



Exploring the Scarcity of Municipal Resources as Contributors to Illegal Strikes and Protests in the City of Tshwane Metropolitan Municipality, South Africa

Debra Claire Pheiffer^{1*}; Azwihangwisi Judith Mphidi²

^{1*}**Corresponding Author:** Doctor, Department of Law, Safety and Security Management, Tshwane University of Technology, Soshanguve, South Africa

Email: PheifferDC@tut.ac.za

ORCID: <https://orcid.org/0000-0001-6650-8446>

² Doctor, City of Tshwane Metropolitan Municipality, South Africa

Email: mphidiaj@gmail.com

ORCID: <https://orcid.org/0000-0001-6728-080X>

<http://dx.doi.org/10.47814/ijssrr.v7i4.2005>

Abstract

The shortage of resources at municipalities are a national problem in so many ways. By lacking resources and maintenance municipalities are unable to provide communities with quality service delivery. This article aims to highlight the impact of scarcity of resources in the City of Tshwane (CoT) Metropolitan Municipality which bring about illegal and unprotected strikes by employees, and protests by the local community. When residents or employees are unhappy with poor municipal services, be it no water or electricity for days, poor service delivery, low employee salaries or better working conditions, people tend to take to the streets and show their discontentment with lack of proper services by local government. Strikes and protests arise for a number of reasons, though principally in response to economic conditions. When employees strike for better wages or residence for proper services, both demonstrations have an impact on the economic welfare of any country. The methodological rigor of this paper is ethnographical in nature and data was collected through literature study. Major contributions is to identify advanced methods of policing through intelligence gathering and enforcement when or before illegal strikes and protests take place. This will assist in eliminating fear from the public, tourists, non-striking employees, law enforcement officers and local business operators, etc. The implications should instil the norm of zero tolerance to violence and intimidation, and punishments are inevitable within the prescripts of the law of the Republic of South Africa. Enforcing the law by ensuring that legal mechanisms are reactive and punitive will hinder anyone to partake in illegal strikes or protests.

Keywords: *Illegal Strikes; Protests; Economic Growth; Local Government; Service Delivery*

Introduction

Effective and reliable service delivery is one of the biggest challenges South Africa (SA) faces. This is largely due to the municipalities across the country not having the required resources to fulfil the

delivery of basic services to communities within which they operate. By lacking in resources, it derails economic development and growth opportunities in poor communities (Development Bank of South Africa, 2024). In the case of the South African Capital Metropolitan CoT, it appears so, and with visible economic consequences. There are plenty of long term effects on economic development emanating from protests. Major protests, the ones that have potentially significant national-level implications for a country should be avoided. Such protests drag the economy into a crisis that may be difficult to recover (Bonga, 2021). Illegal and unprotected strikes that turn into violent and lengthy strikes have devastating effects on the economy, cause injury to members of the community and non-striking workers; and more particularly poverty as employers would retrench workers if their businesses do not make profit as a result of prolonged non-production. Economic growth is one of the most important pillars of a state (Tenza, 2020). Most strikes and threats of strikes are intended to inflict a cost on the employer for failing to agree to specific wages, benefits, or other conditions demanded by their union (Tikkanen, 2024).

The main resources of municipalities revenue are property rates and service charges, and the primary operating expenditure is employee related costs (Orlandi & Amra, 2021). According to Semono (2020), some of the reasons for poverty, inequality and unemployment into society and labour market are signs that there is limited social cohesion and economic growth that can be elevated to meet the expectations of wage increments. To achieve this, employees tend to resort to the commonly used method as a weapon to setting industrial disputes, which is, the strike action (Uzoh, 2021). According to Chun, Schaller and Skaperdas (2022), it used to be difficult to explain from an economic perspective, however, strikes can be regarded as another type of conflict. Tenza (2020) defines the action of strike as a lawful obstruction of work. The action itself is also regarded as a legitimate weapon to project strikers demands (Uzoh, 2021). In addition, it is perceived as a powerful way for workers to achieve fair wages and better working conditions in the labour market. However, they not only have economic impact and does affect the social fibre in terms of the principle of “no work no pay” (Semon, 2020).

