

# **From Low Intensity War to Mafia War: Taxi violence in South Africa (1987 - 2000)**

by

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The Violence and Transition Series is a product of an extensive research project conducted by the Centre for the Study of Violence and Reconciliation (CSVr) into the nature and extent of violence during South Africa's transition from apartheid rule to democracy. This series comprises a set of self-contained, but interrelated reports, which explore violence across the period 1980 to 2000 within key social loci and areas, including:

- Revenge Violence and Vigilantism;
- Foreigners (immigrants and refugees);
- Hostels and Hostel Residents;
- Ex-combatants;
- State Security Forces (police and military), and
- Taxi violence.

While each report grapples with the dynamics of violence and transition in relation to its particular constituency all are underpinned by the broad objectives of the series, namely:

- To analyse the causes, extent and forms of violence in South Africa across a timeframe that starts before the political transition and moves through the period characterised by political transformation and reconciliation to the present;
- To assess the legacy of a violent past and the impact of formal democratisation and transition on the contemporary nature of violence by researching continuities and changes in its form and targets;

- To investigate the role of perpetrators and victims of violence across this timeframe;
- To evaluate reconciliation strategies and institutions, such as the Truth and Reconciliation Commission, established to ameliorate future violence in South Africa;
- To develop a macro-theory for understanding violence in countries moving from authoritarian to democratic rule, i.e. "countries in transition", and
- To contribute to local and international debates about reconciliation and justice for perpetrators and victims of gross violations of human rights.

Through these objectives, the Violence and Transition Series aims to inform and benefit policy analysts, government officials and departments, non-governmental and civic organisations, and researchers working in the fields of:

- Violence prevention;
- Transitional criminal justice;
- Victim empowerment;
- Truth commissions;
- Reconciliation;
- Human rights, and
- Crime prevention.

As a country emerging from a past characterised by violence and repression South Africa faces new challenges with the slow maturation of democracy. Violence today is complex, dynamic and creative in form shaped by both apartheid and the mechanisms of transition itself. In order to understand - and prevent - violence during transition in South Africa and abroad an ongoing action-research agenda is required. Through this series the Centre for the Study of Violence and Reconciliation offers an initial and exploratory, yet detailed, contribution to this process.

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## **Executive Summary**

This report presents the results of a case study of South Africa's 'taxi wars', a series of violent conflicts that have marked the largely black-owned and black-operated minibus taxi industry since its deregulation in 1987. Prior to 1994, these taxi wars were relatively few in number and were predominantly linked to state-orchestrated violence. Since then, however, taxi violence has become more widespread, decentralised and criminal in character. Behind this shift are changes in the organisation of the taxi industry that broadly reflect the evolving relationship between state and society in post-apartheid South Africa.

This report sets out an historical overview of the taxi phenomenon during the period 1987-2000. It focuses on the development of the taxi industry and its associated violence in the late-apartheid era, up to the present day. Case material is drawn from an in-depth longitudinal study of taxi violence in the Cape Peninsula area, but the research findings reflect taxi violence more generally. The generalised findings can be summarised as follows:

- Taxi violence has its roots in the policies of deregulation and destabilisation pursued by the apartheid regime during the late 1980s and early 1990s.
- As the state's 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.
- Violent taxi associations called 'mother bodies' have been allowed to develop and expand virtually unchecked by the authorities. These organisations are behind most of the violence that has come to be associated with the industry. Mother bodies have

used their considerable firepower and weight to resist recent government attempts to re-regulate the taxi industry and they are symptomatic of more generalised rising levels of organised crime in post-apartheid South Africa.

- Official corruption and collusion are major factors contributing to the continuation of taxi violence. In particular, the ownership of taxis by police and other government personnel directly aids criminality in the industry and exacerbates attempts to resolve the violence.

Beyond providing an historical overview of the genesis of, and reasons for, taxi violence, this report also details the latest developments in the government's ongoing attempt to curb taxi violence; namely its plans to restructure the industry in terms of a recapitalisation programme that envisages replacing the existing taxi fleet of 16-seater vehicles with new, yet-to-be manufactured 18- and 35-seater vehicles, and which discusses the potential impact of such developments in this volatile yet necessary sector.

## **Introduction**

When former Director General of Transport, Adriaan Eksteen, told the passenger transport industry in December 1983 that 'minibuses do have their place in the sun' (quoted in *Financial Mail*, 1987 August 14), neither he nor anyone else could have imagined just how large that place would be. Outlawed until deregulation in 1987, today the taxi industry is worth roughly R10-billion and accounts for an estimated 65% of passenger journeys.

However, as the title of Colleen McCaul's book on the taxi industry suggests,<sup>1</sup> securing their place in the sun has been no easy ride for taxi operators, who have had to struggle first against repressive apartheid policy and, more recently, against violent mafia-like criminality.

Underlying the taxi wars is a volatile, over-traded commuter transport market, originating from rapid deregulation in the context of political destabilisation during the last years of apartheid. That taxi violence continues today is an indication of the efficacy of violence as a way of regulating the market by keeping prices up and competition down; of the tenacity of violence once sparked; and of the failure of the African National Congress (ANC) government to crack down on crime and criminal organisations in the post-apartheid era. Ultimately, the roots of taxi violence and the reasons for its continuation are located in the unresolved socio-economic conditions of South Africa's transition.

Revolving around an examination of the Cape Peninsula taxi wars during the late-apartheid period (1990-1992) and afterwards (1994-1999), this report analyses the still unfolding story of taxi violence in South Africa from its beginnings as a result of deregulation in the late 1980s to the unstable conditions of operation today. It is a story of informal politics and economics as much as it is of high politics and economics.<sup>2</sup> Perhaps more than anything, it is a story of South Africa's as yet incomplete transition from apartheid to democracy.

## **Taxi wars in the late-apartheid period (1987-1994)**

Taxi wars have become a seemingly endemic feature of the South African scene since their inception, following transport deregulation, in 1987. During late-apartheid taxi wars were

often linked to the mainstream of political violence that characterised the run-up to the April 1994 general election. One of the most intransigent and most politically motivated of the wars played itself out in the Cape Peninsula at the height of political violence, between 1990 and 1992.

### **The Cape Peninsula taxi war (1990-1992)**

The violence that racked informal settlements in the Cape Peninsula between 1990 and 1992 was ostensibly related to commercial competition over routes between two taxi organisations, the Langa, Guguletu and Nyanga Taxi Association (Lagunya), which represented the more urbanised African operators, and the Western Cape Black Taxi Association (Webta), which represented the more traditional African operators from rural areas. The reality however, was more complex with the taxi conflict providing a springboard for the state-sponsored destabilisation of African communities in a region where there was no Inkatha presence. [Appendix 1](#) provides a chronology of the taxi war in the area between 1990 and 1992. What follows is an analysis of the violence.

### **Analysis**

The Cape Peninsula taxi conflict emerged publicly in October 1990, after a shoot-out between Lagunya and Webta operators outside the Sanlam Golden Acres shopping mall in the centre of Cape Town. Tensions between the two associations had been simmering since 1986, when the formation of Webta upset Lagunya's monopoly of the routes in the area. In 1990 the growing hostility between the two associations flared into violent clashes after Webta was granted permits, which excluded Lagunya, for the lucrative routes into Cape Town. Lagunya, denied permits for these profitable routes despite the free allocation of permits elsewhere following deregulation,<sup>3</sup> began operating a pirate service from Khayelitsha to Cape Town. The ensuing taxi war - which was sporadically recurrent throughout 1991 and 1992 - claimed hundreds of lives and caused widespread property damage. Typical of the early days of the Cape Peninsula taxi war was an attack in March 1991 during which three taxi drivers were injured and eight taxis gutted in clashes at Nyanga taxi terminus between Webta and Lagunya taxi drivers who accused each other of stealing customers. However, in the course of the conflict, attacks became increasingly focused on the residents of Nyanga and Khayelitsha rather than on drivers or passengers and, despite countless cease-fires and peace initiatives, each time there was a lull in the conflict, violence would flare up again, suggesting there was more to the violence than taxi-related commercial competition.

The roots of the taxi war, embedded in the apartheid system, go back many years. The Western Cape area was, until 1985, a predominantly coloured area, with the ratio of coloured:white:African populations being 70:25:5 percent. With the abolition of the Influx Control system in 1985, however, there was a massive influx of (relatively poorer) Africans into the area. Without access to formal housing most Africans settled in sprawling informal settlements around Guguletu, Langa, Nyanga and Khayelitsha. Transport within and between these predominantly African settlements was a big problem.

Initially in the 1950s Lagunya, which was a Khayelitsha-based cartel, was granted the requisite permits to run taxi services in and between townships.<sup>4</sup> However, these were very limited services and not very lucrative. In 1986, the newly formed Webta, after pressurising

the government, managed to secure permits, which excluded Lagunya, for the more lucrative routes into Cape Town. From the outset Lagunya represented the more urbanised African operators whereas the upstart competitor, Webta, appealed to the more traditional African operators, most of whom had come from the rural areas of the Ciskei and the Transkei. As exposed during the Truth and Reconciliation Commission (TRC) process, 'the social divisions between the more 'traditionalist' sectors of African townships in hostels and squatter camps and the more permanent township dwellers offered [to state agents] the potential for successful contra-mobilisation' in the area (Truth and Reconciliation Commission, 3, p. 474).

Early on in the conflict, in June 1991, ANC member and Western Cape Civic Committee (WCCC) chair Michael Mapongwana expressed concern that there was a sinister force orchestrating the violence and that attempts were being made to politicise the taxi conflict. On 8 July 1991 Mapongwana was assassinated, three weeks after police had confiscated his gun, claiming it to be illegal. Mapongwana's was the third assassination of prominent ANC community leaders in under a month. ANC Youth League official Zola Ntsoni was killed on 9 June and ten days later ANC activist and taxi-conflict mediator Mziwonke Jack was assassinated.

As the violence escalated in the aftermath of the assassinations, there were accusations of police involvement and allegations that a 'third force' was 'worsening the conflict caused by the taxi feud in an attempt to provoke a "war" to destabilise the community' (South, 1991, August 15). In the words of Cape community leader, Gladstone Ntamo, 'this war is a political war - not over routes and ranks ... this is an attempt to destroy the area ... we believe the government has got an opportunity with the taxi war to create a bigger violence - and we're expecting more violence if our leaders can't act swiftly' (*Weekly Mail*, 1992, February 21). Subsequent events were to fuel these fears.

The incidents of 3 September 1991 at Site B Khayelitsha, for example, were of particular concern. Members of the Urban Monitoring and Action Committee (UMAC) were monitoring an area that had been under attack an hour earlier. About 25 policemen were also present. Webta taxis arrived on the scene and between 20 and 30 men armed with pangas got out. The police made no attempt to disarm them. The men then threatened residents that they would return later that night once the monitors had gone. UMAC contacted the commissioner of police about the threat and urgently requested troops to be sent to the area to protect the residents. That night, true to their word, Webta attacked Site B residents killing 11 people and burning down 78 shacks. Not only was no advance military protection provided, but also the police failed to intervene despite the fact that the scene of the attack was only some 150 metres from Site B police station. Sworn statements from 36 eyewitnesses alleged that, far from providing protection, the police themselves took part in the attacks. The following is a typical extract from an affidavit:

I saw a yellow vehicle with police signs on it parked across the road ... two white policemen ... were firing shots from long guns ... I decide to turn back. When I did, however, I was shot in the right side of my neck. Then I was shot again, this time in my back. The shots came from the direction that the police were standing. (Amnesty International, 1992, p.79).

The accusation that police actively participated in attacks was not confined to this case. Of

83 affidavits that the Joint Forum on Policing collected, 61 contained allegations of some form of unacceptable police behaviour (*Weekly Mail*, 1992, February 21). Affidavits collected by the Black Sash and UMAC contained repeated claims that white men in camouflage, or police uniforms, or men wearing balaclavas, participated in attacks. In addition, witnesses placed army and police cars at the scene of attacks and provided monitoring agencies with registration numbers.<sup>5</sup> So convincing were the allegations of police bias that Democratic Party (DP) member of parliament Jan van Eck said in a newspaper interview that after first giving the police the 'benefit of the doubt', he subsequently 'had clear evidence of the police both leading and assisting attackers'. The allegations led him to believe that there was 'a definite attempt to destabilise the area under the guise of the taxi war' (*City Press*, 1991, September 15).

