized so that its interpretation could be manageable and comprehensible. To put it clearer, coding is an analytical procedure of generating short labels that clean, categorize and analyse the data so that its essential properties are not destroyed. One of the prime purposes of coding is to find recurring patterns of action and inconsistencies in human affairs as depicted in the data and then apply for the codes. Ibrahim (2012: 40) has the following to say:

Thematic analysis allows the researcher to determine precisely the relationships between concepts and compare them with the replicated data. By using thematic analysis, there is a possibility to link the various concepts and opinions of the respondents and compare these with data that has been gathered in different situations at different times during the project. All possibilities for interpretation are possible.

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Braun and Clarke (2012: 5) identify a six-phase approach to thematic analysis and its definition is structured in the following way:

- Phase 1: Familiarizing yourself with the data
This phase involves the process whereby the researcher is immersing him/herself with the data by reading and re-reading textual data (e.g., transcripts of interviews, responses to qualitative surveys) and listening to audio-recordings or watching video data.
- Phase 2: Generating initial codes
This phase involves the systematic analysis of data through coding. Codes are the building blocks of analysis. If an analysis is a brick-built house with a tile roof, themes are the walls and roof and codes are the

individual bricks and tiles. Codes identify and provide label for a feature of the data that is potentially relevant to the research question.

- Phase 3: Searching for themes

During this phase, analysis starts to take shape as the researcher shifts from codes to themes. A theme captures something important about the data in relation to the research question, and represents some level of patterned response or meaning within the data set. This phase involves reviewing the coded data to identify areas of similarity and overlap between codes.

- Phase 4: Reviewing potential themes

This phase involves a recursive process whereby the developing themes are reviewed in relation to the coded data and entire dataset. In addition, this phase involves the final re-read of all the collected data to determine whether the themes meaningfully capture the entire dataset, or an aspect thereof.



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- Phase 5: Defining and naming themes

This phase involves the final deep analytic work involved in thematic analysis, the crucial shaping up of analysis into its fine-grained detail. It involves selecting extracts to present/analyze and then setting out the story of each theme with or around these.

- Phase 6: Producing the report

This phase involves the final production of the report. However, in thematic analysis, the write up is not just done after the completion of data collection. Rather, writing and analysis are thoroughly interwoven, from informal writing of notes and memos to the more formal processes of analysis and report-writing

In the process of coding and decoding of data through to the development of themes, which gave some perspective on key challenges facing the taxi industry, the above phases in thematic analysis were followed. This form of analysis was deemed as a relevant method of analysis to use in this study as the researcher wanted to develop codes or themes based on the data that was collected from respondents. These codes and themes have helped the researcher to develop suitable topics on the subject of taxi industry, particularly on the relationship between the state and the taxi industry in dealing with problems facing the industry and as well as key responses from commuters. Thematic analysis was applied using both inductive and deductive approaches.

Majumdar (2018: 200) describes inductive approach in thematic analysis as a process where themes identified from data are strongly linked to the collected data set. In this sense, an inductive approach can be claimed to be data driven. This technique is the type of thematic method where coding processes of research data after its collection via interview or focused group discussion does not try to fit any pre-existing frame or conception of the researcher. Whereas, on the other hand, deductive technique is that type of thematic method where analysis tends to be analysis driven. This technique is more driven by the researcher's theoretical framework and research interest, hence this technique provides a less overall data, yet it can provide a more detailed analysis of some specific aspect of data (Majumdar, 2018: 200). As the focus is on mixed methods of data collection, it was necessary for the researcher to utilize both inductive and deductive techniques of thematic analysis in order to formulate his own analysis that interpreted and simplified data for the reader.

3.2.2 The Five Point Likert Scale

The Five Point Likert Scale which is a psychometric response scale in which respondents specify their level of agreement to a statement typically in five points was utilized (Mcheod; 2019). According to Joshi, Kale, Chandel and Pal (2015: 397), the Likert scale entails a set of statements offered for a real or hypothetical situation under study. In this kind of survey, participants are asked to show their level of agreement (from strongly disagree to strongly agree) with

the given statement on a metric scale. Jebb, Ng and Tay (2021) are of the view that Likert scales provide a convenient way to measure unobservable constructs, and published tutorials detailing the process of their development have been highly influential.

Trustmary Team (2022) adds by stating that in Likert Scale surveys, quantitative data is extrapolated easily and converted into percentages and averages. They are versatile and can be used for a variety of purposes such as customer surveys, employee satisfactory surveys, product evaluation surveys, etc. In this particular study, the results that were obtained from the Likert Scale were analysed through the sample size calculator in order to appreciate, in numbers and percentages, the amount of respondents that were agreeing to the questions that were posed. La Marca (2011: 1) says the following:

The advantageous side of the Likert Scales is that they are the most universal method for survey collection, therefore they are easily understood. The responses are easily quantifiable and subjective to computation of some mathematical analysis. Since it does not force the participant to take a stand on a particular topic, but allows them to respond in a degree of agreement, this makes question answering easy on the respondent. Also, responses presented accommodate neutral and undecided feelings of participants.

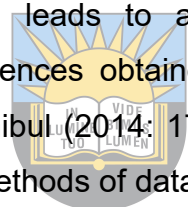
On top of being able to accommodate all feelings from the key respondents, the 5-Point Likert Scale was chosen primarily because it is easier to understand, suitable for a large study and suitable to produce better data distribution (Proprofs Survey Maker 2022). Section 3.3.1 of this chapter has already explained how the Likert Scale procedure was applied.

3.3 Reliability and Validity

To ensure that data is reliable, the concept of triangulation was applied. According to Thurmond (2001), triangulation is used by researchers to ensure that a research account is rich, robust, comprehensive and well developed.

Dawadi, Shrestha & Giri (2021: 28) state that data triangulation in mixed methods study is generally accepted as a strategy for validating results obtained with the individual method. A researcher, for instance, aims to obtain a more valid picture about a research issue by directly comparing the findings drawn from one method (qualitative or quantitative) to those obtained from another for convergence or divergence.

According to Zohrabi (2013: 258), gathering data through one technique can be questionable, biased and weak. Therefore, if we obtain the same results using different techniques, we can become sure that the data are valid. "Certainly, through triangulation we can gain qualitative and quantitative data in order to corroborate our findings". Collecting diverse types of data offers greater insights on a phenomenon that the methods individually cannot offer, and therefore, provides more valid and stronger inferences than a single method does. Thus, data triangulation leads to a well-validated conclusion and promotes the credibility of inferences obtained from one approach (Dawadi, Shrestha & Giri, 2021: 28). Muhibul (2014: 17) has the following to say about validity and reliability of mixed methods of data collection:



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As qualitative and quantitative research approaches complement each other, the concept of trustworthiness can somehow be compatible when appropriate methods are employed, such as sequential mixed methods. Moreover, scholars adopting mixed methods have a degree of leverage over qualitative and quantitative researchers because use of mixed methods minimizes research bias (a criticism raised by positivist paradigm) and the risk of survey questionnaires not being uniformly understood by respondents and researchers (a criticism raised by interpretist paradigm). In addition, employing verification and self-correcting strategies at each stage of the research process in mixed methods, which are considered measures of validity and reliability, may further contribute positively to research rigor.

Another important aspect of validation of data is member checks. Zohrabi (2013: 258) argues that member checks entails the process wherein the results

and interpretations are taken back to the participants in order to be confirmed or validated. The results and interpretations of interviews are handed over to the interviewees in order to confirm the content of what they have stated during the interview encounter. In this way, the plausibility and truthfulness of the information can be recognized and supported. Content validity entails the type of validity wherein experts in the field of research adequately and effectively measure different elements, skills and behaviours of the researcher (Zohrabi, 2013: 258).

As part of making sure that the research and its findings are valid and reliable, Wium and Louw (2018: 9) suggest that credibility which ensures that findings make sense and can be trusted, is necessary. Secondly, the research findings must be dependable, which implies that they should be the same when repeated in a similar context. Thirdly, the research must be confirmed and lastly, the criterion transferability should be met in that findings should become relevant in other contexts (Wium and Louw, 2018: 9). It cannot be overstated that to ensure validity and reliability of the research, data was saturated and handed back to the interviewees to ensure that they are comfortable with how their views were represented in the study. In addition, experts in the field of social sciences research which include the researcher's supervisor and external examiners were handed over with the copy of the research in order for them to evaluate the research content before its finalization.

3.4 Ethical Considerations

An ethical clearance letter from the University of Fort Hare has been obtained by the researcher. Fleming and Zegwaard (2018: 210) argue that the level of attention on ethical conduct (the actions that are personal, professional and during research activity) has both increased and broadened in response to society's expectation of greater accountability. At many educational institutions, to collect data from human participants for research purposes without ethical approval would place the researcher outside the institution's Staff Code of Conduct (often worded within the requirement of adherence to institutional regulations, which will include Human Ethics Regulations). Cacciattolo (2015:

55) argues that ethical research is an essential part of planning for a research project. At all times, the researcher is expected to ensure that participants are safe from harm and protected from unnecessary stress. In observing ethics, this study has maintained the following key features of ethical conduct: informed consent, anonymity and confidentiality and cross-cultural representation.

3.4.1 Informed consent

In defining ethical considerations in the academic research, Pierce (2008: 12) quotes the Helsinki Code which, amongst others, established research principles for academic experiment research purposes and the Code states that “Voluntary informed consent, benefit to society, protection from unnecessary harm of subjects and the rights of subjects to end experiments” should be found in any research. Arifin (2018: 30) speaks of informed consent in the following way:

Consent should be given freely (voluntary), subjects should understand what is being asked of them, and involved persons must be competent to consent (2). This means, to participate in a research study, participants need to be adequately informed about the research, comprehend the information and have power of freedom of choice to allow them to decide whether to participate or decline (3). Participant's agreement to participation in the study should be obtained only after a thorough explanation of the research process.

Nnebue (2010) argues that effective communication is part of important enablers for potential participants to make informed decision about their involvement in the research. In this regard, Nnebue (2010) suggests that research participants should be given information about the study and possible implications of their participation. This information may be presented verbally or in a written format. Before and during the course of the interviews, the researcher ensured that the purpose of this exercise and its possible implications thereof were thoroughly communicated to the participants both

verbally and in writing. All participants that took part in the study did so after being fully briefed of its contents and implications.

3.4.2 Anonymity and Confidentiality

As suggested by Pierce (2008), the standards as outlined in the Code were followed by the research after voluntary informed consent was obtained from the respondents. The respondents were also advised of their protection through keeping their names anonymous in the research and they accordingly were informed of their rights to pull out of the research at any given time when they so wished.

The researcher recruited as many respondents as possible that he could access to ensure that in the event where some respondents decide to withdraw, others fill that gap. The Research Ethics Board of the Ryerson University (2013: 3) states that anonymized information is irrevocably stripped of all identifiers- e.g. name, social insurance numbers, health number, etc.- and where both the risk of re-identification from remaining indirect identifiers is low, and where no code exist that could allow for future re-linkage. When information is anonymized, even the researcher will not be able to link data to participants. Confidential research means that the proper safeguards are in place to protect the privacy of participants and their information from unauthorized access, use, disclosure, modification, loss and theft (Research Ethics Board of the Ryerson University (2013). Dube et al (2014: 203) have this to say:

Anonymity protects participants from stigma, liability for illegal activity, embarrassment, loss of reputation and possible litigation. Through anonymity, the privacy of participants is respected by protecting identity and avoiding stigmatization. The notion of confidentiality is underpinned by the principle of respect and privacy. It encourages participants to be free to express radical or extreme views.

In addition, Wiles et al (2006) talks of confidentiality and anonymity as entailing inter alia, the following:

- Ensuring the separation of data from identifiable individuals and storing code linking to individuals secretly.
- Ensuring those who have access to the data maintain confidentiality, that is, not discussing the issues arising from an individual interview with others in ways that might identify an individual and not disclosing what an individual has said in an interview.
- Anonymizing individuals and/or places in the dissemination of the study to protect their identity is also important.

The researcher has thoroughly communicated the academic purpose of this exercise to all respondents and all respondents were assured of their liberty to disclose the information of their choice, which is relevant to the study. The responses of the subjects were recorded in the researcher's notebook, stored in a lockable steel cabinet, and password protected computer and USB devices. This was done to ensure that the information does not leak to unintended recipients especially before it was published by the university. The recorded data in all the above-mentioned storage devices will be destroyed after the period of 5 years of the completion of the research. Arifin (2018: 30) adds by stating that the anonymity and confidentiality of the participants should be preserved by not revealing their names and identity in the data collection, analysis and reporting of the study. Privacy and confidentiality of the interview environment were managed carefully during telephone communication, interview sessions, data analysis and dissemination of the findings. These principles were applied and preserved throughout the entire process of the research.

3.4.3 Cross-cultural representation

Marshall (2004: 11) argues that conducting research across any cultural context requires intense attention to ethics. Durham (2014: 509) adds by

saying that undertaking research in different cultural contexts can reveal large differences in ethics and values between the researcher and the study population. Managing these challenges can be difficult and researchers are often required to make judgments in complex situations for which there are typically no simple solutions. These challenges relate to a range of factors including different practices and worldviews, differences in socio-cultural norms, power asymmetries and different understandings of research ethics and practices (Durham, 2014: 509). Arifum (2018: 33) emphasizes the importance of researchers to be fully aware of the obstacles in their research and plan preventative action, as these may affect the timing of the research. For instance, in some cultures, women participants may need permission from their husband/partner to take part in a particular study.

Landram (2018: 36) adds by stating that researchers wishing to conduct cross-cultural research involving human subjects should show respect to individuals by being receptive to their individual's culture as well as respective of their cultural values. It is the researcher's duty to make sure that the participant's cultural values are being upheld. Yet in the end, the researcher is still bound to their own institution's ethical regulations, and the required approach to informed consent is based on those ethical guidelines and regulations (Landram, 2018: 37). The subject of taxi violence itself has to be understood in its context as being the one that consists of people of different cultures and value systems. This assertion is made on the basis that all members of society across different cultures, races and value systems utilize mini-bus taxis to conduct their daily activities, although the majority of these people are black and coloured people. In addition, the taxi operators themselves consist of individuals who come from a variety of cultural backgrounds and value systems. In this regard, the researcher did all that was possible for him to ensure that people of these various cultures feel accommodated by the research and the representation of their views has not been done in a manner that contravenes their values and cultural systems.

3.4.4 Potential harm

Pierce (2008: 10) argues that in any research, there might be potential harm which may be physical, financial, social and psychological. Physical harm occurs when the subject's identity is revealed to repressive groups. These groups' may be agents of the state, criminals, terrorists or relatives. Financial harm occurs where the revealing of the subject's identification could lead to the loss of their job, home support or reputation. Social harm can be caused where the subject's position or role in the family or wider social networks is affected badly. Psychological harm can happen where the researcher unlocks painful memories or feelings of guilt on subjects (Pierce, 2008: 10).

The study by its very nature does possess all of the above-mentioned risks as it is about problems facing the taxi industry with violence being the focus and possible failures of government in combating these problems. There is therefore the likelihood that some of the respondents may put their lives, jobs or even psychological wellbeing at risk for participating in the study. In order to mitigate these risks, the researcher has made sure that the identities of respondents remained anonymous. Because of the sensitivity of the topic, in order to maintain own safety, the researcher did not conduct face-to-face interviews in scenes where taxi violence frequently occurs, rather telephonic interviews and reliance on news sources and other available sources were employed.

3.4.5 Plagiarism

To guard against plagiarism and in line with the policies of the university of Fort Hare, the researcher has ensured that all sources of information are dully acknowledged and quotation marks have been used for words verbatim.

3.5 Limitations of the Study

Firstly, because the study is involved in a serious and complicated topic of taxi violence, one of the fundamental limitations of the study was to gain access to information from key respondents like taxi operators, commuters and law enforcement agents. The political sensitivity of the taxi industry has made it difficult for the researcher to obtain information, however, this limitation was overcome by the ability of the researcher to recruit as many respondents as possible who were able to fill the gap in situations where others were reluctant to share the information. Secondly, the researcher was limited by the dangers of the taxi industry. Some taxi operators saw it difficult to believe the researcher to be a student; others were worried that the researcher might be some informer from government or rival taxi associations. Another limitation was the inability of some law enforcement agencies to avail their members for oral interviews due to rigorous internal processes and red tape. This limitation was overcome through extensive use of secondary sources of data.

The researcher was unable to perform audio recording during the interviews because the respondents were not comfortable and they feared that their voices could be used to trace them even if their names remained anonymous, thus the information was recorded in writing. This limitation was overcome by the presence of a signed ethical clearance approval letter that the researcher had obtained from the University of Fort Hare. Finally, the researcher did not have access to classified government information on taxi industry, as such the study relied more on published data that forms part of secondary sources from online publications, news, and related sources. In-depth interviews helped by filling the gaps that would have been created by limitations to receiving some information.

3.6 Chapter Conclusion

This chapter explained the location of the study as well as an analysis of the mixed methods of data collection that have been used in the study. The forms

of data analysis that entail thematic analysis which is mainly used to analyze qualitative data and as well as the sample size calculator which was used to analyze quantitative data obtained through the 5-Point Likert Scale questionnaire were also discussed.

The chapter further explained how primary and secondary data methods were used to gather data and as well as how these data assisted to answer the main research question. To do justice to the study, the chapter further discussed how matters of ethical consideration were observed in the study. The key features of ethical consideration, which are informed consent, anonymity and confidentiality and as well as cross-cultural representation were explained in detail. The chapter also addressed how potential harm was combatted for both the researcher and participants. Moreover, the chapter discussed the study limitations and how these limitations were dealt with and finally how plagiarism was avoided.



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CHAPTER FOUR: COMMUTERS' PERSPECTIVES OF VIOLENCE IN THE EASTERN CAPE TAXI INDUSTRY

4.1 Introduction

Like many other Provinces in South Africa, the Eastern Cape Province has a history of racial segregation. The arrival of the British settlers in South Africa meant that black people who were occupying the most fertile parts of the land were to be chased to what was known as 'homelands', which were essentially rural townships and villages. The Bantu Authorities Act of 1951 which created the conditions that have been stated above for black people created two such homelands in the Eastern Cape, namely; the Trankei (in 1951) and the Ciskei (in 1961). Then in 1963, the Transkei became the first homeland to be granted the status of 'self-governing territory within the Republic of South Africa', and Ciskei followed suit in 1972 (Haman and Tuinder, 2012).

These conditions created a situation wherein the economically side-lined black people in the province, like in other provinces of the country, struggled to commute on a daily basis where they could access economic, health and social services like informal businesses, hospitals, work, school, etc. This meant that for black people to access the above-mentioned necessities they had to rely on some form of public transport like buses, trains and mini-bus taxis. The mini-bus taxis have since become the most preferred method of transportation because of their accessibility and time friendliness (Antrobus and Kerr, 2019: 2). Asked about the importance of the taxi industry within the province of the Eastern Cape, Respondent G who is a law enforcement expert in government said the following:

Definitely, taxis are an extension of the public transport system; which is relatively also a cheaper mode of transport especially in the townships and for low-income earners who are not able to afford to purchase vehicles.

However, the rise of taxi associations called 'mother bodies' that was influenced by competition over inter alia the allocation of routes, leadership

positions, membership disputes and related conflicts have since been the key determinant of the Eastern Cape's taxi industry. This continues to perpetuate violent confrontations amongst parties involved and these confrontations sometimes become deadly and negatively affect the lives of the commuters. The scourge of taxi violence in the Eastern Cape and some parts of the country can inclusively be understood through the lens and daily experiences of the commuters who are the ones that use mini-bus taxis as their most preferred mode of transport on a daily basis. However, it is important to first understand the actors involved in perpetuating the scourge of violence within the taxi industry in the province and elsewhere in the country. The South African National Taxi Council (SANTACO) is the main representative of all the taxi associations in the country and it is funded by the South African government.

Recent disputes over the allocation of funds by the Eastern Cape government have resulted in the split, which gave birth to SANTACO B whilst the original SANTACO has now been dubbed SANTACO A. In the province of the Eastern Cape, there are a number of taxi associations that operate under the authority of SANTACO and they are known as 'mother-bodies' (Dugard, 2001). These associations are: Eastern Cape Taxi Association (ECTA), Uncedo Service Taxi Association (USTA), Border Taxi Alliance (BTA) and Bisho and King Taxi Association (BIKITA) that operates under ECTA. In the main, violence within the taxi industry in the province of the Eastern Cape occurs amongst these associations, mainly on monetary issues, leadership contestations, allocation of routes as briefly explained earlier and disputes over the politics of formalization. It is important to assert that although this chapter mainly reflects the views of the commuters, the views of some taxi operators and experts have been used to complement those of the commuters. Moreover, some cross-provincial references have been made where necessary to determine how the taxi violence broadly affects commuters.

4.2 The nature and scope of taxi violence through the lens of commuters

This section provides an account of the impact of taxi violence and its effects on commuters. Although the violence itself affects almost all commuters involved, the section places a particular concern on the impact of taxi violence on women commuters and children. The section posits that women and children are usually the worst affected in volatile situations within taxi ranks and in the taxi industry in general. The impacts are also felt even during normal times when there is no violence within the industry.

A number of female respondents and secondary sources of data collection have confirmed this assertion as it will be demonstrated. Secondly, this section addresses psychological impact of taxi violence on commuters who either directly or indirectly get affected by taxi violence. Thirdly, the section makes mention of complaints about the use of offensive language by taxi operators, which the commuters deem to be abusive. Fourthly, the section addresses concerns about reckless driving which most commuters deem as oblivious to their safety and wellbeing. The section asserts that the socio-economic and health welfare of the members of the public get negatively impacted during the occurrence of taxi violence. In addition, the section also elaborates on the loss of lives of the commuters and that of their loved ones because of taxi violence. Moreover, the section gives general views of the commuters regarding taxi operators and violence itself. These views were obtained through Likert Scale surveys.

4.2.1 Feelings of vulnerability amongst women and children

It is untenable that the spread of taxi violence results in profound negative impact on the daily lives of the commuters. Studying the impact of taxi violence on women commuters, Eagle and Kwele (2019: 2) found amongst other things that the interviewees commonly reported polyvictimization entailing exposure to several forms of violence, including accident risk and dangerous driving, abuse and aggression by and between drivers, street crime, and sexual harassment and violation.

Respondent A, who is a female commuter in Mdantsane in the Eastern Cape, made the following complaint:

My friend was sexually violated by a taxi driver. She was the last passenger at night and the taxi driver would not want to drop her off at her stop. She started by touching her, then as she resisted, the taxi driver beat her up and eventually raped her. We are not safe at all but we take taxis because we do not have any other choice.

Another female commuter made the following remark:

We are not feeling safe at all especially when we are working late because men always take chances. For example, there are those ones who drink and when they are drunk they like looking at us differently and they start all these funny things. Often, the taxi operators will be laughing or doing nothing to stop this while ferrying us.

Another female commuter responded in the following way:

At night I feel very unsafe. The gangsters are all over the streets and the taxi operators will easily stop the car and try to get you off at your stop even though they see possible criminals waiting on the same spot, they just don't care! It's worse during winter, despite raising these concerns to the taxi bosses, nothing is being done about it.

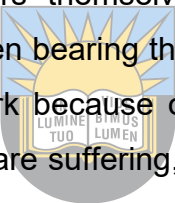
During interviews, some female respondents were visibly shaking and there were signs of slight sweating and repetition of phrases such as 'its not safe here', 'it's scary'. At the same time, they could not maintain a straight eye contact and they were looking all over the place almost as if they were scared that someone might be watching or listening. Ngubane (2016: 28) makes reference to Khosa (1997) who observed that the experiences of women travelling by minibus taxis are different to those of men. Women often experience harassment in one form or another by male passengers and male taxi drivers. The forms of abuse vary from verbal comments and unacceptable gestures to insults or even assaults. It is rather alarming that since the observation of Khosa (1997) almost 26 years ago, the reality in the present day

South Africa has not changed much in terms of the treatment of women within mini-bus taxi industry. Both the authors as well as key female respondents confirm this concern. Respondent B alluded:

You know sometimes one feels like it is better to simply stay indoors and not go anywhere but then again how will we maintain our living?

Thebus (2021), writing on the same problem argues that the Philisa Abafazi Bethu organization bemoaned instability in the public transport sector due to taxi violence, stating that this puts the safety of women at a greater risk. The Maneberg Safety Forum chairperson issued the following statement:

We have seen over and over again, women being hijacked in minibus taxis, raped, murdered, and then dumped. Not only are our women facing crime and violence within the community with gang-violence, but now even the taxi owners themselves are a part of shooting and maiming. Again, it is women bearing the brunt of everything. Most of our women couldn't go to work because of the danger that comes with it. That means their families are suffering, they are suffering. The impact is so destructive on women and on their livelihoods, their sustainability- it's beyond measure (Thebus, 2021).



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To attest to the observation of Thebus, the South African Crime Statistics (2020) for quarter three (October-December 2020) highlights that the impact of instability within the transport sector has resulted in the total number of 154 cases of rape with taxi industry being part of the sector. Additional to this is a total of 49 cases of rape within the public transport premises including taxi ranks that have been recorded. This is a general statistics on cases of sexual assault within the public transport sector. There is currently no statistics that specifically deals with cases of rape within the taxi industry. This is probably a gap that may necessitate further investigation in future studies. A survey conducted by ActionAid South Africa in 2017 revealed that 56% of women who use mini-bus taxis said they had experienced some form of violence and 69% said they had witnessed it (Moeti, 2017). A study conducted by Akin & Kona (2021), documents the experiences of 20 black working-class women

commuters from Orange Farm and Soweto who relied on taxis as their mode of transportation. It revealed that verbal abuse by taxi drivers affected how safe women felt during the trip. One female commuter was quoted as saying “some taxi drivers stop to buy alcohol and I cannot say anything because I am a woman. They can look at your body and promise to beat you up”.

Sonke Gender Justice (2019: 12) posits that sexual violence is a global pandemic. The problem of sexual harassment perpetrated against women in the public transport sector can negatively affect their mobility and utilization of public transport. In this instance, the lack of safety for women who use public transport may influence women’s willingness to use public transport to work or school. This may have a direct negative impact in their income generating activities, the labour market and educational opportunities. Khosa (1997: 20) observes that some women are even scared to take taxis early in the morning or during the evening due to fear of possible assault or rape. Quoting Gragila (2016) the Safer Spaces (2022) describe public transportation in the following way:



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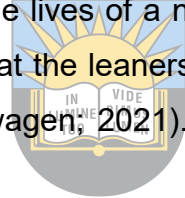
An institution through which hegemonic masculinity is maintained. Where women are at greater risk of violence, sexual harassment, and sexual assault; thus making safety a major concern for women when making a choice on public transportation option. This often impacts on women’s willingness to travel which has the potential to lead to their economic detriment, and has been shown to increase women’s anxieties and feeling of insecurity in public spaces.

Safer Spaces (2022) alludes to a range of ills directed at women within the public transport space, especially in the taxi industry. These include verbal harassment, visual harassment, and physical forms such as men exposing themselves, groupings or other forms of touching. In this regard, many women and children feel a sense of insecurity when utilizing taxis both during the day and at night. Other factors such as the lack of well-lit streetlights and poor doors and security in public restrooms in taxi ranks put women at risk of being

sexually and physically attacked while commuting and whilst in transit. In a meeting held between the Congress of the South African Trade Union (COSATU), law enforcement agencies and SANTACO in 2018 in Parliament, COSATU raised the following concern:

Sexual violence committed by taxi operators is unacceptable and women cannot take taxis alone for fear of being subjected to sexual violence or abuse (Parliamentary Monitoring Group, 2018).

Another challenge is that taxi violence also has a profound negative impact on the lives of children and school going children in particular. Cruywagen (2021) reveals that the drivers belonging to the South African School Transport Association (SASTA), which is responsible for transporting school learners around Khayelitsha and surroundings, stated their intentions to suspend operations. This was due to fears for their safety on ongoing taxi conflict, which at a time had already claimed the lives of a number of taxi operators including innocent civilians. This meant that the learners who relied on SASTA would not be able to attend school (Cruywagen, 2021). The chairperson of SASTA was quoted as saying:



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We need to pick up children in front of their homes. This is too dangerous because we don't know if we are being followed. We are not part of the taxi conflict, but we are being dragged into it (Cruywagen; 2021).

During the taxi strike that took place in November 2022 in Cape Town, commuters mainly children were severely impacted. Learners who were writing their matric examinations had to walk to school, whilst others had temporarily had to stay with relatives who live closer to their schools. Children in lower grades had to discontinue schooling for the duration of the strike. One matric learner who had to walk to school due to taxi strike had the following to say:

It was a big inconvenience for me because it is a long walk. I got to school tired. And when walking to and from school, I have to go via Site B which is very dangerous. People get robbed and stabbed there (Hendrik et al, 2022).

The above challenge repeated itself in the most recent taxi stay away protest by taxi operators who were discontent over the by-laws that were introduced by the Western Cape government in August 2023. These by-laws saw a number of mini-bus taxis being impounded by the provincial law enforcement and exorbitant amounts of money were demanded by the government in order to release the confiscated vehicles. This attracted a provincial stay away demonstration by the taxi operators, which turned violent. During this violence, about five commuters which included the British foreign national were killed (Ho, 2023). A number of businesses closed, and many children were deprived of their constitutional right to attend schooling. Describing this situation further, Thebus (2023) reported as follows:

Western Cape Education MEC David Maynier said the strike kept more than 287420 children home, and prevented 9508 teachers and staff from going to school on Friday. Twenty-seven schools in the metro east, north and south had to close on Monday.

Because of the strike, the number of children who were prevented from attending school rose from 287420 to 456020 and staff members from 9508 to 17449 during the second week of reporting (Thebus, 2023). This further confirms the view that the taxi violence often places the lives of women and children at risk. In the Eastern Cape a number of taxi strikes that continue to take place do have the similar negative impact on women and children. In a taxi strike that took place in March 2023 in the Eastern Cape in which a number of routes were blockaded, one teacher was quoted as having made the following complaint:

We are missing a lot on school work because children are busy writing formal task for term one so that they can get reports at the end of the term but everything now has come to a stop, it's a great loss for this day (Makoe, 2023).