Halliday (2022) states that a protest and a demonstration are both gatherings in support or against something. A protest is showing or expressing dissatisfaction with or disapproval of something (Britannica Dictionary, 2024). Protesting usually is a response to a bad policy or a bad act imposed on an individual representing a society or a group of people or businesses. The public or the affected group usually express dissatisfaction by protesting (Bonga, 2021). According to Workman-Davies in *Businesstech* (2018), the essential difference between strike action and protest action is that strike action is aimed at exerting pressure on a particular employer or a defined group of employers. For example, a demand for a wage increase by an employer is, theoretically, capable of being agreed to by a specific employer and as such, that is proper subject matter of a dispute of mutual interest and the subject of a strike. As can be seen from the South African Federation of Trade Unions (SAFTU) matters which are the subject of the protest action, there is no individual employer or employer organisation which can accede to a demand to implement a higher national minimum wage, or to divert larger national economic policy. Yet, the protest action is intended to exert pressure on legislators responsible for drawing up the pending legislation in regard to minimum wage, or government when considering economic policy, to take cognisance of the collective will of the workers who engage in the protest action.

The South African Municipalities are continuously experiencing poor service delivery protests. The underpinning of the conflict between citizens and municipalities are challenges in obtaining services such as electricity, water, tarred roads, sanitation, waste removal, etc. Unproductive operations are usually found to be the root cause (Ngobeni, 2018). Additionally, strikes by municipal employees regarding wage disputes are a common phenomenon in South Africa. The latest and long demonstrations were by some of the CoT Metropolitan Municipality employees, affiliated with the South African Municipal Workers Union (SAMWU), who were engaged in illegal and unprotected strikes to secure their financial scarcity resources, when workers demanded salary increases.

As a result, some SAMWU employees ended up losing their jobs due to violent and criminal behaviour and the violation of their employment contracts (Bokaba, 2023a). The illegality and unlawfulness appears when workers refuse to accept work. According to Tenza (2020), in cases where workers refuse to work because of an unlawful instruction, this will not constitute a strike. Further, if employees' actions are used to obstruct lawful work involving unlawful conduct such as violence, then the conduct will not qualify as a strike, and will therefore not be protected. Workers will not be protected in terms of the Labour Relation Action Act (1995) prescripts and may be subject to dismissal. The strike itself irrespective of its legality does reflect a shift of events, whether it is service delivery, but it just means work is not as usual and not productive as a normal service delivery working day. Strikes can impact society and the economy in a variety of ways which are not easily isolated when measuring the economy. The obvious impacts are where outputs may be lost in industries where strikes occur through reduced working hours. This then also results in impacts to the economy where the public and businesses may change their behaviours (Office of the National Statistics, 2023).

It is not a secret that some strikes inevitably develop an element of criminality across the globe. This is because, the events are captured on live televisions and other media platforms by ordinary bystanders and some people circulate the virtual material through mobile phones for it to go viral. Similarly, illegal strikes by municipal employees prompt unlawful actions in other metropolitan cities across the country. The SAMWU is the largest union in local government in South Africa (Cosatu, 2023). It has representatives employed by the CoT. The CoT-SAMWU affiliated members embarking on illegal and unprotected strikes, has unearthed disturbing incidents reflecting the boundaries crossed over into criminality (Ramadie, 2023). According to Berlinton (2023a), the CoT has taken measures to enforce the interim court interdict against striking employees. The Tshwane Metropolitan Police Department (TMPD) were employed to monitor flashpoints where demonstrations took place and to protect the innocent. Yet, the policing measures that were in place to prevent disruptions caused by illegal striking SAMWU members towards non-striking CoT employees, local businesses, movable and immovable properties within the proximity of the striker's route and any other unforeseen incidents that may occur, were inadequate. Since there were indications that not all citizens were fully protected as anticipated, as reported by Ramadie (2023) that residence have suffered numerous service delivery interruptions. There were also ongoing acts of violence and intimidation directed at staff and service providers. Reports were circulating in the public domain, showing criminal elements orchestrated by employees and unknown individuals within the proximity of the CoT buildings.

According to Masiya, Davids and Mangai (2019), many regions in SA have observed service delivery protests characterised by increased violence in the past decade. There is a growing need for scholars to contribute towards comprehending the service delivery satisfaction drivers as well as the nature of dissatisfaction by citizens in municipal areas. The public sector is increasingly called upon to focus on citizen satisfaction in service delivery. If employees are satisfied with the employer and communities pleased with the services of local municipalities, then there will be a decrease in citizen protests due to service delivery dissatisfaction, be it salaries or normal municipal services. Also, no criminal activities or violent strikes will occur and law enforcement officials can focus on their primary tasks which is to ensure the safety and security of all citizens. The rationale provided in this review was to reflect on the lessons learned and in finding improved ways for future preparations purposed to protect residents, employees and other spheres of local businesses not linked to illegal strikes and protests; and successfully prosecute criminals.