Ironically, one of the most damning pieces of evidence against the police was provided by a video that was filmed by a police crew on 12 September 1991. The video showed police failing to disarm a large group of Webta members after two minibuses were gutted during an attack in a pro-Lagunya area of Khayelitsha. Cross-questioned at the Goldstone Commission of Inquiry regarding the Prevention of Public Violence and Intimidation (the Goldstone Commission)<sup>6</sup> into the Cape taxi war as to why the heavily armed men were not disarmed, one police officer said that it was because the attackers had 'promised' not to attack the residents. Faced with the same question, warrant officer Johannes Briers said that the police had searched the men for dangerous weapons such as pistols. He could not explain why police had not confiscated the openly displayed axes and the meat hook (*Taxi Media*, 1993, January, p. 3). Further evidence implicating a broader set of authorities in the taxi war emerged at the Goldstone Commission of Inquiry from Cape Town's deputy mayor, Clive Keenan, who noted that the [local permit authority] had 'concealed white taxi ownership' and 'at the instruction of the then-Minister ... actively favoured Webta in the issuing of permits, in order to speed up the legalisation of so-called pirate operators' (Bush, 1992, p.23).

Casting doubt on the obviously politically-clouded findings of the Goldstone Commission Report on the Cape taxi war, it is now clear that the Cape Peninsula taxi conflict - while originating in rivalry between Lagunya and Webta operators over lucrative routes - was opportunistically manipulated by state forces in order to destabilise the staunchly pro-ANC communities of Khayelitsha and Nyanga in an area where the apartheid regime's usual ally, Inkatha, had little or no support. As with the broader wave of political violence, evidence that has emerged since 1994 suggests that government-aligned agents, intent on fragmenting communities, undermining the ANC, and derailing negotiations, manipulated sectarian tensions within the taxi industry to embroil entire districts in violent clashes:

The course the taxi war has taken seems to fit a pattern that has emerged nationwide: that of shadowy elements manipulating existing local conflicts in order to destabilise communities. The simultaneous escalation of conflicts nationally, prior to the signing of the National Peace Accord also suggests the violence is being deliberately orchestrated on a national level. The taxi conflict should have stopped long ago given the efforts made to resolve it since it first began. Yet it has escalated and fanned the flames of other existing or potential conflicts. The sections attacked and burned in Khayelitsha were known to be areas with strong ANC support. It is ANC middle-level leadership figures who have been

assassinated. (Bush, 1992, p.25)

Over and above the assassination of ANC-leadership, the real targets of the taxi violence were African communities themselves. The ongoing violence disrupted community cohesion, creating fear and suspicion and causing a rift between community organisations such as the WCCC and the ANC over the ANC's inability to counter the violence. In retrospect there can be no doubt that the Cape Peninsula taxi conflict played an important role in destabilising African communities in the area, to the detriment of the ANC and to the advantage of the National Party (NP), which in the end won the majority of seats in the Western Cape Provincial Legislature in the 1994 election.

After nineteen months, and numerous failed attempts, the Cape Peninsula taxi war was finally brought to an end on 8 March 1992 when Lagunya and Webta were collapsed into a united taxi association, the Congress of Democratic Taxi Associations (Codeta). On 20 March a cease-fire was declared and peace was restored to the area for the meantime.

### **Understanding the violence**

As evident from the Cape Peninsula taxi war, at least under late-apartheid, taxi violence was heavily impregnated with transition politics. Indeed, in many instances the term 'taxi war' and its single-cause explanations were inappropriate, and the victims were more accurately casualties of the mainstream of political violence that racked South Africa between 1990 and 1994. Nonetheless, it is possible to identify specific factors that fuelled the taxi conflict in its early years. Chief amongst determinants during late-apartheid were the rapid deregulation of transport, which precipitated an unchecked rise of taxi associations - itself contributing to the spread of violence, along with various underlying political forces.

#### **Rapid deregulation**

As argued in this report, the roots of modern-day taxi violence lie firmly in apartheid economic and political management. The sudden deregulation of the taxi industry in 1987 formed part of the government's broader attempt to 'introduce' the market to an enclave of black South Africans who, for the most part, had no experience of capital accumulation. Deregulation was implemented as a means of strengthening the economy by giving enough blacks a stake in the system to dilute the revolutionary climate. At the same time, deregulation provided a further opportunity for the apartheid regime to complement its political strategy of destabilisation: the economic stratification of black society in the open market. Taxi wars are the direct result of the rapid deregulation of transport in South Africa.

Until 1987 the South African public transport system consisted of buses (initially provided by municipalities and later by the private sector) and above-surface trains (state-provided). It was hopelessly inadequate, inefficient and expensive, and forced the majority of blacks to spend hours each day and up to 20% of their incomes on travelling (Khosa, 1995, p.170). It was also highly regulated. Regulations were used by the apartheid regime to enforce racial segregation of transport and to protect the near-monopoly held by the South African Transport Services (SATS), which incorporated railways and, through a complex subsidy system, the emerging bus industry. Transport regulations - chiefly embodied in the Motor Carrier Transportation Act of 1930, which prohibited all transportation of goods or

passengers by road for profit without a permit obtained from a Local Road Transportation Board (LRTB) - were particularly prejudicial to blacks, who had to prove that they had a good employment record, had lived in the magisterial district as legally registered tenants for a number of years and were in possession of a Daily Labourer's Permit in order to acquire a public transport permit (these conditions were, in most cases, not possible in cities under the Influx Control system). In addition, in terms of the Act a taxi was restricted to carrying four passengers, and a quota system allowed only a limited number of taxi licenses to be issued each year. In effect, this system meant that over 90% of taxi permit applications by blacks were rejected, effectively barring blacks from participating in the transit economy and significantly buttressing the state's control over the transport sector.

However, in 1977, sparked by the political uprising which started in Soweto in 1976, and fearing that continued intervention in the transport sector would result in heightened politicisation and that blacks might resort to sustained bus and train boycotts (Khosa, 1995,), the government established a commission of inquiry into transport deregulation. The 1977 Van Breda Commission of Inquiry into the Road Transportation Bill (the Van Breda Commission) found that South Africa 'had reached a stage of economic and industrial development which enabled it to move towards a freer competition in transportation' (McCaul, 1990, p.37). The Commission reflected the growing realisation that passenger transport was an unattractive government investment due to its escalating politicisation and economic inefficiency. It was, however, to be another decade before concrete steps were taken to deregulate transport.

In 1985 the National Transport Policy Study (NTPS), which had been established in 1982 to bring transport policy in line with national economic reform policy, released its report. According to the NTPS findings, the highly regulatory framework of existing transport policy was 'contrary to the principles of national economic policy that emphasise the role of competition' (*The Natal Mercury*, 1987, February 03). Increasing reluctance to shoulder economic responsibility for passenger services,<sup>7</sup> along with mounting pressure from the business community which supported all free market reforms, and a desire to 'sell' the free market to black South Africans led the government to accept the NTPS proposals. The NTPS report in conjunction with the recommendations of the Competition Board<sup>8</sup> formed the background of the White Paper on Transport Policy, tabled in January 1987. The White Paper, along with the Transport Deregulation Act of 1988, established deregulation as the transport policy of the outgoing apartheid regime. Crucially, the White Paper legalised the 16-seater minibus to operate as a taxi, marking the beginning of the taxi industry as we know it today.

At the time, the official voice of the fledgling taxi industry, the South African Black Taxi Association (SABTA) cautioned that the blanket deregulation proposed in the White Paper would result in 'chaos' with too many taxi operators entering the market too soon (SABTA, 1988). However, ignoring warnings that deregulation would lead to violence, the government consciously opened the floodgates of the taxi industry. Although technically a permit system continued to exist, transport generally, and the taxi industry specifically, was to all intents and purposes hurriedly deregulated in 1987, after which permit enforcement ceased to be a priority.<sup>9</sup>

In terms of this *de facto* deregulation, taxi owners applying for permits did not have to

prove a need for their service in a particular area or demonstrate any degree of financial security or competence, resulting in permits being 'issued like confetti' (*Drive-On*, 1992, January). At the same time corruption was rife. Although the official price for a permit was between R100 and R200 (depending on the route), authorities were known to give cut-price deals to favoured applicants. Consequently, entering the taxi industry was often as simple as 'buying a taxi and a 5ml [gun]', and 'off you went' (Stef Snel, violence monitor and director of UMAC, interviewed in South African Broadcasting Corporation (SABC) Television's *Violence for hire: Taxi wars in focus*, 1997). According to the Western Cape Regional chairperson of SABTA, Basil Nagel, the LRTBs handed out permits 'like Valentine's Day cards in February' (*Finance Week*, 1989, November 09-15). Others interviewed for this research have pointed to the unofficial 'buy one, get one free' permit system.<sup>10</sup> Moreover, unchecked by the authorities, taxi drivers were able to operate without permits, leading to the mass entry of illegal operators or 'pirates' into the system.

This sudden permit free-for-all, set against a backdrop of the escalating community violence during apartheid's final years, established the scene for the sectarian taxi wars that have plagued the industry ever since. Beyond the bid to 'capitalise' portions of the black community, the sudden deregulation was seen by many as a means of complementing the state's broader destabilisation strategies in the run-up to negotiations, by exacerbating tensions within black communities. In the words of James Chapman, consultant to the taxi industry for 20 years, 'they [taxi operators] were divided by the previous government and violence was encouraged' (*The Star*, 1996, May 22). And, according to taxi owner and director of Gauteng's urban and public transport, Lennox Magwaza,

They [apartheid government officials] deregulated it without ever regulating it. Then they made it ungovernable by issuing permits left and right, knowing it would cause chaos. (*The Star*, 1997, March 27)

As one of the first avenues for black capital accumulation, the taxi industry almost immediately became a contested economic terrain, swamped with aspirant operators. The authorities, 'presumably keen to strike a blow against the socialistic ideas of the then radicals by showing the benefits of capitalism, turned a blind eye to the unrestricted influx of literally thousands of these would-be overnight millionaires' (*The Sowetan*, 1998, May 13). However, rather than an advertisement for free market economics, the permit 'confetti' arising from deregulation resulted in acute competition between operators and produced the violence that is now endemic in the taxi industry. A major factor behind the violence that has come to be associated with the taxi industry has been the unchecked rise of taxi associations as informal agents of regulation.

#### **The unchecked rise of taxi associations**

An immediate and far-reaching consequence of rapid deregulation was the rise of taxi associations, which have used exploitation and 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.

In the late 1980s the emerging taxi industry offered blacks one of the few opportunities of earning a living with the possibility, however remote, of becoming rich, and was soon flooded with operators, some of who made large profits. While some were able to 'strike it

lucky', for the most part the industry was characterised by exploitation and aggressive competition between operators attempting to ply the same routes. In the absence of state regulation groups of operators joined forces to form local taxi associations, which intervened to regulate loading practices and prices. It was not long, however, before taxi associations, which rapidly sprang up around the country,<sup>11</sup> began to use their organisational strength to extract income, commonly through the use of violence. Typical of this violent protection of spheres of interest is the following remark by a taxi operator in Johannesburg in 1988: 'We will not succumb - they must operate in their own area. We will fight back and defend ourselves' (*The Sowetan*, 1998, May 13). Violence between associations, if not comprehensively encouraged by the apartheid regime, was ignored, allowing taxi associations to expand and proliferate unchecked.

The use of violence as a means of protecting spheres of interest and of regulating the industry escalated after the emergence of the South African Long Distance Taxi Association (SALDTA) as a supra-local umbrella taxi association (representing various taxi associations) and direct competitor to SABTA's leadership of the taxi industry. Whereas SABTA has always operated relatively openly, SALDTA was the first of a new generation of mega-associations that operate on the dark side of informality. After 1994 such associations developed into the so-called 'mother body' taxi associations (discussed in detail below), responsible for most of the post-apartheid taxi violence.

A classic example of a taxi war between rival local associations occurred in the informal settlement of Alexandra (Alex) (to the northeast of Johannesburg), between the SABTA-affiliated Alex Taxi Association (ATA) and the SALDTA-affiliated Alex-Randburg-Midrand-Sandton-Taxi Association (ARMSTA), and lasted from 1987 to 1994. The Alex taxi war began in the same year that the taxi industry was deregulated. Prior to 1987, ATA was the only taxi association in Alex, having operated illegally in the area since 1940. The mass entry of operators in 1987 as a result of deregulation gave rise to ARMSTA, which immediately engaged ATA in sectarian violence as it vied for members, routes and ranks in the ensuing free-for-all. The Alex taxi war was finally resolved in 1994, but not before countless lives had been lost.