This strike came as a reaction after the Department of Transport in the Eastern Cape decided to reduce scholar transport contracts from five years to two

years. The blockaded roads were the N2 between Mthatha and Kokstad and R61 between Libode and Cofimvaba (Makoe, 2023).

4.2.2 Psychological trauma

Another important matter that was revealed by commuters during in-depth interviews is the psychological trauma caused by exposure to taxi violence. The majority of respondents expressed sentiments that revealed the psychological effects of taxi violence on their lives. Respondent C alluded:

Sir, sihlukumezekile (we are traumatized) by ongoing taxi violence in our communities. So many innocent people die, others get seriously injured which places their lives in the permanent state of disability. It is very painful to bear and witness.

The gestures that were often noticed in most respondents proved that there was indeed a great degree of psychological trauma as a result of exposure to taxi violence whether directly or indirectly. Some commuters spoke faster as if they wanted to quickly get done with the interview. They seem to be more concerned about being caught by taxi drivers whilst engaging in an interview about them. Others showed signs of worrisome internal meditation in the sense that before answering each question, they would pause for a few seconds, then take a deep breath and eventually answer.

In her presentation to the Annual Conference of the Maryland Mental Hygiene Administrators titled "Passages to Prevention: Prevention across Life's Spectrum" in May 1999, the president of Sidran Institute, Esther Giller (1999) defined the word trauma as a word to mean a highly stressful event. However, a traumatic event is that which relates to extreme stress that overwhelms a person's ability to cope. Most importantly, Giller (1999) defines psychological trauma as a unique occurrence to individual experience of an event. This entails:

- (a) The impact that overwhelms individual's ability to integrate his/her emotional experience; and

- (b) The experiences that have threatened an individual's life, bodily integrity or sanity.

Rivana et al (2019) posit that when a person experiences violence, family members, friends and those that have witnessed the incident of violence can suffer from trauma even if they did not sustain any injuries from the incident. The effects of violence can also contribute to cycles of disadvantage, diminished community resilience and cohesion, and intergenerational trauma. Zissis et al (2000) conducted a study of psychological impact of taxi violence on youth who were exposed to such violence in Khayelitsha, Cape Town. The youth that were interviewed reported that a person they knew, a friend, a parent or family member were shot and killed or injured during the occurrence of taxi violence. Out of 504 youths that were interviewed, 493 (98%) of these youth reported the presence of distress symptoms in their lives. 333 (66%) reported feeling sad about people who had passed away during taxi violence incidents, 328 (65%) reported random feeling of sadness, whilst 294 (59%) were scared about what they had seen. 132 (26%) reported that life was not worth a living and they had suicidal thoughts. In summary, those who had experienced shootings of people during taxi violent incidents had reported high levels of distress than those who did not experience such. Some were even complaining about difficulty concentrating in class. The findings by Ziss et al (2000) are not farfetched from the views of the commuters that were interviewed for this particular study. Respondent D had the following to say:

To see people being killed like animals is really traumatic. We live with these people, we see them every day and in the blink of an eye you literally witness them butchering each other because of money. It is really traumatizing.

In a study conducted in 2019 on the psychological impact of taxi violence on people who were impacted by taxi violence, Eagle and Kwele (2019: 11) found the following:

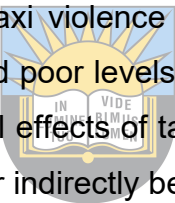
During most of the interviews, the anxiety that the topic of using minibus taxis brought up was almost tangible. In addition to using content

language that explicitly referenced anxious feelings (scared, nervous, freaked out) there were also non-verbal and stylistic aspects of expression that conveyed anxiety. For example, participants laughed excessively, often at points that were discordant in terms of spoken content. In addition, they also tended to repeat phrases in a manner that suggested anxious arousal.

Eagle and Kwele (2019: 2) continue to state the following:

Impact took the form of anxiety and fear evidenced in conjunction with "thought blocking" and resignation, and showed features consistent with continuous traumatic stress.

Eagle and Kwele (2019: 12) further posit that part of their study revealed that people who were impacted by taxi violence had prominent levels of anxiety, nightmares, and they experienced poor levels of academic performance. There is no doubt that the psychological effects of taxi violence can be severe on the victims who have either directly or indirectly been affected by the taxi violence.

The logo of the University of Fort Hare, featuring a shield with a sunburst at the top, a book in the center, and the motto 'IN VIDE' on a banner below. The shield is flanked by two lions.
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4.2.3 Complaints about use of offensive language by taxi operators

Another factor which was revealed by commuters as one of the distinguishable features of taxi drivers and operators is rude language, which entails the lack of respect, particularly to elders and female commuters. Law Insider (2022) defines offensive language as any utterance which is blasphemous, obscene, indecent, insulting, hurtful, disgusting, morally repugnant, or which breaches commonly accepted standards of decent and proper speech. Khosa (1997: 20) observed that taxi operators had no proper way of speaking to the clients and they commonly used vulgar language to express their feelings or communicate their messages. A number of respondents who are commuters have expressed discomfort in what they believe to be offensive or rude language by taxi drivers. Respondent E had the following to say:

Taxi drivers need to understand that they cannot address us in any manner that they think is appropriate to them without considering our feelings. Under the current circumstances, the taxi drivers are very rude; they do not want passengers to express any of their views about the way they drive these taxis. At least they should learn to talk to us with respect.

Another commuter said:

Taxi drivers are rude. They don't want to be told when they are wrong. They don't know how to work with people.

Mukuwane (2016) reports verbal abuse as one of the attributes of taxi drivers and operators in general. This verbal abuse happens whilst other passengers watch. Often they are compelled to keep quiet as this may end up happening to them if they are perceived to be talking too much. The improper language that taxi operators are often accused of plays a profound role in creating a sense of fear and helplessness on the part of commuters. Even when the commuters are not comfortable with the kind of service that they receive, the conditions are compelling them to keep quiet.

This is tantamount to verbal abuse. Stark (2015) defines verbal abuse as a “form of interpersonal violence that is used as a means to exert power or control over victims”. This causes anguish, pain and distress because of intimidation, bullying, verbal assaults which are meant to embarrass, harass, humiliate, insult or threaten vulnerable people. Huizen (2019) adds by stating that the repeated use of negative and demeaning words to gain control and maintain power over others does amount to verbal abuse. It may not necessarily include physical contact from the onset, but it has a huge potential to cause emotional and psychological harm and may eventually progress towards violence. In the case of taxi operators, abusing commuters through the use of offensive words is used to achieve narrow business outcomes. This is achieved often at the expense of individual human rights that include; freedom of choice, freedom of movement and the right of access to quality customer

care. In this regard, the commuters feel obliged to choose a mini-bus taxi as their mode of transport due to fears of intimidation and harassment by taxi operators. Respondent B lamented:

These people are very rude bhuti (brother). If you ask them to reduce the speed for example, they will insult you and threaten to drop you off anywhere even before you arrive at your destination.

4.2.4 Complaints about reckless driving

Recklessness in driving by taxi drivers has been sighted by commuters as one of their areas of discomfort. Many commuters are feeling unsafe on the roads because of the reckless driving by taxi drivers amongst other things. Rastegar (n.d) defines reckless driving as a careless driving, driving a car in a dangerous way, weaving in and out of traffic and speeding. Such is understood to be reckless driving, as it may be hard to control the car when something suddenly happens. Reckless driving can be associated with aggressive driving. Sinclair and Imaniranzi (2015: 107)) quote Tasca (2000) who argues that “a driving behaviour is aggressive if it is deliberate, likely to increase the risk of collision and is motivated by impatience, annoyance, hostility and/or an attempt to save the time”. During one of the trips that were undertaken by the researcher, it was observed that one taxi driver drove in and out of barrel lines whilst exceeding the speed limit. The passengers were sitting tensely and there was a forced silence in the taxi.

Mthethwa (2021), informed by the study that was conducted by Dr Lee Randall of the University of Johannesburg, in Johannesburg, reveals that the reckless driving that most commuters are complaining about amongst taxi drivers is caused by appalling work conditions in which they do their business. The study showed that minibus taxi drivers work at least six days a week, 15 hours a day, with no UIF or overtime compensation. They have to pay for their petrol, professional driving permits, licenses, taxi cleaning and minor repairs. Some have to pay the taxi owners for the use of their taxis. Against this backdrop, the

drivers are said to be chasing targets in order to be able to get income as well as servicing the needs of their fleet. In the Eastern Cape, this seems to be the case. Most taxi operators have expressed their unhappiness with the failure of government to meet them 'halfway' especially on costs of high fuel levies and maintenance of vehicles. Respondent N, who is a taxi driver remarked:

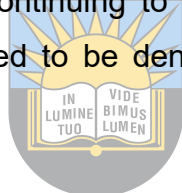
To government we are the non-entities. They are not doing anything to assist us, yet we help create job opportunities for its people. Even the scholar transport that they have started here is a mess. We spend months without being paid by this government. For this reason, we always have to work extra time in order to meet our targets and make our own income. That requires us to drive a bit fast.

Dula and Geller (2003) in Sinclair and Imanirazi (2015: 105) alluded to three aspects of driving behaviours that can be understood to be reckless or aggressive. One is negative feelings behind steering wheel. These include frustration and anger. The second one is intentional acts of physical or psychological aggression, which includes verbal abuse and obscene gestures. The third one is a risk taking behaviour. This behaviour includes performing dangerous manoeuvres in order to save time. The taxi operators exhibit all these features that have been described by Dula and Geller. Their urge to make profit has made them to become extraordinarily time conscious with complete disregard for the safety of commuters. This takes the form of psychological factors involving the level of stress caused by the desire to meet targets. Inadvertently, the commuters find themselves at the worst receiving end of this problem. This further justifies the Rational Choice Theory (RCT), which has been chosen as the theoretical framework for this study. Its aim is to explain the justification for the undesirable behaviour of taxi drivers/operators. In the context of the RCT, the fact that taxi drivers choose to break the rules of the road is not that they are unaware of the consequences of such actions, but the expected benefits that will come as a result of such behaviour outweigh all other considerations. To affirm the above assertion, Ntuli (2015: 57) argues that the motivation for profit results in a situation where taxi drivers aim to complete as many trips as possible. It appears that there is a little effort by

government to increase proceeds in the taxi industry and to empower and integrate the taxi industry in trade and industry, growth and development initiatives through supporting it (Ntuli, 2015). Giving testimony to the above assertion, Respondent O further remarked:

You know mkhuluwa wam (my big brother), we are always chasing targets. This is because we are responsible for our own compensation. Yes, because this government is not doing enough to help us. The buses are getting funds from government but we do not.

During these interviews, the gestures of frustration and anger, including the throwing away of hands as taxi operators responded, were visibly. The impression that was made by many taxi operators was that their reckless driving is justifiable because they need to feed their families and the government has failed and is continuing to fail them in that regard. It worth noting that none of them seemed to be denying the accusations of reckless driving.



On the other hand, Respondent A remarked:

The taxi drivers are risking our lives, we do not feel safe using taxis and they do not want us to say anything. Basically, we must keep quiet whilst on board even if we are not happy with the service that we receive.

News 24 (2017) reveals amongst other things that the reckless driving by ever aggressive taxi drivers not only subjects the passengers to the permanent state of fear but also compels fellow motorists to be in the state of submission since they fear for their lives if they speak out against this behaviour. Ndlovhu (2022: 211) describes this situation as the 'grammar of suffering', a condition where black people are forced to remain silent about their suffering since the system has deprived them of their right to complain. According to News24 (2017) minibus taxi drivers are notorious for dangerous road behaviour and in the absence of immediate interventions; they will continue to cause unnecessary

harm to fellow motorists. News24 (2017) recorded one motorist lamenting the bad driving behaviour of taxi drivers:

I've been driving for 10 years and can confirm that the taxi drivers ARE road hogs. I have been jammed between 2 taxis, threatened at a gunpoint after I wouldn't allow one to cut in front of me. He physically stopped and came to my window while his co-driver stood armed on the passenger side window! Let's call a spade a spade – they are menaces on the road!

According to News24 (2017) another commuter alluded:

You'd swear they are born of the same mother. Shouting at them is a waste of time. They are just reckless on the road but we do not have a choice we have to take a taxi as we need to be at work.

In the study on different personalities of the taxi drivers in Zululand, Ntuli (2017: 11) amongst other things found that the commuters view taxi drivers as reckless drivers who exceed speed limits unnecessarily and are always complaining. As alluded earlier, Ntuli also agrees that most taxi drivers work under stressful conditions and this may directly or indirectly affect their customer satisfaction levels. Respondent F made the following remark:

Taxi drivers drive very recklessly! Where have you ever seen a normal person overtaking on a bridge? The speed that they drive in is so unwarranted. The other day we were given a ride by a very rude taxi driver. When we asked him to stop the car so we can get off, he insulted us and refused to stop. Some of us are breadwinners in our homes! If I die today who is going to look after my family? I want the government to put an end to the taxi industry, let us rather use buses!

The National Household Survey which was conducted by the Statistician General of South Africa, Honourable Risenga Maluleke in 2020 that was later reviewed in 2022 showed that about 6% of the respondents nationwide

considered reckless driving by taxi drivers as one of their most concerning transport related problems (Maluleke, 2020). In March 2023, Gert Nel Incorporated Attorneys revealed that there were over 10,000 deaths on South African roads in 2020 alone. According to Gert Nel Incorporated Attorneys (2023) one of the causes of road accidents is reckless and negligent driving. This includes speeding, driving under the influence of alcohol and drugs and distracted driving. A study by the South African Medical Journal found that 71 % of fatal accidents in South Africa were caused by driver error (Gert Nel Incorporated Attorneys, 2023).

4.2.5 Disruption of socio-economic and health services

Commuters have expressed a sentiment that the continuous rise of taxi violence not only results in casualties, which tend not just to be the members of taxi associations alone, but also it limits informal economic activities, which by and large affects a great number of families that survive through these activities. First, it is important to acknowledge that the taxi industry provides a fundamental boost to the country's economy by creating job opportunities for informal traders. With approximately 90% of black ownership, the taxi sector represents one of the largest concentrations of black ownership capital in South Africa (Antrobus and Kerr, 2019: 2).

Cabe (2019) argues that there are currently more than 200 000 minibuses, which are responsible for transporting more than 15 million commuters. In 2019 it was estimated that the taxi industry generates about R90 billion annually. Taxis are considered as the pillar of public transport, with trains accounting for 15% and buses for 20%. The taxi industry has managed to employ about 600 000 people. Taxi drivers, queue marshals who earn about R300 a week, car washers and informal traders are some of the people employed by the industry, directly or indirectly (Cabe, 2019). In 2020, the National Household Survey showed that mini-bus taxis were accounting for 80,2% of workers, whilst trains accounted for 3,2% and buses for 17% nationwide (Maluleke, 2020). Wasserman (2019) also notes that the public demand for the utilization of taxis in South Africa continues to grow despite the ever-changing nature of fuel

prices, which continue to lead to substantial increase in fuel prices. The SA Taxi finances some 650 minibus taxis every month and by 2019 it had 30, 000 operators on its books. This signals the fact that the demand for minibus taxi transport continues to grow and it remains a non-discretionary expense for most South Africans (Wasserman, 2019). The bulk of information received from the commuters indicates that the taxi industry remains one of the most convenient modes of transport for most people particularly those who live in remote areas. It is also viewed as one of the main local economic drivers, particularly within the informal sector. Whenever the taxi violence occurs, it tends to have a profound negative impact on the wellbeing of the informal economy as it disrupts the informal economic activities such as hawkers, mechanics, etc. Additionally, the workers, health care and other social welfare services whose functioning is tied to the taxi industry as the preferred transport mode get disrupted during the occurrence of taxi violence.



Respondent K who is a taxi operator made the following remark:

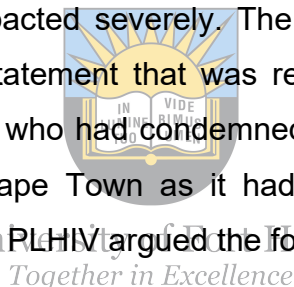
Our business provides a number of economic activities for our people. So many people are finding jobs not only as taxi drivers and marshals but also as hawkers, who set up stands, open up kitchens, and start-up barbershops within our taxi ranks. If our business is to come to a stop, a number of people who survive through these kinds of activities will starve.

Hendricks, Human and Washinya (2021) lament that the impact of the closure of some routes by the Western Cape Government in Cape Town due to taxi violence, did not just lead to the suspension of taxi operators from using the routes but all parties that were utilizing these routes for work, businesses, school, etc. were impacted by this decision. A number of business owners who were not part of the conflict had to see the abrupt suspension of their businesses since they were no longer allowed to utilize these routes pending the settlement of the conflict between Cape Organization for Democratic Taxi Association (Codeta) and Cape Amalgamated Taxi Association (CATA). Workers had to take pay cuts and schoolchildren had to suspend school

attendance. Lali (2021) from the Biz Community interviewed one of the informal traders during one of the violent taxi strikes in Cape Town and the informal trader made the following remark:

No one buys our wares when the two modes of transport (buses and mini-bus taxis) are not working. The handful of people who are using buses do not loiter but rush past our stands without buying. When the taxi drivers shoot at each other, we lie on the ground next to our stock. Our stock will be stolen and we will get caught in the ensuing stampede if we run.

Mmakwena (2022: 906) argues that the delays caused by taxi wars on roads lead to workers reporting late at their work places and in some instances, some end up losing their jobs. Every time when there is a taxi conflict, which results in the closure of roads, the commuters who rely on mini-bus taxis to travel to their places of work get impacted severely. The Treatment Action Campaign (TAC) (2022) published a statement that was released by the People Living with HIV (PLHIV) movement who had condemned the abrupt closure of health care facilities in Nyanga, Cape Town as it had serious negative impact on public healthcare users. The PLHIV argued the following:

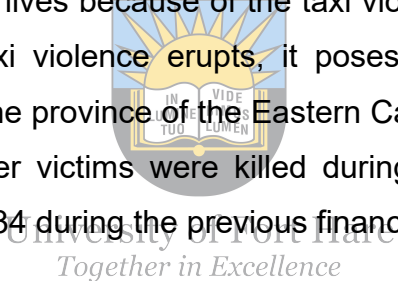


This ongoing taxi violence is threatening human rights as hundreds of patients are denied access to basic health care at their local facilities. In some instances, public healthcare users do not have the resources or feel safe enough to access care at other facilities. As a consequence, most elderly people, babies and other vulnerable and/or marginalized people are denied access to health and this cannot just be allowed.

ENCA (2023) youtube news channel reveals that the taxi strike that took place in Cape Town in August 2023 left many Eastern Cape citizens who live in Cape Town being unable to travel to the Eastern Cape to bury their loved ones. The owners of funeral parlours lamented that the taxi operators were infringing on their economic wellbeing as they prevented them from transporting corpses to the Eastern Cape.

4.2.6 The cost of injury and death

Molefe (2016: 37) posits that the hostility between rival taxi associations, which manifests through deadly violence, does not consider the lives of innocent commuters. Often, the commuters find themselves in crossfire situations without any consideration of their lives by taxi operators in conflict. The report by Janjies (2022) that a bystander who was a commuter in the Eastern Cape and who was standing next to the Mdantsane Uncedo Taxi Association (UTA) offices was killed in a taxi related gun violence proves Molefe's statement to be correct. In 2022, on average, almost every nine days, there was a fatal attack or revenge killing in the war over who gains control over lucrative routes around East London and Mthatha. The Eastern Cape Province had not only recorded taxi violence killings on taxi operators themselves, but there is also a number of commuters who lost their lives because of the taxi violence. Mmakwena (2022: 904) adds that when taxi violence erupts, it poses a threat to the lives of innocent commuters. In the province of the Eastern Cape, 39 individuals (1,0%) amongst the 3815 murder victims were killed during taxi related violence in 2017/2018, compared to 34 during the previous financial year.



Amongst the individuals killed during 2017/2018, 28 were killed as a result of disputes over routes and 11 as a result of internal struggles within taxi organizations (Annual Crime Report, 2017/2018: 17). Dayimani (2022) of News24 reported that the Premier of the Eastern Cape Province, Oscar Mabuyane in 2022 had established a task team that was aimed at providing some form of intervention in ongoing taxi wars in the province. The Premier reported that between March 2021 and March 2022 about 29 taxi bosses and operators were killed in the Eastern Cape taxi wars. Velaphi (2022) reveals that from 2010 to 2022 a total number of taxi operators, drivers and owners who were shot and killed in the Eastern Cape reached 140. Matamba (2023: 7) laments that on a national scale the taxi industry related killings have over the 22-year period increased to 46.6 %, followed by organized crime and political related killings, at 26% and 21% respectively. The number of taxi-related

targeted killings has been more volatile, increasing from 2015 to 2017, followed by a further surge in 2018.

As the problem of taxi violence proliferates in the Eastern Cape, Chirume (2020) argues that the impact of this violence is not only badly affecting the rival taxi associations but also the commuters who rely on taxis as their daily method of transportation. During the fight between rival taxi associations BATA and USTA in Jeffery's Bay, one commuter was quoted as saying "this taxi violence is affecting us because we cannot travel at will". The sad story of the killing of Bangikhaya Machana, who was the Intercape bus driver, by Eastern Cape taxi operators in April 2022 just shows the intensity of the impact of taxi violence on the lives of predominantly disadvantaged black households. Buthelezi (2022) of the Daily Maverick gives the following reaction of Bangikhaya's father upon the death of his son:

Our joy as a family was short-lived because now his sisters are back to suffering because we don't have money for their school transport. He also left a wife and two children behind and we don't have money.



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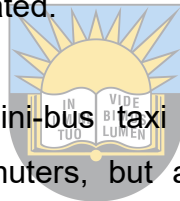
Respondent G alluded:

Violence in the taxi sector impacts among others on the safety of citizens and also instils a sense of fear and lack of security amongst citizens. Of concern is that violence has orphaned many as parents, mostly fathers who are breadwinners, and especially taxi operators are often targeted.

Berrett (2003: 8) laments that during incidents of taxi violence, drivers and passengers (commuters) happen to be the majority of murder victims. In the week long violent taxi strike that took place in August 2023 in Cape Town, five people were killed and one amongst these people was a 40 year old British national who was shot and killed after taking a wrong turn from the Cape Town International Airport to Nyanga Township where the violence was taking place (Ho, 2023).

4.3 General commuter's perspectives about the taxi industry

There is a general consensus amongst authors that the taxi industry plays a significantly important role in the lives of many South Africans, particularly those that are located in remote and marginalized areas which are a direct consequence of apartheid spatial planning programs (Safer Spaces, 2018), (Lali, 2021). The taxi industry not only serves to provide transport to the people who live in remote areas but it also plays a significant role by employing a number of people like drivers, marshals and even individuals who have informal businesses in taxi ranks (Machobane and Masela, 2020). SA Taxi (2023) stresses that taxi operators transport over 15 million commuters every day. Children go to school and adults travel to work in order to provide for their families. In this regard, the importance of mini-bus taxis in the lives of many South Africans cannot be overstated.



Despite its importance, the mini-bus taxi industry has been accused of lawlessness not only by commuters, but also a number of authors have consented to this accusation. A variety of authors have alluded that massive lawlessness in the taxi industry is caused by lack of regulation and in the absence of state regulation or formalization, the taxi operators and their associations act as violent non-state actors and perform state-like functions by self-regulating the industry (Vegter, 2020), (Mmakwena, 2022), (National Taxi Legkotla, 2020), (Fobosi, 2021), (Dugard, 2001). General findings from the key respondents also point out to the need by the government to subsidize the taxi industry as it is clear that the main motivating factor for violence is profit making. Qobo (2018) who is the leader of BATA supports this view by arguing the following:

Lack of subsidy and its impact in the taxi industry cannot be over-emphasized... Considering the role of mobility sector (in particular in the taxi industry) for economic development in cities, towns and rural areas, the government seems to be unaware of the need for the financial support to this industry.

Kgwedi (2021) makes a case for the subsidising of the taxi industry in the following way:

The violence is a warning that financial aid is needed, over and above the operational support required from the government. We hardly see the bus industry in a similar situation of violence, simply because they are supported and subsidised. By providing a subsidy to the industry, we would address part of the problem. Subsidization would bring with it more regulation, limitation and control. Through this comes a price, those in the high echelons need to be educated on the role of public transport.

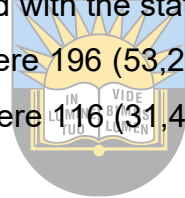
However, it is important to note that the subsidy from government will be impossible without formalizing the taxi industry, as is the case, for example, with buses. The subsidy therefore goes hand-in-hand with formalization. As alluded earlier, the consequences of self-regulation which is caused by the lack of formalization results in sporadic acts of violence amongst taxi operators and associations over control of lucrative routes for profit making. The struggle becomes that of economic leverage of one over the other. In the process, commuters find themselves grappling with the brunt of these violent clashes. This yet again affirms the context of RTC, which implies that the individuals or organizations make choices based on calculated costs and benefits. In this regard, the proceeds of self-regulation, which is often criminal in nature, far exceed all other considerations. This section addresses the general concerns of the commuters as found during the course of the study.

The following findings were obtained from the respondents through the Likert Scale Questionnaire surveys:

(a) The taxi industry plays an important part in our daily lives as citizens.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
18,4 %	13%	15,2%	22%	31,25%

As stated in the previous chapter, a total number of 368 commuters from EL, KWT and Engcobo participated in the study through the Likert Scale questionnaire. The overall number of commuters who strongly disagreed with the statement that the taxi industry plays an important role in their lives was 68 (18,4%) out of 368, whilst those who disagreed was 48 (13,0%). The respondents that were neutral were 56 (15,2%). The respondents that agreed that the taxi industry plays an important role in their lives were 81 (22%), whilst those who strongly agreed were 115 (31,25 %). Therefore the total number of commuters who generally agreed with the statement that the taxi industry plays an important part in their lives were 196 (53,25%), out of 368 commuters whilst those that generally disagreed were 116 (31,4%).



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The following section illustrates the perspectives of commuters based on each of the selected towns:

In King Williams Town (KWT) only 9 (6,2%) out of 143 respondents that strongly disagreed that the taxi industry plays an important role in their lives whilst only 8 (5,5%) disagreed. 19 (13,2%) remained neutral. 55 (38,4%) respondents agreed that the taxi industry plays an important role in their lives whilst 52 (36,3%) respondents strongly agreed that the taxi industry plays an important role in their lives. This gives the overall impression that 74,7 % (107) respondents that were surveyed in King Williams Town agreed that the taxi industry plays an important role in their lives whilst only 11,7% of respondents do not believe that the taxi industry plays an important role in their lives.

In East London (EL), 19 (17,4%) of 109 respondents strongly disagreed with the statement that the taxi industry plays an important role in their lives whilst 13 (11,9%) disagreed. 20 (18,3%) respondents remained neutral. 15 (13,7%) agreed whilst 42 (38,5%) strongly agreed. This means that the majority of respondents which is 52,2% do see the taxi industry as playing an important role in their lives whilst 29,3% generally disagree. It must be noted that in EL, a substantial number of young commuters frequently use e-hailing services, which explains why they might not see the taxi industry as that important in their lives.

In Engcobo, 116 respondents were selected and participated in the study. 40 (34,4%) of respondents in Engcobo strongly disagreed with the statement that the taxi industry plays an important part in their lives whilst 27 (23,2%) disagreed. 17 (14,6%) remained neutral. 11 (9,4%) respondents agreed whilst 21 (18,1%) strongly agreed that the taxi industry plays an important part in their lives. This means that in Engcobo, it is only 27,5 % (32) of 116 commuters that agree that the taxi industry plays an important part in their lives. 57.6 % generally disagreed with the statement that the taxi industry plays an important role in their lives. It must be noted that in Engcobo, the minibus taxis are generally substituted with hitchhiking and as well as the use of bakkies or trucks for general commuting in most rural areas. Minibus taxis are therefore not the only mode of transport that commuters rely on in Engcobo. In the event where taxis were to cease operating, commuters would still find other means of commuting. However, in situations of taxi violence, all other modes of transport come to a standstill.

(b) The government is partly responsible for the violence within the taxi industry.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
13,6%	22,5%	26,3%	22,2%	15,2%

Out of 368 commuters, the total number of commuters that strongly disagreed with the statement that the government is partly responsible for taxi violence was 50 (13,6%) whilst 83 (22,5%) disagreed. 97 (26,3%) remained neutral. 82 (22,2%) agreed with the statement that the government is partly responsible for violence in the taxi industry whilst 56 (15,2%) strongly agreed. This means that out of 368 commuters, 138 (37,4%) commuters generally believe that the government is partly responsible for the violence that is taking place in the taxi industry. 133 (36,1%) generally disagreed with this statement. It is important to note that despite the absence of overwhelming majority, there is seemingly a substantial number of commuters that believe that government should take some responsibility for the violence that is taking place in the taxi industry. 26,3% neutrality is indicative of possible lower levels of certainty or confidence in government. Therefore, any suggestion that the government is partly responsible for violence in the taxi industry is not an over reaching one.



The following section illustrates the perspectives of commuters per selected town:

On whether the government is partly responsible for the violence within the tax industry only 13 (9%) of respondents in King Williams Town strongly disagreed. 27 (18,8%) respondents disagreed whilst 37 (25,8%) remained neutral. 43 (30 %) of respondents agree that the government is partly responsible for the violence that is happening in the taxi industry. 23 (16%) strongly agreed that the government is partly responsible for violence in the taxi industry. This means that only 66 (46%) of 143 respondents in KWT believe that the government is responsible for the violence that is taking place in the taxi industry whilst 27,8 % disagrees. Overall it means that a substantial number of people in KWT do believe that the government is partly responsible for the violence that is taking place in the taxi industry. The neutrality by 25,8% of respondents is indicative of the fact that the results are subject to change should respondents be exposed to more information about taxi violence in the province.