➤ **An overview of the City of Tshwane Metropolitan Municipality**

The CoT Metropolitan Municipal offices are situated in the Central Business District (CBD) of Tshwane. According to Statistics South Africa (2023), the CoT is a capital of the Republic of South Africa (RSA). It is counted amongst the six largest metropolitan municipalities in the country and second largest in the Gauteng province.

It is also a home to 130 embassies representing the second largest concentration after Washington D.C. in the United States of America. The CoT has a population of 2,921,488, and it has 24.2% unemployment rate, 32.6% of unemployment rate is youth. The profile described by Stats SA also shows that the CoT contribution of 27% to the Gauteng province gross domestic product (GDP) in the former years, which is 2011, has grown higher in the past decade. The average mentioned growth is higher than the province's and the national's average annual GDP. There is however, 6 12750 persons not economically viable. According to the City of Tshwane Metropolitan GAU (2020), is unemployment very high and the most desirable situation would be to get a stable formal job, but because the formal economy is not growing fast enough to generate adequate jobs, the informal sector is used as a survival mechanism. The 2016 Community survey indicated that the unemployment rate stood at 16%. Yet, the Integrated Development Plan (IDP) of CoT (South Africa, 2020) states that the unemployment rate is sitting at 24% which indicates the need to create an environment in which the economy can grow to meet the need for work opportunities. In 2017, there were a total of 386 000 people unemployed in the City of Tshwane, which is an increase of 150 000 from 236 000 in 2007. This plan further notes that drug abuse and related crime are one of the biggest challenges in Tshwane.

One of the key priorities of the CoT is to address the infrastructure and service delivery inadequacies which are preventing existing or fledgling industries from growing and/or threatening their survival. Furthermore, service delivery needs to be improved and expanded in a sustainable manner, and water and energy resources, along with the environment, need to be protected. Also, providing excellent services in a way that allows for sustainable expansion and development is a priority for the City; as well as to stabilise city finances to achieve service delivery targets (South Africa, 2020). According to the Education and Training Unit ([s.a]), the stakeholders in the IDP process are the municipality, councillors, communities and other stakeholders, and national and provincial sector departments. South African Government (2024) states that growing the economy and jobs, making communities safer, and building better lives for all citizens and tourists are crucial precedence for the government.

Literature Review

This article presents a body of literature which relates to illegal strikes and protests; and how it causes a decline in economic growth, affects community safety and the quality of service delivery at local government (municipal) level. It also articulates the correlation between the scarcity of resources, supported by the influence of alienation in decision making that ended up in loss of employment because of illegal and unprotected strikes, as highlighted below.

➤ **Scarcity of municipal resources**

Scarcity is one of the key concepts of economics, which deals with how people satisfy unlimited wants and needs with limited resources. Scarcity affects the monetary value people place on services and how governments and businesses decide to administer resources (National Geographic, 2024). Scarcity is a situation in which something is not easy to find or get. It is a lack of something (Cambridge Dictionary, 2024). It also refers to the idea that resources are limited and that choices need to be made to allocate them (Khan Academy, 2024). The CoT financial year audit of 2021/2022 confirms the minimum resources are available to render quality services to the community. This audit states that the City learnt so many lessons which will provide a strong base for developing plans that will respond to the real needs and challenges, inform proper resource targeting and effective management of the business of the City. Amongst others, the lessons learnt include bringing into sharp focus the long-established acknowledgement that the minimum resources available must be used to effect a much greater impact. Also, the City is not pleased with its levels of target achievements on critical deliverables set out in its Service Delivery Budget and Implementation Plan (SDBIP) for the period under review (City of Tshwane,

2022). Local municipalities in South Africa have to use integrated development planning as a method to plan future development in their areas.

To address scarce resources, local municipalities must find the most cost-effective ways of providing services and money will be spent on the causes of problems in local areas. Focused planning regarding scarce resources will help to speed up delivery, help to attract additional funds, strengthen democracy (through the active participation of all stakeholders), and promote co-ordination between local, provincial and national government (Education and Training Unit, [s.a]). This study further divulged that scarcity of municipal resources prompt illegal strikes and protests in the CoT. Moreover, the scarcity consciousness theory influencing the alienation theory were scrutinised, as discussed below.