More generally, as taxi associations expanded and spread across the country in the final years of apartheid, so taxi conflict increasingly fed into the violent fray of transition politics.

### **Underlying political forces**

From the outset, taxi violence influenced and was influenced by political conflict. Deregulation and the subsequent meteoric rise of the taxi industry occurred against an increasingly violent backdrop in which local associations and the taxi industry quickly became enmeshed. For example, taxis that plied the long-distance routes between KwaZulu and Johannesburg were attacked for being pro-Inkatha. Similarly, taxis which transported migrant workers from the Inkatha-dominated hostels on the Reef were subjected to numerous and violent attacks from the predominantly ANC-supporting nearby communities. Taxi associations began to arm their drivers, and so cycles of attack and counter-attack were perpetrated until specific associations became affiliated with particular political movements. Indeed, the political form of late-apartheid taxi wars was so pronounced that taxi violence, like train violence, was seen as an integral component of

political violence. It was only after 1993 that violence-monitoring agencies such as the [Human Rights Committee](#) (HRC) tracked taxi violence as a separate, distinct category of violence.

As illustrated in the Cape Peninsula taxi war, one of the main contributors to the taxi-related violence under apartheid was the prejudicial action of the security forces. In many areas the police were either actively partisan or, by their calculated inaction, fanned the conflict. Accusations of deficient policing ranged from failing to make arrests, to shooting at escaping victims. Apart from obvious instances of direct police involvement in the violence (such as in the Cape Peninsula taxi war), the generalised failure of police to address taxi-violence under apartheid was so widespread as to suggest a deliberate policy. In 1987 the then Minister of Transport stated that 'being mindful of the fact that the taxi industry is very important for the small entrepreneur', 'I have asked the police not to crack down on them' (*Natal Witness*, 1987, August 20).

At best, police behaviour during the late-apartheid period was negligent, as exemplified by a remark of the station commander at Katlehong. When approached by SABTA in an attempt to resolve the Katlehong taxi war he remarked: 'you just kill each other and I'll pick up the bodies'.<sup>12</sup> At worst, police used their authority to promote rifts between associations, resulting in widespread allegations that the police manipulated the taxi industry in terms of the broader political agenda of destabilising and dividing black communities and undermining the ANC.

Although the ANC is now in power and, presumably, such an agenda is no longer government policy, there are still many members of the security forces who are remnants of the apartheid regime. It is unclear whether these elements are still actively fanning the taxi violence and, as discussed below, it appears that since 1994 police involvement in taxi violence has related more to corruption than to destabilisation. What is clear, however, is that once sparked, violence takes on a life of its own and is very difficult to eradicate. Much of the current taxi violence revolves around cycles of retribution, many with their origins at the time of apartheid.

In sharp contrast to other forms of political violence, taxi violence has continued and, in fact, escalated in the post-1994 period. In fact, if one form of violence has characterised the post-apartheid period it has been the taxi wars. The continuation of violence into the democratic era is mainly a result of the success of violence as a means of extracting profits, as well as the inability of the post-apartheid state to contain the violence. As expanded on below, taxi-related conflict has, along with the general violence, undergone a change in configuration since April 1994. During late-apartheid taxi wars were isolated yet sustained, for the most part echoing political cleavages and forms. Since the transition taxi violence has proliferated and taken on a life of its own, becoming increasingly criminal in character and thus far eluding state control.

### **Taxi wars in the post-apartheid period (1994-1999)**

Between 1987 and 1994 there were a handful of high profile protracted taxi wars echoing South Africa's political conflict. Today there is hardly a city or town that has not experienced a taxi war or wars in recent years. As evident from Table 1, taxi violence has

incrementally increased since 1994.

**Table 1: Deaths and injuries caused by taxi violence, 1991-1999**

	<b>Number of deaths</b>	<b>Ratio of deaths 1994=100</b>	<b>Number of injuries</b>	<b>Ration of injuries 1994=100</b>
1991	123	67	156	53
1992	184	101	293	100
1993	330	180	526	180
1994	183	100	292	100
1995	197	108	282	97
1996	243	133	331	113
1997	243	133	331	113
1998	246	134	343	117
1999	258	141	287	98

*(Statistics supplied by [South African Institute of Race Relations \(SAIRR\)](#) and the South African Police Service)*

Table 1 shows that taxi violence peaked in 1993, as community destabilisation intensified in the run-up to the election; with 1994 marking a trough in the levels of violence, during which taxi violence appeared to pause, as the industry underwent substantial re-organisation in response to the more permissive environment of the 'new' South Africa. The levels of taxi violence in this period echo trends in political violence, which reached its height in 1993, with 4 403 deaths, and then fell to 2 687 deaths in 1994 (Human Rights Committee, 1994, p.5). However, while levels of political violence have fallen dramatically since 1994, as the table demonstrates, taxi violence has increased since 1994. Since 1997 injuries have not increased as much as deaths, suggesting that killing is becoming more focused and accurate.

Over and above the quantitative increases, and echoing broader trends and shifts in violence, taxi violence has undergone significant qualitative changes. The once deep-rooted although secluded taxi conflicts that assumed the contours of the political struggle have, since 1994, become more widespread, more erratic and less easy to chart and combat. As demonstrated in the Cape Peninsula, post-apartheid taxi wars resonate with new problems and reflect a more dynamic and unpredictable South African society.

#### **The Cape Peninsula taxi wars (1994-2000)**

The formation of Codeta in 1992 ended six years of hostility between Lagunya and Webta. However, it was not long before new mega-taxi associations, or 'mother bodies',<sup>13</sup> were formed and taxi violence again engulfed the Cape Peninsula. This time the violence was more widespread, more random, more erratic and apparently more enduring.

Much of the taxi violence in the region since 1994 has related to feuds between new rival mother bodies, Codeta and the Cape Amalgamated Taxi Association (CATA). The CATA-Codeta violence has flared up and died down intermittently over the past five years, making the Cape Peninsula one of the most volatile areas in the country as far as taxi violence is concerned. In the late-apartheid period taxi violence was contained within Khayelitsha and Nyanga, but since 1994 the entire Peninsula has been embroiled in violence resulting from a series of connected and unconnected taxi wars.

Apart from various twists and turns in the CATA-Codeta conflict, two additional factors have contributed to the highly volatile situation in the Cape Peninsula since 1994. At times the divisions between coloured and African communities have fed into the taxi violence. And, more recently, taxi violence has become embroiled in gangsterism. [Appendix 2](#) provides a chronology of the violence. What follows is an analysis of the taxi violence.

#### **Analysis<sup>14</sup>**

After the vicious taxi war of the late-apartheid era, a period of calm followed the formation of Codeta in May 1992. Although tensions simmered between the former Webta and Lagunya components, for a while taxi operations occurred relatively peacefully. However, throughout this lull in the violence, monitors were concerned that the merger of long-time rivals under a new banner would not last long. Adding to these concerns, a series of post-amalgamation deals not to co-operate with legal proceedings were struck between the former adversaries, making prosecutions of known perpetrators of violence impossible. Monitors were convinced that, during the period between May 1992 and October 1994, a criminal element within the industry had begun to take hold in the run-up to, and immediately after, the election.<sup>15</sup>

Six months after the election, in October 1994, the uneasy truce was shattered with the formation of a breakaway mother body taxi association - CATA - from Codeta and the resumption of taxi violence in a different form. Whereas under apartheid the taxi war overlay a political struggle waged against the residents of Khayelitsha and Nyanga by the apartheid regime, in the post-apartheid period there is not one, but many taxi wars that weave in and out of the dominant war between CATA and Codeta. And, whereas under apartheid, township and informal-settlement communities were the sites of conflict (with shacks burnt, residents killed and high-profile civic and ANC members targeted), in the post-apartheid era commuters have been the main victims of the violence, usually caught in the cross-fire of gun battles between taxi associations.

The 1994 CATA breakaway from Codeta was the logical outcome of tensions that had been building since May 1992, mainly as a result of former Webta members' perception that Codeta favoured Lagunya members. Internal strife was heightened during the election after the Independent Electoral Commission (IEC) issued a cheque for R48 000 as a subsidy for the transportation of voters to polling stations. Ex-Webta members of Codeta alleged that these funds had not been fairly distributed after the election. At a basic level these members felt that Codeta had never served their interests.

The final straw for the disgruntled members was a disagreement over the construction of the Station taxi deck in Cape Town. The former Webta members were concerned that the

proposed relocation of their operations to the deck would confuse commuters and compromise profits. When the members tried to raise their concerns with the Codeta executive committee they were ignored and sidelined. In October 1994 a dissident group of former Webta members, headed by charismatic and apparently ruthless Simon Booï,<sup>16</sup> broke away from Codeta and formed the mother body CATA. Almost immediately warfare erupted as CATA launched a violent bid for routes, ranks and local association members. From the outset, CATA's gangster-style hit-squad, or 'protection unit' as it is called, used strong-arm tactics to invade Codeta's territory.

CATA's hit-squad is organised by Simon Booï, who employs sharpshooters with gangster-like names such as Smiley, Rasta and S'Boy-S'Boy. Simon Booï's 'political' savvy and uncanny ability to out-manoeuvre the authorities has fuelled CATA's expansionist drive in recent years. In contrast, Codeta has suffered extensive 'defections' and has been substantially undermined as a result of the five years of conflict with CATA. Today the much-weakened Codeta operates mainly from Khayelitsha.

Although continually simmering, there have been four broad phases of intensified CATA-Codeta conflict over the last five years. The first phase was prompted by the formation of CATA and continued from October through November 1995. There followed a seven-month period of calm that was shattered in July 1995 by a drive-by shooting that led to a series of tit-for-tat attacks and low-level conflict between the two mother bodies over the next three months.

The second phase of intensified violence began in December 1995 over internal Codeta conflict. Codeta members from Khayelitsha were unhappy with Codeta's executive, which they saw as increasingly pro-CATA. The resulting violent conflict continued into 1996. Violent tensions within Codeta reached crisis point in March 1996, with the split of Codeta. The executive, along with its local associations, (mainly from Nyanga, Langa and Guguletu), was expelled from Codeta and immediately affiliated to CATA. Codeta was left with only its Khayelitsha stronghold. The split was particularly acrimonious and resulted in continued violence throughout 1996 as the freshly empowered CATA continued its expansionist drive.

In January 1997, the Cape provincial authorities were finally able to put into place a co-ordinated taxi plan to halt the violence. For the next two months police and army roadblocks and patrols ensured that taxi violence was all-but suppressed. However, a third phase of intensified CATA-Codeta violence erupted for no apparent reason in March 1997, and continued until August. There was a brief period of respite between September and December 1997.

The fourth, and continuing phase of taxi violence, began in January 1998. This time the CATA-Codeta conflict assumed a deeper dimension with a crossover into gangsterism.<sup>17</sup> It is now apparent that many of the CATA drivers are also gangsters and use the taxi industry as a springboard for gang and drug-related warfare. According to the HRC, 'several coloured taxi associations have solicited the "protection" of some of the Cape Flats' most feared ganglords' (Human Rights Committee, 1996c). [Appendix 2](#) outlines the involvement of the 'Sexy Boys', 'Yakkies', 'Clever Kids', '28's prison' and 'The Firm' gangs in taxi violence, starting in 1998. The combination of gangsterism and taxi violence, in an area

renowned for violent gang warfare, is an explosive mix that has the potential to drive the taxi wars to new heights of violence. This disturbing new trend of the overlaying of gangster dynamics on the taxi industry is a fairly new, but increasingly visible, phenomenon that needs to be further investigated.

In the latest twist in the Cape Peninsula conflict, taxi operators have united against competition from Golden Arrow buses in Khayelitsha. This very recent aspect of taxi violence may have wider implications as the Golden Arrow bus company is operating services in the area *in terms of an interim contract with the National Department of Transport (DoT)*. Such service contracts are currently going to tender around the country. Indeed, the establishment of new, 'taxi-friendly', conditions for awarding transport service contracts is one of the fundamental objectives of the government's planned restructuring and recapitalisation of the taxi industry, discussed below.