In EL, 22 (20,1%) of 109 respondents strongly disagree with the statement that the government is partly responsible for violence in the taxi industry whilst 31 (30%) disagreed. 29 (26,6%) of the respondents remained neutral. 8 (7,3%) agreed whilst 19 (18,4 %) strongly agreed. This means that only 25,7% in EL believe that the government is partly responsible for violence in the taxi industry whilst 51% generally disagrees with this statement. In this regard, it is clear that the majority of commuters in EL do not believe that the government is partly responsible for violence that is taking place in the taxi industry. However, it is important to also take note of 26,6% of respondents that remained neutral which could change should commuters be exposed to substantial information.

15 (12,9%) out of 116 commuters that were selected in Engcobo strongly disagreed with the statement that the government is partly responsible for violence in the taxi industry, whilst 25 (21,5%) disagreed. 31 (26,7%) respondents remained neutral. 31 (26,7%) agreed whilst 14 (12%) strongly agreed. The general impression from 116 commuters is that 38,7% of commuters in Engcobo agreed that the government is partly responsible for the taxi violence that is happening in the province. Generally, 34,4% disagree with this statement. However, the 38,7% which constitutes the majority of commuters that agree with the statement means that a substantial number of commuters in Engcobo do believe that the government is partly responsible for the taxi violence that is happening in the Eastern Cape Province. 26,7% neutrality may be indicative of the deteriorating levels of confidence in government.

(c) The government must provide more funding to the taxi industry

Strongly Disagree	Disagree	Neutral		Agree	Strongly Agree
12,5%	18,2%	23%		24,1%	22%

From the selected 368 commuters there were 46 (12,5%) commuters that strongly disagreed with the statement that the government must provide more funding to the taxi industry, whilst 67 (18,2%) disagreed. 85 (23%) respondents remained neutral. 89 (24,1%) respondents agreed whilst 81 (22%) strongly agreed. Therefore, out of 368 commuters, 170 (46,1%) generally agree that the government must provide more funding to the taxi industry whilst 113 (30,7%) generally do not see the need for government to provide more funding to the taxi industry. 46,1% constitutes a significant number of commuters that want the government to provide more funding to the taxi industry compared to those that do not support this idea. It must also be borne in mind that the 22% neutrality rate shows that the public opinion might change in future, depending on the availability of more information to the public.

The following section illustrates commuter's perspectives per town:

In KWT, on whether the government must provide more funding to the taxi industry, only 11 (7,6%) of 143 respondents strongly disagreed, whilst 18 (12,5) disagreed. 39 (27,2%) remained neutral. 51 (35,6%) of the respondents agreed whilst 24 (16,7%) strongly agreed. This means that 52% of respondents in KWT agreed that there is a need for the government to provide more funding to the taxi industry whilst only 20,1% disagreed.

In EL, 18 (16,5%) of 109 respondents strongly disagreed that the government must provide more funding to the taxi industry whilst 15 (13,7 %) of the respondents disagreed. 23 (21,1%) respondents remained neutral. 15 (13,7%) respondents agreed that the government must provide more funding to the taxi industry whilst 38 (34,8) respondents strongly agreed. This means that 48,5% of 109 respondents generally agree that the government must provide more funding to the taxi industry whilst 30,2% generally disagrees.

In Engcobo, 17 (14,6%) of 116 respondents that participated in the study, strongly disagreed with the statement that the government must provide more funding to the taxi industry whilst 34 (29,3%) disagreed. 23 (19,8%) of the

respondents decided to remain neutral. Another 23 (19,8) of respondents agreed with the statement that the government must provide more funding to the taxi industry and 19 (16,3%) strongly agreed with this statement. This means that out of 116 respondents that participated in the study, 36,1% of respondents believe that the government must provide more funding to the taxi industry. 43,9 % of respondents generally disagreed with the statement. This shows that the taxi industry for most commuters in Engcobo is not the only mode of transport that is used, as such most commuters in this area may not understand the importance of the subsidising of the taxi industry.

(d) Formalization or regulation of the taxi industry is necessary

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
8,7%	11,1%	15,5%	36,9%	27,7%

Those that strongly disagreed with the idea of formalization or regulation of the taxi industry were 32 (8,7%) out of 368 commuters that were selected from three towns. Those that disagreed were 41 (11,1%) whilst 57 (15,5%) remained neutral. 136 (36,9%) commuters agreed whilst 102 (27,7%) strongly agreed. Therefore 238 (64,6%) out of 368 commuters generally believe that the formalization or regulation of the taxi industry is necessary. Only 73 (19,8%) commuters disagreed with the idea of regulation or formalization of the taxi industry. 64,6% is a significant number of commuters from all three towns which strengthens the argument that there is a need for the formalization or regulation of the taxi industry.

The following section illustrates the responses of commuters per town:

In KWT, on whether the formalization or regulation of the taxi industry is necessary, only 4 (2,7%) of respondents strongly disagreed whilst 9 (6,2%) disagreed. 21 (14,6%) of the respondents remained neutral. 70 (48,9%) agreed

that the formalization or regulation of the taxi industry is necessary whilst 39 (27,2 %) strongly agreed. This means that 76,1 % of respondents in KWT agreed that the taxi industry must be formalized or regulated whilst only whilst only 8,9 % of respondents disagreed.

In EL, 11 (10%) of 109 respondents strongly disagreed with the statement that the formalization of the taxi industry is necessary whilst only 6 (5,5%) disagreed. 17 (15,5%) respondents chose to remain neutral. 34 (31,1%) respondents agreed that the formalization or regulation of the taxi industry is necessary whilst 41 (37,6%) strongly disagreed. This suggests that 68,7% of selected respondents in EL agree that the taxi industry must be formalized or regulated.

Out of 116 respondents that participated in the study in Engcobo, 17 (14,6%) strongly disagreed with the statement that the formalization or regulation of the taxi industry is necessary whilst 26 (22,4%) of respondents disagreed. 19 (16,3%) of the respondents remained neutral. 32 (27,5%) of the respondents agreed with the statement that the formalization or regulation of the taxi industry is necessary and 22 (18,9%) respondents strongly agreed. This means that 46,4% of the selected respondents in Engcobo generally agreed that there is a need for the formalization of the taxi industry whilst 37% disagreed. Therefore, a substantial number of commuters in Engcobo do appreciate the need for the formalization of the taxi industry.

(e) Things within the taxi industry should remain as they are

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
27,4%	21,7%	14,9%	20,3%	15,5%

101 (27,4%) respondents out of 368 commuters from three towns strongly disagreed with the statement that things within the taxi industry should remain as they are whilst 80 (21,7%) disagreed with this statement. 55 (14,9%) of the

respondents remained neutral. 75 (20,3%) agreed with the statement that things within the taxi industry should remain as they are whilst 57 (15,5%) strongly agreed. Therefore 132 (35,8%) of 368 commuters generally believe that things within the taxi industry should remain as they are, whilst 181(49,1%) which is a substantial number of people from all three towns generally believe that something must be done to transform the taxi industry from its current state. This is indicative of the fact that there is a general interest amongst the commuters to see change in the taxi industry.

The following section illustrates responses per selected town:

On whether the things in the taxi industry should remain as they are. In KWT, the following results were obtained from respondents: 33 (23%) out of 143 respondents strongly disagreed to the statement that the things within the taxi industry should remain as they are, whilst 39 (27,2 %) of respondents disagreed. 24 (16,7 %) respondents remained neutral. 39 (27,2%) agreed whilst only 8 (5,5%) strongly agreed. This means that 50, 2% of KWT respondents believe that a change is needed within the taxi industry whilst 32,7 % believe that there is no need for change in the taxi industry. The majority of the respondents in KWT believe that there should be transformation within the taxi industry despite 16, 7% neutrality, which could change should respondents be exposed to more information in terms of how change within taxi industry could be effected.

In EL, out of 109 respondents that were selected, 46 (42,2%) strongly disagree with the statement that things within the taxi industry should remain as they are whilst 23 (21,1) disagree. 8 (7,3%) of respondents remained neutral. 7 (6,4%) of respondents agreed and 25 (22,9%) of respondents strongly agreed that things within the taxi industry should remain as they are. In EL 65,2% of 109 respondents generally believe that things in the taxi industry should not remain as they are. 29,3 % generally believe that things in the taxi industry should remain as they are. The results of the questionnaire in EL, show that most people want to see transformation or change in the taxi industry.

22 (18,9%) of 116 respondents that were selected in Engcobo strongly disagreed with the statement that things within the taxi industry should remain as they are whilst 18 (15,5%) disagreed. 23 (19,8%) respondents remained neutral. 29 (25%) of the respondents agreed that things within the taxi industry should remain as they are and 24 (20,6%) of respondents strongly agreed. The general impression of findings is that 34,4% of 116 respondents generally disagreed with the statement that things within the taxi industry should remain as they are. 40,4% respondents in Engcobo generally believe that things within the taxi industry should remain as they are. Once again, this signals the lower levels of importance of the taxi industry amongst commuters. In addition, the frequency of taxi killings or violence in Engcobo is lower than in East London and King Williams Town and so this affects the general interest of commuters about the subject.

(f) *The taxi industry is very violent.*



Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
13,3%	10,8%	14,7%	23%%	38%

Out of 368 commuters, 49 (13,3%) respondents strongly disagreed with the statement that the taxi industry is very violent whilst 40 (10,8%) disagreed. 54 (14,7%) remained neutral. 85 (23%) respondents agreed that the taxi industry is very violent whilst 140 (38%) strongly agreed. Therefore, there were 225 (61%) out of 368 commuters who generally believed that the taxi industry is very violent whilst 89 (24%) generally disagreed. This finding implies that a significant number of commuters do appreciate the fact that the taxi industry is very violent. This may also signal the possible impact of taxi violence in the lives of the commuters.

The following section illustrates responses received per town:

In KWT, only 5 (3,4%) out of 143 respondents strongly disagreed with the statement that the taxi industry is very violent whilst 13 (9%) disagreed. 25 (17,4%) remained neutral. 42 (29,3%) of respondents in KWT agreed with the statement that the taxi industry is very violent whilst 58 (40,5 %) strongly agreed. This means that 69,8 % of the KWT respondents agree that the taxi industry is very violent. Only 16,4 % disagreed whilst 17,4% remained neutral.

In EL, only 8 (7,3%) out of 109 respondents strongly disagreed with the statement that the taxi industry is very violent whilst 4 (3,6%) disagreed. 11 (10%) of respondents remained neutral. 27 (24,7 %) agree that the taxi industry is very violent whilst 59 (54,1%) respondents strongly agree that the taxi industry is very violent. This implies that 78,8% of 109 selected respondents in EL agree that the taxi industry is very violent.

In Engcobo, 36 (31%) of 116 respondents strongly disagreed with the statement that the taxi industry is very violent and 23 (19,8%) disagreed. This signals the statement that was made earlier that the frequency of taxi violence in the Engcobo is not the same as KWT and EL. 18 (15,5%) respondents remained neutral. 16 (13,7%) of respondents strongly agreed with the statement that the taxi industry is very violent whilst 23 (19,8%) strongly agreed. Therefore 50,8% of 116 respondents that were selected in Engcobo generally believe that the taxi industry is not very violent whilst 33,5% of respondents generally believe that the taxi industry is very violent. The fact that 15,5% of respondents chose to remain neutral may signal a possibility of the change of public opinion in future.

(g) Taxi drivers are very ruthless.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
6,5%	11,1%	19,8%	29,3%	33,1%

24 (6,5%) out of 368 commuters strongly disagreed with the statement that taxi drives are very ruthless whilst 41(11,1%) disagreed. 73 (19,8%) remained neutral. 108 (29,3%) agreed that taxi drivers are very ruthless whilst 122 (33,1%) strongly agreed. This means that 230 (62.4%) out of 368 commuters generally believe that taxi drivers are very ruthless whilst only 65 (17,6%) does not believe that taxi drivers are very ruthless. Therefore, it can be argued that the majority of commuters combined in three respective towns generally believe that taxi drivers are very ruthless.

The following section illustrate the responses that were received from each town:

In KWT, only 1 (0,6) respondent strongly disagreed with the statement that taxi drivers are very ruthless whilst 11(7,6%) disagreed. 36 (25,1 %) respondents remained neutral. 53 (37%) agreed with the statement that taxi drivers are very ruthless. 42 (29,3%) of the respondents strongly agreed that the taxi drivers are very ruthless. This means that 66,3 % of 143 respondents in KWT agree that the taxi drivers are very ruthless whilst only 8,2 % disagreed.

Out of 109 respondents that participated in the study in EL, only 8 (7,3%) of respondents strongly disagreed with the statement that taxi drivers are very ruthless whilst 5 (4,5%) respondents disagreed. 14 (12,8%) of respondents remained neutral. 27 (24,7%) respondents agreed whilst 55 (50,4%) of the respondents strongly agreed. This means that the overwhelming majority of 75,1% of 109 respondents in EL generally agree that the taxi drivers are very ruthless. Only 17,3% of the respondents disagreed with this statement.

In Engcobo, 15 (12,9%) of 116 respondents strongly disagreed with the statement that taxi drivers are very ruthless whilst 25 (21,5%) disagreed. 23 (19,8%) respondents remained neutral. 28 (24,6%) of respondents agreed with the statement that the taxi drivers are very ruthless whilst 25 (21,5%) respondents strongly agreed. Generally, it means that out of 116 respondents that participated in the study from Engcobo, 46,1% of respondents in Engcobo

believe that taxi drivers are very ruthless. 34,4% disagreed. This means that a substantial number of commuters compared to those that disagree, believes that the taxi drivers are very ruthless.

(h) I don't feel safe when using taxis.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
19,5%	17,6%	20,3%	23%	19,2%

72 (19,5%) out of 368 commuters strongly disagreed that they do not feel safe when using taxis whilst 65 (17,6%) disagreed. 75 (20,3%) remained neutral. 85 (23%) agreed and 71 (19,2%) strongly agreed. Therefore, 156 (42,2%) out of 368 people that were selected from three towns do not feel safe when using taxis. 137 (37,1%) have disagreed with the statement that they do not feel safe using taxis. Notwithstanding the above, it remains clear that a substantial number of people do not feel safe when using taxis. This of course, depends on the frequency of taxi violence incidents in respective towns.

The following section provides the responses from each of the three towns:

In KWT, only 15 (10,4%) commuters strongly disagreed with the statement that they do not feel safe when using taxis whilst 34 (23,7%) disagreed. 36 (25,1%) respondents remained neutral. Another 36 (25,1%) agreed that they do not feel safe when using taxis whilst 22 (15,3%) strongly agreed. This means that in KWT, 40,4% of respondents believe that they do not feel safe whilst using taxis whilst 34,1 % disagreed with the statement. The 40,4% of 143 respondents remains a substantial number of people that are not feeling safe when using taxis. The 25,1 % neutrality may also be indicative of lower confidence levels of safety whilst using taxis.

In EL, 30 (27,5%) out of 109 respondents strongly disagreed with the statement that they do not feel safe whilst using taxis. 10 (9,1%) respondents disagreed. 16 (14,6%) respondents remained neutral. 25 (22,9%) respondents agreed that they do not feel safe whilst using taxis and 28 (26,5%) strongly agreed with the statement. This means that 49,4 % of 109 respondents agree that they do not feel safe when they use taxis. This remains a substantial number of people who feel unsafe when using taxis. Only 36,6% disagreed. The 22,9% neutrality indication may also reflect the low levels of confidence by respondents in terms of their safety.

In Engcobo, 27 (23,2%) of 116 respondents strongly disagreed with the statement that they do not feel safe when using taxis and 21 (18,1%) of respondents disagreed. 23 (19,8%) of the respondents remained neutral. 24 (20,6%) of respondents agreed with the statement that they do not feel safe when using taxis and 21(18,1%) strongly agreed. This means that 38,7% of 116 respondents do not feel safe when using taxis whilst 41,3% of respondents strongly disagreed with this statement. This goes back to what was alluded earlier that there is no frequency of taxi violence incidents in Engcobo compared to other towns like KWT and EL. Notwithstanding the above, 38,7% of respondents that do not feel safe when using taxis in Engcobo is still a substantial number of people.

(i) Taxi drivers are a law unto themselves.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
12,5%	14,9%	19,5%	30,1%	22,8%

46 (12,5%) of 368 respondents from three towns strongly disagreed with the statement that taxi operators are a law unto themselves whilst 55 (14,9%) disagreed. 72 (19,5%) remained neutral. 111 (30,1%) agreed and 84 (22,8%) strongly agreed. Thus, 183 (52,9%) of 368 commuters generally agreed that

taxi drivers are a law unto themselves whilst 101 (27,4%) generally disagreed. This information reveals that a significant (52,9%) number of commuters in three selected towns do agree that taxi drivers are a law unto themselves.

Below is an illustration of responses from each of the three towns that were selected:

In KWT, only 6 (4,1%) of 143 respondents strongly disagreed with the statement that taxi drivers are law unto themselves, whilst 19 (13,2%) disagreed. 33 (23%) of respondents remained neutral. 54 (37,7%) agreed whilst 31 (21,6 %) respondents strongly agreed. In this regard, 59,3% of 143 respondents in KWT believe that taxi drivers are a law unto themselves. Only 20,7% disagreed with this statement. There is therefore a general feeling in KWT that taxi drivers are law unto themselves.

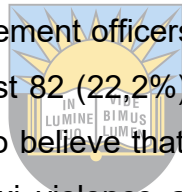
In EL, 15 (13,7%) of 109 respondents that participated in the study strongly disagreed with the statement that taxi drivers are a law unto themselves whilst 8 (7,3%) of respondents disagreed. 21 (19,2%) respondents remained neutral. 24 (22%) respondents agreed with the statement that taxi drivers are a law unto themselves and 41 (37,6%) strongly agreed. The general level of agreement is 59,6% out of 109 respondents that participated in the study. This means that the majority of the respondents that were selected in EL believe that the taxi drivers are a law unto themselves.

In Engcobo, 25 (21,5%) of respondents strongly disagreed with the statement that the taxi drivers are a law unto themselves, whilst 28 (24,1%) of respondents disagreed. 18 (15,5%) of respondents remained neutral. 33 (28,4%) of respondents agreed with the statement that the taxi drivers are a law unto themselves whilst 12 (10,3%) strongly agreed. Therefore 38,7% of 116 respondents from Engcobo believe that taxi drivers are a law unto themselves whilst 45,6% of respondents generally disagreed. Despite this finding, there is still a substantial number of people in Engcobo that believe that taxi drivers are a law unto themselves even though they do not constitute the majority of commuters that were selected.

(j) *Law enforcement officers are not doing enough to contain violence in the taxi industry.*

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
13,8%	8,4%	19,5%	27,7%	30,4%

51 (13,8%) of 368 respondents selected from three towns strongly disagreed with the statement that law enforcement officers are not doing enough to contain violence in the taxi industry whilst 31 (8,4%) disagreed. 72 (19,5%) remained neutral. 102 (27,7%) agreed that law enforcement officers are not doing enough to contain violence in the taxi industry and 112 (30,4%) strongly agreed with this statement. Therefore, 214 (58,1%) out of 368 respondents generally agreed that law enforcement officers are not doing enough to contain violence in the taxi industry whilst 82 (22,2%) generally disagreed. There is a significant number of people who believe that the law enforcement officers are not doing enough to contain taxi violence as opposed to those that do not agree with the statement.



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Below is the reflection on responses per each of the selected towns:

In KWT, only 12 (8,3%) of 143 respondents strongly disagreed with the statement that law enforcement officers are not doing enough to contain violence in the taxi industry whilst 12 (6,9%) of respondents disagreed. 31 (21,6%) respondents remained neutral. 50 (34,9%) respondents agreed that law enforcement officers are not doing enough to contain violence in the taxi industry whilst 40 (27,9%) of respondents strongly agreed. This means that 62,8% of 143 respondents in KWT believe that the law enforcement agencies are not doing enough to prevent taxi violence in the Eastern Cape Province. Only 15, 2% disagreed with this statement.

In EL, 18 (16,5%) out of 109 selected respondents that participated in the study, strongly disagreed with the statement that the law enforcement agencies are not doing enough to contain taxi violence. 5 (4,5%) respondents disagreed. 19 (17,4%) remained neutral. 23 (21,1%) agreed with the statement that the law enforcement agencies are not doing enough to contain taxi violence whilst 44 (40,3%) of the respondents strongly agreed. Therefore, 61,4 % of 109 respondents that participated in the study in EL believe that the law enforcement agencies are not doing enough to contain taxi violence in the Eastern Cape Province. It is only 21% of the respondents that generally disagreed.

21 (18,1%) of 116 respondents from Engcobo strongly disagreed with the statement that the law enforcement officers are not doing enough to contain violence in the taxi industry whilst 16 (13,7%) of respondents disagreed. 22 (18,9%) remained neutral. 29 (25%) of respondents agreed that the law enforcement officers are not doing enough to contain violence in the taxi industry and 28 (24,1%) of respondents strongly agreed with the statement. This means that 49,1% of the 116 respondents that participated in the study generally believed that the law enforcement officers are not doing enough to contain taxi violence in the Eastern Cape whilst 31,8% generally disagreed. The 18,9% of respondents that remained neutral could also indicate the reduction of faith in the manner in which the law enforcement officers are dealing with taxi violence. Therefore, the majority of respondents in Engcobo believe that the law enforcement officers are not doing enough to contain taxi violence.

The findings on the views of the commuters are giving a mixed picture of their feelings about the taxi industry. Notwithstanding the above, it is clear that there is a great degree of consensus amongst these commuters and authors alike on the view that there is a need for the South African government to consider the formalization of the taxi industry and injection of more funding into the taxi industry, possibly as part of the means to avert violence. There is also a common view that the law enforcement agencies are not doing enough to prevent and decisively deal with taxi violence. Although in other areas like

Engcobo the taxi industry was not reflected as that important by the commuters, however a substantial number of commuters from other towns show that the taxi industry plays an important part in their lives. Therefore, the reduction of conflicts in the taxi industry will positively serve their interests. The mini-bus taxi has become commuter's preferred form of transportation mainly because of its timeliness and convenience. It is believed by the commuters that the shortcomings of government on the question of the taxi industry leaves a room or create fertile grounds for taxi operators to become law unto themselves.

As discussed in Chapter One, the South African government centers its policies on public participation; however, it has been observed that when it comes to the taxi industry, the views of the commuters have been overlooked by policy makers. As such, government has had minimal interactive discourses about the taxi industry only with taxi operators and even so, such discourses have been accused of lacking inclusivity as it will be demonstrated in Chapter Six. The consequence of the omission of the views of the commuters in the taxi industry leaves the government with insufficient insights in terms of the preferable transport service by the public. In this regard, the members of the public are the main consumers of public transport and for this reason, it is important that their views are also considered. In addition, failure to include the public has the potential to result in clashes, which might turn violent between the government and its people. Yet again, this might create grounds for the rise of violent non-state actors in the form of individuals or groups. In this regard, public consultation is central to stability.

4.4 Chapter conclusion

This chapter provided an account of the impact of taxi violence on commuters precisely in the perspective of commuters themselves and some taxi operators who inadvertently confirmed some of the issues raised by the commuters. The chapter illustrated that the Eastern Cape Province is one of the provinces that were and remain negatively impacted by colonial and apartheid laws, which,

amongst other things intended to sideline black people from economic and social welfare services of the state. This resulted in a situation where the majority of black people were pushed to the so-called homelands and remote areas far from economic friendly environments. In order to have access to economic activities, the majority of black people were forced to look for user-friendly modes of transport, which in this regard were mini-bus taxis. The spate of taxi violence in the Eastern Cape results in the closure of access for commuters to their daily economic activities, particularly those who work within the informal sector such as; hawkers, mechanics, car washers, and even formal job institutions. Children are also deprived of an opportunity to attend school.

All these things, combined result in the overall deprivation of socio-economic and health services to the citizens. This translates into the denial of the citizen's basic human rights, which is against the law. These challenges, combined with the killing and injuring of the commuters and their loved ones in violent taxi wars negatively affect the commuter's psychological wellbeing. The chapter further illustrated that whether the commuters are directly or indirectly impacted by the taxi violence, the exposure to the violence, in any form, creates a massive sense of anxiety, panic and psychological distress. Moreover, the chapter posited that although the commuters have mixed sentiments about the taxi industry in the Eastern Cape Province, there is a general consensus that the government is not doing enough through its law enforcement agencies to prevent the scourge of taxi violence. Thus, a need remains for the government to consider strengthening laws that seek to formalize and subsidize the taxi industry, in order to avert violence amongst other things. Although there is no decisive majority of respondents in terms of the idea of the subsidizing of the taxi industry by the government, however, the fact that the majority of respondents support the formalisation of the taxi industry does give strength to the suggestion that there is a need for the subsidizing of the taxi industry.

CHAPTER FIVE: THE TAXI INDUSTRY'S CHALLENGE OF THE STATE'S MONOPOLY OVER THE LEGITIMATE USE OF PHYSICAL FORCE

5.1 Introduction

The prevalence of taxi violence in South Africa has primarily posed a challenge to the jurisdiction of the state in its monopoly over the legitimate use of force. It remains an uncontested view amongst authors that the inability of the state to perform its traditional functions that include the provision of basic services such as inter alia; employment, water, shelter, security and the likes, often results in situations where violent non-state actors tend to exercise control over those territories where the state is failing to provide such basic services (Ferreira et al (2021: 37), Villa and Pimenta (2019: 7) and Williams (2008: 5). Such groups gain legitimacy using a variety of strategies that include filling the gaps perceived to have been left by the state (e.g. Al Shaabab in Somalia and More Islamic Liberation Front (MILF) in the Philippines), drawing on nationalist and religious ideological narratives to build a shared identity or challenging the existing states that are perceived to be illegitimate by significant parts of the population (Governance, Social Development, Humanitarian Conflict GSDRC, 2015).

The case of taxi violence in South Africa is typical of this assertion. The taxi associations also known as 'mother-bodies' have in almost all provinces across the country monopolized power and challenged the legitimacy of the state over the legitimate use of force. These mother-bodies have been viewed by many as law unto themselves and more powerful than law enforcement agencies. To cement their authority using force, the mother-bodies are noted for having the capacity to control certain territories that they claim to be theirs.

5.2 Mother-bodies as autonomous actors

Before getting into the manner or ways in which the taxi industry has challenged the monopoly of the state over the legitimate use of physical force, it is deemed important to elucidate the architecture of mother-bodies and the manner in which they operate. In South Africa, the term “mother-bodies” has been colloquially used to describe taxi associations. Mother-bodies are all the taxi associations in South Africa especially those that affiliate to the bigger structure called SANTACO. In this regard, the term mother-body is used to describe the local association to which a particular taxi driver or operator affiliates, with SANTACO being the main representative body of that association. As explained elsewhere in the study, in theory, SANTACO is the representative body of all taxi associations in South Africa, although it has been accused of not acting in the best interests of all mother-bodies, which explains why the study eventually recommends for the review of SANTACO’s entire functions in Chapter 7. Godsell (2016: 12) elaborates two sets of taxi associations or mother-bodies by arguing that there are those mother-bodies that have an interest in obeying the rules and there are those that have interest in actually breaking the rules. According to Respondent Z, a law enforcement specialist, the conflicting interests of taxi associations render the taxi industry volatile and lead to a situation where taxi associations pull in different strings and act autonomously from one another. Respondent Z continues to assert the following:

The taxi associations in the Eastern Cape and in the country as a whole are autonomous organizations. They are not monolithic and as such even with SANTACO being present as supposedly ‘the main representative of the taxi industry’, violence continues and mother-bodies do as they please despite SANTACO’s existence. The centre does not hold.

Respondent Y agreed with Respondent Z by stating the following:

The problem with the current architecture of taxi associations, especially in the Eastern Cape is that they are federal organizations with independent and a huge degree of autonomy. They take decisions that are informed by their narrow business interests and not the decisions that serve the interests of the entire taxi industry. That is why in most instances, SANTACO which is supposed to be the representative of all taxi associations often distances itself from most of violent incidents that are caused by taxi operators in the country. For example, in the recent (August 2023) taxi strike, which was led by SANTACO in Cape Town wherein five people were killed, SANTACO distanced itself from violence and alluded that the perpetrators of such crimes should be brought to book.

Based on the observations of the above respondents and Godsell (2016), it is clear that the mother-bodies operate as autonomous organizations that have mutually antagonistic interests most of the time. The classification of mother-bodies as autonomous organizations affirms the definition of violent non-state actors which was expanded on Chapter one of this study as provided by Ferreira, Braga & Villa (2021: 37) who argue that violent non-state actors are relatively autonomous organizations with significant and sustained coercive capabilities for organized violence. The interests of mother-bodies mostly revolve around the drive for profit maximization and accumulation of wealth.

The contestations are usually based on squabbles for economic advantage over one another. This explains why the Rational Choice Theory has been chosen as a model in studying the taxi operators' key motivating factors for violence. They make rational choices solely influenced by the anticipated proceeds of violence, which outweigh all other considerations. Despite the existence of SANTACO, which in theory is supposed to be the voice of the taxi industry, the mother-bodies are able to function independently and establish their own 'rules of the game'. This situation leads to disorder and chaos and the federal nature of the architecture of mother-bodies enables them to effectively challenge the monopoly of the state in its legitimate use of physical force in ways that will be discussed in the following sections.

5.3 Ways in which the taxi industry has challenged the monopoly of the state over the legitimate use of force

The mother-bodies have spread their influence so much so that they have effectively been able to assume state-like functions, which entails challenging of the state over its legitimate use of force. These include their ability to illegally control certain territories as theirs, to impose own 'traffic rules' on e-hailing drivers and private motorists. Taxi operators intimidate private motorists and e-hailing operators and force them to abide by these rules, which compel them not to use certain routes. These taxi operators also perform the role of local traffic officers by checking whether e-hailing drivers have operating licenses. They employ gangster/or mafia-like rules as forms of regulating their associations, members and even those perceived to be their opponents. Failure to abide by these rules result in punishments, which at times is in the form of death.



These have been evident in situations where members of taxi associations are forced to pay exorbitant fees on a daily basis that go straight into the coffers of the leadership of mother-bodies including monthly fees that are meant to finance 'amadod'ehlathi' or 'izinkabi' loosely translated as hitmen. These will be expanded further in this section. These trigger violence that the state is seemingly unable to contain or does not have control over. The use of extortion and coercion to, amongst other things, force subordinates and competitors to toe the line of dominant mother-bodies and taxi bosses is the order of the day. Vigilantism appears amongst the ways in which the taxi operators have challenged the monopoly of the state over the legitimate use of force. Taxi operators, acting as 'crime fighters' have in some cases, applied vigilantism to deal with cases of crime in certain communities and the members of the community have entrusted taxi operators with this responsibility in the absence of effective role of the state to fight crime in these communities.