- **The scarcity consciousness theory**

Currently, South Africans are affected by economic developments on a personal level. They are also aware that jobs are scarce and the cost of living is too high. Studies have shown that shortages introduces scarcity demands. The situation influences the actions to protect oneself with confidence under the protection of body or organisation as cover to unjustified conduct in the eyes of the public and employer. The scarcity consciousness theory explains the poverty circumstances in which penury itself subject reinforcement behaviours via specific psychological mechanisms. Scarcity integrates insights from cognitive psychology and economics and attempts to explain a wide range of behaviours of the poor. It highlights several behaviours and decisions of people who face scarcity in a particular area of life. This theory is broadly seen as a unified, attractive, and promising view on economic decision making. The key idea of scarcity theory is that scarcity itself induces a specific mindset by affecting how people think and decide, and subsequently affect human behaviour. This is when the influence of the alienation theory comes into play (De Bruijn & Antonides, 2021).

Pertaining to the illegal wage strikes by employees of CoT Metropolitan Municipality, this exploration disclosed that some of the CoT-SAMWU affiliated members desperately acted in the scarcity consciousness's theory manner, which obligated them into conceding into embarking on an illegal and unprotected strike with the hope of being protected by the affiliated trade union. Trade unions are well known to defend and protect the employee's rights including the wage increase to cite as an example. To some of the SAMWU affiliated members, it was the only way the employer (CoT) could yield to paying their wage increases. The scarcity theory provides an explanation of the relationship between the financial scarcity and economic decision making, however, does not fully accord with information and somehow lacks precision. Having financial scarcity introduces poverty. It is known that poverty reduces mental bandwidth (cognitive capacity and cognitive control), increasing time discounting and risk aversion (De Bruijn & Antonides, 2021). This would explain the element of omitting that being on strike does not eliminate the status of a human being who can act in a manner that constitute criminality under the banner of "striking as a member of a trade union" irrespective of whether it is a lawful or unlawful strike.

Furthermore, it includes poor or no services by municipal employees to the community which increases inhabitants' dissatisfaction with local government. Complaints of poor service delivery abounds in municipalities. Existing research reveals that there has been increasing community impatience to basic municipal service delivery in South Africa. Many scholars have argued that the rise in service delivery protests in SA can be attributed to organisational failure to provide satisfactory basic services because many communities remain un-serviced. Pursuant to government efforts to improve service delivery, the South African Social Attitude Survey (SASAS) data from 2003 to 2016 revealed variations in citizen satisfaction with a broad range of service delivery that includes water, electricity, healthcare, refuse collection and housing. The SASAS survey measures South Africans, their beliefs, behavioural patterns and values with regard to a range of socio-economic issues such as democracy and governance, social identity, service delivery and other important social concerns (Masiya, Davids & Mangai, 2019). People

may behave reckless at times, especially when they are frustrated and hopeless because of scarce municipal resources and/or no services.

- **The alienation theory**

According to Oversveen (2022), the term “alienation” can be described as a process subjecting their products to an estrangement from their producers in two ways: first, by being regarded as an appropriated private property and secondly by being transformed into social forces that operates outside of the producer’s control and against their interests. The practical explanation in the case of illegal and unprotected strikes by SAMWU members, is that SAMWU subjected their clients (CoT-SAMWU affiliated members), who pay monthly contributions for their representation and protection, to the position of estrangement with the employer, which is the CoT. This City pays their monthly income based on the contractual and performance agreement upon employment and annual appraisals agreements. The application of this theory was revealed through the literature collected, in a form of employer and employee engagement in the internal and public domain. The CoT released a media statement dated the 3rd of August 2023 from the office of the Member of Mayoral Committee (MMC) for the portfolio of community safety public, titled “City of Tshwane condemns criminality by illegal strikers” The MMC for community safety further alluded that the city is aware that there are violent outbreaks, and incidents caused by the illegal and unprotected strikes. Besides, there were various reports of suspected arson, stoning of city and private vehicle, intimidation and death threats aimed at fellow employees who are not on strike.

According to Sadike (2023), public servants affiliated to the SAMWU downed tools and took to the streets in protest over various issues, chief among them the non-payment of salary increases – financial resources. The illegal and unprotected strikes disrupted delivery in the CoT metro while denying patients life-saving health care after some facilities were forced to close. The reported conduct was recognised as sabotage, placing residents of city at risk (Theunissen, 2023). The illegal and unprotected strikes started affecting service delivery supposed to be rendered to the residents. Residents who had health issues and relied on the city health services where not getting stranded in some parts of the city. The MMC for Health issued a media statement on the 4th of August 2023 indicating that the majority of City of Tshwane clinics remain operational despite illegal SAMWU strike, the MMC announced that 20 of the 24 clinics administered by the City of Tshwane remain operational (Stuurman, 2023). It was clear that service delivery on some services were no longer being rendered. The residents of the CoT were paying for services not being rendered, waste refuse were no longer being collected, then a media statement from the MMC for Environment and Agriculture Management was released on the 7 August 2023, titled “Disruption of refuse collection services in Tshwane” (Zwane, 2023).