Sometimes intersecting the CATA-Codeta conflict, racial tensions have intermittently played a role in the violence. Over the last five years since the election in 1994 the once relatively united black communities of the Cape Town area have become increasingly divided between coloured and African segments. At least part of this emerging trend has its roots in apartheid destabilisation tactics that sought to divide coloureds (and Indians)<sup>18</sup> from the larger African population through economic and political incentives, as well as through the more nefarious activities of its security forces. These tensions have come to the fore in the post-apartheid period and have increasingly been expressed in taxi violence.

The Peninsula Taxi Association (PTA) was formed in October 1995 as a coloured alliance against the predominantly African CATA. Its affiliated members, who operate in the coloured communities of the Cape Flats, established the PTA as a direct response to their perception that CATA, as an Africanist organisation, was 'too black' to serve its operators and communities.<sup>19</sup> The growing estrangement between African and coloured taxi operators, and the latter's attempts to carve their own space in the industry, have led to periodic incidents of racial violence such as those in October and November 1995, May 1996, and April 1998.

The race factor was afforded fresh impetus with the formation in June 1997 of a new strictly coloured mother body, the Reformed United Taxi Association (RUTA). RUTA, it was hoped, would defend coloured communities from CATA-related violence. There was some initial violence between RUTA and CATA in the first month of its establishment, but for the moment things seem to have settled, with RUTA still too small to be a threat to CATA's empire. Recently, economic development in the form of the growth of new African informal settlements, along routes traditionally operated by coloured taxi associations, has exacerbated tensions between African and coloured taxi associations as CATA has attempted to monopolise these new routes. One result has been that previously-unaffiliated coloured associations were 'seemingly angry as well as afraid of the expansionist tendencies of CATA into their territory which has indeed become busier due to new "black" or African settlements being established at intervals along their routes' (Human Rights Committee, 1998a, p.39). They consequently formed new alliances with Codeta in a bid to secure their routes. The racial aspect of the taxi violence is ongoing.

Thus, rather than being a concerted political campaign as was the Cape Peninsula taxi war

during late-apartheid, the post-apartheid conflict follows the contours of a number of more generalised post-transition socio-economic trends, expressly, increasing economic stratification and social differentiation. In the Cape area these relate, specifically, to the emergence of racial divisions within previously relatively united black communities, and the growing dominance of gangsterism in the area. Throughout the country, the trends relate to the increasing localisation and informalisation of association and the decreasing role of the state and high-politics in everyday life.

### **Emerging trends**

Following the general election in 1994 the landscape of violence generally, and of the taxi wars specifically, has altered. Comparing taxi wars before and after 1994 reveals fundamental changes in the shape of the taxi violence and of its motivating forces.

In the main, as taxi associations have assumed the previously political roles of organisation and protection, and as the ANC government has battled to tackle apartheid's socio-economic legacy of poverty, violence and crime, taxi violence has become increasingly informal, decentralised and complex. Taxi operations and taxi wars, echoing other post-1994 modes of enterprise and violence, have been largely de-linked from formal politics. In the process, although the problems of over-traded routes persist, other factors have emerged as determinants of the violence. Chief among these are the dominance of mother bodies, conflict generated by government-initiated processes and official corruption.

### **The dominance of mother bodies**

Most of the taxi violence can be traced back to the executive officers of the various mother bodies ... . The senior executives of these associations decide who can use what route and what taxi rank, and how much the privilege will cost them. A taxi going from Cape Town to Umtata, for example, will pay at least R200 to the associations controlling different sections of the route ... . The only justice in this law of the jungle is that the executives live in as much fear for their lives as do their drivers and passengers. (Barron, 1998)

### **Taxi association membership fees**

Although fee collection differs from association to association, the usual method begins at taxi association level. On an established day each taxi owner brings the weekly fee to the taxi rank (unless the taxi rank has become a war-zone, in which case an alternative venue is established), where it is collected by a local taxi association executive member. Weekly membership fees range from R25 to R2 000 depending on how lucrative the particular route is. Part of the local taxi association fee is earmarked for the relevant mother body and is usually delivered to a nominated mother body executive member. Mother bodies typically supplement these weekly contributions with ad hoc collections that usually entail a henchman randomly visiting taxi ranks and extracting as much cash as possible from all the drivers and owners present.

As revealed in the Cape Peninsula, one of the most crucial factors behind the ongoing violence has been the rise of mother bodies. Today local taxi associations (of which there are an estimated 1 300), which ply specific routes for which they set the fares and provide ranks, usually belong to a provincial and/or regional umbrella association called a 'mother body'. The taxi industry is dominated by these shadowy informal groupings, which have become the organisational force behind the ongoing taxi violence, and political and economic agents in their own right since 1994.

As indicated earlier in this report, the alliances drawn between taxi associations and political parties were crucial during the early years of taxi conflict when operators and most residents in black localities relied primarily on political parties to provide socio-economic security and protection. However, it was not long before taxi associations began to assume the previously political role of providing protection to taxi operators. The crucial factor behind this process was the rise and expansion of mother body taxi associations.

Mother bodies typically comprise loose alliances of local and long-distance taxi associations in a particular region. They usually, but not necessarily, span more than one province (for example, the Western Cape mother bodies only operate in that province). However, there is no precise definition of a mother body; nor is there a specific delineation of the distinction between a local taxi association and a mother body. Mother bodies are essentially historical constructs: supra-local taxi associations that, 'by virtue of throwing their weight and forcing their presence', are regarded by other players in the industry, as well as the government, as official.<sup>20</sup>

Today the only real common denominators among mother bodies are their focus on violent protection of spheres of interest, and their self-conscious appropriation of the label. Whereas local associations provide an invaluable service to taxi operators, mother bodies focus on appropriating money and organising the violence. During late-apartheid there were only two mega-associations, SABTA and SALDTA, but there are currently thirteen mother bodies operating in South Africa, almost all of which were established immediately after April 1994.

Hit squads are a vital component of mother-body operations. All mother bodies (with the probable exception of SABTA) support hit squads, which commonly comprise professional assassins 'who have received military training in liberation movements or the police, or come from skilled criminal syndicates' (Khosa, quoted in Barron, 1998). Hit men, who are paid either monthly retainers or per assignment, are frequently recruited from remote rural areas or even neighbouring countries, making them 'harder to track down than local hired assassins' (Mother-body boss, quoted in *Mail & Guardian*, 1998, 29 May-04 June). In addition there is evidence that 'hundreds' of former askaris, who were retrenched by the apartheid government in its final years, have been employed as taxi hit men (*City Press*, 1997, January 05). Hit men are used against rival local associations and mother bodies (targeting passengers, drivers and executive members), as well as against non-co-operative members of the home mother body. Hit men are also used as a form of vigilante protection against hostile vehicle hijacking syndicates and have been rumoured to collaborate in vehicle hijackings for the benefit of allied mother bodies. Payments to hit men can be substantial. For example, payment for the assassination of a rival mother body executive

member can be as high as R80 000 (*City Press*, 1997, January 05). According to the police in Gauteng, hit men are paid R1 000 for the death of a passenger, R 2 000 for the death of a taxi driver, and R4 000 for the death of a taxi owner (Smith & Vines, 1997, p.41).

But the real money is made at the level of mother-body executives. In the absence of any formal financial control - there are usually no receipts, no audits and no taxation - a lot of revenue flowing into mother bodies goes directly into the pockets of association executives. The more senior the executive, the more money he can access (Barron, 1998), allowing fortunes to be made by individuals in a short period of time, and providing space for the meteoric rise of charismatic and powerful individuals such as Simon Boo. This is why the top positions in mother bodies are so viciously contested. At the top of the hierarchy a small clique of mother-body bosses make huge profits, extracting income from drivers, owners and local associations. The National Intelligence Agency (NIA) estimates that mother bodies can earn over R100 000 a month per local affiliated association. Clearly, with some mother bodies having as many as 200 local affiliates, there is a lot of money to be made in this way. The head of one mother body reportedly has R3-million in his current account and earns approximately R60 000 a month from affiliates' fees (*Mail & Guardian*, 1997, January 24-30).

The development of mother bodies has fundamentally altered taxi operations and taxi violence. Previously, operating a taxi route might necessitate violence in order to protect that route, but now violence, or the threat of violence, is used by mother-body bosses to extract money, as well as compliance from others within the taxi fraternity. Today there is more money to be made in controlling a mother body than in operating a route. Hence an increasing percentage of taxi violence relates as much to the defence of association resources as it does to taxi operations. Under such conditions, mother bodies experience internal tensions as they expand and particular individuals become more powerful, seeking to displace the established leadership. With increasing resources invested in taxi associations, power struggles and violent executive takeovers such as occurred between CATA and Codeta are not uncommon.

Assassinations of mother-body bosses are also not uncommon. Perhaps the most notorious mother-body executive, Dickson Mampane - the former president of the South African Local and Long Distance Taxi Association (SALLDTA) who was allegedly responsible for hundreds of taxi-related deaths - was assassinated on 1 May 1997. Wanted by the authorities on various charges of murder and attempted murder, Mampane was suspected of planning SALLDTA's hit-squad activities. He was also rumoured to have personally killed a number of his own hit men by walking behind them and shooting them in the back once they had completed their missions. Mampane was shot dead after a meeting with Jacob Ledwaba, the president of the Lethlabile Taxi Organisation (LTO), who himself was subsequently assassinated. Ledwaba was assassinated on 6 June 1997 in what many believe to be retribution for the murder of Dickson Mampane a month earlier. Another infamous SALLDTA executive member, Phillimon Nkadimeng, was shot dead in a lift as he was leaving SALLDTA's Braamfontein regional offices on 24 June 1997.

## Conflict over government attempts to formalise the taxi industry

### **The National Task Team (NTTT)**

The NTTT was established to deliberate the problems of violence in the taxi industry. It held its first meeting on 20 April 1995. The NTTT comprised a chairperson from the national DoT, nine government officials from provincial departments of transport, ten taxi industry representatives, and nine special advisors. It held 36 public hearings around the country between August and December 1995, was deliberated in two taxi plenaries in February and March 1996, after which the NTTT's final recommendations were presented to the Minister of Transport in August 1996. The most significant recommendation was that the taxi industry be re-regulated as a matter of urgency. Translated into government processes, re-regulation began to be implemented in 1998. After having secured the parameters for re-regulation, the NTTT was finally disbanded in July 1998.

A very dramatic and pronounced component of post-apartheid taxi violence has been the upsurge of taxi wars related to rejection versus defence of government processes aimed at formalising the taxi industry. The government is often accused of not doing enough to stop taxi violence, but many attempts to intervene in the taxi industry have upset fragile symmetries and have exacerbated existing conflicts and/or sparked new ones. Government intervention invariably creates disturbances, from which certain protagonists stand to gain while others stand to lose, and this frequently leads to violence. Since 1994, government attempts first to re-regulate, and more recently to restructure, the taxi industry have in many areas worsened taxi-related conflict.

### *Conflict over the re-regulation process*

An alarming example of how government processes can generate violence flared up during mid-1998, at the point when the government started to conclude the National Taxi Task Team (NTTT) and implement its re-regulation process on a national scale. As evident from table 2, in April/May 1998 there was an increase in nation-wide taxi violence that was so marked as to raise suspicions that it was orchestrated.

Starting on 7 April, the spree of taxi attacks and counter-attacks continued for almost three months. During the most intense period, between 7 April and 21 May, over 70 people were killed and 130 injured in taxi-related violence around the country. Over the next two months it became clear that the 7 April attack marked the beginning of a concerted spree of attacks around the country, the onset of a 'nation-wide resurgence in taxi warfare' (*The Star*, 1998, April 24), which, for the most part, outsmarted the authorities. By 11 May, a dejected Gauteng transport department official admitted that the government's strategies aimed at curbing the taxi warfare in the province had failed, claiming: 'it is the feeling of the government that we have now exhausted all avenues of negotiations and mediation with the taxi industry with little success' (Gauteng transport department official, quoted in *Business Day*, 1998, May 11).