Commuters have been coerced to use taxis as opposed to hitch-hiking and buses. Through extortion, bus operators have also been compelled by taxi

operators to increase their fares so that they are equally competitive as they are accused of charging low fares that attract more customers compared to taxi fares (Cruywagen, 2022). These are all means that have been employed by taxi operators in order to challenge the state's monopoly over the legitimate use of force. At the centre of it all, is a conspicuous intention on the part of taxi operators to make lucrative profits at all costs. This yet again affirms the study's theoretical framework, which is the Rational Choice Theory that postulates that the violence unleashed by taxi operators is motivated by profit making. In this regard, there is no other consideration that dissuades them from committing violence.

5.3.1 Illegal territorial control

As many authors have argued throughout the study, it cannot be overstated that the inability of the state to effect control over its population creates a platform for non-state actors to rise and thrive. Chaudhy (2013: 167) mentions amongst other things that "the more legitimate the state, the more it relies on consent rather than coercion and on authority rather than power or brutal force. In the absence of such legitimacy, loyalty and allegiance are typically directed elsewhere. Zea (2022: 6) is of the view that criminal organizations with segmented territorial control are less likely to inflict violence on their citizens than criminal organizations with fragmented territorial control. Those with segmented territorial control are capable of providing some form of incentives to invest in local governance, which gives them some degree of legitimacy within communities. This reduces the cost of social control as they gain access to resources, reducing the need for violence against civilians. With fragmented territorial control, the opposite is the case.

Strandow et al (2013: 2) provides some testimony to this view by arguing that a society that suffers from conflict usually has contested and non-contested areas. In non-contested areas, populations are not directly affected by violence at any significant level and warring parties are safe to engage in production and provision of services. In contested areas, on the other hand, all activities are at risk of being exploited by warring parties. In the case of taxi

associations, the notion of fragmented or contested territorial control can be argued. Violence continues to unfold largely because of differing views, leadership and route allocation disputes and utilization and distribution of funds received from government.

Respondent H who is a retired law enforcement specialist made the following remark:

One of the fundamental problems facing the taxi industry is contestations over allocation of routes. They cannot agree on who must utilize which route. But most importantly, USTA wants to assume control over all routes in the Eastern Cape Province as well as presenting itself as the boss over all other taxi associations. That is one of the reasons that often cause violent confrontations.

Ngubane, Mkhize, and Olofinbiyi (2020: 88) stress that the cause of this violence within the taxi industry is the contestation over lucrative routes. The competition for control and domination over routes often results in deadly confrontation amongst warring taxi associations; those that already have control over busy routes hinder new drivers who want to join and work in the same routes. Kerr (2018) also affirms this view by arguing that in the main the taxi operators are fighting over the control of certain routes deemed to be lucrative. Ngubane et al (2020: 89) provides a testimony to these assertions by arguing that lucrative routes are central to successful taxi operations in any country. Thus, rival owners gradually resort to violence to eradicate competition and the assassination of rivals often adds a sinister aspect to the conflict. In a separate meeting, Respondent H remarked:

The taxi operators claim certain locations as their territories and you can never dare try to challenge those guys. The only solution to any opposition that faces them is silencing it through the barrel of a gun.

One power-point presentation on taxi violence from the Eastern Cape Provincial SAPS office alluded that in the OR Tambo region the disputes associated with BATA had to do with intentions by some members within this

association who wanted to control the routes from Mthatha to Port St Johns and Lusikisiki. The report further alludes:

This problem started when sub ranks started to legitimize their existence by having structures and established fully-fledged executive structures with specific roles and responsibilities outside the constitution of BATA (South African Police Service, Eastern Cape Province, 2023: 5).

In this case, the state has seemingly failed to take ownership and control of routes; as such, a taxi association called BATA took upon itself to establish its own rules regarding the control of routes. According to the NTLA, it is the responsibility of the state to facilitate the allocation of routes to taxi associations through the PRE system. Subsequently, there was a conflict amongst its own members over the same allocation and control of routes.



5.3.2 Imposition of self-created laws

The Cambridge Dictionary Online simply defines the act of taking the law into own hands as “to do something illegal and often violent in order to punish someone because you know the law will not punish that person”. Van Der Steern et al (2011: 319) describe this situation as the one that happens when the citizen’s trust in democratic institutions fails. In this situation, citizens create their own self-defined rules and norms, separated from what is often defined as public domain but still included in a more general societal framework of rules and regulations. The taxi operators have often been accused of being law unto themselves.

Pitoyi (2023) laments that “taxi drivers are a law unto themselves”. Pitoyi further posits that the law-abiding citizens of South Africa should stand up and teach taxi drivers a hard lesson. Pitoyi complains that the taxi drivers “have had it too long with their uncouth behaviour which they mete out to everyone and anything that stands their way”. Although it is not clear what Pitoyi implies by arguing that the taxi drivers must be taught “a hard lesson” by the citizens,

many authors throughout the study including commuters do suggest that there is profound lawlessness in South Africa's taxi industry. It is important, however, to highlight that if left unexplained, the suggestion by Pitoyi that taxi drivers must be taught "a hard lesson" by the citizens may have negative implications and may result in the same problem of "taking of the law into own hands" which this section of the study is trying to discourage. Notwithstanding the above, there are many instances where taxi operators have enforced their own rules and regulations on other motorists and in some instances they have even went as far as directing and instructing government to implement certain demands.

Respondent P, one of the taxi operators, remarked:

These government people do not know what they are doing when it comes to taxi industry. That is why we have to establish our own rules, otherwise it would be more chaotic if taxi associations did not use their power to enforce some level of control over routes.

Respondent K who is also one of the taxi operators alluded:

The government has dismally failed us. For example, there are routes for which we have applied to the municipality to use in terms of the law, but we never got any response from the municipality. Unfortunately, in that case we have to use our own means of controlling these routes and we can claim them as our operating spaces.

Most of the interviewed law enforcement agents gave testimony to the allegations that currently within the high echelons of taxi associations there are calls to isolate and target individuals who choose to operate in the industry without being affiliated to any taxi association. This is a direct manifestation of "law unto themselves" of taxi operators and it is in contravention with clause 18 of the Constitution of the Republic of South Africa which states that "Everyone has a right to freedom of association" (National Taxi Lekgotla, 2020: 9). This

further signals the suppression of the culture of tolerance and co-existence as envisaged by the Constitution.

In July 2021, the parts of Kwa-Zulu Natal and Gauteng saw the rise of looting of food and retail markets by respective community members following the incarceration of the former president Jacob Zuma who was found to be in contempt of the Constitutional Court for refusing to appear before the Chief Justice Zondo Commission of Inquiry into allegations of State Capture (Africa et al, 2021). There were widespread fears that this trend was likely to extend to other provinces including the Eastern Cape Province. In the Eastern Cape, the taxi operators across the province conducted patrols to prevent the potential looting of businesses.

Sgqolana (2021) of the Daily Maverick quoted one of the prominent business owners in East London as saying “the taxi associations came through. So far, to my knowledge, they have significantly assisted in saving two East London malls from being looted and have helped the SAPS at roadblocks and much more. BCM (Buffalo City Metropolitan) has really come together to protect our province” This is made in reference to the BCM as the area and not the municipality as an institution. Sgqolana (2021) quoted the chairperson of SANTACO in the Eastern Cape making the following remarks:

We are calling on all our members and drivers instead to defend those properties and deal decisively with those disturbing our business. Should we allow malls, shopping centres and businesses to be destroyed and closed, we would have no passengers to transport and therefore lose business. Our taxis would be repossessed and we will never recover from that; we lost heavily during the pandemic and we never recovered from those losses. No criminal will be elevated in our name.

Meanwhile, the members of BATA in Engcobo town bought 270 sjamboks for its members to use on looters. BATA’s deputy chairperson, Vuyo Mgudlwa revealed that BATA had spent R75000 on the weapons to ensure that the taxi operators had the necessary tools to prevent looting should it occur (Dayimani,

2021). The Eastern Cape Premier, Oscar Mabuyane hailed taxi operators for taking a stand against the possibility of looting. Mabuyane was subsequently reported to have charged the mayors of 39 municipalities to work with local taxi associations to “coordinate strategies to defend the economy” (Dayimani, 2021).

Chapter 2 of the study partly touched on the concept of ‘hybrid governance’ which entails a situation wherein the law enforcement agencies and non-state actors can work together in order to achieve a common security objective (Ferreira, Braga and Villa, 2021: 37). Positive as this may be, it remains interesting and somehow concerning to observe how mother-bodies have been able to unilaterally perform functions of the state, only for the state authorities to join a little later. Recently, the taxi drivers, queue marshals, and taxi owners in Springs, Johannesburg, joined forces with Operation Dudula members to wage war against people believed to be drug dealers and addicts in the CBD and the taxi rank. They raided houses belonging to foreign nationals believed to be selling drugs and a number of *nyaope* drug substances were discovered. As the situation got more volatile, the police struggled to contain violent crowds (Springs Advertiser, 2023). One of taxi operators’ firm arguments in this regard were that that space is theirs and they would never allow drug dealers to ruin their business area. The ability of taxi operators to restore ‘law and order’ in a particular territory through their own use of force remains a matter of concern. The above illustrates that in instances of the perceived weakness of the state to perform its functions to protect the citizens, non-state actors like taxi operators exploit the situation and fill that gap. In another incident, the African National Congress (ANC) former Youth League Leader, Andile Lungisa, was forced by taxi operators to parade the streets of Port Elizabeth encouraging community members not to commit looting (Kimberly et al, 2021).

This happened after Lungisa was accused of conniving with KZN and Gauteng ANC factions that were bitter over the arrest of the former president to encourage the Eastern Cape public members to commit looting. The taxi operators summoned Lungisa to a meeting and he was forced to parade the streets of Port Elizabeth denouncing looting. Ideally, when there is sufficient

evidence against an individual, such interventions are expected to be imposed by legally empowered and permitted state institutions that are responsible for maintaining law and order. Usually the verdict would be delivered in a court of law. In this case the taxi operators empowered themselves to perform these functions. This section asserts that the taxi operators and associations are powerful and seemingly autonomous groups that are able to take law into their own hands by performing state-like functions. This is caused by the perceived failure of the state to use its legitimate force where necessary to maintain law and order in communities.

5.3.3 Acts of vigilantism

Whilst it may be a positive thing that taxi operators help in fighting crime, the danger lies in establishing a self-regulated form of policing which may result in acts of vigilantism that is against the law. Haefele (2006) simply defines vigilantism as “the assumption of responsibility for community safety and values by self-appointed custodians prepared to use lethal force”. Haefele laments that vigilantism has become a permanent feature of the political landscape of South Africa since the country emerged as a modern state in 1910. Cupido (2021: 19) expands this description of vigilantism by arguing that it is an activity that is ordinarily performed by a group of individuals within a community that aims at improving the safety within that community from criminals and their activities. Vigilante groups perceive the legal system as lacking in some way and they then attempt to reprimand criminals by taking law into their own hands when dealing with perpetrators. In essence, vigilantism becomes the response by the members of the public due to inability of the state to perform its functions effectively (Cupido, 2021: 20).

This confirms the views of a number of authors discussed in Chapter 2 of this study who argue that in the absence of effective state intervention in society, violent non-state actors permeate to fill the gap left open by the state (Villa and Pimenta, 2019), (Ferreira et al, 2021) and (Williams, 2008). In this regard, the legitimacy on the part of the state is earned. The taxi operators in some corners

of South Africa have been found to be perpetrators of vigilantisms. This is evident in instances where they ‘intervened’ to fight particular criminal elements in some communities. For example, Piper and Wheeler (2016: 36) conducted a research in Cape Town in Imizamo Yethu Township and out of this research it was found that in many instances the community members of Imizamo Yethu relied more on taxi operators “to intervene to protect residents, such as in incidents involving street gangs”. The taxi operators are generally known for unleashing harsh punishments on their victims and sometimes these punishments can be lethal. According to Super (2022) who conducted research on acts of vigilantism in Cape Town townships, vigilantes would sometimes compel suspected criminals into the trunk of a car and drive around with the victim in order to locate a stolen property. “Garages, shacks, old shipping containers, and public spaces (including community halls) doubled as sites for the detention, assault, torture, and extrajudicial punishment of suspected criminals”.



The study further found that on numerous occasions mini-bus taxis were used to function as quasi-police vehicles. Taxi drivers were hired to track down stolen goods and collect evidence for their clients. Super (2022) continues to state that taxi owners have an ambiguous relationship with the state. This is particularly so when they assist in maintaining order, although violently. There is historic precedent for the state encouragement of vigilante violence. On 25 May 2023, Matlhabe (2023) of IOL news reported an incident where 7 men between the ages of 15 and 27 were attacked allegedly by taxi operators after hijacking one of the taxis and sexually abused a female passenger near Nyanga taxi rank.

Several other news outlets further confirmed this incident. It was inferred that 2 out of the 7 men were killed on the spot whilst the 5 were maimed and later fought for their lives in hospital. In this case, the police arrived on scene after the occurrence of the incident and there were no indications of the arrests of perpetrators of this vigilante crime pending investigations that were to be done after police detectives opened a case of murder and attempted murder. Mtlhabe (2023) further alleged that the taxi drivers were applauded for

murdering and injuring the alleged perpetrators. On 5 June 2022, Arendse of the SABC News online reported a case of 4 taxi drivers who were convicted of murder, assault and kidnapping by the Strand Regional Court in Cape Town. These taxi drivers were allegedly part of an organization called “KHUPA” which was originally meant to fight crime in the Lwandle area. However, the court found that the group had turned into a vigilante, which arrested and tortured suspected thieves (Arendse, 2022). One commuter in the Eastern Cape made the following remark:

We can say all negative things about taxi operators but the truth is; “bayazilungisa izimilo zamaphara aba bantu” which means “those people (taxi operators) effectively correct the behaviour of criminals”.

This shows that although taxi operators have generally been accused of ill-behaviour, however, there are some sections of the society that see them as heroes despite the degeneration of this heroism into vigilantism in most cases. Often, they are regarded as heroes for fighting crime in certain communities. In this context, the taxi operators have used their autonomy in various communities to ‘fight crime’ largely without involving SAPS at the initial stages of the crime itself, until such a point when they have finally punished or even killed the perpetrator, and these are extreme acts of vigilantism.

5.3.4 Illegal prohibition of commuters from hitch-hiking

Babiar et al (2019: 24) define hitch-hiking as a way of traveling free of charge with stopped vehicles that travel more or less towards the destination planned by the traveller. At the same time, it is regarded as the cheapest means of travel. Chesters and Smith (2001: 1) further explain the act of hitch-hiking as the one in which the driver accepts a stranger into his or her private space, and the hitch-hiker is entering this space with no knowledge of the driver’s motives and intentions, yet they have to find a way of establishing a mutual trust. Bizarre as this may sound to some, hitch-hiking has found its strong hold across South Africa particularly amongst youths and adults.

The taxi operators across South Africa are known for preventing individuals from hitch-hiking, which is an act that constitutes the abuse of human rights in terms of both freedoms of choice and movement. This is a direct contravention of Chapter 2 of the Constitution of the Republic of South Africa, which inter alia alludes to the rights of people to move freely without having their dignity violated. (Constitution of the Republic of South Africa, 1996: 5). Furthermore, this also violates the rights of commuters as clients or consumers and it is in contravention with the provisions of the Consumer Protection Act, which is embedded in the same Chapter 2 of the Constitution of the Republic of South Africa (Department of Trade and Industry, 2008).

This therefore gives a conspicuous indication that hitch-hiking is not illegal in South Africa and no one has a legal right to prevent people from exercising their freedom of choice and movement for any reason. Instead, it is the taxi operators that are in direct contravention of the South African law by forcing people to utilize a service that is not of their choice. News 24 (2017) revealed that travellers in Port Elizabeth accused members of USTA of chasing them away from popular hitch-hiking spots, or forcing them to go to Njoli Square Taxi Rank in Zwide, which is used for long distance travelling by the association.

Quoting a commuter, News 24 (2017) reported the following:

I was hitch-hiking along the Addo Road in Ikamvelihle when a white Toyota Venture pulled up next to me. Two men came to me and told me that I had to go to Njoli Taxi Rank where their taxis operate. It costs R160 for a single trip to East London. I explained to them that I didn't have that amount. It costs less than R100 to hitchhike the same journey. The men became angry and started loading my two bags onto their vehicle. One of them slapped me in the face as I resisted (News 24, 2017).

News 24 (2017) further quoted another commuter saying the following:

In Mdantsane, the taxi operators literally beat us and prevent us from hitch-hiking through the use of force and the police are doing nothing to stop it.

Respondent F who is a community member had this to say:

It is very unfair to us that the taxi operators do not allow us to hitch-hike. We hitch-hike sometimes because taxis take time to fill to the full capacity at the taxi rank. Sometimes there's an emergency at home or at a child's school and it requires us to get a quick transport service. Besides, taxi fares are high, so hitch-hiking is the better option. Those not allowing us to hitch-hike make us unwittingly become their members and live our lives according to their rules.

Expressing their views on heavy reliance on mini-bus taxis, Respondent E remarked:

There is nothing that we can do because we are being forced to take taxis or face being stopped and beaten at hitch-hiking spots. Besides, it is better for us to use taxis as they are much safer than buses that are constantly under attack from the same taxi operators.

Respondent F made the following remark:

The mere fact that we cannot even hitch-hike because the taxi drivers will first abuse us verbally before they can beat us up shows how oppressed we are at the hands of taxi operators as commuters.

According to Dangazele (2023) one commuter made the following remark in relation to being prevented by taxi operators from hitch-hiking in Port Elizabeth:

It's been going on for years, it will never stop. The police don't do anything about it. We already know what to expect during December

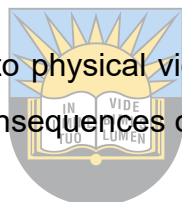
holidays and Easter weekend. Taxi operators are very arrogant about it because they know they won't be arrested for it.

Dangazele (2023) further quoted the MEC for Transport in the Eastern Cape lamenting this situation by saying:

We cannot allow a situation where we have illegal law enforcement structures that runs parallel to what our government seeks to achieve, tormenting and extorting money from our people. The public outcry about these illegal roadblocks has been heard and the additional crime of extortion that is often at the core of these has been taken in.

Another taxi operator (Respondent K) unconsciously admitted that they do forcefully prevent the commuters from hitch-hiking by stating the following:

We do not always resort to physical violence. We first warn you to stop hitch-hiking or face the consequences of your own stubbornness.



These incidents clearly show that the taxi operators have managed to establish their illegal roadblocks successfully to prevent commuters from hitch-hiking. The impression that has been received from the key respondents is that they no longer have hope in the police or traffic officers because most of these incidents happen in their full knowledge and they are doing nothing about it. It remains to be seen whether the Eastern Cape government will be able to tackle these illegal roadblocks against private motorists and hitch-hikers. So far, the government has seemingly been making more promises than taking decisive actions.

5.3.5 Illegal imposition of 'traffic rules' on e-hailing drivers and private motorists

As discussed in Chapter 2 of the study, the feeling of entitlement on the part of taxi operators within the public transport sector has seemingly propelled them

to use self-regulated theatrics to control and prevent e-hailing drivers and their clients from conducting business with each other. The taxi operators do this by placing particular restrictions on e-hailing drivers not to pick-up clients in certain areas and they also coerce the commuters not to use e-hailing. At the same time, private motorists are not allowed to exceed a particular number of passengers in their own private vehicles. Many commuters have lamented how they are being harassed by taxi operators and ultimately prevented from using e-hailing services. Respondent B had the following to say:

I have watched how the taxi operators inhumanely assaulted one of the uber drivers in Mthatha CBD, it was so bad, I am not even sure whether that uber driver is still alive.

The taxi operators have seemingly monopolized the transport industry within the province and they have exalted themselves above all other modes of transportation. All other modes are expected to comply with the rules established by taxi associations. In Gqeberha, formerly known as Port Elizabeth, a number of e-hailing drivers have expressed their fear of being attacked by taxi operators. Speaking to Chirume (2021) of the Ground Up, one e-hailing driver in Port Elizabeth made the following remark:

My family always prays that I return home safely because the violence targeting e-hailing drivers has intensified. We have reached a point where e-hailing drivers are not safe. I was followed by two taxis early in August. I picked up a passenger at Grenacres Shopping Center and they followed me to the client's home in Shauderville (Chirume, 2021).

The e-hailing driver went on to complain that he wished he could find another job as he was not sure what the taxi operators would do next when they find him picking up passengers again. The Bolt company later released a statement conceding to the defeat by taxi operators, stating that they would not block their drivers if they chose to reject rides to hot spot areas where violent taxi operators were based (Chirume, 2021). The harassment and intimidation of e-hailing drivers extend beyond just Port Elizabeth. In Mthatha and Buffalo City

areas respectively, a number of cases of harassment of e-hailing drivers and even private motorists by taxi operators were reported. Ntshobane (2021) of the Daily Dispatch reveals that in Ntlaza for instance, nurses and teachers were being harassed by taxi operators for giving lifts to their colleagues and they were not expected to have more than one passenger in their own private cars. The spokesperson of USTA reportedly told Daily Dispatch that by preventing e-hailing drivers and private motorists from giving rides to people, they are simply trying to protect their business. In this instance, the RCT can be brought to the fore because it is clear that despite knowing that preventing private motorists from giving lifts to their loved ones is against the provisions of the Constitutions, the benefits of this illegality that taxi operators expect outweigh all other possible considerations.

Another case of violence and intimidation in Mdantsane wherein a bolt driver was assaulted and subsequently fined R3000 by taxi operators was reported (Bonani, 2021). The driver was allegedly stopped by taxi operators believed to be the members of USTA whilst picking up a client in Mdantsane area. He was forced to stop the car, and after refusing to give up his car keys, he was severely assaulted and choked until he gave up the keys. The car was confiscated and a ransom of R3000 was demanded by taxi operators from the driver. The driver apparently opened a case with the police and went to the place where the car was confiscated accompanied by the police. It is apparent that the police were defeated and failed to get the driver his car and arrest the perpetrators. The driver alluded the following:

The police said there was nothing they could do if they didn't want to give my car back and suggested I pay the money. The police told me they didn't want to get into trouble with taxi drivers. I was at the police station for hours waiting for them to get my car but they gave me the run-around because no one wants a confrontation (Bonani, 2021).

In East London, the e-hailing drivers also reported intimidation and discomfort with the taxi operators. Gosa (2021) of the Daily Dispatch held interviews with a number of e-hailing drivers as well as commuters regarding incidents of

intimidation by taxi operators. According to Gosa (2021), one e-hailing driver remarked:

At first, we were told we must not pick up at certain points at Hemmingways Mall which we did not. Now we are being targeted in areas such as Scenery Park, Quigney and Southernwood. We are a bit confused because the majority of taxi drivers who confront us drive small vehicles, not mini-buses. They say we are poaching their passengers, which is not true, because there are places that taxi drivers do not reach. Gosa (2021) further interviewed another driver who remarked:

I got a request to fetch a passenger in Southernwood and when I arrived at the requested place I was ambushed and assaulted by taxi drivers. The passengers pleaded with the taxi drivers as we were outnumbered. They choked me and pinned me against the car seat, and I had to let go of my keys.

Moreover, Gosa (2021) quotes another commuter in Hemmingways Mall who said the following:



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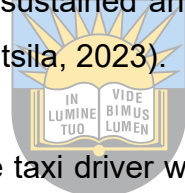
Taxi drivers asked the bolt driver to cancel my trip and let me out of the vehicle. I voluntarily got out of the vehicle to avoid any unnecessary confrontation.

Not only do incidents of attack on e-hailing drivers happen in the Eastern Cape. Various other provinces like Gauteng, Cape Town and KwaZulu Natal have also recorded such incidents. Respondent V complained that the taxi operators interfere in any transport related matter. Be it buses, e-hailing or private motorists. In relation to the situation in Cape Town, Respondent V makes the following remark:

The private individuals who are contracted with government to provide scholar transport for kids experience harassment from taxi operators on a daily basis. These individuals are to produce a permit and failure to do

so results in the confiscation of a vehicle or charge. The commuters' right of choice to the mode of transport is tempered with to a great extent. Unfortunately, there is little intervention from law enforcement in such cases.

In September 2021, an Uber driver was assaulted in Katlehong, Gauteng, by two individuals believed to be the members of Katlehong People's Taxi Association (KPTA) (Nemakonde, 2021). These cases reveal a situation whereby the taxi operators not only assume territorial control over certain areas of the society, but they also commit violations of human rights and seemingly overpower the law enforcement agencies and challenge their authority over legitimate use of force. Earlier in June 2023, the taxi operators allegedly attacked e-hailing drivers next to Maponya Mall and Protea Glen shopping mall in Soweto respectively. In these attacks, a number of e-hailing vehicles were burned and one e-hailing driver sustained an injury from a bullet wound whilst others were severely beaten (Mutsila, 2023).



According to Chirume (2021) the taxi driver who apparently spoke on condition of anonymity said "we only allow e-hailing vehicles in the metro that have valid passenger carrying permits. Traffic police arrest taxi drivers found without a passenger permit. Why should uber and bolt be allowed to do their business without permits?". In August 2018, the Parliamentary Monitoring Group (2018) reported that in a meeting between the Minister of Transport, SANTACO and COSATU, SANTACO lamented that "the entry of uber into the market has also created conflict. Taxi operators feel that the current process is unfair as Uber operators are not always subjected to the same stringent requirements such as an Operating Licence- which the taxi industry must comply with". This statement probably seeks to justify why taxi operators take it upon themselves to enforce 'law' on e-hailing drivers. The abuse of human rights and self-imposed 'traffic laws' can never be justified. The South African state does have a legitimate law enforcement appointed by government, no one else has a right to assume these functions in their personal capacities when they are not the legitimate law enforcement officers.

The above demonstrates how taxi operators have now replaced the authority of the state in terms of enforcing the law. Dangazele (2023) reveals that Zola Yolelo who is the Eastern Cape provincial chairperson of SANTACO A tried to defend these acts by saying “the police or traffic department are not everywhere at the same time, our presence here serves to alert the police when the law is broken, not that we are trying to be police; when we see that a Corolla is full of people, and it does not have a permit, we hold it so that traffic officials and the police can deal with it”. On the contrary, the evidence shows that the taxi operators are doing this unilaterally without the involvement of the police and they are known for physically abusing their victims once they catch them. On 19 February 2023 one of the tweeps named Dr Mpho Malatji twitted the following:

The taxi industry is now telling us we can't have more than 3 people in our cars. I thought our cars are 5- seater and 7- seaters. Now there are taxi police squads, are these even legal?



Another tweep named Sikhonkwane commented:

Certainly not legal and even less so when they intimidate women into drawing money from ATM's to pay R1500 fine when caught with “hikers”. Ubuntu like Batho Pele and the unicorn is often talked about but seldom seen in our land.

Dawg added:

My uncle owns an Avanza, it's always a fight between him and associations whenever he has to travel with his family from Vosloo to Limpopo. Every town he passes, he gets stopped by taxi patrols and they want to fine him or ask the passengers to get off and use a taxi.

In the Eastern Cape, the taxi operators demand to see the identity documents of the people who are inside the private car including that of the driver. Once they see that the surnames of those people do not correspond with that of the driver, they fine the driver (Dangazele, 2023).

5.3.6 Gangster/mafia tactics as means to enforce loyalty

Cara (2015: 474) defines three sets of violence associated with gangsterism or mafia syndicates. These sets of violence have been found to be relevant to the kind of violence that is caused by mother-bodies against their rivals and even within their own ranks. The definition of these sets of violence feature the traits of taxi operators. These sets of violence are as follows:

- (i) *Intra-group violence*: this is a form of violence directed to the members of the group in order for the members to submit to internal protocols of the group. Assassinations often featured in this form of violence with intentions to enforce the command or control of resources and people within the group.
- (ii) *Inter-group violence*: this form of violence is directed by one group at another group, usually with intentions to assume or demand control and ownership of a particular territory. “The specialized groups in the control of the territory are required to create a proper apparatus of the military type, who corresponds to the centralization of the command, therefore a strong and centralized structure whose influence is defined by the confinements of the territory...They therefore have to build up a proper apparatus of physical coercion and should possess the monopoly of the violence on to determined territory”.
- (iii) *Extra group violence*: This is the form of violence that is directed to people or organizations outside the criminal fraternity (Cara, 2015).

The first is considered as an inside violence which mostly has intentions to discourage members from competing for leadership positions or challenging their leaders. The second and third can be considered as an outside violence. The ability to use violence whether direct or in the form of credible threat is generalized ingredient of Mafioso behaviour. Cara (2015: 474) further posits that another defining feature of a mafia type of behaviour is the intimidation capacity of violent organizations. This entails what he terms the “law of

silence”. The law of silence requires the associates of a syndicate to keep quiet about the secret or face punishment. The mafia-type organizational overview of Cara corresponds with primary data that was obtained from key respondents. For example, Respondent G alluded the following:

Once you get into the taxi business, you must know that you are going to do everything that other members of the mother-body are doing. If you fail or refuse to carry out the tasks given to you, you can expect not to live to see the next day. You are also required to be discreet with the organizational information, in other words you must keep secrets.

Respondent Z, a law enforcement agent has the following to say:

In a taxi industry, you have to pledge your loyalty to powerful taxi bosses. You have to align yourself to a particular leader of a taxi association. It is in fact a mafia-like organization. You cannot simply send your driver to represent you. If you are the owner, you must come to attend the meetings physically in order to pledge your loyalty to that association or taxi boss. They screen you to determine whether you could be trusted with the secrets of the organization. Some and most of these secrets are about killings and violence.