SAMWU initially supported and encouraged their members employed by the CoT to strike for their rights. In the very same month, a media statement dated the 22nd of August 2023, was released from the CoT office of the Executive Mayor (EM), titled “Despite SAMWU requesting workers to return, Tshwane illegal strike continues” (Mostert, 2023). The trade union SAMWU was then requested their members to stop the strikes. Yet, already expectations were raised by this union towards their members that they can defeat the employer by striking to induce the wage increment demand. This research established that the CoT-SAMWU members were not amused hence the media statement showed that the illegal strike continued. The CoT had approached the courts to interdict the illegal strike and according to media release titled “City of Tshwane granted interim interdict against striking employees” the courts granted it. The occurrence of events were that the CoT started to act against illegal strikers. As confirmed in a media statement released from Communication, Marketing and Events dated the 6th of August 2023 titled “City of Tshwane issued 89 letters to electricity switching teams for failure to execute their duties due to allegations of intimidation against them”. On the 7th of August 2023, a media statement titled “The City of Tshwane has issued 38 dismissal letters to employees who participated in the unlawful and illegal

strike” was issued for information purposes (Berlinton, 2023a). Consequently, another media statement from the same office was released, titled “City of Tshwane issues additional 55 dismissal letters to striking employees”. The city was faced with the challenge of securing the human capital available to do their jobs. Service delivery was being hampered in some parts of the city because of continuous intimidation by fellow employees (Bokaba, 2023b). The CoT deployed 400 TMPD vehicles and service providers were escorted to perform their duties (Goba, 2023).

The decisions made by the CoT-SAMWU members embarking on illegal or unprotected strikes resulted into criminality. The idea of getting what they wanted through their SAMWU affiliation turned into a different decision making on a personal level. Berlinton (2023b) indicated that the CoT opened a case docket of arson at Lyttleton police station against striking employees who damaged waste bins and set them alight at the Waste Management Depot in Centurion. According to Oversveen (2022), the element of alienation has shown that there was a universal condition of labour in general, as caused by the divisions of labour, as the specific result of wage labour or as rooted in the institution of private property. It has indeed shown that alienation denotes an alteration of general contradictions between living and objectified labour into specific confrontation between labour and capital. The scarcity consciousness theory eventually influenced the alienation theory which distorted the legitimate human right. This article merely indicated the correlation thereof as the events build up.

➤ **The responsibility of City of Tshwane Metropolitan Municipality towards its employees**

The city prescribed to the Labour Relations Act no 28 of 196 and all other laws of the country pertaining its business operations. However, the Constitution of the Republic of South Africa Act no 108 of 1996 is the supreme law of the country and any conduct inconsistent with it is invalid. A person is regarded and recognised by the Constitution as a human being prior other status such as an ‘employee.’ It is also stipulating in Chapter two of the Bill of Rights section 3 on equality, that “Everyone is equal before the law and has the right to equal protection and benefit of the law” and that there is also a right to life, under section 11. Section 12 (c) indicates that “to be free from all forms of violence from either public or private sources” (South Africa, 1996). Unions violate employees’ rights when their actions consists of intimidation, violence or any form of infringement that take place in a workplace. Municipalities are responsible for the health and safety of employees. There are also the rights of employee and employer, which are articulated in the Basic Conditions of Employment Act no 75 of 1997. The occupational health and safety Act 85 of 1993 also articulate the rights of the employee and employer in a workplace. The labour law allows lawful strikes with conditions, and the basic condition of employment is there to ensure employees needs are as agreed upon with employment and during the term of employment, and the occupation health and safety assures the responsibility of the employer and employer in a workplace (South Africa, 1997).

Above mentioned legislation relates to illegal strikes and protests in the CoT. Moreover, employees who participate in illegal strikes violate the law and must be prosecuted accordingly. It is a reality that striking employees simply do not abide by the rules. With a single-minded focus to disrupt business and productivity, these employees can do irreparable damage if they are not contained. Protecting employees, assets and property require specialist intervention from expert teams, lawfully providing protection and creating order during the chaos of strike action. Strike protection goes further than a standard security function, it requires the very best skill and mental competence (Apache, 2017). Protests actions get a lot of media attention which can harm a municipality’s reputation while placing unwanted pressure on decision-making at the executive level and fomenting further employee unhappiness (Projections, 2024). All employees (striking or non-striking) must to be protected by the employer and should be treated with equal respect.