**Table 2: Taxi Violence, 1998**

	Incidents	Deaths	Injuries
January	20	15	41
February	20	10	14
March	21	19	10
April	29	39	51
May	44	37	81
June	14	12	9
July	25	34	31
August	11	4	16
September	36	16	31
October	23	17	22
November	35	23	29
December <sup>21</sup>	13	10	7
<b>TOTAL</b>	<b>291</b>	<b>246</b>	<b>343</b>

*(Statistics supplied by the South African Police Service)*

The resurgence of widespread taxi violence dumbfounded not only the authorities but also seasoned commentators. Explanations for the apparently instigated upsurge ranged from old-style third-force manipulations to a symptom of the broader criminalisation of South Africa. Behind the scenes it was obvious to those closest to the industry what was really going on: the violence was a direct response to government's attempts to re-regulate the industry in terms of NTTTT recommendations. This process threatened the interests of many less-established taxi associations, as well as all those relying on violence as a means of revenue extraction. Dipak Patel, DoT Director-General, described the events as 'the actions of vested interests threatened by moves to restore order ... efforts by Mafia-type elements clinging to their positions of power as the restructuring of the industry is shaping up' (*The Sowetan*, 1998, May 27).

It is clear now that, beginning in mid-1998, much of the current violence relates to government efforts to draw the taxi industry into a formal system of accountability through re-regulation. In the main re-regulation involves three linked processes:

1. a (frequently unobserved) moratorium on permit issuing;
2. the registration of which taxis are operating, where; and
3. the special legalisation of illegal operators without permits.

These processes are ongoing, but lack momentum, co-ordination and clout. However, although on balance re-regulation has not achieved much yet, it has clearly upset vested

interests in the taxi industry. Notably the newer taxi associations, which have not yet established a hold over the industry, are opposed to re-regulation, fearing that power will be consolidated around a constellation in which they are not well represented. Proposed changes have also been opposed by those mother bodies whose main interest lies in organised violence. In the words of Mac Maharaj, former Minister of Transport (quoted in *The Sunday Independent*, 1998, May 24):

The upsurge in violence is caused by those who want to resist change in the industry. They are so used to making money through violence that they are opposed to the regulation and formalisation that will ensure that it is properly run.

### **Conflict over the restructuring process**

Responding to the perceived failures and problems of the re-regulation process, since 1999 the government has shifted its focus to restructuring the taxi industry in terms of an ambitious recapitalisation programme. This bold programme envisages the creation of a new taxi industry, comprising larger 18- and 35-seater diesel powered vehicles, to be introduced in early 2001, and which will be regulated from the outset. A considerable gamble, restructuring will sideline mother bodies in favour of a new, more formal, taxi association - the South African Taxi Council (Sataco) - which, it is hoped, will ultimately represent a new generation of more legitimate taxi operators.

Sataco was formed in August 1998 as an industry-driven response to the government's failed attempts to resolve taxi violence. The organisation has as its aims 'the achievement of peace and unity in the taxi industry', and 'the development of economic benefits and empowerment for all those operators in the industry' (Sataco, 1999, p.2). It developed out of the insecurities of a band of taxi bosses, spearheaded by the leadership of SABTA (the most formal mother body), along with various provincial and local taxi structures, who were concerned about the effects of violence and wanted to create a sustainable framework for formalised economic development within the taxi industry. One of Sataco's future plans is the establishment of its own bank to control the industry's floating capital, to facilitate interactions over state tenders, and to help taxi owners with financing which they cannot get from existing institutions. From the outset Sataco has allied itself with the government's restructuring programme,<sup>22</sup> hoping to be a direct beneficiary, particularly regarding recapitalisation partnership deals on the new vehicles to be manufactured and also in terms of transport service contracts for government-subsidised routes.

The formation of Sataco had an immediately demonstrable effect on the taxi landscape. In the year following its formation there was a decline in incidents of taxi violence across the country. Whereas there were 242 taxi-related deaths between August 1997 and August 1998, there were 224 taxi-related deaths between August 1998 and August 1999 (SAPS statistics). For a while it seemed that an equilibrium had been reached, suggesting not only that Sataco had managed to govern its own members, but that the rebel taxi associations, while not actively supporting it, did not see that it would be to their benefit to disrupt the process.

However, as might have been expected, the establishment of Sataco and the proposed plans for the restructuring of the taxi industry have not been without their problems and have

already provoked opposition from those mother bodies that regard restructuring as a threat to their violence-oriented business interests. A month after Sataco was officially recognised, in June 1999, a splinter group of disgruntled taxi associations called the National Taxi Alliance (NTA) was formed. Claiming to represent 'the majority of the taxi industry', the NTA issued a statement to the media the same month that the tender for manufacture of the new vehicles was announced, in September 1999, stating that it did not recognise Sataco because the plans to restructure the industry were 'compounding the problems in the industry' and were 'directly responsible for the present chaos and violence' (*The Citizen*, 1999, October 11). Although too early to tell, it is possible that the NTA will gain much support among the most violent mother bodies, suggesting the possibility of further upsets within the taxi fraternity and the consolidation of power in a supra-mother body association. In addition, during early 2000, the National Taxi Drivers' Organisation (Natdo) - which claims to represent the national interests of taxi drivers<sup>23</sup> - embarked on a series of highly publicised protests against the recapitalisation process, fearing job losses as a result of restructuring.

Notwithstanding NTA and Natdo opposition, it is still unclear what effect the establishment of Sataco and the government restructuring processes will have on the existing taxi industry. However, as with all new developments in this volatile sector, it carries the risk of upsetting established power relations and generating conflict. Indeed, the hasty introduction of one of the proposed features of the new vehicles - smart-card technology - has already created violent disturbances where it was prematurely and forcibly introduced by SALLDTA in the Soshanguve area, in August 1999.<sup>24</sup> By the end of December 1999, 15 people had been killed in the smart-card-related wave of taxi-related violence in Soshanguve.

Although it is still too early to assess the impact of these recent developments, it is clear that if taxi violence is to be controlled, the nature of government intervention and its programmes must be scrutinised to understand 'why all the measures employed have failed to bring lasting calm' (*The Star*, 1998, May 04) and why some of the measures have actually contributed to the violence.

#### **Problems relating to state capacity and corruption**

However far it operates beyond the reach of state control, the taxi industry obviously does not operate in a formal vacuum. In the same way as under apartheid when state agents contributed to taxi violence as part of a political agenda, today state agents contribute to taxi wars but in different ways and for different reasons.

#### ***Incapacity***

Probably the most crucial basis of social control for any state is the criminal justice system, which must strive to operate in a fair and effective way if law and order is to be maintained in society and if democracy is to be consolidated. In South Africa the criminal justice system, which under apartheid was designed not to administer justice but to defend the apartheid system, has in recent years battled to contain the rising levels of criminality and violence. Indeed, 'its capacity to inhibit high rates of violence has been drastically weakened by dysfunctional policing procedures, judicial processes and penal management' (*The Star*, 1998, May 04).

Throughout the country there is a low arrest and poor conviction rate due mainly to poor investigations, cover-ups and docket tampering (Shaw, 1995, pp.49-50). In the main, these problems relate to poor training, staff demoralisation, lack of resources, low pay and, increasingly, to corruption (Shaw, 1995, pp.49-50) (discussed further below).

As with other forms of violence, official incapacity has a demonstrable effect on taxi wars and in many respects facilitates the spread of violence. The fact that government has stated publicly on various occasions: 'we know who the people are behind the violence - we need to verify our information and then apprehend them' (Transport Minister, Mac Maharaj, quoted in *The Sunday Independent*, 1998, May 24), and yet continues not to act, suggests important gaps in the government's competence, which taxi associations are able to take advantage of in order to expand their violent operations. It also points to the fact that the state bureaucracy is unable to deal in a co-ordinated manner with this level of organised crime. In the words of one taxi driver, 'a long time ago we were promised contact numbers for police so that we could warn them of possible attacks, but we are still waiting' (*The Sunday Independent*, 1998, May 24).

For the most part the taxi industry, seemingly, has been left to 'clean itself up', through the assassination of problem individuals. By this means at least ten key men known to have been behind much of the violence have been eliminated, presumably by members of rival taxi associations. South Africans should obviously not have to rely on this method to eradicate the violence. The taxi crisis requires a degree of co-ordination that is so far lacking in the new government:

While it is true that endemic violence among taxi operators has its roots in the old society rather than the new one, it appears to have defeated the best efforts of government so far. The costs have been high in human and material losses. These days, hardly a week passes without people being killed in the feud and property being torched. If the warlords of the taxi industry and their hit men shot each other up in the Kalahari or some such remote place, this would explain the absence of effective government action to eradicate the menace. But the half-wits, armed with all sorts of guns, seem to have chosen public places such as crowded taxi ranks and motorways as their theatres of battle . . . . So far the role of the police has amounted to little more than counting bodies after the madmen of the taxi industry have wreaked havoc. (The Sowetan, 1998, May 13)

In mid 1999, responding to the failure of traditional policing and justice to deal with rising crime and violence, including taxi violence, a new elite joint-police-and-justice task force called 'the Scorpions' was established. Located in the Office of Public Prosecutions this unit has had some successes regarding the identification and prosecution of a few of the kingpins of South Africa's taxi mafia. However, while the widespread problem of official corruption continues to confound most attempts to legitimate taxi operations, 'the Scorpions' successes are likely to be limited.

### ***Corruption***

The taxi industry was born out of corruption. Prior to 1987 only those few with access to corrupt authorities could enter the business. These operators were able to use this advantage

to take the lead in the business after it was deregulated in 1987. According to the DoT's former Director-General, Dipak Patel, today there is a sophisticated group of people organising the violence 'precisely because, under apartheid, it was chaotic, lacking in control and open to corruption' (interview, 1997).

Under apartheid, corruption related mainly to the issuing of permits in terms of which bureaucrats sold permits for cut-price rates and police officers could be paid to turn a blind eye to illegal operators. Since 1994, corruption has related more frequently to official ownership of taxis.<sup>25</sup> Compared with permit issuing, taxi-ownership offers much higher returns, with the consequence that as the stakes have gone up, so has the level of corruption. It is generally acknowledged that a major factor in the ongoing taxi violence, and the government's failure to stop it, is ownership of taxis by officials, including police officers. Even transport officials acknowledge that 'police either turn a blind eye to taxi-related crime or are involved in the crime themselves' (*Mail & Guardian*, 1998, May 15-21). According to Gauteng's department of transport spokesperson, Kate Bapela, 'the violence is complicated by the involvement of civil servants, especially police officers who own taxis'. And in the words of KwaZulu/Natal's provincial director of public transport, George Mahlalela, 'if a taxi owner's association is fighting with another association, [the policeman] protects the one in which he has interests' (*Mail & Guardian*, 1998, May 15-21). Specific cases reveal that often police personnel own taxis belonging to particular associations and use their position of authority to undermine rival associations. A recent case where Johannesburg police officers were using their formal links to gain economic ground for their taxi association erupted into violence after this corruption was exposed (*The Star*, 1996, May 25).

By 1996 levels of police corruption and complicity had become so high that, addressing a group of lawyers during a week in which a renewed outbreak of taxi violence had claimed at least six lives in the Eastern Cape, Nelson Mandela publicly lambasted the police force:

The level of corruption among policemen is so high that government efforts to halt the upsurge of crime and [taxi] violence are severely undermined. Government has declared war on taxi-violence ... but instead of helping to eliminate crime and violence a good number of policemen are known to be undermining the effort by associating with the criminals for financial gain. (*The Star*, 1996, November 06)

There are numerous claims that although the police have been furnished with details of hit men and attacks, the authorities have failed to act. Indeed, despite uncovering several secret training camps for taxi hit squads and identifying the members of the various taxi associations most implicated in hit-squad activities, the South African Police Services (SAPS)'s Serious Violent Crime Unit has failed to act against the perpetrators. It has been suggested that one of the reasons why 'the police have apparently hesitated to pounce on the suspects', meaning that 'in the past three years very few people have been convicted in connections with major drive-by shootings', is that 'prominent individuals are allegedly directly involved in the conflict between the taxi associations', with policemen 'heavily involved in the taxi wars' (*City Press*, 1998, April 26). In many cases the police have been directly involved in the shootings as they back their association against its rival (*City Press*, 1998, April 26). During the first half of 1998 alone, 13 policemen were charged with

involvement in the taxi-violence (*Business Day*, 1998, June 15). In addition to owning taxis, according to Neville Thoms, head of SAPS's Special Presidential Taxi Task Team (SPTTT):

Policemen hire out their weapons to be used in hits, if they don't actually perform the hits themselves, and they hire themselves out as bodyguards to senior executives. They further hamper investigative work by stealing dockets or leading their contents, and warning suspects of impending arrests. (quoted in Barron, 1998)

Poor and partial policing, along with actual involvement in the violence, is one of the greatest factors behind contemporary taxi violence, leading the DoT Director-General, in May 1998, to state: 'the violence is in essence not a transport problem but a criminal one' (*The Sowetan*, 1998, May 27). In January 2000 Gauteng's provincial minister for public works and transport, Khabisi Mosunkutu, was reported as saying that there was now 'overwhelming evidence of police complicity in taxi violence' (*The Guardian*, 2000, January 28).