Respondent H continued to state that:

USTA is the strongest mother-body in the Eastern Cape Province and it bullies other taxi associations into submission. Failure by others to submit has resulted in a number of leaders of other associations being targeted and killed, some with their families. USTA has the most sophisticated weapons as compared to BATA and ECTA for instance. At the same time, if you are a USTA member and you refuse to cooperate with your leadership, you will be killed. You are not permitted to hold an opposing view to your leadership or you will be regarded as a snitch and eventually get killed.

Piper and Wheeler (2016) further describe taxi associations by saying they “are important role players, as they are well armed, organized and relatively wealthy, and have in the past been accused of operating mafia style”. Rostami, Leinfelt and Brotherton (2012: 7) take into account the aspect of entrepreneurship within the mafia organization. In this regard, they make the following observation:

The entrepreneur is an innovative social actor who appreciates the set goals in society, but who lacks the legitimate means to achieve them. As such, the entrepreneur finds alternative means of attaining them. Criminality per se and the sense of brotherhood are not a primary motivator for him, but are merely tools for success. His traditional leadership styles range from authoritarian to charismatic and democratic. However, it is not his leadership style, background, childhood or even type of gang that are the sources of his motivation, but rather the sheer determination to overcome his blocked pathway to societal success.



The above observation features the Rational Choice Theory (RCT) by Paternoster, Jaynes & Wilson (2017) who argue that in the main, the actors involved in violence and crime are doing so being fully appreciative of repercussions of crime, however its proceeds fundamentally outweigh all other considerations. In relation to the entrepreneurial greed of violent taxi operators, Respondent H observed the following:

The key motivating factor for violence amongst taxi operators and high echelons of the so-called mother-bodies is money. For money they are willing to do anything including removing any obstacle that may try to delay their money making machinery. For instance, within USTA, no one is allowed to try to contest the current chairperson. Anybody who tries to be vocal is silenced forever (killed). The members of associations are compelled to pay R500 monthly 'protection fee'. This fee is used to compensate assassins called 'amadod'ehlathi' loosely translated as 'men of the forest'. Amadod'ehlathi are paid monthly in order to carry out

assassinations from within individual mother-bodies and rival mother-bodies as means to protect the leaders of the mother-bodies and their profits whenever the need arises.

This view was also confirmed to Velaphi and Feni (2022) of the Daily Dispatch by one of the taxi operators in Mthatha who survived an attempted murder. He maintained that money and power are the key motivators of taxi violence in the province. There are three sources of income in the taxi industry and these are; the money received from taxi fares, premiums paid to taxi associations and the money that comes from government, which is mainly paid into the taxi associations. It is the access to such benefits that the captains of the taxi industry will protect by all means necessary including through killings and intimidation. The taxi operator went on to say:

Vocal or not, you are likely to be killed in the taxi industry if you resist the quest for power and monopoly by the captains of the industry. ... The moment you resist what the leaders need, you are risking yourself. Even if you do not resist, if they see you as a stumbling block to what they need, you will be eliminated. If the leaders of the industry want control of a certain region, they will kill the chairpersons of those associations and put in the people they want as replacements, even if they are not from that area (Velaphi and Feni, 2022).

The above evidence justifies the case of the rational choice theory, which is the theoretical framework for this study. Once again the behaviour that is displayed by mafia/gangster-like taxi operators show that despite being aware of consequences of the crimes of killing people, the costs that are expected as a result of committing these crimes outweigh all other considerations. The fact that they hire hitmen also known as izinkabi proves that they understand that killing another human being is a criminal offence which could land them in jail, however, their drive for profit maximization encourages them to commit these crimes despite their possible consequences.

According to Zulu (2020) in trying to justify the existence of hitmen in the taxi industry, the president of SANTACO told the Commission of Enquiry into taxi violence in Gauteng that hitmen were originally intended to provide security at the taxi ranks, making an example that in instances when a woman would be harassed at the rank, the hitman would then step in. “However, powerful individuals within the industry have redirected the role of the hitman to now carry out killings (Zulu, 2020). This vindicates Chapter 2 of this study that argues amongst other things that in the event where the state fails to provide basic services such as inter alia security and employment to its citizens, the citizens usually resort to other means of governance in order to fill the gap that has been left open by the state. In this regard, the failure of the state to provide security has created an opportunity for taxi operators to resort to their own means of securitization, thus employing rogue ‘security officers’ who end up being recruited to commit crime.



Respondent U laments “Greed for wealth” as the defining feature of mother-bodies. To support this view, Respondent V a law enforcement agent said:

In the taxi industry, the whole business is about how I can make money out of any situation.... The taxi operators have so much power. Look at the recent strike in Cape Town, the government is brought to its knees by taxi operators.

Etter (1998: 19) observes that gangs and mafia organizations claim land, have their own internal organizations, make their own rules, conduct rites of passage, operate in the common interest and identify themselves as people that are separate from the rest of the society. As noted earlier, the above is nothing short of the modus operandi of mother-bodies. They claim territories, behave as law unto themselves and all their members are expected to follow a common organizational culture. It is clear that the mafia-like culture is not a new phenomenon within the taxi industry. Mmakwena (2022: 904) argues that back in the day the mother-bodies used to hire “*iinkabi*” also known as “*hitmen*” to execute killings on their behalf. These people were hired in order to kill rivals who were competing with mother-bodies over routes. Some of these hitmen

were hired from neighbouring countries in order to ensure that evidence was not traced. The SAPS Eastern Cape Provincial Report (2023: 8) also alludes to the fact that the evidence indicates that in some instances these hitmen are sourced beyond the borders of the country.

Molefe (2016: 37) supports these views by attesting that mother bodies hired hitmen who eliminated their opponents. These hitmen were paid on a monthly basis or after the execution of the job. To affirm the above statement, Ngubane et al (2020: 88) argue that the taxi associations possess mafia-like tactics, including the hiring of hitmen to eliminate competition in the industry. This confirms what was initially reported by Respondent H about the current situation of 'amadod'ehlathi' in the Eastern Cape Province. Some within taxi associations hire hitmen to kill drivers who are contesting with them for the same routes. This is done to protect space and territory, a tactic of a typical mafia organization. Respondent M had the following to say:



Taxi owners that own more fleet compared to other owners on the road are the major culprits of violence within this industry. If you talk too much against this phenomenon, rest assured, you will be killed.

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In the context of all that was discussed in this section, and based on information received from key informants and secondary sources, it is safe to assert that the taxi associations in South Africa in general and in Eastern Cape in particular do possess mafia-like traits and use these to challenge the state over the legitimate use of physical force. They also compel their members to follow a particular order that they have established, often this order is inconsistent with the law.

5.3.7 Use of extortion and coercion

Extortion has been found to be one of the means that violent taxi operators use to instil fear on commuters as they pursue their business. This occurs in a situation where commuters are forced to use a particular taxi service using threats, blackmail and intimidation. Bonello et al (2021: 8) define extortion as

“the extraction of money, goods, services or loyalty through the threat of force”. Extortion implies the use of force to acquire payment or any form of service by either an individual or a group because of a threat of violence that has been imposed on those individuals or groups. Furthermore, in South Africa, a variety of cases of extortion within the taxi industry is reported continuously. In this situation, the taxi operators force commuters through the use of threats and intimidation not to use any other mode of transport other than a taxi no matter how inconvenient it may be to the commuters. Part of the modus operandi of violent taxi operators include the targeting of long distance buses which they view as their unfair competitors.

According to Cruywagen (2022), the Intercape bus company has recently released a statement indicating that a total number of 150 incidents occurred in 2021, and 80 incidents in 2022. In 2022, buses belonging to the company were confronted with incidents of violence and intimidation by taxi operators. About 29 incidents involving the storming of buses and 19 incidents that involved shooting. By August 2022, 92 incidents of intimidation against Intercape including threatening of staff members and forcing of passengers off coaches at gunpoint or under a threat of violence were reported. The Eastern Cape taxi operators in particular demanded amongst other things, that Intercape should increase prices immediately, all departures should be done before 12:00, no price fluctuations based on demand should happen, and that there should be no more operations in Dutywa, Engcobo, Tsomo, Cofimvaba, Gcuwa and Ngqamakhwe (Cruywagen, 2022).

This is a typical case of extortion and intimidation, not only to the Intercape Company but also on commuters because the company was forced to conduct its business at higher competitive fares whilst the commuters were forced to use taxis instead of buses. Whilst this denies the company its right to determine its own business terms in South Africa, it also denies commuters their right to choose the mode of transport that suits their needs. Cape Town has also seen

similar incidents where commuters were forced off-buses through the use of force and violence. During one of violent taxi strikes in Cape Town in early 2022 wherein Golden Arrow buses were under attack and commuters were forced not to use these buses and rely solely on a mini-bus taxi service, one commuter was quoted as saying:

I start work at 8am and I have been waiting for a taxi for an hour now. I can't be absent from work because I may lose my job (Hendrik et al, 2022).

In November 2022, another violent strike which emerged as a stay away from taxi operators as a form of protest against traffic fines on the roads, the taxi operators continued with their modus operandi of targeting buses. The City of Cape Town reported that some MyCiTi staff members were held hostage and prevented from operating ticket kiosks. My CiTi bus routes had to be suspended due to “intimidation and threats” (Hendrik et al, 2022). In the Eastern Cape and elsewhere around the country, many incidents of extortion wherein commuters are forced not to take the mode of transport of their choice are reported almost all the time. Following the strike that took place in the Eastern Cape in March 2023 over the decision of government to reduce the scholar transport contracts from five years to two years as discussed in Chapter 4, Makoe (2023) quoted the Alfred Nzo's SANTACO regional secretary general saying the following:

In order for this industry to be given the attention it deserves, clearly the province has to come to a stand still, maybe that's where the province will rise because clearly the taxi industry is the most undermined sector in the province.

Another case of extortion is the one brought to the fore by Hyman (2021) who argues that in some instances the mother-bodies use 'patrol vehicles' to issue 'spot fines' on families travelling in their private vehicles between Cape Town and the Eastern Cape. This practise of extortion is even imposed on funeral undertakers that are using these routes. In order not to be fined, the travellers must produce a 'receipt' of payment to one of the mother-bodies. Hyman

(2021) quotes one of the Western Cape members of the Provincial Legislature, Yasir Ahmed, who complained that “there are reports of private companies and even staff transport companies being required to pay large amounts for annual permits or pay up to R3,000 release fees.. Vehicles with passengers in them are effectively highjacked and rerouted to ranks and only released on payment of these release fees. Staff and learner transport contracted by employers or parents are forced to pay for annual permits or registration”. Respondent H agrees with the observation of Hyman by stating the following:

There is something called ‘protection fee’ which you must pay to taxi operators. This means that whatever transport business you have, be it scholar contract or employee contract where you ferry schoolchildren and workers in your car, must be declared to the local taxi association. Then you will be required to pay a monthly fee to that taxi association. In other words, you are being forced not only to pay this protection fee, but somehow you must find yourself affiliating to that taxi association. Failure to comply with this requirement may have you killed.

Respondent Z revealed that, at some stage, the officials of the Department of Transport (DoT) in the Eastern Cape were held at gunpoint by taxi operators that belong to one of the taxi associations, demanding that these officials must release certain funds that had to do with tenders and scholar transport. In the Eastern Cape March 2023 strike, coercion was used to force truck drivers to abandon their trucks and these trucks were used to blockade the road (Makoe, 2023).

Respondent Z confirmed the above statement by revealing that:

These guys highjack trucks and close roads whilst the police are there watching. I was there in one of these incidents, I observed it myself. The truck drivers were so terrified of being gun pointed by taxi operators.

Dugard (2001) laments that the taxi associations have used coercion to build lucrative empires-cum-protection-rackets and have been directly associated with the violence that has shadowed the taxi industry almost from its inception. Cohen-Almagor (2021: 2) defines an action of coercion as that of repressing,

containing or restraining someone from or into doing something. Coercion may involve threats, intimidation, sanctions, demoralization, blackmail and restriction. As demonstrated earlier, coercion is one of the tools that the rogue taxi operators use to subject their subordinates and competitors to their will within the industry. So many taxi drivers who seemed not to be towing the line of the leadership have been coerced through sanctions that included maiming and sometimes killing, blackmailed and threatened with their families, etc.

Respondent N, another taxi driver remarked:

In mother-bodies, the leadership has the final say. Whether you like it or not, you are going to do as instructed or they will take you out.

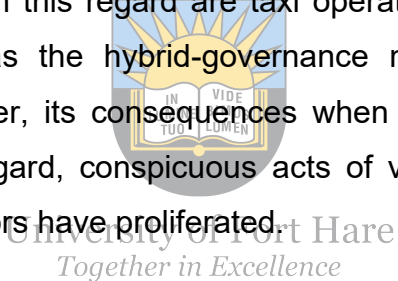
Moolman and Kgosimore (1998: 35) support this view by revealing that some of the people associated with certain taxi associations are afraid to report criminal incidents that lead to cases of violence within the taxi industry. In this regard, this section posits that extortion and coercion are not mutually exclusive as they contain almost similar features. The taxi operators have been found to be using these tools in order to entrench their dominance and monopoly on subordinates and opponents.

5.4 Chapter Conclusion

The perceived failures of the South African government in terms of maintaining social order which includes inter alia the apprehending of criminals, loss of control over particular territories and the public transport industry itself create fertile conditions for taxi operators to perform state-like functions. This chapter illustrated the power that the mother-bodies and taxi operators have in instilling fear and command submission from their members and subordinates or even rivals. The chapter posited that the mother-bodies are so powerful that they are allowed to run amok and with impunity. In most instances, the mother bodies have been able to establish some “traffic rules” in order to control certain routes

and elevate themselves above all other modes of transport, individuals and groups.

The taxi operators have effectively conferred upon themselves the authority to perform state-like functions such as maintaining 'law and order' in certain communities by maiming and killing suspected criminals, only to involve the police after the suspected criminals have been killed or severely injured. At the same time, the mother-bodies have been able to instil fear and command loyalty amongst their members by exercising mafia like tactics. Extortion and coercion are some of the tools that they employ in order to command respect and submission from their opponents, competitors, commuters and subordinates. All these tactics and practices are in direct contravention of the law. This chapter alluded that the police have seemingly neglected their role in most critical areas of the society and have left this role in the hands of violent non-state actors, which in this regard are taxi operators. The chapter further implied that as much as the hybrid-governance may be a good idea in maintaining law and order, its consequences when the state is not involved might be dire. In this regard, conspicuous acts of vigilantism and criminality committed by taxi operators have proliferated.



CHAPTER SIX: THE STATE'S INABILITY TO ADDRESS TAXI VIOLENCE IN THE EASTERN CAPE PROVINCE

6.1 Introduction

The South African government is facing a number of difficulties in its quest to combat taxi violence in the country and the Eastern Cape Province in particular. These difficulties have to do with inter alia poor municipal administration and corruption within law enforcement agencies and government. Despite these difficulties, there is some evidence that shows that the government has attempted to combat taxi violence in the Eastern Cape Province and elsewhere in the country. In March 2017, SAPS successfully arrested 7 suspects who were allegedly involved in taxi violence that led to the death of two persons and the injury of 8 people during shootout between taxi rival groups in Ntlaza (South African Police Service, 2017).



In May 2017, the SAPS issued another statement stating that its Jeffreys Bay members were able to prevent the looming taxi violence and arrested two male suspects (26 and 45 year old) on charges of attempted murder and assault with the intent to do grievous bodily harm. In the same year, the SAPS within the Province of the Eastern Cape were able to confiscate 295 rounds of ammunition and 31 firearms, inclusive of pistols, rifles and homemade firearms in a single week. 19 suspects were arrested for illegal position of firearms and ammunition, two more were arrested for pointing a firearm. The suspects appeared in various courts around the Eastern Cape Province. During the parliamentary hearing that took place in September 2022 in relation to the ongoing attacks on long distance buses mainly in the Eastern Cape and Western Cape Provinces, it was reported that 47 incidents were recorded and led to the opening of cases. Some of these cases were closed as undetected whilst others were withdrawn before court. A total of 25 cases were still under investigation during the time of this hearing. Three suspects were arrested (Parliamentary Monitoring Group, 2022). Respondent T, also from one of the key law enforcement agencies had the following to say:

In 2019, in Port St Johns and Mthatha there was a high rate of taxi violence. The law enforcement agencies were successful in combatting the violence in these areas because there was a very good cooperation amongst the stakeholders. It is important for people to appreciate that SAPS alone for example, cannot solve taxi violence without the assistance of other stakeholders.

Respondent U affirmed the above by saying:

In the Eastern Cape, we have a very good cooperation with some taxi operators, during violent protests, we know exactly who to contact from amongst taxi operators. This cooperation has enabled us to make a number of strides when it comes to averting violence. Therefore, it is not that SAPS is not doing anything but people need to understand that you cannot just apply maximum force without having made a careful observation of the situation. We are a democratic government. The most important step first is to try to foster negotiations with affected parties before things get out of hand.



According to some respondents, there are also a number of other cases that cannot be publicly disclosed due to matters of confidentiality wherein the law enforcement has made and continues to make progress in apprehending lone perpetrators of taxi violence despite the challenges that are to be discussed in the following sections.

6.2 Reasons for the inability of the state to address taxi violence

Despite the attempts that the state has made as part of combatting taxi violence, salient challenges such as inefficient regulatory framework, poor municipal administration, inefficient and corrupt law enforcement, lack of inclusive consultation, politicization of the taxi industry and poor cooperation within and amongst law enforcement agencies other government stakeholders continue to make it difficult for government to fight taxi violence effectively, especially in the Eastern Cape Province. Many writers sought to suggest that the South African government's inability to provide strategic leadership in

curbing the taxi violence in South Africa is a sign of the loss of authority and failure on the part of the state. The Makhanda court ruling in September 2022, which compelled the South African Minister of Transport and the Member of the Executive Council (MEC) for Transport in the Eastern Cape to develop measures to counter violence that was unleashed against Intercape buses by taxi operators in the Eastern Cape, showed that the government had seemingly neglected its role of providing a safe public transport. In this judgement, which was passed in the High Court of South Africa, Eastern Cape Division in Makhanda by Judge John Smith on 30 September 2022, the MEC for Transport in the Eastern Cape was referred to as First Respondent and the Minister of Transport as Second Respondent. Section 2 of the Judgement reads as follows:

2.1 the first and second respondents have an obligation to take positive steps to ensure that reasonable and effective measures are put in place to provide for the safety and security of long-distance bus drivers and passengers in the Eastern Cape; 2.2 such measures may include, but not necessarily limited to, those contemplated in the National Land Transport Act 5 of 2009 (the NLTA”), such as 2.2.1 developing systems to improve land transport law enforcement in terms of section 85 (1) of the NLTA.... 2.3 the first and second respondents have failed to take positive steps to ensure that reasonable and effective measures are put in place to provide for the safety and security of long-distance bus drivers and passengers in the Eastern Cape.

Section 5 of the judgment compelled the first and second respondents to, within 20 days of the order:

5.1 in consultation with the SAPS and the fifth (the National Public Transport Regulator) and sixth (the Eastern Cape Provincial Regulatory Entity) respondents, to develop a comprehensive plan on the steps they intend taking to ensure that reasonable and effective measures are put in place to provide for the safety and security of long-distance bus drivers and passengers in the Eastern Cape (“**the action plan**”) (In the High Court of South Africa, Eastern Cape Division, Makhanda, 2022).

The Minister subsequently challenged this decision by trying to absolve himself from the responsibility of ensuring safety and security within the Transport Industry. The latest judgement reaffirmed the initial court order that the Minister and the MEC for Transport must “immediately, and with utmost urgency, develop and implement an action plan to ensure the safety of long-distance coach drivers and passengers” (News24Wire, 2023). In this judgment Judge John Smith lamented “I must say, however, that the minister’s resistance to co-operation with the provincial authorities is rather surprising, particularly having regard to the fact that our constitutional dispensation is founded upon the principle of co-operative governance” (Hlathi, 2023). The failure by the Minister to deal with this problem or even his reluctance thereof to adhere to the court judgment is in contrary to the overarching goals of the National Land Transport Strategic Framework (2023-2028) which was gazetted by the Department of Transport in March 2023 which states that the department has a responsibility to inter alia: “improve safety and security for all transport users..”(Department of Transport, 2023).



6.2.1 Inefficient regulatory framework

A number of authors view the ~~unthoughtful~~ rapid de-regulation of the taxi industry in 1987 as the precursor to the tide of taxi wars that followed with the advent of taxi associations. The deregulation paved the way for wars, corruption in the issuing of permits and monopolization of the industry by powerful taxi associations (National Taxi Lekgotla: 2020). This then prompted the post-apartheid government to seek ways to “provide a safe, reliable, effective, efficient and fully integrated transport operations and infrastructure which would best meet the needs of freight and passenger customers at improving levels of service and cost in a fashion which supports government strategies for economic and social development, whilst being environmentally and economically sustainable” (Magubane & Manicom, 2003). This was to be achieved in the form of the so-called Taxi Recapitalization Program (TRP) amongst other things. Almost 16 years since the writings of Magubane & Manicom, it seems like some of the intentions of the said recapitalization scheme did not necessarily yield positive results. Fobosi (2021: 179) laments

that the state's obvious preference of the formalized transport sector which includes buses and trains over the informal minibus taxi industry is cause for concern and it signals the failure of the South African government to provide strategic intervention in minibus taxi related challenges. This failure coupled with other internal conflicts in the taxi industry amongst the taxi associations, including disgruntlement over the introduction of Taxi Recapitalization Program (TRP) introduced by government, resulted and continues to result in violent taxi confrontations and the manifestation of these portrays the taxi industry as part of 'violent non-state-actors'. Even though it was written more than twenty (20) years ago, the following statement by Dugard (2001) still resonates in today's taxi industry violent legacy:

As the state control over the economy and society has weakened in the course of South Africa's transition, taxi associations have developed as informal agents of regulation, protection and extortion.

For Dugard (2001) in the absence of any formal financial control within the industry, there are no receipts, no taxation and the money that goes into mother-bodies goes straight into the pockets of the chairpersons of associations. The more senior the executive, the more money they can access. This is why there is so much competition over positions. Mother-body bosses make huge profits, extracting income from drivers, owners and local associations. The National Intelligence Agency (NIA) now State Security Agency (SSA) estimated that mother-bodies could earn over R100.000 a month per local affiliated association. During the time of Dugard's (2001) writing, the head of one mother-body apparently had R3 million in his bank account and earned approximately R60.000 a month from affiliates. This does not seem to have changed at all as Respondent L who is a taxi operator said:

Every week we pay membership fees to USTA. Recently, a heavily armed team from King Williams Town came to tell us that the membership fees have increased since the security detail of the Chairperson of USTA had to drastically change as his life is under threat from rival associations. The daily membership fee is R10, weekly fee is

R60 and monthly fee which was previously R100, will now be R200. All this money goes straight into the bank account of the mother-body into which our chairperson has a direct access.

In the above context, if the state had some level of regulation over the finances of the taxi industry, it would be in a position to enforce compliance with this regulation in the industry. Dugard and Sekhonyane (2014: 4) add by arguing that the absence of state regulation led to the groups of operators banding together to form local taxi associations which intervened to regulate loading practices and prices. In this type of arrangement, it becomes obvious that the state has inadvertently forfeited its power to legitimately regulate society and left it in the hands of social groups. Wittingly or not, the result of this is the undermining of the state authority to intervene in conflict situations. Mhlanga (2017: 376) observes that the poor regulation on the part of the state had contributed profoundly in destructive competition as well as poor service quality amongst taxi operators.



Respondent T confirms these sentiments by stating that:

As things stand, we cannot say the taxi industry is regulated. People do as they please. This results in intolerance and exacerbates conflict.

Respondent U argued in support of the above statement by asserting that:

Lawlessness when it comes to road traffic policing is the problem. Illegal operators do as they please because there is laxity when it comes to regulating the industry.

Respondent Z echoes the above sentiments by stating that:

You can't have a public sector transport like the taxi industry, which is responsible for transporting more than 50 million people per day and you do not have checks and balances in terms of regulation. There are currently no rules in the taxi industry, these people do as they please, yet we have a government that should be ensuring the safety and security of its citizens.

As displayed earlier, the results obtained from the five point Likert scale questionnaire applied in the study revealed that many respondents including were not happy with the current regulatory framework of the taxi industry and many believe that it plays a significant role in exacerbating the conflict. These views by the respondents that consist mainly of commuters and taxi operators are regarded as very important because they are the key role players in the taxi industry. The successful intervention by the United Democratic Movement (UDM) and the South African Federation of Trade Union (SAFTU) in the violent conflict between Cape Amalgamated Taxi Association (CATA) and Congress for Democratic Taxi Association (CODETA) in Cape Town in June 2021 signalled the possible weakness in the government to use its own machinery to curb taxi violence (United Democratic Movement, 2021). All what the government of the Western Cape Province did in response to the conflict was closing the routes and ranks in affected areas. The government gazette which was issued on 09 July 2021 by the MEC responsible for Transport and Public Works in the Province stated the following:



Please note that the violence may spread to other routes/ranks in the surrounding areas. I therefore reserve the right to close other routes and/or other ranks at a later stage depending on the situation on the ground and reports received from stakeholders (Western Cape Government, Transport and Public Works, 2021; 4)

Although this measure was put in place by the government of the province with the intention to avert the violence, the reality on the ground was that the violence never stopped until the UDM and SAFTU literally engaged the rival taxi associations which brought about a peaceful accord in the end. Weak regulatory framework when it comes to averting taxi violence seems to contribute to the inability of the state to solve this violence. As such, the non-state actors in form of UDM and SAFTU in this regard have sought to fill this vacuum. In a different scenario but the same context of taxi violence in Gauteng, when the conflict broke out between Witwatersrand African Taxi Owners (WATA) and the Nancefield Dube West Association (Nanduwe), the MEC responsible for Transport in Gauteng successfully interdicted

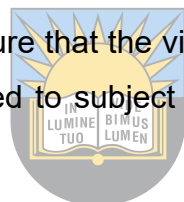
chairpersons of both associations and members from intimidating one another and obstructing the public from the right to live their normal lives as failure to abide by the interdict would lead to prosecution of chairpersons and members of rival associations. This forced the leadership and membership of both associations to engage in negotiations that resulted in peace accord, which ended the violence (Gauteng Province: Roads and Transport: 2021). Unlike the Western Cape government in the case of the conflict between CODETA and CATA, the Gauteng government ought to be commended for taking a strategic action that resulted in a peace accord between the rival taxi associations in that province, namely, WATA and Nanduwe. The general impression found from the key respondents is that inefficient regulatory framework has a profound negative impact in fuelling taxi violence.

This leaves the vacuum and as a result, the hostile taxi operators and associations devised their own means of self-regulation. Mhlanga (2017: 376) highlights that under the current regulatory arrangements in South Africa, taxi associations are registered with Provincial Registration Administrative System (PRAS) and National Traffic Registry (NTR) as provided for in the National Land Transportation Act of 2009. This regulatory arrangement has created a loophole for taxi associations to regulate the operators' use of terminals and control the supply of mini-buses by exercising territorial protection of routes (Mhlanga, 2017: 376). This therefore confers the control of routes and issuing of licenses largely on the influence of registered taxi associations as opposed to government authorized structures such as Provincial Regulatory Entities (PREs). The associations in this kind of an arrangement are able to manipulate the system for their own narrow ends, which may prejudice other associations.

The resultant effect of such is often violent confrontation. In support of this view, Mabuza (2021) brings to the fore the findings of the Commission that was established by the Gauteng government to investigate taxi violence in Gauteng. Mabuza (2021) asserts that one of the findings of the commission was that

despite the PRE that was put in place by government to issue operating licenses, the local taxi associations “are allowed to run amok and do as they please”. These associations control who gets to join them, charge extremely high fees which are generally not accounted for, rendering associations a law unto themselves and are particularly responsible for route saturation that leads to deadly violence (Mabuza, 2021). The National Taxi Lekgotla (2020: 2) report concedes that the PREs do not function based on common standards stipulated by law and this created a vacuum and removed the only basis for regulating taxi associations and enforcing adherence to a Code of Conduct by individual operators. Respondent J from key government institutions who does not necessarily support the idea of the formalization of the industry had the following to say:

I do not think formalizing the industry will solve the problem of violence. I think that the government needs to tighten its law enforcement more than anything else to ensure that the violent or hostile taxi operators and associations are compelled to subject themselves to the state authority of law and order.



Although it is still a matter of mixed sentiments amongst the taxi operators, a substantial number of taxi operators believe that the formalization of the taxi industry can solve many of the challenges that the industry is grappling with. Respondent Q who is one of the leading figures within mother-bodies in the Eastern Cape Province asserted the following:

The government does not care about us, yet we are the ones that provide the easily accessible and timely transport for the commuters compared to other modes of transport like buses and trains. If the buses can be formalized and subsidized, why can't the same be done for us? As things stand, you cannot leave the rank if the taxi is not full, otherwise you will lose business. However, buses do not have to wait to load to full capacity as they are travelling based on time slots, which is part of the benefits of being regulated. We are hungry and you cannot reason with a hungry man. The violence that you see is mainly because of this hunger.

Respondent R who belongs to a different taxi association echoed the above statement by stating the following:

There is a need for the formalization of the industry so that the drivers can be paid according to existing labour regulations. Right now, our cars are getting repossessed because everything is up, the cost of living is high, fuel prices increase regularly and so we end up spending more money on the maintenance of our vehicles and the business itself so in the end we get very little income. Had the government subsidized us, we probably would not be in this situation. Also, the state of our road infrastructure is deteriorating daily.

Respondent Q suggested the following:

We are aware that there are some amongst our ranks who are against formalization because it is likely to reduce their individual or personal benefits as they thrive in the misery of others. However, the formalization will require government to be very patient and to have a solid plan on how to provide financial support to those individuals who used to make a lot of money before regulation. The government will have to put a very convincing plan on the table to ensure that the number of those who are opposed to formalization is lesser than the number of those who are supporting it.