➤ **The duty of City of Tshwane Metropolitan Municipality to prevent crime**

The CoT Metropolitan Municipality has a legal obligation to prevent crime by ensuring that everyone, all citizens including visitors, are safe. In South Africa, strike action has become a metaphor for violent outbursts against all authority (Apache, 2017). According to Pheiffer and Rakubu (2023), several policy documents approved by the SA Government in the 1990s are explicit with respect to local government's responsibility in ensuring the safety of people living in their jurisdictions. The National Crime Prevention Strategy (NCPS) (1996) and the White Paper on Safety and Security (1998) laid the foundation for local level crime prevention initiatives and gave local government new responsibilities such as coordination and implementation of crime prevention programmes within their areas of jurisdiction.

The White Paper on Local Government (1998) determined that municipalities should cooperate with the SAPS, other national and provincial departments, private sector, non-governmental and community-based organisations in developing and implementing strategies aimed at reducing crime. Local crime issues should be thoroughly understood by the municipalities. Hence, while government has a clear responsibility in setting up a legal framework for crime prevention and in providing adequate financial resources and a political lead, it is nonetheless at the local level where the crime problem is most acutely felt and perceived and where a sense of insecurity is felt on a daily basis. Protests in South Africa are no longer increasing in frequency alone, but are increasingly turning violent (Bonga, 2021). Workers have, over the past few years, attempted to heighten the impact of their strikes by using various tactics during industrial action, tactics which have a negative impact on the lives and property of other people. These include the trashing of cities, vandalising property, forming picket lines at supermarkets, and preventing shoppers from doing business with their chosen businesses. There have been strike-related disruptions in almost every sector of the economy with no one held responsible for the damage (Tenza, 2015).

Therefore, it is the responsibility of municipalities to implement the various crime prevention policies and government legislation to prevent illegal strikes and protests, and address lawlessness. According to the International Labour Organisation (ILO), a violent strike can be regarded as an abuse of right to strike and moreover, because it involves scaring non-striking employees (Tenza, 2020). The CoT has linked violent protests to organised crime after municipal employees were attacked and several vehicles torched by striking staff (McCain, 2023). This investigation disclosed that the CoT has its own law enforcement officers, known as the TMPD, however, they also fall under the category of employees of the city. During the ongoing illegal and unprotected strikes in the CoT, threats were made by protests directed at the TMPD – being called sell-outs, to deter law enforcement officials from performing their duties. In order to stop illegal protests, the South African Police Service (SAPS) were deployed to curb criminal activities; and the CoT management issued letters to deter striking employees, articulating the dangers of the illegal and unprotected strikes. This were done to stop criminal behaviours and promote safety. Consequently, the role of CoT in crime prevention is confirmed by their IDP (2020) which derives from the Municipal System Act (2000), it compels municipalities to interact with all spheres of government in promoting a safe and healthy society.

➤ **The obligation of City of Tshwane Metropolitan Municipality in economic development**

The CoT endeavours to boost the economic development to enhance the City's economic empowerment for all residents. This is also noted in Section 153 of the Constitution of the Republic of South Africa, 1996, which outlines the developmental duties of the municipalities, giving priority to the basic needs of the community and promoting that social and economic development must be given the utmost attention. Amongst other things, this priority can be realised by ensuring that the municipality structures and manages its administration, budgeting, and planning processes in such a way that the necessary efficiencies and effectiveness are promoted. An economy encompasses all activities related to

resources, the production, consumption, and trade of goods and services in an entity, whether a nation or a small town (Kenton, 2023). Dealing effectively with SA's massive unemployment problem and the harmful effects of frequent strikes on productivity and economic growth, will require major structural reforms to the labour market and its institutions. Unless these are undertaken, it is unlikely that the South African economy will be able to generate the number of new jobs required to address the unemployment problem and tackle poverty and inequality in the country (Servest, 2019). This investigation recognises that criminal activities slow down the economic development of any community. Therefore, the CoT management must ensure that all the necessary strategies are executed to prevent illegal strikes and protests in cooperation with all stakeholders, such as – the SAPS, National Defence Force, Justice Department, Non-Government Organisations (NGOs), security companies, unions, local community role-players etc.