The problem of corruption, as relating to the ownership of taxis, is wider than the police force, pervading the entire government bureaucracy, and greatly contributes to the ongoing violence as officials promote the taxi association to which their taxis are affiliated. Taking their precedent from apartheid bureaucrats that 'took advantage by either issuing fraudulent permits or by entering the industry as operators' (*The Star*, 1998, May 04), new bureaucrats have wasted no time in jumping on the taxi bandwagon, complicating the task of enforcement and significantly contributing to spiralling taxi violence.

As with broader criminality and violence in South Africa, it is difficult to ascertain the degree of official corruption and complicity. However, it is a matter of public knowledge that officials and police personnel own taxis affiliated to taxi associations, including the most violent mother bodies, and that this is a major factor force behind the continuation of taxi violence in problematic areas.

In August 1999 a commission of inquiry into taxi violence in Soshanguve found 'police complicity, ineptitude and inefficiency in dealing with taxi violence' and revealed the fact that 'senior policemen, including a station commissioner, are implicated in bloody taxi clashes' (cited in *The Pretoria News*, 1999, October 13). The commission's report named police officers allegedly colluding in the violence, identified corrupt police stations in the area (*The Citizen*, 1999, October 13; *The Pretoria News*, 1999, October 13) and detailed examples of how 'police officials leased government property, including firearms, bullet-proof vests and police uniforms, to taxi associations for use in their attacks against rivals' (cited in *The Mail & Guardian*, 2000, 28 January-03 February). Shockingly, the commission found evidence that particular police officers had participated in the actual attacks against taxi drivers and owners. On July 15 1997, for example, 'police officers at Rietgat police station [in Soshanguve] joined with several taxi owners who were kitted out in police equipment and went on a shooting spree at a Soshanguve taxi rank' (*The Mail & Guardian*, 2000, 28 January-03 February). In a controversial decision the committee's report was withheld because of its sensitive revelations. However, in November 1999, the report was handed to the National Director of Public Prosecutions for further investigation and in January 2000 the report was redrafted and re-released, taking into account the safety

of witnesses and the integrity of current investigations. One of the commission's main findings was the fact that 'the endemic violence had been directly fuelled by the fact that taxis were owned by members of SAPS' (*The Star*, 1999, December 13). Although focusing on the violence in Soshanguve, the report's explosive findings are likely to apply to the country as a whole.

## **Conclusion**

The growth of the taxi industry since the deregulation of transport in 1987 has been spectacular. With some 140 000 taxis now operating countrywide, the industry has displayed high levels of resilience and innovation in the face of shifting political and socio-economic conditions, and has been lauded as the showcase of black capitalism in South Africa. But the speed and ingenuity of the taxi industry must be seen in the context of the endemic violence and crime that have marred this remarkable informal enterprise since its inception. Although no longer motivated by apartheid politics, cycles of violence have become deeply ingrained in the social fabric of the taxi industry, and have come to reflect a variety of social tensions and problems of post-apartheid society. In the process taxi wars have become increasingly decentralised, erratic and resistant to formal control.

Yet, in some respects, with the formation of Sataco, the taxi industry has come full circle, and now faces perhaps its greatest challenge. Recent developments embodied in Sataco and the government restructuring processes suggest the potential for a non-violent taxi industry. While there are still risks that the government's restructuring programme, by raising the stakes, will exacerbate conflict between taxi associations as they attempt to make the leap from small to bigger operations, there are, for the first time, signs that the violence that has plagued the taxi industry since its inception might only be transitional. However, while the jury is still out on the future of the taxi industry, it is desperately clear that unless the issues of mother-body criminality and official involvement in the industry are resolved taxi violence will not be eradicated. No matter how successful the government's restructuring processes, until those who are behind taxi violence, including government officials and police officers, are rooted out and imprisoned, taxi wars are likely to continue.

## **Abbreviations**

Alex	Alexandra informal settlement
ANC	African National Congress
ARMSTA	Alex-Randburg-Midrand-Sandton-Taxi-Association
ATA	Alex Taxi Association
CATA	Cape Amalgamated Taxi Association
Codeta	Congress of Democratic Taxi Associations
DoT	Department of Transport (National)
DP	Democratic Party
FELLDTA	Federated Local and Long Distance Taxi Association
HRC	Human Rights Committee

IEC	Independent Electoral Commission
Langunya	Langa, Guguletu and Nyanga Taxi Association
LRTB	Local Road Transportation Board
LTO	Lethlabile Taxi Organisation
MK	Umkhonto weSizwe, the ANC's armed wing
Natdo	National Taxi Drivers' Organisation
NIA	National Intelligence Agency
NP	National Party
NPA	National Peace Accord
NTA	National Taxi Alliance
NTPS	National Transport Policy Study
NTTT	National Taxi Task Team
PTA	Peninsula Taxi Association
RUTA	Reformed United Taxi Association
SABC	South African Broadcasting Corporation
SABTA	South African Black Taxi Association
SAIRR	South African Institute of Race Relations
SALDTA	South African Long Distance Taxi Association
SALLDTA	South African Local and Long Distance Taxi Association
SAPS	South African Police Services
Sataco	South African Taxi Council
SATS	South African Transport Services
SPTTT	Special Presidential Taxi Task Team
TCCC	Taxi Crisis Co-ordinating Committee
TRC	Truth and Reconciliation Commission
UMAC	Urban Monitoring and Action Committee
Unisa	University of South Africa
WCCC	Western Cape Civic Committee
Webta	Western Cape Black Taxi Association

## **Appendix 1**

Chronology of the Cape Peninsula taxi war (1990-1994)<sup>26</sup>

**1990**

- *October*

The conflict in the Cape, which had been simmering since the establishment of Webta in 1986, first erupted in the public domain in October 1990 after Lagunya and Webta operators clashed at the Strand Street taxi rank in Cape Town.

1991

- **March**

Several taxis were shot at, two were burnt and police dispersed about 30 drivers in Nyanga.

A taxi driver and two South African Black Taxi Association (SABTA) officials were injured while attempting to intervene in *clashes between drivers from Webta and Lagunya* who accused each other of stealing customers.

Later in March, a *peace agreement* was reached between the groups but fell apart following the death of a passenger in Khayelitsha.

In another incident three drivers were injured and eight taxis gutted in an attack at Nyanga taxi terminus.

Later a further taxi was hijacked and burnt.

In mid-March, after more than 12 people had been killed in less than a month of rival clashes, approximately 400 Guguletu and Khayelitsha *residents held a 15-kilometre protest march* and later resolved at a meeting to boycott taxis until fighting between rival groups ended. On the second day of the taxi boycotts (20 March) a taxi driver at Nyanga terminus critically injured a resident. Subsequently a woman was burnt to death and another woman injured in an attack on a taxi in Khayelitsha.

The Khayelitsha and Guguletu residents displayed tremendous courage and resolve in the face of violence, intimidation and the inconvenience of doing without transport during this period. The boycott resulted, towards the end of March, in a series of meetings between Lagunya and Webta, and culminated in the *signing of a 'Ten Point Plan'*. The Ten Point Plan was a wide-ranging peace plan that dealt with agreements in principle for negotiations on routes, ranks, permits, fares, taxi ownership, law enforcement, monitoring mechanisms, and rank and queue marshals. In terms of concrete measures, Lagunya and Webta agreed to display a 'T' emblem on their taxis as a symbol of their commitment to the process.

- **April**

On 1 April, in terms of the Plan, a *Taxi Crisis Co-ordinating Committee (TCCC)* was established. On the strength of this progress, on 10 April, Guguletu residents agreed to suspend the taxi boycott for a 21-day period to determine whether the warring associations would honour the agreement.

A few days later, Webta reneged on the Ten Point Plan by removing the accepted 'T'

emblem from their taxis, and shortly afterwards the *violence resumed*.

On 15 April taxis ceased operating in Khayelitsha following several attacks on drivers outside an ANC, which had been held to discuss the commuter boycott of taxis (the service only resumed four days later).

Sporadic violence between Webta and ANC supporters persisted during April, prompting a new round of peace talks.

- **May**

On 30 May over 200 Webta taxis blockaded the ANC's headquarters in Athlone, demanding the resignation of the TCCC, which they saw as being ANC-aligned.

- **June**

Peace talks broke down on 2 June as drivers from both associations failed to stick to the Ten Point Plan's route and rank allocations.

Three days later two youths were arrested by Webta members in Khayelitsha and handed over to the police after allegedly burning a Webta taxi. Also in Khayelitsha three people were shot dead and another injured in a taxi shoot-out, and in another incident a 'comrade' was allegedly abducted and beaten up by members of Webta after their taxis were stoned.

Between 6 and 19 June ***a number of violent attacks*** took place in Nyanga and Khayelitsha. A taxi was burnt out and the driver attacked at Nyanga Rank; on 9 June two drivers and ANC member, Zola Ntsoni, were killed in a Site C (Khayelitsha) attack in which the police were implicated; two ANC activists were shot; pamphlets were distributed to discredit Michael Mapongwana (Western Cape Civic Committee chair and member of the Taxi Crisis Co-ordinating Committee); Webta attacked commuters outside a Site B (Khayelitsha) soccer field; and, on 19 June, ANC activist Mziwonke 'Pro' Jack was killed. ***As the violence intensified relations between Webta and the community polarised.***

- **July**

In the beginning of July, the leaderships of Webta and Lagunya agreed to a cease-fire, but on the 3rd a Webta driver was shot dead next to his taxi.

On 8 July Michael Mapongwana, having survived a number of previous attempts on his life, was shot dead.

A few days later ***10 000 Khayelitsha residents marched*** to the police station to demand adequate policing and to complain that the state was using Webta assassins to orchestrate the killings of ANC leaders.

The violence continued as a taxi operator and two drivers were shot dead in separate

incidents in Nyanga.

- **August**

During August SABTA called for the reintroduction of regulation in the taxi industry.

A Nyanga resident was killed and two taxis were shot at.

On 27 August efforts by the community to end the conflict were thwarted by Webta's refusal to change its name in order to create a combined association. Khayelitsha residents reacted in anger by torching Webta taxis.

For the remainder of August there was a spate of retaliatory attacks against the residents of Khayelitsha, who had effectively rendered the area a no-go zone for Webta taxis.

In one attack a taxi was set alight and two men were killed in Site B.

In another attack, *allegedly aided by the police*, 200 shacks were burnt to the ground in Green Point.

A few days later Site B was attacked again and, at Kuwait Rank, three men and a boy were shot and killed.

On 15 August the house of Solomon Tshuku (a Lagunya taxi driver and chair of the ANC regional branch) of Site B was broken into at 2 am by *kitskonstabels*, who shot his wife and four children and then set the house alight. On the same night another taxi driver (and civic activist) from Site C saw two *kitskonstabels and a group of whites* throw a petrol bomb into his house. Shots were then fired into the room where his wife was. She was hit in the stomach and subsequently died.

- **September**

On 3 September *Webta operators, in concert with the police, launched a savage attack against the residents* of Site B, during which 11 residents were killed and 78 shacks were burnt to the ground.

A similar attack against Khayelitsha residents, this time in Green Point, took place on 13 September, during which over 100 shacks were razed.

- **October**

In October the situation further deteriorated.

On 2 October a City Tramways bus *driver was shot dead* and 20 families were left homeless after fires destroyed their homes in the KTC informal settlement in Khayelitsha. Witnesses saw three armed men shooting at random as they ran

towards a taxi and the residents claimed that police impeded them from fighting the fire. A KTC resident claimed that his shack was torched because it housed members of the TCCC.

On 10 October a combined Webta-Lagunya Peace Committee was formed. However, hostilities mounted over contraventions of the National Peace Accord (NPA), relating to *further police complicity in the violence*.