Respondent X who is a specialist within law enforcement said the following about the formalization:

The word 'formalization' has been used very loosely without elaborating on what it exactly means. There has to be a clear conceptualization of the 'formalization' of the taxi industry. I do however feel that formalization will go a long way in terms of stabilizing the taxi industry and it has to be a gradual process of persuading the taxi operators to accept it. You cannot just forcefully implement it without a proper consultation of the industry, you will spark fire! Otherwise, we do know that some taxi operators do not want formalization. For instance, during COVID 19 period, the former Minister of Transport wanted to provide

some COVID 19 relief funds to taxi operators, many of the taxi operators could not receive their funds because they did not have formal documentation that was required for them to get funds. There was a massive resistance to that because people did not want their details to be disclosed to government.

Respondent R said the following:

I do not think the taxi operators understand what subsidization of the taxi industry means. It essentially means formalization. At the moment, the taxi operators are making a lot of money through unregulated trips that generate a lot of hard cash that goes into their coffers. If we were to formalize the industry, like we do with the buses, it would mean that the porous flow of trips comes to a complete stop which would bring an end to excessive flow of hard cash that goes into their pockets. It would further mean that the government knows every little cent that goes into their (taxi operators) bank accounts and for every trip that they make, the state would have to tax them so that it can generate revenue for the subsidy. Actually, I think the formalization of the taxi industry as it is currently the case with the buses will create another room for more violence and resistance from and amongst taxi operators.

Respondent H supported the above statement by arguing that:

The problem within the taxi industry does not really lie on the failure of the state to subsidize the industry but it lies on certain individuals from amongst taxi associations (mother-bodies) who want to enrich themselves. Subsidizing is likely to create further controversy and violence. During COVID 19 hard lockdown for instance, the government injected COVID 19 relief funds into the taxi industry through SANTACO. However, that caused a lot of conflict and violence as funds did not go into the pockets of all taxi operators including drivers who are doing the most work, but they went straight into the pockets of influential and feared chairpersons of mother-bodies.

Despite some differences from the respondents on the question of regulation, the proliferation of violence itself as well as evidence obtained from the majority of respondents shows that the weak regulatory framework in the taxi industry is playing a significant role in exacerbating the conflict and instability. Even the views of many e-hailing drivers after they were attacked by taxi operators in Soweto showed that this was happening primarily because of the failure of the government to regulate the industry (Mutila, 2023). Respondent X laments “regulatory deficiencies” as a great contributor to instability within the taxi industry.

6.2.2 Poor municipal administration

Poor performance of the municipal administration can be attributed to poor work performance. This is because the failure of the municipality in its entirety to function properly is normally caused by officials or employees who fail to do their work. The Law Insider (2022) defines poor work performance as “the inability of an employee to meet the required standard or output for the position in which he or she is employed, e.g. less than expected output or quality, failure to meet set targets and non-conformance to reasonable or agreed standards” (Law Insider, 2022). The declining work performance in Eastern Cape municipalities has a significant contribution in the failure of municipalities to fast-track the processing of driving permits amongst other things. Qoko (2018) laments that although the National Land Transportation Act is giving the municipalities an authority to plan and implement public transport related programs, there have seemingly been a profound difficulty or reluctance when it comes to exercising this authority on the part of municipalities.

Respondent R remarked that:

I cannot tell you how many times we have been to the municipality, to submit the documents for the application of permits and utilization of certain routes. Those people never respond. Their administration is so

poor. For example, they do not even know what routes we are using as taxi operators, yet they are very quick to issue fines.

Respondent N said:

Another problem is that the government currently lacks manpower and municipalities are dismally failing. Permits require that the taxis must move from one rank to another and according to PRE, which should be directed by a local municipality, the taxis are not supposed to stop whilst on an existing trip.

Respondent O echoed the sentiment that the local municipalities never respond to their applications. Even when they follow-up at times they do not get a clear response. Respondent R reiterated that:

In the Eastern Cape, we have a problem of poor municipal administration. Like they never respond. You submit documents to them and you wait forever, even when you try to follow up on your submission, you do not get a prompt response.



Respondent T agreed to these sentiments by saying:

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Uncontrolled taxi ranks and the systematic failure by municipalities to regulate route allocation is a problem. Municipalities are simply not playing their part.

Some authors like Cashdan (2010: 1) attribute the poor functioning of some of the South African local municipalities in a democratic dispensation to apartheid segregation laws. These laws created a situation wherein the local municipality in a democratic state had to grapple with institutional weaknesses, service backlog and lack of finance inherited from the apartheid government's uneven spatial planning programs. These gaps were left intentionally unattended by apartheid government since most of the people who required services from such municipalities were predominantly black and therefore pushed to economic side-lines. Masiya et al (2021: 102) support this view by arguing that in general, poor service delivery in South African municipalities reflects the

legacy of apartheid laws. The proliferation of public service protests in most parts of the country is a direct consequence of the inability of respective local governments to meet basic standards and reasonable expectations of the citizens. In addition, the poor performance of local municipalities is caused by the following inter-related factors: a tense and bureaucratic environment, negative power struggles, over-regulation, political interference, lack of coherent management systems, absence of a culture of excellence, poor skills utilization, poor oversight mechanisms, weak capacity to engage in collaborations and lack of trust between councillors from different political parties.

Koma (2019: 15) adds that weak leadership in strategic management that include shortage of skills to implement financial management; legislation; misplacement of skills within municipalities and political considerations in appointment of senior managers without required qualifications had tremendously weakened the performance of municipalities. In his assessment of the Eastern Cape municipalities, Ngumbela (2021: 4) makes the following assertion:



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Several municipalities in the province have registered a poor revenue base because of their failure to raise revenue from corporations and other government agencies and organizations. Also, the ill-advised amalgamation of impoverished municipalities created a slew of problems that appeared as community dynamics on the surface but were really a lot of mistrust and misalignment.

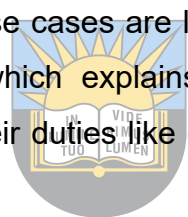
Ngumbela (2021: 4) also laments the general lack of technical expertise offices such as: the Municipal Manager, Chief Financial Officer (CFO) and support offices such as the Supply Chain Management. The key problems in these offices have to do with inappropriate placement and inadequate skills. Mishi et al (2022: 12) add by arguing that the main reason why municipalities are inefficient, particularly in the Eastern Cape, is because they are managed by personnel that are not qualified for their jobs. In the Eastern Cape, the majority

of people who are managing the municipalities are the elders. Therefore, there is a need for the diversification of the municipal staff by complementing it with young people who will be able to both generate new ideas as well as empowering the municipalities to give a much-needed support to the youth (Mishi et al, 2022). Another consequence of poor job skills in municipalities is over-consulting. In May 2023, the Auditor General of South Africa revealed that too many municipalities were using consultants to do simple tasks such as compilation of their VAT returns. Consultants were mostly used for asset management services, tax services and the preparation of review of financial statements (Erasmus, 2023). Qoko (2018) further stresses this view by arguing that local municipalities are increasingly dependent on consultants in dealing with transport matters and as such, stupendous amounts of money are used to pay consultants instead of being used to develop meaningful programs for the public transport. In this regard, the Auditor General's report recently revealed that these consultants are not even competent (Erasmus, 2023).



Against this backdrop, the processing of licences and driving permits for taxi operators also get negatively affected. According to Banda (2022) of the Daily Maverick, the Auditor General of South Africa recently revealed that nearly half of 39 municipalities in the Eastern Cape Province were on the brink of financial collapse. These municipalities were also being investigated by Hawks for financial mismanagement. It was revealed that poor financial management practices plagued the Eastern Cape municipalities and there were no adequate transparency and accountability measures put in place by the management. As a result financial irregularities and corruption permeated in these municipalities. It was shown that the Eastern Cape municipalities owed R2.85 billion to Eskom. The municipalities that owed the most included: Enoch Mgijima Local Municipality- R743 million; Walter Sisulu Local Municipality-R444 million; King Sabata Dalindyebo Local Municipality- R132 million; Raymond Mhlaba Local Municipality-R265 million; Inxuba Yethemba Local Municipality-R325 million and DR Beyers Naude Local Municipality- R285 million.

According to Damba-Hendrik and Isaac (2022), the salary bill for all the municipalities within the province had exceeded the equitable share of R11.2 billion received from the national government and competed with service delivery for limited government funds. In the context of the above, it comes as no surprise that between 2021 and 2022 the Amathole District Municipality and Amahlathi Local Municipality respectively had failed to pay their employees in certain months due to financial bankruptcy. Dayimani (2021) reveals that in January 2021, the Amathole District Municipality announced that it would not be able to pay its 1600 employees for four months due to financial constraints caused by low revenue collection amongst other things. In May 2022, Amahlathi Local Municipality also failed to pay its 260 employees. When it was faced with the similar problem in January of the same year, the municipality resorted to an arrangement of food vouchers for its affected employees with a local Pick n Pay supermarket for the duration of the problem (Dayimani, 2021). Without a shadow of doubt, these cases are likely to result in low work morale amongst the staff members, which explains why in some cases they are accused of failing to perform their duties like expediting issuing of permits and route allocations.



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6.2.3 Corrupt and inefficient law enforcement

There is a strong feeling amongst authors and general members of the public that part of the reasons for the widespread taxi violence and conflicts is the proliferation of corruption within law enforcement. Although the previous section has addressed the municipalities, it is important to understand that in this section an emphasis is once again made on law enforcement or traffic officers within the municipalities. Law enforcement in the municipalities comprises of government officials that are discussed in this section. Thus, the law enforcement discussed in this section does not only talk to the police but it also talks to those government officials that work within the law enforcement of the municipalities and that are responsible for the issuing of permits. In essence, this section discusses the law enforcement officers as the police and officials in municipalities. Myint (2000: 35) defines corruption as “the use of public office

for private gain, or in other words, use of official position, rank or status by an office bearer for his own personal benefit". The examples of a corrupt behavior include, inter alia; bribery, extortion, fraud, embezzlement, nepotism, cronyism, appropriation of public assets and property for private use, and influence peddling. Dugard (2001) laments that what exacerbated taxi violence in the late years of apartheid and early years of a new democratic dispensation in South Africa were acts of corruption amongst government officials.

These government officials were complicit in dealings in the taxi industry and they used their influence to award operating licenses and permits to their friends and in some cases received bribes. It appears that this practice did not necessarily disappear with time. Tanzi (1998) noted that for the state to function properly there have to be some forms of regulations and rules that are put in place for certain activities concerning the public service to occur. For people to be engaged in these activities and according to these established rules and regulations, they may require a particular permit or license from a government or state official who has been entrusted with the responsibility to provide these licenses or permits. Concerning these rules and regulations and the public servants, Tanzi (1998) posits the following:

The existence of these regulations and authorizations gives a kind of monopoly power to the officials who must authorize or inspect the activities. These officials may refuse the authorizations or may simply sit on a decision for months. Thus, they can use their public power to extract bribes from those who need the authorizations or permits... The fact that in some cases the regulations are non-transparent or are not even publicly available and that an authorization can be obtained only from a specific office or individual—that is, there is no competition in the granting of these authorizations—gives the bureaucrats a great amount of power and a good opportunity to extract bribes.

Berrett (2003: 8) makes the following remark in relation to the scourge of corruption in government on issuing of permits and licenses:

Given the limited number of permits and the difficulties obtaining them, bribery and corruption became increasingly common between taxi owners and law enforcement officers. The worst offenders were (and remain today) traffic officers and other traffic department officials such as those accepting payment of fines. Prosecutors and other court officials have also been involved. Not surprisingly, associations emerged to represent the interests of owners, creating a powerful cocktail of conflict between taxi owners and the various tiers of government and law enforcement agencies.

Hyman (2021) reveals that according to the official report released by the Western Cape Transport department in July 2021 it was revealed that in some parts of the Western Cape Province for instance, the local taxi associations work very well with municipal planning authorities and they at times abuse the working relationship that they have by operating illegally. Once the law enforcement unit of the municipality issues fines and impound taxis, then these illegal operators run to local taxi associations for protection. The local taxi associations will then use their lobbying power to recruit municipal officials from the traffic department, political players and members of the SAPS. This is obviously done through bribes amongst other things. In October 2020, a number of officials from the Department of Transport in KwaZulu-Natal were arrested for taking bribes in exchange for issuing of permits to taxi operators without the proper documentation. SANTACO welcomed the arrest of these officials and stated that even those taxi operators who were involved in acts of bribery, bypassing legal prescripts to get operating licenses, should also be arrested. SANTACO further posited the following:

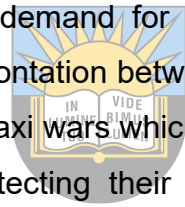
People are killing each other and they are fighting over taxi routes. It is shocking to note that people from the transport department are issuing false permits, which is causing a war in the taxi industry (Nxumalo, 2020).

In a meeting held between the law enforcement agencies, Congress of the South African Trade Unions (COSATU) and SANTACO in August 2018 in the Parliament of the Republic of South Africa it was revealed by SANTACO that

“bribery and corruption between operating licence issuing authorities and applicants is also a major cause of the conflict” (Parliamentary Monitoring Group, 2018). In relation to the government’s law enforcement response to the problem of taxi violence COSATU posited the following:

Law enforcement is reactive and not proactive regarding taxi related violence. There is no coherent strategy amongst law enforcement regarding how best to deal with taxi related violence (Parliamentary Monitoring Group, 2018).

Grootes (2018) argues that the continued presence of violence within the taxi industry raises questions around the state’s capacity through its law enforcement agencies to enforce law. Lomme (2009: 3) argues that the lack of law enforcement is not by far the only flaw in urban transport policy that fuels violence in minibus taxi industry; fateful inadequacies in the award of operating licenses without regard to the demand for public transport have also been incriminated for the deadly confrontation between taxi operators. Therefore, the state’s failure also accounts for taxi wars which in effect come down to turf wars between warring factions, protecting their markets against infringement of operators (Lomme, 2009: 3).



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The National Taxi Lekgotla (2020: 9) report states that the current fragmented approach which relies on the capacity of individual provinces to enforce public transport laws and weak support from the SAPS creates a culture of impunity. The involvement of government officials responsible for law enforcement like traffic department in municipalities and police officers in the taxi industry is one of the major contributors to a lax law enforcement when it comes to dealing with taxi violence. Accusations of the members of the police force being part of the violent taxi business come a long way. In 1995, Roberts (1995) of the Mail & Guardian lamented that the taxi wars that took place around King Williams Town, Stutterheim, Queenstown, Peddie and East London including some former Ciskei towns were exacerbated by the involvement of the police officers in the former Ciskei. These police officers owned fleets of taxis and had

interests in securing certain taxi ranks for their own operators. According to Berrett (2003: 8), the Gauteng Commission of Inquiry into taxi violence that took place between 1996 and 2000 in Soshanguve found that the police in and around Soshanguve were not only providing weaponry and protection to hit squads but in some instances they were directly involved in the shooting of passengers and drivers. The commission found that some members of the South African Police Service actually participated in and fuelled taxi violence in that province. Amongst other things, the report asserted the following:

There are cases where the members of the SAPS, out of allegiance owed by them to the taxi industry, have made government property available for use by the taxi industry in the fuelling and carrying out of taxi violence (Swindells, 2000).

Over 22 years since the report referred to by Swindells, the evidence shows that the situation had never changed, instead it seems like it has worsened over the years. According to DispatchLive (2022), the spokesperson of the Department of Transport in the Eastern Cape also lamented that what complicates the fight against taxi violence in the province is the involvement of some police officers in the taxi business. The SAPS Provincial presentation of the Eastern Cape Province (2023: 6) also alludes to this fact and states that the allegations of the involvement of police members in the Eastern Cape were “being subjected to an intelligence driven exercise” which exercise has not been explicitly explained probably for security reasons.

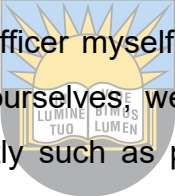
Respondent G supported the above view through the following words:

One of the things that frustrates the efforts of the law enforcement agencies in dealing with taxi violence, is the involvement of law enforcement officers themselves in the taxi business. What they do is that as law enforcement officers, they unlawfully disseminate government intelligence to their friends in the taxi industry and start targeting those genuine law enforcement officers who are dealing with sensitive cases.

Bhengu (2021) supports the above observation by stating that the Commission of Inquiry into taxi violence in Gauteng which was established by the MEC for transport, Jacob Mamabolo, revealed that the law enforcement officers especially from SAPS were not only involved in taxi violence in that province but were also beneficiaries of the industry. According to Bhengu (2021), the commission issued the following statement:

This view has been reinforced by the fact that in some of the incidents of violence, state-issued rifles and pistols were used and some of these have been confiscated from suspects. There are also numerous examples where criminals in the industry have been able to avoid arrest due to forewarning which could only come from elements in the Law Enforcement Agencies who are conspirators.

Respondent T added:



I am a law enforcement officer myself but I am sitting with people that are corrupt. From within ourselves we are corrupt. People come into the police force dishonestly such as producing fictitious matric results and so on. In other instances, some members of the police force loan firearms to criminal individuals in order to get money. People want an easy way out to make money. There is definitely a problem of conflict of interests in some instances. Some of us are involved in the taxi business itself.

In support of the above statement, Respondent X, had the following to say:

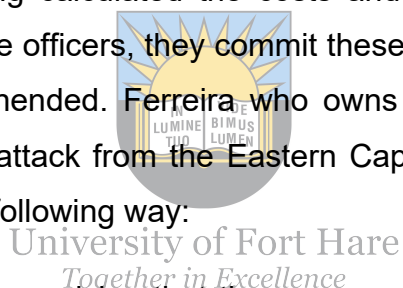
The law enforcement authorities are complicit. What we have picked up is that some of the police officers are part of the taxi industry. They are owning taxis and what they do is to give forewarning to their fellow rogue taxi operators. This frustrates operations and renders them dysfunctional.

In addition, Respondent G echoed the above sentiment by saying:

Mitigate taxi violence by arresting and convicting those implicated in taxi violence. Deal harshly with police officials, traffic officials, magistrates

and prosecutors involved in corruption as their activities further perpetuate taxi violence.

When asked about whether crime intelligence does its work effectively in order to feed other units with proactive information to counter violence before it even occurs, Respondent T alluded, “well I do not have an answer to that”. This answer suggests a possibility that there is very minimal or inadequate support that is received from crime intelligence to counter violence even before it happens. In addition, there is a strong view that the South African Police cannot tackle and have failed to tackle taxi violence. Many have complained that the taxi operators commit these violent crimes with impunity, knowing that they would not be held accountable by the police. Instead of being dissuaded by fear of reprisals, the taxi operators seemingly have made their rational choice of violence, having calculated the costs and benefits. Since they are colluding with some police officers, they commit these criminal activities without any fear of being apprehended. Ferreira who owns Intercape Bus Company that was recently under attack from the Eastern Cape taxi operators accused the police of laxity in the following way:



It is completely unsurprising that these rogue taxi associations became emboldened and brazen to the point where they have acted with absolutely impunity in front of the members of the South African Police Service, knowing that the state is unwilling, incapable, or worse, complicit, in what is taking place (Broughton, 2022).

Respondent G continued to state that:

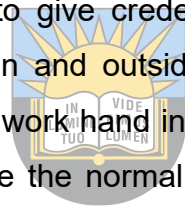
Government does have enough resources to deal with violence; however the lack of political will; corruption (Law enforcement officers taking bribes from taxi operators) are some of the factors which impact on the ability to resolve violence in the taxi industry. The other concern is that most often; taxi operators often prefer to resolve their issues with violence, hit squads rather than involve law enforcement agencies.

Adding on the above assertion, Respondent V lamented:

Corruption within law enforcement is a fundamental problem. For instance when it comes to the issuing of permits, since they are not enough, there is always a 'middle man' that must be utilized between rogue taxi operators and traffic officers. This 'middle man' ensures that they receive money from rogue taxi operators on behalf of corrupt traffic department officials who will then issue the permit to these taxi operators through this 'middleman'.

In addition, Respondent S, also a law enforcement agent, stated the following:

Some police officers live in the same residential areas with rogue taxi operators. So they get scared to charge them, fearing the danger of risking their lives. Also, to give credence to the allegation that some government officials within and outside the law enforcement including within political parties, do work hand in hand with taxi operators to issue tenders that are far above the normal price during government special events.



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On living in the same residential areas, Respondent Z echoed the above statement by stating that "remember these police officers live in the same locations with the very same taxi operators. So they are scared".

In February 2023, the SABC online news played a video which also made rounds on social media showing one of the alleged 'izinkabi' or 'hitmen' who are paid to commit political assassinations (SABC News, 2023). This hitman revealed the strategies that they use to commit assassinations. Amongst other things, he stated that they do work with law enforcement officers. These law enforcement officers help by tipping them off when there are roadblock plans and guide them to use alternative routes in order not to be captured by law enforcement agencies. The hitman went on to state that sometimes they also do get some ammunition and weapons from the law enforcement officers. Another hitman who confessed to ENCA (2020) about taxi killings in KZN

revealed that they normally pay the police officers 25% of profit obtained from each killing. The hitman further indicated that the police officers usually assist by ensuring that they are the first people to arrive at the scene after murder in order to cover up for assassins and to ensure that the assassins do not leave anything that could make them traceable. This confirms the observation of Bhengu (2021) that the law enforcement members are most probably tipping off hitmen during roadblocks and searches to avoid arrest.

Haas (2023) laments corruption within SAPS by positing the following:

The extent of corruption in the SAPS – which poses a serious danger to the lives of good, dedicated members as well as the public includes covering for illegal guns in the security industry, in which like the taxi industry, police and politicians may have interests.

To further demonstrate how corruption has become increasingly rampant in the SAPS, Cruywagen (2023) of the Daily Maverick online news reveals that some recruitment offers in SAPS academies accepted bribes from recruits so that the recruits could attend academies without passing rigorous tests. It is alleged that some of those recruits who managed to enter illegally into the system were amongst the 10000 new constables that were appointed in December 2022. Further, it is apparent that three people whom SAPS indicated they were not part of their members were recently arrested in connection with this allegation. There are more than 1000 SAPS trainees who were excluded and were replaced by those that had paid bribes to SAPS training officers. This was allegedly revealed by some former SAPS officer who had become a whistle-blower. This whistle-blower provided the list of those “excluded trainees” to the Independent Police Investigative Directorate (Ipid). This remains a serious cause for concern as it implies that the SAPS has appointed members who had not passed all the critical stages of recruitment and training in order to become competent police officers who are able to deal with complex cases (Cruywagen, 2023). This by implication means that the service itself will have incompetent officers who do not have the capacity to deal with challenges such as taxi violence amongst others because of corruption. Another concern that

often comes up is lack of visible policing. The Chief Executive Officer (CEO) of the Intercape Bus Company Mr Johann Ferreira recently appeared on Newsroom Afrika Channel 405 lamenting that despite the court order that compelled the Minister of Transport and MEC for Transport in the Eastern Cape as stated earlier, attacks on Intercape buses continued unabated in Gqeberha. He went on to state that because of the non-visibility of SAPS in dealing with this problem, the company has resorted to deploying its own security. As described by various authors in Chapter 2 that when the state fails to fulfil its traditional functions such as provision of security for instance, citizens revert to other available means in order to close the gap that was left open by the state. In this process, violent non-state actors emerge (Villa and Pimenta, 2019; Ferreira et al, 2021; Williams, 2008). The Intercape CEO went on to argue:

The police have not made one arrest and that tells me that they are in cohorts (with rogue taxi operators) and if they are not in cohorts then they simply cannot do their work. I am worried about all the companies and individuals that get affected by this mafia-style kind of violence because the police are completely incapable, they are incapable (Newsroom Afrika 405, 09 March 2023; 20:30).

It remains imperative that in order for the country to have effective, uncompromised and competent police service, the state should take deliberate and prompt actions to use legislation that is at its disposal to deal with corruption and increase visibility in crime hotspot areas. Another challenge that was discovered is that the South African Police Force does not seemingly have sufficient capacity to quell the violence.

Respondent T lamented:

Our resources are not enough. We lack manpower and equipment. We are very under resourced and as such, there is a significant instability to respond to cases. There is even shortage of vehicles. So this necessitates a swift intervention from the national government itself.

This section stands to reason that a number of factors within the law enforcement agencies continue to make it elusive for these agencies to effectively tackle taxi violence. The simultaneous problems of corruption amongst officers that entail inter alia receiving of bribes, corruption in recruitment, conflict of interests, cohorts with rouge taxi operators and the shortage of resources effectively result in inability of the state to stop taxi violence.

6.2.4 Lack of inclusive consultation

There is also a feeling amongst members of the taxi associations that the government is failing to consult all taxi associations inclusively. As already alluded in Chapter 2 of this study, Piri and Kjellin (2021: 2) describe the process of inclusion as that which allows people to participate in activities, in order to enable them to form mutually beneficial relationships with others. MacMaster (2014: 44) determines essential elements of inclusion that include relationships, shared experiences, advocacy, a sense of identity, and transparency. When these elements do not take place, the policy makers in government may experience difficulties in the implementation of the policies that they make and these may result in conflicts amongst the stakeholders and the policy makers themselves.

In this regard, Torjman (2005: 9) suggests that for effective policy implementation, there is a need for policy makers to engage citizens in the discussion of options. Citizens are generally keen to ensure that their voices are heard in the formulation of public policy. The views of some taxi operators and authors are that the government has its own preferred associations which makes its interventions look biased and more favourable towards those associations at the exclusion of others. In 2022, the Eastern Cape Premier, Mr Lubabalo Oscar Mabuyane established a provincial taxi task team (PTTT) which aimed to resolve conflicts amongst rival taxi associations. This task team was accused of being biased and subjective including lack of inclusivity in its

approach and as such there were subsequent calls for its demolition. According to Velaphi (2022), the chairperson of UTA who is part of the provincial SANTACO faction called SANTACO B which resulted in the original SANTACO being called SANTACO A as referred to in Chapter 4 of this study, has recently penned a strong worded message to the Eastern Cape Premier. Part of the message reads as follows:

Premier, we are again requesting you to remain neutral, do not take sides, let the peace process take its course, do not fuel violence, do not finance these individuals called Santaco, pending the resolutions still to be taken at our peace meetings (Velaphi, 2022).

This letter came after a meeting that the worrying taxi associations, namely; SANTACO A and SANTACO B in the Eastern Cape met with amaXhosa King Ahlangene Vulikhaya Sigcawu with intentions to resolve taxi wars in the Province. Velaphi (2022) continues to reveal that the meeting was progressive in that the worrying taxi associations agreed to silence guns and negotiate towards a peaceful settlement of their problems. Part of the resolutions was that the Provincial government should withhold the R3.5 million pay-out that it was due to make to SANTACO in the form of SANTACO B faction. However, the Premier has been accused of taking sides and only consulting with SANTACO B to proceed with the payment of R3.5 million even after the said meeting. It is for this reason that the Chairperson of SANTACO A had written to the Premier pleading with him not to take sides. It is therefore the view of the taxi operators that placing the R3.5 million on hold would help stop killings. In this regard, Velaphi (2022) quoted the Chairperson of SANTACO A stating the following:

Releasing the grant while we are busy [addressing] the situation will derail the peace process, and again you will be fuelling more killings, as it is publicly known that since the funds were stopped by MEC [Xolile] Ngatha, people are no longer killed.

Respondent T has also affirmed this feeling amongst taxi operators that the government is not consulting inclusively by saying the following:

What complicates cooperation with taxi operators is that if today I talk to you (taxi association), others (taxi associations) will say I am favouring you at their exclusion and when I go and try to talk to others, you will say I am favouring others at your exclusion. So it is very difficult my brother.

When the attempts of government through the NTTT to provide stability in the taxi industry seemed to be more elusive, the government in 1999 tried to introduce the Taxi Recapitalization Programme (TRP) with intentions to replace the fleet that were deemed to be old and risky to both the taxi operators and commuters, but also to provide some form of regulation in order to avert violence. Upon introducing this programme, the government subsequently recognized SANTACO as the representative body of the entire taxi industry. The Gladstone Commission of inquiry that investigated taxi violence between 1991 and 1994 advised against a single body as a sole representative of the entire taxi industry (Vegter, 2020: 11). As such, it is generally viewed that the government's consultation process was not entirely inclusive of the industry. Instead of minimizing violence as per the original intentions of the TRP, it appeared that the opposite occurred, that is the proliferation of violence. This violence was fuelled by those disgruntled taxi industry factions like National Taxi Alliance (NTA) who felt that the government's consultation method was not inclusive. The violence was exchanged between those who favoured and those who did not favour the TRP. Even the National Taxi Lekgotla that took place in 2020 drew some criticism amongst taxi associations that it was not inclusive as it only catered for SANTACO and not NTA.

Fobosi (2013: 3) argues that the taxi formalization process is yet to face more challenges as long as it is a top-down process, which does not consider the nature of work in the taxi industry. Fobosi stresses a need for a fully consultative policymaking than a 'top-down' approach. Lack of proper consultation leads to many of important considerations of factors affecting taxi operators being excluded in the policymaking plans or deliberations. Tsoka

(2016: 28) argues that there are significant loopholes that showed in the development of the TRP. The requirement that taxi operators should turn in their old vehicles and be compensated R50,000 by the state would be too onerous for many operators who could not afford new taxis and it would inevitably lead to job losses on people like drivers, hawkers, mechanics, minibus washers and those whose livelihoods were tied to the taxi industry. The government should begin a new process of consultation and make a thorough determination as to who represents the industry and what their needs are. The concerns of the NTA as an important actor within the taxi industry should also be taken seriously (Tsoka, 2016).

Van Schalkwyk (2008: 773) supports this view by stating that inadequate consultation with the public relating to various aspects of a specific policy could threaten the potential success of such a policy, making the policy process, and more specifically the formulation stage, a futile exercise. The policy of taxi recapitalization is a flawed one in that it only targeted taxi owners and excluded other role players such as drivers, vehicle washers, fare collectors and rank marshals. The policy has the potential to influence the socio- economic circumstances of all these role players, not just taxi owners (Van Schalkwyk, 2008: 70). Based on the views of Tsoka, Fobosi, and Van Schalkwyk, the prescriptive rather than a fully consultative form of policy making by government on taxi industry will simply fuel instability within the industry. Respondent K lamented:

We are told that this government is for all of us but the manner in which the government is consulting in the industry is really strange. It simply chooses those that it intends to communicate with and omit others. The reason why we have SANTACO A and SANTACO B in this province is exactly because of this lack of inclusivity in the manner in which the government consults the industry.