According to Tenza (2015), the courts must be empowered to stop violent strikes. Since South Africa has never had the rule that authorises the labour court to stop violent industrial action. It will serve the country better if it learns lessons from other countries where this principle is in use. If the rule is necessary, as it seems to be, it is proposed that the rule should be transplanted into SA's labour law with the aim of dealing with violent strikes that hamper the economy. The SA government has been lobbying stakeholders to help them understand the need to introduce a clause into the labour legislation that will compel trade unions and employers to end a strike that is having a negative impact on the economy or the social welfare of the public. This clause is called "interest arbitration clause." The interest arbitration clause is part of the arbitration process which, in turn, is part of the collective bargaining process. Arbitration may be defined as a legal process for resolving legal disputes by recourse to a neutral third party tribunal chosen by the parties involved in a dispute (Tenza, 2015).

An unprotected strike also has a negative effect on employment and may result in the dismissal of employees. In South Africa, it seems that everyone agrees that unemployment is the major economic problem and that government policy needs to address this scourge. The high levels of unemployment could pose a danger as stretches the government's ability to provide people with social services (Tenza, 2020). It is said that a combination of local economic development and better service delivery is important if South Africa aims to broaden economic development participation and reverse its unemployment trend. And, to achieve this, it is best to ensure that municipal finances and investment strengthened (The Conversation, 2023). However, amid the strikes, extreme damage can take place in a brief period. According to Chun, Schaller and Skaperdas (2020), it is possible that strikes can become costly. As witnessed, during the unpredictable state of unrest in the city caused by to illegal and unprotected strike, big business kept their private security alert and their businesses seldom closed midday when strikers made their way to the business hub squares across the city. The customers could not buy whatever they wanted. The Conversation (2023) does affirm that "municipal failure not only affects large businesses. It also has an impact on households, Small, Medium and Micro-Enterprises (SMMEs) and other investors in local economies." It is proven that social unrest does threaten the economic growth of the country (Madubela, 2021). According to Masweneng (2023), most strikes were by government workers in 2022: Report. Yet, the people would still expect the government to do more without human capital. In the case of city's position, the Executive Mayor indicated that SAMWU will be billed for cost of unlawful strike (Tshikalange, 2023). This is an indication of undisclosed financial loss, which may be visible to us as seen on television, however, there are costs incurred because of illegal and unprotected strike.

Conclusion and Recommendations

This research revealed that poor service delivery and general poor government services lead to the decline of resources, zero job opportunities, job losses and overall poor living conditions. This refers

to the fundamental systems and facilities needed to connect to the supply chain necessary for economic activity and function. Poor service delivery in municipalities is caused by numerous factors, for instance, municipalities are not financially self-sufficient and lack the necessary infrastructure and resources to carry out their duties to the larger public (Development Bank of South Africa, 2024). Masiya, Davids & Mangai (2019) argue that studies related to citizen satisfaction is also a means of allowing policy-makers and public managers to clearly comprehend their customer base, help identify sub-groups and access to needs or identify gaps. Moreover, citizen satisfaction can be an important indicator of overall government performance. It was further determined that CoT-SAMWU affiliated members actions were motivated by scarcity of financial resources and influenced by the dependency on the state of alienation offered by their trade union.

As a result of illegal and unprotected strikes, economic development disruptions occurred due to the lack of policing, and some municipal services could not be rendered to residents and local businesses. Companies had to close ascribed to imminent danger posed by the CoT-SAMWU members during protests. Moreover, it was clear that businesses were not sure if all people around their business hubs were only CoT-SAMWU members or just ordinary residents. The discoveries emanating from this exploration provides knowledge on how societal and economic issues at local government can destabilise the local economic development through illegal strikes and protests motivated by scarcity of municipal resources. Also, supported and influenced by the dependency (SAMWU) on the state of alienation. The CoT employees do deserve the salary increases as per legal prescripts in terms of labour law, and they have a right to be represented by their trade union. However, the employees are not the only ones suffering from scarcity that requires dependency to defend themselves, there are CoT clients called the residents, who pay their monthly bills in exchange for quality services. The non-striking employees are now subjected to work harder because other employees are on illegal and unprotected strikes.