Police officers were barred from a Peace Committee meeting held on the 13th, during which Webta was accused of carrying out the previous week's attacks. At the meeting residents claimed that three men in a Webta taxi had started the fires in the 2 October attack on KTC and that they were later fanned by police officers posing as rescuers (*City Press*, 1991, October 13).

On 15 October Peace Committee hopes were once again dashed when a Lagunya driver was shot dead and four taxis burnt out on a newly negotiated route.

On the 16th *Webta* announced that its members had *rejected the latest peace proposals*.

And, on 26 October, the *Lingelethu West City Council withdrew from further peace talks*.

In the interim five people were shot in Nyanga; three witnesses saw police officers ignore Webta gunmen who were firing at a Lagunya taxi; five taxis and 12 shacks were burnt in Khayelitsha; and, in another incident, 12 shacks and five taxis were torched and a driver shot dead in Nyanga.

On 27 October Webta driver Michael Gubayo, who had been arrested earlier in the month on suspicion of murdering a Lagunya taxi driver, was released on bail. During his bail hearing Gubayo claimed to have shot the driver 'from a position of police protection' in order to assist the police, after having participated in a previous armed attack with police on 2 October (quoted in *Cape Times*, October 31) According to Gubayo, who not only owned several Webta taxis but was also a Lingelethu West City Councillor and member of the NPA Committee, he was a 'protected person' (quoted in *Cape Times*, October 31).

Five days later, ANC regional leader and Umkhonto weSizwe (MK) deputy commander Mxolisi Petane was arrested in connection with taxi violence. He and his co-accused Sergeant Ngubeni, and Lagunya chair Michael Kapiso, were charged with murder. It later transpired that this was an elaborate attempt to implicate the ANC and MK in taxi violence.<sup>27</sup> At the time of the murder Petane was actually in Goodwood writing an examination for the University of South Africa (Unisa). Petane was found not guilty and discharged. He later sued the state for R1-million in damages for malicious prosecution, arguing that his arrest and charges were frame-ups to discredit the ANC by linking it to the taxi war.

- *September*

***Peace efforts suffered another setback*** on 14 November, when representatives of SABTA were stoned by youths while visiting Nyanga.

On another occasion three Lagunya taxis were burnt out and a KTC resident was shot dead at a Nyanga terminus, and an eyewitness accused police officers of firing at residents.

On 27 November it was announced that the Goldstone Commission would investigate the Cape Peninsula taxi war.

1992

- ***January***

In mid-January, the ***Goldstone Commission inquiry team was appointed.***

On 31 January Webta and Lagunya began negotiations for a peaceful settlement.

- ***February***

Violence erupted again.

In one attack two people were killed and 10 injured; additionally, seven people including an eight-year old girl were wounded in crossfire outside Nyanga East bus terminus. Following accusations of being responsible for this attack, the police claimed that they were merely shooting to disperse taxi drivers.

In other incidents seven people were killed after an outbreak of violence at KTC; three people were shot and four burnt to death in Block D, Site C; approximately 150 shacks were torched in Black City (an informal settlement in Nyanga).

On 22 February two more people were shot dead.

- ***March***

After nineteen months, and numerous failed attempts, the taxi war was finally brought to an end on 8 March when ***Lagunya and Webta were collapsed into a united taxi association, Codeta.***

## Appendix 2<sup>28</sup>

Chronology of the Cape Peninsula taxi war (1994-2000)<sup>29</sup>

1994

- ***October***

After experiencing relative quiet for over two years since the formation of Codeta in

1992, taxi violence flared up again following the formation of a rival mother body, CATA.

In an explosion of taxi violence in the region, fourteen people were killed and 113 injured in 25 incidents of taxi violence in Cape Town, Crossroads, Delft, Khayelitsha, Kraaifontein, Mitchells Plain, Mowbray and Nyanga.

- **November**

The ***upsurge and spread of taxi violence continued*** when eleven people were killed and 52 injured in 74 incidents relating to Codeta and CATA conflict in Bellville, Bishop Lavis, Brown's Farm, Cape Town, Claremont, Crossroads, Goodwood, Guguletu, Khayelitsha, Kuils River and Langa.

1995

- **July**

After an uneasy period of seven months' quiet, one person was killed and eight injured in Nyanga in an incident of ***renewed taxi violence, involving a drive-by shooting*** by a gang that emerged from a CATA stronghold in Crossroads informal settlement.

- **August**

One person was killed and four injured in two incidents. In the first incident one person was shot dead and two injured in a drive-by shooting on a CATA taxi in Nyanga. In the second incident two members of the Wynberg Central Taxi Association were stabbed at the Cape Town station taxi deck, allegedly by members of the rival association, the Wynberg Main Road Taxi Association, which had recently affiliated to CATA for the protection of its notorious hit-squad.

- **October**

Two months later, five people were injured in two incidents. In the first incident a member of the newly formed PTA, an amalgamation of local taxi associations from coloured areas, assaulted a member of the CATA-affiliated Vredehoek Taxi Association (VTA) in a conflict over taxi routes. The other incident involved a shooting incident between CATA and Codeta members at the Langa taxi rank.

- **November**

Three people were injured in 13 incidents involving six traditionally coloured PTA-affiliated local associations, and one traditionally African CATA-affiliated local taxi association. This conflict revolved around the PTA-affiliated taxi associations' ***attempts to protect their routes*** from CATA's aggressive expansionist drive.

- **December**

There was a *fresh outbreak of violence* between CATA and Codeta, during which nine people were injured in 17 incidents. Seven of those injured (four of them commuters) were injured in taxi violence relating to an internal Codeta dispute that spilled into 15 incidents of local level CATA and Codeta faction fighting. Codeta operators of the Khayelitsha-Wynberg route, angry with 106 former Codeta members for 'defecting' to CATA the previous month, prevented new CATA members from loading passengers at the Kuwait rank in Khayelitsha.

A retaliatory attack in Wynberg led to other tit-for-tat attacks in Philippi, Guguletu, Crossroads, Monwabisi and Mnandi Beach. The other two people were injured in two incidents of fighting between the Codeta-affiliated Mowbray Taxi Association and the CATA-affiliated Wynberg Main Road Taxi Association.

1996

- *January*

The CATA-Codeta conflict continued during 1996, with ten people killed and ten injured in 22 incidents in taxi violence during January. This upsurge in violence followed the *National Taxi Task Team (NTTT)*'s proposals to restructure and re-regulate the taxi industry,<sup>29</sup> which exacerbated conflict between CATA and Codeta as CATA felt that it had to rapidly develop a power base in order to benefit from plans to re-organise the industry.

Two people were injured in an incident in which CATA and Codeta members opened fire on each other in Town Two, Khayelitsha.

Hostilities between CATA and the Codeta-affiliated Scottsdene, Northpine and Kraaifontein Taxi Association (SNKTA) intensified as CATA put its taxis on the lucrative Bellville-Kraaifontein route.

- *March*

Six people were killed and at least 51 injured in 24 incidents of violence all related to *feuding between CATA and Codeta in Khayelitsha*, which was complicated by internal tensions within Codeta over the perception that Codeta's executive was too CATA-friendly. The old executive, perceived to have sided with CATA, was given a vote of no confidence by Codeta's Khayelitsha branch, formerly called Lincross (standing for Lingelethu West and Crossroads). Codeta's old executive (with their strongholds in Langa, Nyanga and Guguletu) quickly transferred its allegiance to CATA. At the same time Codeta's new executive committee launched a high-profile campaign to protect its traditional Khayelitsha base from CATA encroachment. By the end of March the new CATA loyalists of the old Codeta executive had secured for CATA the Langa, Guguletu and Nyanga routes.

- *April*

Nine people were killed and 34 injured in 38 incidents that related to CATA attempts

to take over the routes between Nyanga and Killarney and Khayelitsha and Bellville.

- **May**

Eight people were killed and 13 injured in a number of incidents in the ongoing taxi war between Codeta's Khayelitsha branch and CATA. During May the ***violence spilled into Mitchells Plain.***

Also, as part of the separate taxi war between CATA and the PTA, one person was injured after CATA members opened fire on a PTA local association taxi at the Cape Town Station taxi deck.

- **June**

Two people were injured in two separate attacks on CATA taxis in Khayelitsha after ***Codeta and CATA reneged on previous agreements*** to allow CATA-affiliates to share the Khayelitsha routes and Codeta-affiliates to share the Langa, Guguletu and Nyanga routes.

In Langa, some members of the old Codeta executive formed a new taxi association, Cape-To-Cairo (CTC), which immediately affiliated to CATA. The newly formed CTC seized Codeta's long distance taxi rank in Langa in order to take control of the formerly Codeta routes to the Transkei-region. At this point ***the ANC in the province attempted to broker a peace agreement between CATA and Codeta.***

- **July**

Eleven people were killed and seven injured in nineteen incidents of taxi violence relating to the CATA-Codeta feud. The July attacks centred around ***attempts by CATA to annex the Codeta ranks*** at Langa, Guguletu, Eyoni and Philippi.

In addition to the violence, Codeta's chairperson David Jezile accused CATA of forcing Codeta drivers to each pay a R7 000 CATA 'join-up' fee (Human Rights Committee, 1996b, p.40).

A short-lived ceasefire (26-27 July) collapsed after a taxi, loading passengers at the Khayelitsha rank on the route to Mitchells Plain, was mistaken by Codeta to be CATA members contravening the peace agreement.

***A series of killings and counter-killings ensued.***

- **August**

Five people were injured in seven incidents related to a ***call by the ANC in the region to boycott CATA and Codeta*** taxis until a lasting peace agreement was reached.

Meanwhile tension mounted as the PTA and the Waterfront shuttle taxi service vied for control over Cape Town's Waterfront tourist attraction.

- **September**

Twelve people were killed and 58 injured in 39 incidents. The **increase in violence** in September related to the brokering, and almost immediate scuppering, of the 29th peace agreement between CATA and Codeta.

The collapse of yet another peace agreement, this time after only two days, led to **widespread taxi violence, which engulfed almost the entire Peninsula area**. During September taxi-related incidents occurred in Philippi, Nyanga, Khayelitsha, Heideveld, Vietnam Camp near Nyanga, Guguletu, Crossroads, KTC informal settlement, Kraaifontein, Elsies River, and Mitchells Plain.

In addition, for the first time the *violence spilled onto formal transport routes*, with taxi shoot-outs occurring on the N1 highway between Laingsburg and Beaufort West; near Calitzdorp; and outside Worcester. To illustrate the mayhem of violence, the following incidents occurred just on one day:

In Guguletu a passenger travelling in a CATA taxi was fatally wounded when shots were fired at the taxi by unknown attackers; the driver of a CATA taxi was shot three times; a female nurse was killed and four people were injured when shots were fired at two Codeta taxis; one man died and four people were injured when gunmen fired on the taxi rank in Guguletu near the KTC squatter camp; a passenger was injured, a Codeta driver was wounded and a vehicle damaged when unknown gunmen fired at two Codeta taxis in the Crossroads area; in Kraaifontein, a CATA taxi driver was fatally wounded by gunmen; in Elsies River two passengers and one taxi driver were injured when people in a car shot at a taxi (Human Rights Committee, 1996a, p.41).

- **October**

In October, twelve people died and 34 were injured in 26 incidents.

The **taxi violence spread to the KTC informal settlement in Khayelitsha**, the site of much of the taxi violence during late-apartheid and a Codeta base, as well as the suburb of Woodstock and the Cape Town city centre.

Later in October a **30th peace agreement** was reached between CATA and Codeta.

- **November**

Three people died and ten were injured in 10 incidents of taxi violence in Philippi, Nyanga and Khayelitsha during November, **shattering the 30th peace agreement between CATA and Codeta**.

- **December**

Responding to sustained community pressure to resolve the taxi violence, in December the NP-dominated Western Cape Provincial Government and newly-elected Cape Metropolitan Council<sup>30</sup> finally used their legislative powers to tackle the violence. The affected area was placed under a partial state of emergency and police and army reinforcements were called in to patrol the taxi ranks and routes.

1997

- **January-February**

The government crackdown on taxi violence had a marked effect throughout January and February 1997, with only a few incidents of shootings, but *no recorded deaths or injuries* occurring.