Affirming the assertion that there is a lack of inclusion on the part of government when it comes to working with other taxi associations, Respondent X alluded:

The reason some taxi associations like the NTA are not happy is the fact that SANTACO currently behaves like a taxi association, yet its very foundation was based on the idea of it being a council and not an association. Right now SANTACO does not seem to be serving the interests of other taxi associations which is why government is accused of lacking inclusivity and discriminating against other taxi associations like the NTA. The idea of the review of SANTACO is not farfetched. It may be important for the government to consider reviewing SANTACO and determine whether or not it serves the interests of all taxi associations as was initially intended.

Respondent Z adds to this complaint by stating the following:

The problem is that SANTACO was formed from an external perspective of the taxi industry impasse. It was decided by politicians in government, who did not necessarily have a thorough understanding of what needed to be done. As a result a structure in the form of SANTACO was sort of imposed on the taxi industry with may taxi associations disregarding it as their main representative, complaining that there was no thorough consultation in its composition. Therefore, the allegation that the government lacks inclusivity in dealing with the taxi industry impasse is legitimate.

6.2.5 Politicization of the taxi industry

The general feeling within the populace is that there is heavy politicization of the taxi industry by some government officials who also belong to various political parties. This results in a situation where political interests in the taxi industry supersede attempts to stabilize the industry. In attempting to conceptualize the concept of politicization, Gheyle (2019: 34) argues that the term politicization is quite difficult to conceptualize as it is subjected to various ambiguities in terms of what it entails. What makes the concept even more

difficult is the fact that it is not tied to any ontological or empirical point of view. Despite many interpretations of the concept, Gheyle (2019: 35) asserts that in public office when administrative decisions such as promotion, selection, rewards, etc., are taken based on political considerations, this amounts to the politicization of the public office. For Fuenzalida (2019: 12), politicization is one of the main mechanisms in the quest for bureaucratic control. The concept broadly refers to the “substitution of the neutral criteria and technical expertise of the civil service due to political or even personal biases”.

Once again, this affirms the views of one respondent who lamented that part of the reasons the government is seen to be lacking in dealing with taxi violence is because of political and personal interests imbued amongst those that have been entrusted with the responsibility of dealing with the taxi industry. Various allegations have been made by some political parties, individuals and taxi operators themselves that when it comes to the taxi industry, the government has often taken inconsistent decisions that show bigotry towards certain taxi associations. In some instances, there were complaints that some decisions served political interests of certain political parties. For example, Dentlinger (2023) reported that during a weeklong taxi strike that took place in Cape Town early in August 2023, the provincial ANC leadership in the Western Cape lamented that the unrest in the taxi industry was done deliberately by the Democratic Alliance (DA) in order to unsettle ANC strongholds in the city. During the apartheid era, there were allegations that the apartheid government destabilized the taxi industry for political ends. Dentlinger (2023) quotes Justin de Allende of the ANC as saying the following:

We are of the view that this might be a strategy of the DA to destabilize our communities and to start a process of sending a message of the ‘swart gevaar’ (black danger).

According to Princewill (2019), the term swart gevaar was frequently used during the apartheid era in South Africa as a way of asserting that black people were a danger to white South Africans. As Princewill puts it “it was the fear that the gatherings of these black South Africans would put ‘whiteness’ at risk”.

Viewed as indirectly lashing out at the DA led government in Cape Town and in response to the taxi violence that happened early in August, the South African Minister of Police Beki Cele was quoted by Nene (2023) of the Eyewitness news as stating the following:

And everybody must come down on their high horse. Everybody must swallow their pride and everybody must stop being arrogant. This is happening not at the expense of those people who are refusing to resolve the matter, it's an ordinary black child who can't go to school. On behalf of those people, people must swallow their pride, come together and resolve this matter.

On the same matter, the Minister of Transport Sindisiwe Chikunga who is also an ANC Member of Parliament (MP) lashed out at the City of Cape Town's 'arrogance' and stating that the city cannot be allowed to introduce its own laws that are outside those of the Republic of South Africa. According to BusinessTech (2023), this was made in reference to the by-laws that the city had recently launched and which resulted in the impoundment of a number of mini-bus taxis. The Minister was of the view that these laws were draconian and the kinds of some of the offences that were committed by taxi drivers or operators did not warrant impoundment (BusinessTech, 2023). These laws resulted in the strike. On the other hand, the DA had accused the Minister of politicizing this situation by arguing that her comments were not a misjudgement but a calculated political move to benefit the ANC in the upcoming elections (Wilson, 2023). The DA eventually submitted a complaint to the Parliament's ethics committee accusing Chikunga of violating the ethics code and undermining the integrity of Parliament by inter alia "siding with Santaco". Respondent W, who is a law enforcement agent, had the following to say:

What you see now are politicians playing the blame game, deeply politicizing and polarizing the situation further instead of putting their political differences aside and work together to solve this impasse. The

sad thing is that it is the ordinary citizens that are bearing the brunt of this prolonged violent strike.

Respondent V, reflecting on the situation in the Western Cape Province lamented:

The narrative that is currently being pushed from the Economic Freedom Fighters (EFF) and ANC is that buses are white businesses whilst taxis represent the black business. Thus, the 'draconian' laws passed by the Western Cape government seek to appease white voters that constitute the majority in the Western Cape, whilst the blacks and coloureds who live in the margins of the province are ignored. On the other hand, the Western Cape government can't be oblivious about the plight of black people in the Western Cape, perhaps they need to change their perception about the taxi industry.

With regards to this matter, Respondent X also lamented that "what we see here is deep politicization of the taxi industry especially in the build up towards the upcoming 2024 elections". According to Respondent Z, the politicization of the taxi industry in the Eastern Cape is deep and it is partly the root cause of conflicts. Respondents Z laments that "some politicians have taxi interests. That is hidden because they register their relatives, yet they have a direct interest and influence in the industry".

Respondent Z continues to assert the following:

Sometimes the taxi operators are encouraged to block roads by the very same politicians who have access into government positions like for instance the Deputy Director Generals (DDGs). These high profile politicians would then influence taxi operators to go on a strike or blockade a road demanding a particular pay out from government. They would do so in hope to receive kickbacks from these taxi operators once those funds are released... There is sometimes conniving or collusion between politicians of a particular faction, like for instance, from the

ruling party (ANC) and taxi operators from some taxi associations. Some of the conflicts that we see are politically motivated. This is done in order to secure and score some political points. In short, the taxi industry is heavily politicized and this further complicates and compromises the efforts of our government in its quest to solve taxi violence.

Respondent Z continued to lament that even the taxi task team which was established by Premier Oscar Mabuyane was accused of being political and factional and as such, some taxi operators do not have confidence in the Premier's intervention. Respondent Z further revealed:

Another issue is that during political rallies, tenders are issued in order for certain taxi associations that have links with some politicians to get those tenders. We see this during election time as well. There are allegations that politicians that are in high government positions facilitate these for preferred taxi operators as opposed to following fair and formal tender processes. These continue to ignite conflicts within the taxi industry.... As things stand, I do not think the current politicians are capable of solving the taxi industry problem because they are just too implicated and compromised. Even when they would have to negotiate, I doubt they would do so in good faith.

In light of the above, the political interests have seemingly deeply found their stronghold in the taxi industry. Politicians are undeniably fighting for political advantage especially in the build up to 2024 national government elections in South Africa. However, one may further argue that the problem of the politicization of the taxi industry did not only start in 2023 since the country was soon to hold elections in 2024 at a time of writing. According to Mntamo (2021), sometime in 2021 an incident surfaced in Limpopo wherein one taxi operator branded his mini-bus taxis: "Hands off Ace Magashule". This happened at a time when the former ANC Secretary General, Ace Magashule, was charged for state capture related offences, which resulted in his suspension from the party. Following this incident, the then Minister of Transport Fikile Mbalula's

voice circulated on social media platforms wherein he was rebuking the taxi operator in question. In the voice note, the Minister was heard asking the taxi operator “what are you trying to do? The organization is bleeding, comrades are appearing in court and you are busy branding taxis here” (Mntamo, 2021). SANTACO later issued the following statement:

These taxis and whatever they seek to promote DO NOT represent the view of SANTACO or the taxi industry. We strongly condemn this misleading conduct. The matter is receiving attention internally (Mntamo, 2021).

Despite the above statement, however there is a general view that SANTACO itself is the puppet of the politicians of the ANC. This allegation was not only displayed at a time when the current Minister of Transport was ‘defending SANTACO’ as the DA alleged, against the Cape Town’s ‘draconian laws’, but the NTA has also alleged that SANTACO was receiving a preferential treatment from the ANC led government at the exclusion of other taxi formations in South Africa (Vegter, 2020). In the Eastern Cape Province, precisely because of similar accusations, SANTACO has now been divided into two groups namely SANTACO A and SANTACO B (Velaphi, 2022). The problem of the politicization of the taxi industry is further delaying or making it more difficult for the government to effectively tackle the violence and it creates a situation where some associations like NTA at times refuse to work with government or SANTACO.

6.2.6 Insufficient levels of cooperation within and amongst key law enforcement agencies and other government stakeholders

A variety of respondents from law enforcement lament fragile working relationship and cooperation within these organizations and other government departments. The idea of cooperation within the law enforcement agencies and with their stakeholders can be best understood in the context of the principles of cooperative governance. Makoti and Odeku (2021: 44) posit that co-

operative governance entails that all spheres of government, which are national, provincial and municipal, work together for the common good of the country, the citizens and the society at large. Lack of cooperative governance as Makoti and Odeku (2021: 43) put it, will result in poor service delivery outcomes, anarchy and ultimately dissatisfaction of the people in society and disillusion which may cause disorder and vicious protests due to lack of service delivery. Of late South Africa has experienced a variety of service delivery protests as a result of dissatisfaction of citizens about the inability of the state to provide basic services, with security concerns being one of these complaints.

Most of the time, as some respondents have suggested, this reluctance to cooperation is caused by the conflicting interests by some officers who also have business interests in the taxi industry as defined under section 6.2.3. As such, the level of information sharing deteriorates. In other instances, paranoia over the sharing of sensitive information and issues associated with 'professional jealousy' are also at play. Professional jealousy is colloquially known as a situation in which the officials or employees who work for the similar organization compete for advantage over access and possession of information, thus placing one's personal ambitions for career growth ahead of the other. Respondent T lamented the following.

People need to understand that there is no single law enforcement organization that can solve taxi violence alone, we need each other. All stakeholders must come to the negotiating table. Despite the presence of some joint meetings that we have as stakeholders, we battle poor attendance from other members and this further complicates our attempts to fight taxi violence.

Newham and Masuku (n.d) are of the view that it is difficult enough to ensure problem free communication and coordination amongst different components of a single organization let alone between two or more totally different and individual entities. Newham and Masuku note the following key impediments to a successful cooperation and partnership amongst law enforcement agencies and government departments:

- Vested interests of the different agencies might not necessarily be compatible with each other;
- Short-term thinking which may prevent agencies from thinking about the bigger picture or strategy;
- The sheer complexity of some tasks, and
- Divergent professional organizational cultures.

In mitigating the above impediments, Newham and Masuku (n.d) highlight that it is important for agencies to ensure that there are incentives in place to ensure that joint programmes are funded adequately. Furthermore, there is a need for law enforcement agencies to have strong leadership that is pro-collaboration and which is more committed in ensuring that the officials have bought into the idea of cooperation. Cultural realignment which has to do with ensuring that change is managed properly and the role players are fully involved and active in the change management process is necessary (Newham and Masuku, n.d).



The study that was conducted by Lee-Ann Frances Mars (2021: 63) on the challenges facing the SAPS in the Western Cape found amongst other things that the lack of involvement of other government departments in terms of fighting crime had a profound negative impact on the service delivery performance of law enforcement. Frances Mars (2021:63) explicitly states that “this service delivery issue involves the partnership between spheres of government, the lack of policing by other Law Enforcement Agencies”. Another challenge that has been highlighted are law enforcement officers working in silos or not working with each other at all. The SAPS Operational Guide Document (2015: 85) report reveals that “one of the major problems that exist in the SAPS is lack of cooperation between different branches, units and individual members”. Respondent V lamented:

I do not think we operate effective enough in terms of cooperation with one another although there are structures that have been put in place to

bolster this cooperation amongst law enforcement agencies. More work is needed to ensure that we tighten our lines of cooperation.

Respondent X added:

What frustrates cooperation amongst law enforcement agencies is the growing apathy caused by what I have mentioned earlier that some law enforcement officers themselves own taxis. Therefore, there is just no interest to fight taxi violence because of these conflicting interests.

Even in the case of the recent taxi violence and feud between the Minister of Transport and the Western Cape government, it was clear that there was little or no cooperation between the provincial government and the national government. Respondents T and U along with many other respondents have unequivocally expressed their concerns that seemingly the expectation is that it should only be law enforcement agencies that must deal with the taxi violence debacle. Rather they suggest that there is a need to intensify cooperation with all the stakeholders in the taxi industry. This ranges from taxi associations, operators, government departments, and municipalities to law enforcement agencies themselves.

6.3 Chapter Conclusion

This chapter argued that whilst there are some notable attempts particularly by the government through law enforcement agencies to avert violence in the taxi industry, it appears that these attempts have not been sufficient to successfully combat the violence. Poor municipal administration has been noted amongst the factors that contribute to the shortcomings of the government to combat taxi violence. In some cases, there is just a complete laziness on the part of the municipal officials to process the applications for the allocation of permits that give authorization for taxi operators to use particular routes. This chapter also noted the lack of critical skills and expertise amongst senior managers in municipalities, thus resulting in over-reliance on consultants, a practise that in

turn depletes the limited funds of the municipalities. Consequently, the municipalities continue to battle lack of funds, which culminates in situations where municipal employees are not paid their salaries.

This creates fertile grounds for massive corruption such as accepting and receiving of bribes by municipal law enforcement employees as well as low work morale. All these challenges effectively result in poor service delivery, which includes failure to process permits for taxi operators. Another important concern that has been brought to the fore by this chapter is the dismal failure of government through the Department of Transport and its MEC including the Ministry to solve problems associated with taxi violence in the Eastern Cape. A case in point is about intermittent court orders against the Minister of Transport and the MEC for Transport in the Eastern Cape, which repeatedly directed them to ensure safety and security for the drivers and customers who use Intercap bus services. The judgments stipulated explicitly that the Minister of Transport and the MEC have failed in executing their duties to resolve conflict between taxi operators and the Intercap bus company.

Corruption between law enforcement officers in municipalities, taxi operators and law enforcement officers within SAPS has also been noted as one of the main contributors in the failure of government to avert taxi violence. It is important that the government should strengthen its anti-corruption laws within law enforcement to uproot criminality which renders the entire law enforcement agencies dysfunctional. Conflict of interests amongst government officials and law enforcement officers who also participate in mini-bus taxi businesses also weakens the ability of state institutions to fight taxi violence. Another fundamental concern particularly from the taxi operators themselves is the failure of the state to consult the stakeholders involved in the taxi industry inclusively. This has resulted in fierce resistance from aggrieved stakeholders and it effectively created grounds for taxi wars that could have been avoided. It is the view of many respondents and authors that the government must deal harshly and decisively with corrupt law enforcement officers, improve municipal administration for the processing of PREs and ensure a fully inclusive

consultative process with all key stakeholders within the taxi industry if it is to effectively avert taxi violence.

Moreover, the chapter alluded that the politicization of the taxi industry further contributes in making it more difficult for the state to solve the challenge of taxi violence. In this regard, the chapter posited that the political interests of decision makers compromise their ability to tackle taxi violence in the sense that partisanship and conflicts of interests become inevitable. In addition, the lack of cooperation within and amongst the law enforcement officers and other government departments have been cited as one of the contributing factors in the difficulty on the part of the state to solve the violence in the taxi industry. The chapter finally alludes that it is necessary for all interested parties in government to work together in order to find lasting solutions to the continued problem of taxi violence generally in South Africa and particularly in the Eastern Cape Province.

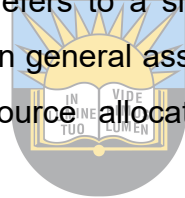


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CHAPTER SEVEN: SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS

7.1 Introduction

The study investigated the rise of 'violent non-state actors' in South Africa and in doing so, analysed the taxi industry in the Eastern Cape Province. Firstly, the study posits that the violent non-state actors proliferate in societies where states lack capacity to perform their traditional functions. These functions include the ability of the state to deliver basic services such as inter alia employment, shelter, water, education and security (Villa and Pimenta, 2019: 8). In some instances, these failures have created conditions for the non-state actors to assume the state-like functions such that the public trust and confidence in the state is replaced by these non-state actors, which turn violent at times. Ferreira et al (2019) term this form of an arrangement as 'hybrid governance' which specifically refers to a situation whereby the violent non-state actors or non-state actors in general assume the state-like functions such as dispute resolution and resource allocation which should ordinarily be provided by the state.



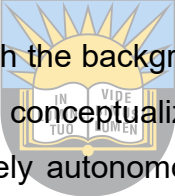
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Whilst the idea of 'hybrid governance' remains a subject of debate amongst scholars, Villa and Pimenta (2019) are some of the scholars that caution against it as it is likely to result in the challenge of the monopoly of the state by these violent non-state actors over the legitimate use of force. The study has found that South Africa has seen the rise of violent non-state actors specifically as a result of the failure of the state to provide basic services that were alluded earlier, to the citizens. A number of violent incidents such as the rise of violence and looting that took place in parts of Kwa-Zulu Natal and Gauteng in July 2021 prove this claim (Africa et al, 2021). In the case of taxi violence in South Africa and particularly in the Eastern Cape Province, the study has found that the incapacity of the state to inter alia provide effective law enforcement and regulation within the taxi industry has permeated the proliferation of violence within the industry.

7.2 Summary of Findings

The study was organized into seven chapters in the following way:

Chapter One: this chapter served as an introduction, background of the study as well as the problem statement and research questions. Chapter Two: This chapter was based on the literature review and theoretical framework of the study. Chapter Three: This chapter consisted of research methodology which explained how mixed methods of data collection as a chosen method, were applied. Chapter Four explained the perspectives of commuters about the taxi industry and violence. Chapter Five elaborated on ways in which the taxi industry has challenged the monopoly of the state over the legitimate use of force. Chapter Six discussed the reasons for the inability of the state to combat taxi violence in the Eastern Cape. Chapter Seven finally presents summary of findings, conclusions and recommendations of the study.



Chapter One specifically dealt with the background of the study. Amongst other things, this chapter provided the conceptualization of violent non-state actors and asserts that they are relatively autonomous organizations with significant and sustained coercive capabilities for organized violence (Ferreira, Braga & Villa (2021: 37). The chapter further highlighted that in the main, these groups have expressed incompatibility with nation states and therefore seek to impose their own means of governance and control. The chapter then introduced taxi violence mostly perpetuated by violent taxi associations called ‘mother-bodies’ as some of such violent non-state actors that have shown incompatibility with the state. This chapter further illustrates that these mother-bodies usually clash with government over its attempts to regulate the taxi industry and mostly clash amongst themselves over the control of routes and association politics. This is part of the problem statement, which leads the chapter to the following research questions:

- What are commuters’ perceptions of the state of violence in the Eastern Cape taxi industry?
- In what ways have the taxi industry in the Eastern Cape challenged the state’s monopoly over the legitimate use of physical force?

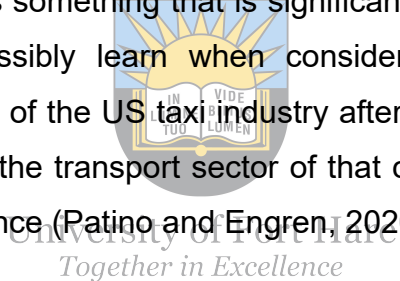
- Why has taxi violence in the Eastern Cape gone largely unchecked by the state?

The chapter also explained the aim of the study, which is to conduct an assessment of the rise of 'violent non-state actors' in South Africa through providing an analysis of the taxi industry in the Eastern Cape Province.

Chapter Two provided the grounds for the rise of violent non-state actors as part of the literature review. The reviewed literature suggested that the fundamental cause of the rise of violent non-state actors is the inability of the state to provide its traditional basic functions such as; the provision of employment opportunities, security, shelter, water and sanitation and other related factors. This failure then creates fertile grounds for the non-state actors and violent non-state actors to arise and attempt to fill the gap that has been left open by the state. As stated earlier, this situation creates a condition for the establishment of what is known as 'hybrid governance'. Although some authors have cautioned against hybrid governance, some authors speak in support of this form of governance as in some instances it has enabled violent non-state actors to become a part of the solution to social ills such as dealing with violent crimes through local policing forums (Villa and Pimenta, 2019), (Ferreira et al, 2021), (Marks et al, 2011).

In some instances, these violent non-state actors become proxy for the state whilst in other instances they challenge the authority and legitimacy of the state (Williams, 2008). There are also instances where the interests of violent non-state actors coincide with those of the state and when this is the case, those states whose interests coincide with those of violent non-state actors can sometimes become the enablers of these violent non-state actors through provision of financial support and other means of support. An example to this would be the use of Taliban forces by the Pakistani government in order to exert its influence in Afghanistan (Lake and Berman, 2019: 160). The chapter goes on to illustrate how the US has effectively supported rebel groups that showed compatibility with its interests in other countries.

The chapter further makes an assessment of taxi industries around the world and Africa using the United States and Nigeria respectively as samples. This was done in order to make a determination on whether South Africa's taxi industry can learn anything from these taxi industries and to determine whether there are any similarities or dissimilarities between South Africa's taxi industry and these countries'. The United States (US) Medallion taxi and Nigeria's okada taxi are discussed respectively. The US has been selected because it is the world's leading economic power and therefore viewed as a model for economic development in most underdeveloped and developing states around the world, whilst Nigeria has also been chosen for its economic status across the continent of Africa. The chapter posited that although the US taxi drivers experience challenges of heavy taxation under the current medallion system, however, the fact that the regulation of that taxi industry has been able to stop porous and unfair competition amongst taxi operators which had a potential for violence and instability, is something that is significantly important for countries like South Africa to possibly learn when considering regulating their taxi industries. The regulation of the US taxi industry after 1929 effectively restored order and stability within the transport sector of that country whilst significantly reduced chances of violence (Patino and Engren, 2020).



The okada taxi in Nigeria has been hailed for its reliability and flexibility in terms of time to reach the destination. However, what seems to be a similarity between the South African taxi industry and that of Nigeria is that both industries are informal businesses with no effective regulating mechanisms in place. Whilst in South Africa the lack of regulation of the taxi industry has resulted in the proliferation of violence amongst the taxi operators, in Nigeria the lack of regulation of the okada has resulted in a number of accidents on roads, its easy accessibility to insurgent organizations such as Boko Haram and its use by criminal syndicates to rob motorists (Zeadibe, 2022), (Itua et al, 2022), (Idris, 2020). However, what remains distinguished about Nigeria's okada to the South African mini-bus taxi is that there are little to no incidents of violence amongst the okada operators themselves. They all seem to be driven by the common objective, which is to make profits for themselves and their families without fighting amongst each other over lucrative routes or clients, as

is the case amongst the South African taxi operators. The chapter also brought to the fore the advent of e-hailing services in South Africa. Amongst other things, this part of the study stressed that the e-hailing service has brought a unique form of transport for South Africans especially those that live in the urban areas. As a result, the service has attracted a significant number of clients and consequently it brought a daunting challenge to the traditional taxi drivers in South Africa. Against this backdrop, South Africa has recorded multiple incidents of attacks on e-hailing drivers by the South African taxi operators.

The chapter further proposed a number of strategies that could be used by governments to counter the rise of violent non-state actors. One of these strategies is inclusive participation. Under this strategy the chapter proposed that states should adopt an inclusive approach in order to persuade violent non-state actors effectively to peaceful settlement of conflicts (International Institute for Sustainable Development, 2016). Generally, it is believed that most violent non-state actors subscribe to the African proverb that “*nothing about us without us*”. This essentially upholds the principle of inclusion, which entails that there is no decision that states should take pertaining their people without their (people) involvement. Another strategy is the strengthening of service delivery. It has generally been accepted that without strengthening its service delivery initiatives, the state will be viewed as weak by its citizens.

There is therefore no better way of cementing the trust of the public members in the state than for the state to meet their basic needs such as inter alia provision of employment, water and electricity, shelter, etc. Strengthening of law enforcement is another strategy that has been proposed. In the absence of solid law enforcement, violence and the state of lawlessness have become evident across many states around the world. The fourth strategy is vetting investigations. Many security experts believe that the state’s traditional security competence measures will never be outdated when it comes to tracing and apprehending criminals. Some of these criminals masquerade as public servants within the state institutions when they have other sinister roles with violent non-state actors. Strengthening of vetting investigations could help

determine security competence of all public servants including tracing their social contacts which could determine whether they have any links with violent non-state actors (Opperman, 2017), (United Nations Office of the High Commission of Human Rights, 2006). Finally, the chapter proposed the strengthening of cyber security as one of important measures to be applied in order to detect and prevent violent non-state actors from thriving through social networks for instance. The modern world is characterized by technology and most state institutions are striving towards the 'paperless work environment'. This assertion entails an ambition for government to encourage a culture of the utilization of technology as opposed to traditional over reliance on paper work. If left inadequately protected, the systems of the state institutions could be hacked by agents of violent non-state actors in order to determine vulnerabilities and potential sources for recruitment (Tsakayan, 2017).

Moreover, the chapter posited that the Rational Choice Theory (RCT) proposed by Ray Paternoster, Chae Mamayek Jaynes and Theodore Wilson (2017) is the suitable theory for the study. This was so because the rationale of the RCT is that people are engaged in criminal activities being motivated by the reasoning behind their choices. Part of such reasoning entails an appreciation of the consequences of crime such as imprisonment or death during the criminal operation, however, the personal benefits from such crimes usually outweigh all other considerations. During the taxi war for instance, all mother-bodies and taxi operators that are involved are acutely aware that they might not make it back home alive or they might be jailed for murder, however, the expected proceeds of these crimes outweigh all those possibilities.

Chapter Three discussed the methodology that has been chosen for the study. The chapter asserted that the study has chosen the mixed methods of data collection which comprises of both quantitative and qualitative data collection tools. The justification of and how these tools have been applied were discussed in detail.

Chapter Four provided an account of the perspectives of the commuters about the taxi industry. It was found that many female commuters feel a huge sense

of vulnerability in the hands of violent taxi operators and even on a normal day-to-day communal basis. Cases of sexual harassment of women and inconvenience of schooling for school children during incidents of taxi violence have been reported. The chapter also found that many commuters who have either directly or indirectly been affected by taxi violence have reported severe psychological traumas as a result of the exposure to various forms of taxi violence. It has also come to light that many commuters complain about the use of rude language and reckless driving by taxi operators. A number of commuters have also lamented a profound inconvenience in their socio-economic and health needs in situations of taxi violence. This is based on the premise that many health care facilities, municipal services as well as daily commuting to work and business places come to a complete stop during taxi violence incidents. This is usually caused by the blockage of roads by taxi operators. Moreover, the commuters have generally lamented loss of relatives and injuries sustained as a result of an encounter with taxi violence. Based on the 5 Point Likert Scale findings, there is a general consensus amongst commuters that the law enforcement agencies are not doing enough to combat the exponential rise of taxi violence. There is a substantial sense of the need for government to formalize the taxi industry, which will effectively result in the subsidization of the industry in its entirety like other forms of public transport such as buses and trains. Generally, the views of most respondents that comprise of law enforcement agents and government officials and even taxi operators themselves were found to be compatible with some of the views of the commuters.

Chapter Five discussed the ways in which the taxi industry has challenged the state over the legitimate use of force. Amongst other things, the chapter has found that the taxi operators control certain territories illegally, and that they have become law unto themselves by taking law into their hands and creating their own laws which inter alia result in act of vigilantism. It has also been found that the taxi operators employ mafia-like tactics to instil fear in their subordinates and opponents. These tactics entail, amongst other things, the capacity to compel members of the mother-bodies to keep the secrets of their organizations. Often these secrets are illegal and they mainly consist of plans

to control certain routes, assassinate opponents and identify all those that pose a potential threat to the mother-body. Additionally it was found that the commuters are prevented from hitch-hiking. The taxi operators apply all this force using extortion and coercion. In addition, private motorists and operators of other modes of public transport like buses and e-hailing services are coerced not to use certain routes. In some instances, taxi operators have sought to regulate fares for buses arguing that the buses may not charge commuters less than taxis as that amounts to an unfair competition. In instances where bus operators did not yield to such demands, they were harassed, assaulted and sometimes killed by taxi operators. Incidents of extortion wherein private businesses such as scholar and staff transport by private individuals are forced by taxi operators to pay 'protections fees', have been reported.

The taxi operators cement the protection of 'their territories' by conducting illegal patrols to determine whether the e-hailing drivers have operator licenses, and in cases where they do not have these licenses, the taxi operators charge or assault them. Sometimes even if the e-hailing drivers do meet these requirements, they are still subjected to harassment by taxi operators into abandoning certain routes. The exercise of checking traffic requirements for instance falls within the responsibility of legitimate traffic officers and not taxi operators. Private motorists also fall victim of these illegal patrols and they are often prevented from granting lifts to hitch-hikers and there are 'regulations' by taxi operators which compel them not to exceed a certain number of passengers in their cars. Some taxi drivers have even confessed at how they are forced to obey the 'rules of the association' to protect their business interests at all costs. The consequences of the failure to observe or respect the rules of the association often mean death and serious injury, which amounts to grievous bodily harm (GBH). The chapter has explained all these matters in the effort to outline ways in which mother-bodies have challenged the authority of the state over the legitimate use of physical force.