- **March**

In March, however, *simmering tensions exploded* as, once again, CATA and Codeta clashed. In the ensuing violence, five people were killed and four injured in seven incidents in Philippi and Nyanga.

- **April**

Five people were killed and six injured in six incidents of CATA-Codeta taxi violence in Nyanga, Cape Town, Philippi, and KTC informal settlement.

- **May**

A four-year-old child was killed and a twenty-year-old ex-CATA driver was seriously injured in the head and chest when Codeta members fired at them.

- **June**

Two people were killed and five people were injured in seven incidents of taxi violence related to the *establishment of a new mother body, the RUTA*. The new organisation, comprising solely coloured taxi associations, was formed explicitly to counter CATA violence in coloured communities. The Kraaifontein Taxi Association was the first local taxi association to join RUTA.

During June, RUTA and CATA were involved in skirmishes in Bellville, Elsies River and Newlands.

- **July**

A bizarre and very temporary alliance against RUTA meant that, during July, CATA and Codeta did not engage in violent conflict with each other. However, two people were killed and four injured in a *new outbreak of taxi violence in the ganglands*

*area of Mitchells Plain.*

In a new development in the taxi violence, members of the 'Sexy Boys' gang attacked members of the Mitchells Plain Taxi Association.

- *August*

Four people were killed and five injured in seven fresh incidents of CATA-Codeta conflict, this time between two newly affiliated local taxi associations - Eyethu Taxi Association (ETA), a CATA-affiliate; and Lwandle Taxi Association, a Codeta-affiliate. The ensuing *taxi violence spread, for the first time, to the outlying areas* of Maccassar, Wallacedene, Bonteheuwel and Lwandle (near Strand).

1998

- *January*

After a four-month lull (between September and December), taxi violence erupted again in January 1998, with the disturbing involvement of 'The Firm' and '28's prison' gangs in incidents in Belhar and Elsies River. *Fears were raised that gangs had started to use taxis to launch attacks on rival gangs, thus embroiling taxis in gang conflicts* (Human Rights Committee, 1998b, p.48).

- *February*

One person was injured when Codeta gunmen fired on the ETA taxi in which he was traveling.

- *March*

Three people were killed and two injured in gang-related taxi violence in Belhar.

- *April*

Six people were injured in three incidents of taxi violence in Mitchells Plain and Manenburg. The two incidents in Mitchells Plain related to shootings between CATA and the PTA-affiliated Mitchells Plain Taxi Association. The Manenburg incident related to the involvement of the 'Clever Kids' gang with taxi associations, revealing a *growing trend in the Cape Peninsula area for gangs to collect taxi association protection fees.*

- *May*

Two people were killed and five injured in five incidents of taxi violence in the Mitchells Plain area. All of the incidents involved conflict between members of the 'Yakkie' gang and taxi operators, many of whom it now appears are also gangsters.

- *June*

In another switch, in June, the taxi violence again shifted to Lwandle taxi rank. Two people were killed and three injured in five incidents relating to clashes over proposed fare-increases between Lwandle's community and the Codeta-affiliated Lwandle Taxi Association.

- ***July***

Three people were killed and six injured in six incidents of conflict between CATA and various local Codeta-affiliates on the Van der Stel Bridge on the N2, in Rusthof, in Nyanga, in Kraaifontein and on the old Paarl Road.

- ***August***

One person was killed and two injured in Lwandle, in renewed conflict between CATA and Codeta. The conflict started after Lwandle Taxi Association broke away from Codeta and joined the ranks of CATA.

- ***September***

Six people were killed and 19 were injured in heightened conflict between CATA and Codeta, which played itself out at the Bellville taxi rank, in Nyanga, Kraaifontein, Delft, Belhar, Kuils River and as far afield as Paarl.

- ***October***

Two people were killed and 21 were injured in 21 incidents, marking October as one of the worst months of taxi violence in the province since 1996. According to violence monitors in the region, the spark for the upsurge in violence during September and October was the development of new, largely African-inhabited, informal settlements along CATA's established taxi routes in Bellville and Kraaifontein, and the consequent 'scramble to corner the business of transporting commuters to and from these new areas', with Codeta and PTA members contesting CATA's claim to these routes (Human Rights Committee, 1998c, p.31).

- ***November-December***

In a continuation of the conflict, during November and December five people were killed and 13 were injured as Codeta members resisted CATA's encroachment on the market.

1999

- ***April***

The beginning of 1999 brought an uneasy calm, which was shattered in April after a taxi driver was killed in the crossfire of renewed CATA-Codeta conflict in Lansdowne Road (Khayelitsha).

- **May**

Two CATA drivers were gunned down in Lansdowne Road.

Later in the month a woman commuter was seriously injured during a shootout between West Coast traffic police and taxi operators as a taxi war between CATA and Codeta over routes between Nyanga, Khayelitsha and Philippi spread to Saldanha and Vredenburg.

- **July**

A fourteen year-old boy was killed in crossfire and a minibus was set alight at a Bellville taxi rank as ***CATA and Codeta battled for control of taxi routes*** in Bellville South, Belhar and Delft.

A few days later three CATA taxi owners were gunned down at a shebeen at Nomzano taxi rank near Strand and a taxi driver was shot dead in Delft. These attacks were linked to taxi conflict over a new route leading to the N2 highway from Delft.

- **September**

In mid September two taxi drivers were shot dead and two passengers were wounded in attacks in Bellville and Delft related to a fresh dispute between CATA and Codeta over routes in the Delft/Belhar areas.

- **October**

During October there was a ***brief respite*** as CATA and Codeta agreed to share the contested routes.

- **November**

This ***ceasefire was shattered*** by renewed conflict in Delft in which two drivers were killed.

2000

- **January-February**

Threats posed by ***competition from the Golden Arrow bus company*** resulted in an uneasy truce between CATA and Codeta in early 2000. United in their opposition to the competition posed by the introduction of Golden Arrow services in Khayelitsha (in terms of an interim agreement with the National Department of Transport), CATA and Codeta began to turn their hostility against the bus company instead of each other.

- **January**

Accusing Golden Arrow of 'creating a monopoly by introducing cheaper fares during off-peak hours' (Codeta spokesperson, Michael Kapiso, quoted in *The Cape Argus*, 2000, March 01), CATA and Codeta blockaded the streets of Khayelitsha, threatened Golden Arrow bus drivers, and prevented passengers from boarding buses.

- *April*

In a continuation of the standoff, a Golden Arrow bus driver was killed in a taxi ambush in Nyanga.

*At the time of writing, this component of taxi-related conflict was as yet unresolved.*

**Notes:**

<sup>1</sup> Colleen McCaul's book, *No easy ride*, was written in 1990. It remains the only book on the taxi industry.

<sup>2</sup> In this report a distinction is drawn between formal, state-centred processes of economics and politics and the more informal economic and political systems developed by private individuals and groups.

<sup>3</sup> Deregulation, including its effect on taxi violence, is discussed in detail in the section titled 'rapid deregulation'.

<sup>4</sup> Prior to 1987 a limited number of taxi permits were issued to African operators for trips within a 10-15 km radius from specified township ranks.

<sup>5</sup> Interview, Stef Snel, violence monitor and director of UMAC, October 1992.

<sup>6</sup> Between 1990 and 1994 the apartheid government appointed a number of judicial commissions of inquiry into violence in South Africa. Collectively known as the Goldstone Commission Inquiries, seven inquiries dealt with taxi wars. The Goldstone Commission's inquiry into the Cape Peninsula taxi war took place between January and June 1992. In spite of overwhelming evidence to the contrary, in what has to be viewed as a miscarriage of justice, the Goldstone Commission Report on the Cape taxi war found that 'political rivalry and political affiliation [were] not causes of the violence associated with the taxi industry'. The Commission further found that there was 'no evidence that members of the South African Police [had] participated in the violence' and that evidence pointed to South African Police attempts 'to mediate in the war on a continuing basis' (Goldstone Commission of Inquiry Report on the Cape Taxi war, 1992, p. 4). By the time the Commission's findings were released, taxi violence in the area had already abated.

<sup>7</sup> Between 1984 and 1985, for example, SATS lost R767-million on its passenger services.

<sup>8</sup> While the NTPS was deliberating over transport policy, the Competition Board (established by the government in early 1986 to review the position of illegal taxis,

operating without permits) independently issued a set of recommendations proposing the immediate and blanket deregulation of the taxi industry.

<sup>9</sup> In 1997, in an attempt to re-regulate the taxi industry, the post-apartheid government placed a moratorium on new taxi permits. However, as discussed further in the section on 'Taxi wars in the post-apartheid period (1994-1998)', this moratorium has not been strictly enforced. For all intents and purposes the taxi industry has operated under de facto conditions of deregulation since 1987.

<sup>10</sup> Interview, taxi driver, August 1992.

<sup>11</sup> By 1994 there were an estimated 400 local taxi associations across South Africa.

<sup>12</sup> Interview, taxi association member, August 1992.

<sup>13</sup> The ascent of mother body taxi associations and their impact on taxi violence is discussed in the 'emerging trends' section.

<sup>14</sup> Background information for this section comes from the Human Rights Committee (HRC) (1996c) as well as from interviews with Makubetse Sekhonyane of the HRC and Mark Janssen of UMAC conducted in April 2000.

<sup>15</sup> Interview, Stef Snel, violence monitor and director of UMAC, April 1994.

<sup>16</sup> This name has been changed.

<sup>17</sup> There is insufficient space to discuss the rise of the gang phenomenon in the wake of the shift away from political intrigue in South Africa. Briefly, during 1993/1994, when community destabilisation was no longer a priority in the Western Cape (by that time it was clear that the NP would win the province), vigilante groups and criminal elements began to take hold off the region. Although there is no conclusive evidence that the same groups that carried out community destabilisation in the early 1990s shifted from political manipulation to criminal enterprise, it is likely that, as occurred in the rest of the country, the leeway created by the apartheid regime in its final years facilitated a proliferation of gangs and criminal outfits, some with and some without apartheid histories.

<sup>18</sup> There is no Indian community to speak of in the Western Cape, but in other areas of the country, such as KwaZulu/Natal, there are large Indian communities.

<sup>19</sup> Interview, PTA executive member, October 1997.

<sup>20</sup> Interview, Dipak Patel, DoT Director General, August 1999.

<sup>21</sup> The sudden decline of taxi violence in December is probably the result of the formation of a new taxi organisation - the South African Taxi Council (Sataco), discussed in the section on 'conflict over the restructuring process'.

<sup>22</sup> Sataco did briefly withdraw from the government's recapitalisation scheme during April 2000 but this was mainly, in the words of Lawrence Venkile (DoT taxi project manager), a case of 'grandstanding' in order to strengthen Sataco's bargaining power vis-a-vis financial spinoffs from the restructuring processes (interview, Lawrence Venkile, April 2000).

<sup>23</sup> Some have questioned just how representative Natdo really is, with its (as yet unproven) power base located mainly in Soweto.

<sup>24</sup> The introduction of smart-card machines as a way to remove cash from taxi operations was flighted as part of the government's taxi restructuring process. At the time of writing, the controversial proposals regarding the introduction of smart-card technology had not been resolved.

<sup>25</sup> Whereas under apartheid police officers were prohibited from involvement in any outside enterprise for financial gain, it is an irony of post-apartheid constitutionality that, in terms of the new Constitution, every South African, including each policeman/woman, is entitled to free economic activity. This factor has significantly impeded government efforts to combat taxi violence both in respect of official ownership of taxis and attempts to re-regulate the industry.

<sup>26</sup> This chronology draws heavily on monthly and annual area repression reports, as well as various special focus reports, compiled by the Human Rights Committee (HRC). It also draws on research undertaken by the author in Cape Town during October 1992, including interviews with and data collected from violence monitor and director of the Urban Monitoring and Action Committee (UMAC), Stef Nel.

<sup>27</sup> Interview, Stef Snel, violence monitor and director of UWC, October 1992

<sup>28</sup> Sources: HRC Monthly and Annual Reports; various interviews with HRC and UMAC research staff between 1994 and 2000; and research conducted in Cape Town in April 2000.

<sup>29</sup> The NTTTT, along with the governments attempts to re-regulate the taxi industry are discussed in the section titled: "[Conflict over the re-regulation process](#)" within the main body of the report.

<sup>30</sup> Local government elections, held in the rest of the country during 1995, were postponed in the Western Cape until May 1996.

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