Chapter Six has dealt with the inability of the state to combat taxi violence in the Eastern Cape Province. The chapter has found that the reason why violence in the taxi industry has seemingly gone unchecked by the state has to

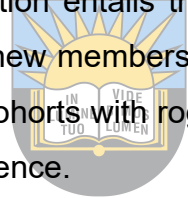
do with systematic governance shortcomings. These shortcomings start at a point of inefficient regulatory framework that is in place, which has been viewed by many authors and key respondents as being central to the problems facing the taxi industry. Many authors have lamented that the rapid deregulation of the taxi industry by the then apartheid government in 1987 created a disorderly environment in which many black people who were denied of business opportunities by white government entered the market in great numbers. The aspiring black taxi operators flocked this informal sector, as it was easily accessible to them. This resulted in an unhealthy competition amongst taxi operators and simultaneously in the rise of taxi associations known as mother-bodies that have become enemies of each other over the control of unregulated routes (Durgard, 2001), (Taxi Legkotla Report, 2020). Although the government after 1994 tried to establish the National Taxi Task Team (NTTT) which led to the establishment of the Taxi Recapitalization Program (TRP) which sought to replace the old fleet with ideally new modernized fleet and some form of regulation of the industry, these efforts did not cause much difference in the volatile taxi industry.



The study has found that these measures created more violence and conflict and proved to be ineffective. As a result, the mother-bodies began to establish their own means of self-regulation due to the perceived failure of the state to regulate the industry effectively. This poor regulatory framework has made it easy for rogue taxi associations to create their own 'rules of the game' and the simply method that they use to deal with dissenting views is the total obliteration of opponents through assassinations. Poor municipal administration has also been found as one of the failures of the state. The bulk of information obtained revealed that the inability of the local municipalities through the PRE as provided for in the National Land Transportation Act (NLTA) to process driving permits which place the control of routes under the authority of the municipalities has a profound contribution to the taxi violence and is an indication of the failure of government to solve instability within the taxi industry. In some instances, there are just pure mal-administrative problems where municipal officials will simply not do their work, which results in the backlog and a complete failure to process permits. Another case that arose sharply was that

most municipalities in the Eastern Cape are run by incompetent officials. This results in a situation wherein these municipalities are heavily reliant on outsourcing services such as asset management services, tax services and the preparation of review of financial statements (Erasmus, 2023).

Corrupt and inefficient law enforcement in municipalities and SAPS have also been found to be part of the causes of the state failure in combatting taxi violence. This corruption happens between rogue taxi operators in cohorts with municipal traffic officers and the SAPS officials which together constitute law enforcement. In some instances, the officials themselves have personal interests in the taxi business and that is against the law. In this regard, the law enforcement agents work with rogue taxi operators because they have personal business interests in the taxi industry. On the other hand, corruption within the police sector itself weakens the ability of the law enforcement to tackle taxi violence. This corruption entails the receipt of bribes by the police trainers to employ incompetent new members, renting out of firearms by rogue police officers to criminals and cohorts with rogue taxi operators in the planning and execution of taxi related violence.



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Further, the chapter points out the lack of inclusive consultation by government on taxi related engagements. A number of authors have lamented that the failure by the government to include all stakeholders involved in the taxi industry when debating and designing policies further exacerbates taxi violence (Fobosi, 2013), (Tsoka, 2016), (Van Schalkwyk, 2008).

For example, in South Africa, the South African National Taxi Council (SANTACO) is viewed as the representative of all taxi associations and thus it is considered as the nodal point between the government and taxi operators. Despite the advice by policy experts against the recognition of a single body as a representative of the entire taxi industry, the government proceeded with this decision (Vegter, 2020). The National Taxi Association (NTA) which is a rival organization to SANTACO does not subscribe to the idea that it is being represented by SANTACO. There is therefore a general complaint that the South African government is biased towards SANTACO. The National Taxi

Lekgotla which took place in 2020 at the exclusion of NTA provided some credence to the claims about the lack of inclusiveness in the manner that the South African government consults taxi associations. In the recent and ongoing taxi conflict in the Eastern Cape, there are divisions amongst taxi operators and there are allegations that the government of the province is not consulting inclusively. In addition, the study has also found that the politicization of the taxi industry by politicians who have narrow political interests contributes negatively in the government efforts to solve the violence. Moreover, the study has found that there is inadequate cooperation within law enforcement and other government stakeholders. Often, many people view the law enforcement agencies as the only organizations that have the power to fight the taxi violence. The law enforcement agencies believe that the taxi violence can effectively be defeated through multi-stakeholder engagement methods. Chapter Seven deals with Findings, Conclusions and Recommendations of the study.

7.3 Conclusion



Even though taxi violence is endemic in the Eastern Cape Province, the phenomenon is nationwide. It is indicative of a generally violent South African society that often witnesses the rise of violent non-state actors that challenge the state's monopoly over the legitimate use of force. As authors like Ferreira et al (2021), Villa and Pimenta (2019) have argued, when the state fails to provide basic services to its citizens, the citizens are likely to resort to other means in order to fill the gaps that have been left open by the state. In the case of taxi operators, the study has demonstrated that the failure of the state to effectively regulate the taxi industry through the PRE system has resulted in significant lawlessness within the taxi industry. The PRE system implies amongst other things that the government through local municipalities has the responsibility to preside over the allocation of routes to taxi operators. Failure of municipalities to render this particular service has inadvertently placed the responsibility of route allocations in the hands of taxi operators and their associations. During in-depth interviews, taxi operators themselves indicated that the failure of local municipalities to render this service has left them with no choice but to take it

upon themselves to allocate routes amongst each other in a way that they deem necessary. Currently, the taxi associations self-regulate route allocations amongst themselves. Often, there are violent clashes amongst these taxi associations over the allocation and control of the most lucrative routes. As demonstrated in the study, there are taxi associations that have conferred upon themselves a superiority status over others. This status is acquired through possession of the most sophisticated and dangerous weapons including brutal killings and severe punishment of opponents or dissidents. In order to command fear and control amongst opponents from within single taxi associations and external taxi associations, the mafia-like rules are implemented. As highlighted in Chapter 5 of the study, these mafia-like tactics are accompanied by use of extortion and coercion.

In instances where the government is failing to provide security in communities, the powerful taxi associations and operators have been used by the citizens to solicit security. Various incidents of vigilantism have been recorded. In these incidents, the powerful taxi associations and operators have used their power to punish the most feared local criminals. Some commuters have hailed taxi operators for “enforcing law” better than the police offers in these communities. More often than not, the legitimate law enforcement officers have only responded to such situations after criminals have been brutally punished or even killed by the taxi operators. In some instances where there is complete absence of legitimate law enforcement visibility, the taxi associations have posed as “law enforcers” by intimidating e-hailing drivers to produce “permits” or have their cars confiscated or fined a particular amount of money. In terms of the South African law, it is not the role of taxi operators to demand permits from e-hailing drivers, rather, the legitimate law enforcement officers are the ones that have the legal responsibility to implement such measures.

In the context of the above, it is clear that the lack of visibility of law enforcement has created an opportunity for malicious taxi operators to pose as law enforcers in order to intimidate their competitors. Violence which at times turns deadly is often used to execute these activities. These circumstances paint a conspicuous picture that taxi operators have effectively challenged the

monopoly of the state in its legitimate use of physical force. The study postulates that in the midst of violence that seemingly occurs with impunity within the taxi industry lies the Rational Choice Theory, which implies that individuals make choices based on anticipated or expected proceeds of those choices despite the possible negative consequences that may follow. In this regard, the taxi operators commit violent crimes being acutely aware of the possible legal consequences of these crimes, however, the anticipated benefits or proceeds of these crimes outweigh all other considerations.

7.4 Recommendations of the study

Based on the above conclusions, the study advances the following recommendations:

7.4.1 Recommendations to taxi operators

- The taxi operators should appreciate the diversity of their sector in terms of opinions and socialization. The taxi operators should allow a cooperative environment that appreciates the fact that people were socialized in different ways and therefore might not see things in the similar way all the time. A culture of tolerance to dissent amongst taxi operators will create a conducive platform for cooperation.
- The taxi operators should agree on a common programme of action and reduce the number of mother-bodies as the evidence shows that it is the mother-bodies that are often at the core of conflict with each other. The lesser the number of mother-bodies, the lesser the chances of violent conflicts.
- Taxi operators and associations should agree on a single approach that they want to adopt, which approach will represent all their views and concerns to government and other stakeholders. A single approach will solidify their voice and make it easy for law makers and government in general to bring relevant solutions to recurring taxi violence and other

challenges in the taxi industry. Currently, disunity amongst taxi operators themselves contributes to the difficulties on the part of government to address taxi violence.

- The taxi owners should work in conjunction with law enforcement agencies to conduct screening and vetting of those that they employ as drivers. This will empower the taxi owners to determine whether the drivers have no criminal records, thus presenting a potential threat to the commuters.

7.4.2 Recommendations to government

7.4.2.1 Formalization of the taxi industry

- The government should investigate the best practices on the formalization of the taxi industry in the form of feasibility study. In this regard, the government can learn these practices from countries like the United States that have already implemented the formalization of their taxi industries, which were previously unregulated. There is evidence that before formalization, the U.S taxi industry saw a significant spate of competition, which resulted in conflicts. In the context of the South African situation, the study has found that the problems associated with the taxi industry are pointing to the lack of efficient regulation or formalization of the taxi industry. Currently, the void that has been created by the absence of regulation has inevitably attracted a great competition amongst taxi operators. This competition is crucible to violence.
- Formalization will create conditions for subsidization of the taxi industry and subsidization will reduce competition amongst rival taxi associations. This will also reduce the number of road accidents caused by reckless taxi drivers who are always on a rush to 'meet targets' because the number of trips that each taxi takes a day will be legislated. Evidence shows that taxi associations fight over lucrative routes and this fight is motivated by the desire to obtain and sustain profit and economic leverage over others. In a

situation where taxi operators are subsidized by the state, the levels of competition over lucrative routes will subside. Besides, the state will have formally assumed the role of the allocation of routes. This will gradually reduce the power of mother-bodies and create a platform for a more state-centered environment.

- In order to effectively deal with instability within the taxi industry and to prevent or reduce violence, the state must appreciate the critical importance of inclusive consultation when formulating and designing policies that involve the taxi industry. An African proverb that “*nothing about us without us*” should be considered and applied when dealing with the design of taxi industry related policies. The study has found that failure by government to create an inclusive environment in terms of the decisions that it takes regarding the taxi industry has contributed significantly in taxi wars.



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- The government should engage taxi operators and owners who possess and make huge profits and determine the best way of buying out those operators and owners and infuse them into a collective state controlled kind of subsidy. When considering formalization, it will be important for government to identify such taxi operators in order to limit opposition to the idea of formalization, otherwise, ignorance to these taxi operators may create further conflict and result in the stalemate of formalization itself.
- The taxi operators, owners and associations should be organized in a way of structured workshops whereby group discussions through sub-commissions and presentations on their views regarding formalization are done as opposed to a top-down approach, which was evident in the TRP. This exacerbated taxi wars.
- The government should consider reviewing SANTACO and its status as the main representative of all taxi associations in South Africa due to the fact that under the current arrangement some associations like NTA feel like they have been left out of the process. Besides, SANTACO itself has been

mired with profound factions and conflicts. In the Eastern Cape for instance there is the so-called SANTACO A and SANTACO B. SANTACO B is the USTA led faction of SANTACO in the Eastern Cape and the original SANTACO structure is now called SANTACO A.

- In doing the above, the government will create a conducive environment for all partners and stakeholders to negotiate in good faith in the quest to redefine and redesign a new form of representation of the taxi industry in its entirety. The government should carefully work out a plan that will be fully inclusive such that all the critical stakeholders within the taxi industry will be a part of this envisaged transition.
- It is critically important for the government to include all key role players in this process. These role players will include inter alia; taxi operators, owners, marshals, mother-bodies, and academia as well as key government and municipal officials and law enforcement agencies.
- The government should also include the e-hailing transport industry into its engagements with taxi operators around issues of the formalization of the industry. The inclusion of e-hailing industry bears a particular importance as it has been recorded on numerous times that the industry has also been the subject of attacks by taxi operators. It may further be prudent for the government to consider formalizing the e-hailing industry as well.
- When the formalization of the taxi industry has been effected, the same intrusive screening and vetting measures could be used by government to determine the level of security competence and trustworthiness of taxi operators, owners and marshals. These measures can further help to detect those taxi operators who possess threats to female commuters, children and other vulnerable members of the society.
- Moreover, it is important that the government should work towards developing a single method or approach dealing with taxi violence. The government should have a solid plan of action that cuts across all

provinces. It is not advisable to have antagonistic or contradictory policies between national government and certain provinces like what happened in Cape Town when the national Minister of Transport had an altercation with the government of the Western Cape Province. Consultation and cooperation amongst provincial government departments and the National Department of Transport should be heightened. The successful formalization of the taxi industry can only happen when the government has a united and unambiguous plan of action in tackling taxi violence.

7.4.2.2 Strengthening of law enforcement to fight corruption and crime

- The government should strengthen its anti-corruption laws amongst its officials and law enforcement industry. This could be done through rigorous screening and vetting mechanisms on newly recruited members but also on the older members of law enforcement agencies. Preferable, an external body that belongs to an external government structure should be appointed to do this work. This will avoid situations where the system may be manipulated by the law enforcement agents when it is rolled out from their own internal structures. These measures can also identify those law enforcement members who receive bribes or work with rogue taxi operators.
- The judiciary should be empowered to provide harsh sentences on those law enforcement officers that are proven to be corrupt and complicit in fueling taxi violence and related crimes. This could be done through amendment or adjustment of laws through inclusive parliamentary processes that would later be left in the hands of judiciary for interpretation in line with the Constitution of the country.
- The government should strengthen the laws that prohibit its officials and law enforcement members from participating in businesses like the ownership of taxi fleet where conflict of interests is inevitable. In the fourth industrial revolution era where the government is slowly moving towards a paperless

or little paper consumption environment, the government should effectively introduce systems that will automate vetting and screening of those who apply to work for the law enforcement agencies. This should be done in a manner that will automatically verify qualifications and personality traits of the newly recruited trainees. It will reduce chances of corruption where unqualified trainees are absorbed into the system.

7.4.2.3 Strengthening of the municipal administration

- Even before the idea of the formalization of the taxi industry has been effectively realized and implemented, the government should strengthen the municipal administration to ensure that it is compatible with diverse needs of the 21st Century.
- The officials should be empowered to understand the exact needs of the taxi industry and those entrusted with the responsibility of processing permits and licenses should be compelled to work towards a particular target.
- The improvement of license processing tools in a manner that is consistent with technological advancements of the modern world may be necessary. Relying more on paperless environment reduces the possibility of the corrupting of the system by rogue municipal officials. The systems should be programmed such that they are difficult to corrupt.
- Through the Department of Transport, the government should prioritize frequent exchange of workshops amongst the officials of the department and those of the municipalities in dealing with public transport related matters. The SAPS and other relevant law enforcement agencies like the State Security Agency (SSA) should be part of these initiatives.



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- Laws that are aimed at curtailing corruption within the municipal sector should be strengthened in order to prevent misuse of finances, which at times result in the municipal employees not receiving their salaries. In order to ensure excellence and good work morale and observation of etiquette by employees, the municipalities should pay due remunerations to their employees. This will help to prevent situations of the stalling of permits, licenses and other essential public services.
- The government should empower local municipalities to be able to improve infrastructural development of taxi ranks such as fixing of streetlights and removal of big objects that could be used to perpetuate crime. This will provide safety for female commuters, children and the elderly. The development of public roads mainly used for public transport should also form part of these infrastructural development projects. Well-developed roads will reduce the frequency of accidents and sustain the lifespan of public transport.



7.4.2.4 Development of the taxi industry strategy document

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- Despite the existence of the National Land Transport Strategic Framework (2023-2028) which was published by the Department of Transport in March 2023, the Department of Transport in the Eastern Cape Province along with the Ministry of Transport should develop a workable strategy document for the provincial taxi industry. This document should clearly outline the mechanisms that will be employed in dealing with intermittent taxi violence incidents in the Province of the Eastern Cape. This is informed by the evidence obtained during the course of the study as it was confirmed that such a document did not exist, at least in the Eastern Cape Province. Such a document could be developed using the National Land Transport Strategic Framework, which is broader as it speaks to overall national transport issues as opposed to the taxi industry alone.

- In developing this strategic document for the Province, the Department of Transport should consider inviting academics, security experts as well as interested parties within the taxi industry. This document will ideally address both long, short and medium term strategies that are aimed at curtailing the taxi violence, violence between warring taxi associations and as well as the one that is unleashed against long distance buses by taxi operators.

7.5 Contribution of the study to research

This study provides a unique approach to the problem of taxi violence in South Africa by first conceptualizing the violent taxi industry in the context of violent non-state actors. The study links the concept of violent non-state actors with violent taxi associations in the Eastern Cape Province in particular and South Africa as a whole and characterizes these violent taxi associations as violent non-state actors. The conceptualization of violence carried out by taxi associations is particularly important in the sense that it offers the policy makers with a range of general strategies that can be used to combat violent non-state actors as discussed in Chapter 2.

It also creates a platform for government to consider a variety of ways to neutralize violent taxi associations and possibly incorporate them into governance structures in the country, thereby rendering them less violent. On the other hand, such conceptualization provides an opportunity for scholars to explore scholarly definitions of violent non-state actors and the taxi violence itself. In addressing the taxi industry challenges, most studies have focused on single actors within the transport industry by either interviewing the policy makers or taxi operators and community members selectively as opposed to inclusively. This study has effectively used the mixed methods of data collection to be able to gather information holistically.

This was done by conducting in-depth interviews and surveys with policy makers in government, law enforcement agents, taxi operators, community members and all parties involved in the taxi industry. Such a holistic approach has enabled the researcher to get the perspectives of all parties involved and thus to be able to paint a conspicuous and objective picture of the taxi industry in the Eastern Cape and in South Africa as a whole. In addition, the study argues that the violent taxi operators perpetuate criminal activities being fully cognizant of the consequences of such activities, however, the expected proceeds of such activities outweigh all other considerations. In strengthening this assertion, the study uses the RCT, which implies that individuals engage in various activities being motivated by the expected proceeds or personal benefits as a result of such activities. In this case, the study offers a new assertion that the taxi operators commit murders being motivated by ambitions for profit maximization and territorial control. Finally, based on all data that has been gathered from all the parties involved, the researcher has made a case for the formalization of the taxi industry in South Africa. Moreover, the researcher postulates that such a formalization will not be achieved without strengthening governance in key state institutions and municipalities that are central to the stability of the taxi industry.



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7.6 Suggested areas for future research

In as much as the study has arrived at a conclusion and recommendation for the formalization of the taxi industry in South Africa, however, there is no conclusive model that has yet been identified to determine intricacies of the envisaged formalization. Further research may have to conduct a comparative study and use any country in the world where formalization of the taxi industry has been effectively implemented and make a determination on how this could be best used in the South African context. Thus, this would assist the policy makers to make an informed judgement on the suitable mode of formalization for South Africa's taxi industry.

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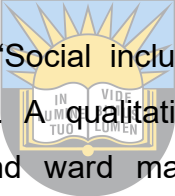
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APPENDICES

APPENDIX ONE: ETHICAL CLEARANCE CERTIFICATE



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ETHICS CLEARANCE REC-270710-028-RA Level 01

Project Number: FER031SMAT01

Project title: **To assess the rise of 'violent non-state' actors in South Africa with specific focus on the extent of taxi violence in the Eastern Cape Province.**

Qualification: Doctor of Social Science in Political Science

Student name: Myalezo Mato

Registration number: 201716762

Supervisor: Dr V Ferim

Department: Political Science

Co-supervisor: N/A

On behalf of the University of Fort Hare's Research Ethics Committee (UREC) I hereby grant ethics approval for FER031SMAT01. This approval is valid for 12 months from the date of approval. Renewal of approval must be applied for BEFORE termination of this approval period. Renewal is subject to receipt of a satisfactory progress report. The approval covers the undertakings contained in the above- mentioned

project and research instrument(s). The research may commence as from the 01/06/22, using the reference number indicated above.

Note that should any other instruments be required or amendments become necessary, these require separate authorisation.

Please note that UREC must be informed immediately of

- Any material changes in the conditions or undertakings mentioned in the document;
- Any material breaches of ethical undertakings or events that impact upon the ethical conduct of the research.

The student must report to the UREC in the prescribed format, where applicable, annually, and at the end of the project, in respect of ethical compliance.

UREC retains the right to

- Withdraw or amend this approval if
 - Any unethical principal or practices are revealed or suspected;
 - Relevant information has been withheld or misrepresented;
 - Regulatory changes of whatsoever nature so require;
 - The conditions contained in the Certificate have not been adhered to.
- Request access to any information or data at any time during the course or after completion of the project.

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Your compliance with Department of Health 2015 guidelines and any other applicable regulatory instruments and with UREC ethics requirements as contained in UREC policies and standard operating procedures, is implied.

UREC wishes you well in your research.

Yours sincerely



Dr N Taole-Mjimba

Chairperson: University Research Ethics Committee

10 June 2022

APPENDIX TWO: COVER LETTER, INTERVIEW GUIDE AND QUESTIONNAIRE

Cover Letter

Dear respondent,

My name is Myalezo Mato, a Doctor of Social Science student (in Political Science) in the Department of Political Science and International Relations, Faculty of Social Science and Humanities at the University of Fort Hare. I am conducting a research on **“The rise of ‘violent non state actors’ in South Africa: An analysis of the taxi industry in the Eastern Cape Province”** I am kindly requesting you to contribute towards this study by responding to the questions posed. Your responses will be used mainly for academic purpose.



Yours Sincerely,

Mato M.

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Questionnaire

The questions below will provide guiding framework within which the interviewer is free to explore, probe and ask questions that will elucidate on the issue(s) under investigation, while at the same time allowing the participants latitude to supply the depth and breadth of information they are willing to divulge.

The questions comprises four sections; (a) respondents background information, (b) respondents' perceptions of the taxi industry and violence, (c) the extent to which the state monopoly on legitimate use of force is challenged by the taxi operators, and (d) respondents' perceptions on the extent to which violent activities have gone unchecked by the state.

A. Respondents Background Information

- 
1. What is the name of your organization?
 2. What is your position/rank in the organization?
 3. How many years have you worked for the organization?

B. The perception of respondents about the taxi operators and violence

1. What do you think causes so much violence within the taxi industry?
2. How does this violence affect you as a citizen?
3. Is it necessary to have taxis as means of transportation in our society?

C. Respondent's perception on the manner in which the state monopoly over the legitimate use of force is challenged by taxi operators

1. Do you feel like the government has enough resources and determination to contain violence within the taxi industry? If yes or no, why? Please provide some examples

2. Based on your own knowledge, can you give any examples where the government was able to deal with violent taxi conflicts?
3. Is there any regulatory framework on taxi violence that you are aware of?
4. What do you think can be done best by the government to enforce law effectively in areas where taxi violence is prevalent?

D. Respondent's perception on the extent to which violent taxi activities have gone largely unchecked by the state.

1. Do you feel like the government has done enough to monitor and avert violence within the taxi industry? Please substantiate your answer.
2. Does the government have the statistics of all violent taxi related activities within the Eastern Cape Province as far as you know?
3. Does the government have any relationship with taxi associations and taxi operators?
4. Does the taxi industry receive enough funding from the government in order to deal with its challenges?
5. What measures has the government put in place in efforts to combat taxi violence?



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Thank you

The 5 Point Likert Scale Questionnaire

1. The taxi industry plays an important part in our daily lives as citizens.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
1	2	3	4	5

2. The government is partly responsible for the violence within the taxi industry.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
1	2	3	4	5

3. The government must provide more funding to the taxi industry.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
1	2	3	4	5

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4. Formalization or regulation of the taxi industry is necessary

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
1	2	3	4	5

5. Things within the taxi industry should remain as they are.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
1	2	3	4	5

6. The taxi industry is very violent.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree

1	2	3	4	5
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7. Taxi drivers are very ruthless.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
1	2	3	4	5

8. I don't feel safe when using taxis.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
1	2	3	4	5

9. Taxi drivers are a law unto themselves.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
1	2	3	4	5

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10. Law enforcement officers are not doing enough to contain violence in the taxi industry.

Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree
1	2	3	4	5

APPENDIX THREE: APPROVAL LETTER FROM THE SAPS

		<i>South African Police Service</i>	
Private Bag 294	Pretoria 0001	Faks No. (012) 369 4333	
Your reference/My view is/ing: My reference/My view is/ing: 3842-2022/23-186		THEM S&D: RESEARCH SOUTH AFRICAN POLICE SERVICE PRETORIA 0001	
Enquiries/Name:	Lt Col (Dr) Smit AC Thenga (012) 369 4333 Email: ThengaS@saps.gov.za	APPROVED	
Tel:			
M Mato UNIVERSITY OF FORT HARE			
RE: PERMISSION TO CONDUCT RESEARCH IN THE SOUTH AFRICAN POLICE SERVICE: UNIVERSITY OF FORT HARE: DOCTORATE DEGREE: THE RISE OF "VIOLENT NON-STATE ACTORS" IN SOUTH AFRICA: AN ANALYSIS OF THE TAXI INDUSTRY IN THE EASTERN CAPE PROVINCE: RESEARCHER: M MATO			
- The above subject matter refers. - You are hereby granted approval for your research study on the above-mentioned topic in terms of National Instruction 4 of 2022. - Further arrangements regarding the research study may be made with the following office: The Provincial Commissioner, Eastern Cape: - Contact Person: Colonel S Komna - Contact Details: 040 606 7223/082 854 5751 - Email address: KomnaS@saps.gov.za - Kindly adhere to paragraph 8 of our attached letter signed on the 2023-02-01 with the same above reference number.			
 MAJOR GENERAL THEM S&D: RESEARCH DR PR VUMA			
Date: 2023-02-03			

APPENDIX FOUR: INFORMED CONSENT



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INDIVIDUAL INFORMATION SHEET AND INFORMED CONSENT FORM¹ (AGES 18 YEARS AND ABOVE)

Title of Study: *The rise of violent 'non state actors (VNSAs)' in South Africa: An analysis of the taxi industry in the Eastern Cape Province*



Dear participant,

My name is Mr Myalezo Mato and I am a PhD student at the University of Fort Hare (UFH), currently working fulltime for the government of the Republic of South Africa.

I am conducting a study on the rise of violent non state actors (VNSAs) in South Africa with specific focus on the Eastern Cape Province. For decades, South Africa has seen exponential rise of violence within the taxi industry which emanates directly from the competition amongst taxi operators over lucrative routes on one hand and on the other hand the violence manifests from disgruntlement over politics of the regulation of the industry.

Some questions may be of a sensitive nature. I will be asking some questions that you may not have thought about before. I know that you cannot be

¹ Approved by UREC (13 November 2019)

absolutely certain about the answers to these questions, but I ask that you try to think about these questions. When it comes to answering questions there are no right and wrong answers.

Please understand that **your participation is voluntary** and you are not being forced to take part in this study. The choice of whether to participate or not, is yours. However, I would really appreciate it if you do share your thoughts with me. If you choose not to take part, you will not be affected in any way whatsoever. If you agree to participate, you may stop me at any time and tell me that you don't want to go on with the interview. If you do this there will also be no penalties and you will NOT be prejudiced in ANY way.

The information will remain confidential. This means that your name and address will not be linked in any way to the answers you give. We study and report on the answers given by all the people we interview and not on an individual basis. The research data will be anonymous – with all personal respondent information removed and will be archived at the University.

At the present time, we do not see any risks in your participation. The risks associated with participation in this study are no greater than those encountered in daily life.

There are no immediate benefits to you from participating in this study. However, this study will be helpful in finding out solutions to the recurring taxi industry challenges which affects almost everybody that benefits from the services of mini-bus taxis.

Risk-Benefit Ratio (*benefits hoped for from this study and the risks involved for the participant*):

The results of this study might provide some assistance to policy makers in government on how to best find solutions on recurring taxi industry related challenges. The results might also assist the taxi operators themselves to understand the importance of working with government and some stakeholders

peacefully to address their concerns instead of resorting to violence. The students and researchers who are interested in conflict studies may also benefit from the study.

Who to contact if you have been harmed or have any concerns

This research has been approved by the Inter-Faculties Research Ethics Committee (IFREC) as per delegated authority of the University Research Ethics Committee (UREC). If you have any complaints about ethical aspects of the research or feel that you have been harmed in any way by participating in this study, please call the IFREC Administrator, Mr Aphiwe Jadezweni: Email Address: ajadezweni@ufh.ac.za, Tel: 040 602 2516.

Reporting and Complaints

If you have questions at any time about this study, or if you have concerns/questions you may contact the researcher/project leader whose contact information is provided on the first page. If you have questions regarding your rights as a research participant, or if problems arise which you do not feel you can discuss with the researcher/project leader, please contact the UREC Chairperson, Prof. Renuka Vithal : Email Address: rvithal@ufh.ac.za, Tel: 040 602 2516 .

If you have concerns or questions about this study please feel free to contact the project coordinators: **Researcher/Project Leader:**

Name: Dr Valery Ferim

Department: Political Science

Address: University of Fort Hare, Alice

Phone: 0406022496

Email: vferim@ufh.ac.za

INFORMED CONSENT FORM

(Edit as Required)

I _____ (name _____ of _____ participant) _____ have been informed about the study by (provide name of researcher/ project leader/ fieldworker)

I understand the purpose, procedures, and risk-benefit ratio of the study.

I have been given opportunity to ask questions about the study and have had answers to my satisfaction.

I declare that my participation in this study is entirely voluntary and that I may withdraw at any time without affecting any procedurals that I would usually be entitled to.

I have been informed about any available compensation or medical treatment if injury occurs to me as result of study-related procedures

I understand that I will be given a copy of this informed consent.

I understand that if I have any questions or complaints about my rights as a study participant, or if I may have concerns about any aspect of the study or the researcher/s then I may contact the Chairperson of the Inter-Faculty Research Ethics Committee, Prof. Pumla Gqola or Chairperson of University Research Ethics Committee, Prof Renuka Vithal (details available from the Researcher or by contacting the University of Fort Hare or Website www.ufh.ac.za)

Participant

signature:

.....

Consenting for Audio Recording– when necessary

YES / OR

Participant

signature:

.....

Witness

signature:

.....

(to be altered according to the study)

Translator

signature:

.....

(to be altered according to the study)

Data curation – I understand that the information that I provide will be stored electronically and will be used for research purposes now or at a later stage (to be altered according to the study)

Participant

signature:

.....

Date:



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