This review also uncovered that many residents suffered because of the scarcity of municipal resources, it is not only the wage and salary earning individuals. Insufficient service affects all inhabitants. During illegal strikes and protests, residents are isolated from the relationship with the municipality who are supposed to render them with services. Additionally, during illegal strikes and protests the element of criminality in the country is usually expected and rumoured to emanate from those who are unemployed. However, this study has shown that even people who are employed can subject themselves into criminal activities. Hence, this research further discloses that any crime prevention strategy requires integration with other aspects of local development, including local economic development. The contextualisation of crime prevention within government's key economic policy made links between crime and economic development (South Africa, 1996). When communities do not feel safe and live in fear, the country's economic development and the people's well-being are affected.

The recommendations are to address the most serious societal and economic issues – which is the destabilisation of local economic development that occurs through illegal and unprotected strikes and civil unrest posing violence and affecting business hubs. There are local government and trade union policy documents regulating the requirements for strikes. Therefore, this research suggests that proper (intelligence driven) measures are implemented by municipalities to ensure that demonstrations are conducted legally and peacefully without disrupting the local businesses within the proximity of the area where the strike or protests will be take place. With the possible unforeseen circumstances that may take place, it is usually also advisable that the striking and protests representative body acquire permission to strike in writing as a way to assure the purpose of the protests, the routes which will be used (upon approval). Also assuring that no malicious and criminal activities will be taking place against anyone, whether referring to individual properties (movable or immovable) at local business and institutional buildings.

Protests and illegal strikes formulated by community members or employees due to the scarcity of municipal resources or poor salaries, is a reality in the CoT Metropolitan Municipality. Therefore, it is

of vital importance to regularly devise new approaches to address such demonstrations and prevent criminal behaviour, in cooperation of all local law enforcement departments, private security companies, NGOs, local courts, businesses, and all other stakeholders – which includes the local community. The IDP of CoT must address their scarce resources, since this will focus specifically on the needs of the local community. All the stakeholders must actively engage so that informed decisions can be made in a representative and transparent manner. Hence, the different spheres of government are encouraged to work in a co-ordinated manner to tackle the development needs in a local area. The proper implementation of intelligence driven strategies will protect non-striking employees, residents, tourists, as well as damage to movable and immovable properties. And most of all, to enhance the economic growth at a local government level.

Development plans on excellent and effective service delivery, safety, strike contingency operations which includes pro-active strategies must be implemented adequately to ensure that high-impact economic and social infrastructure is possible.

Acknowledgement

All authors have read and agreed to the published version of the manuscript.

Author Contributions: Conceptualization, DCP. and AJM.; methodology, AJM. and DCP.; validation, DCP. and AJM.; formal analysis, AJM. and DCP.; investigation, AJM. and DCP.; resources, DCP. and AJM.; writing—original draft preparation, AJM. and DCP.; writing—review and editing, DCP. and AJM.

Funding: This research was not funded.

Informed Consent Statement: Informed consent was obtained from all subjects involved in the study.

Data Availability Statement: The data presented in this study are available on request from the corresponding author. The data are not publicly available due to restrictions.

Conflicts of Interest: The authors declare no conflict of interest.

References

- Apache. (2017). The duty of care, protecting staff and assets during strike action. <https://apachesecurity.co.za/article-strikesecurity.php>
- Berlinton, T. (2023a). City of Tshwane granted interim interdict against striking employees. Pretoria: City of Tshwane. <https://www.tshwane.gov.za/?p=59352/>
- Berlinton, T. (2023b). City of Tshwane issues additional 55 dismissal letters to striking employees. <https://www.tshwane.gov.za/?p=59439>
- Bokaba, S. (2023a). City of Tshwane issued 89 letters to electricity switching teams for failure to execute their duties due to allegations of intimidation against them. Pretoria: City of Tshwane.
- Bokaba, S. (2023b). The City of Tshwane has issued 38 dismissal letters to employees who participated in the unlawful and illegal strike. Pretoria: City of Tshwane.
- Bonga, W. G. (2021). Impact of Repetitive Protests on Economic Development: A Case of South Africa. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3903012
- Britannica Dictionary. (2024). Definition of Protest. <https://www.britannica.com/dictionary/protest>

- Bruijn, E.J. & Antonides, G. (2021). Poverty and economic decision making: a review of scarcity theory. *Theory and Decision*, 92:5–37. <https://link.springer.com/article/10.1007/s11238-021-09802-7>
- Businesstech. (2018). A legal expert explains the major difference between a strike and protest action. <https://businesstech.co.za/news/business/240375/a-legal-expert-explains-the-major-difference-between-a-strike-and-wednesdays-protest-action/>
- Cambridge Dictionary. (2024). English Dictionary. <https://dictionary.cambridge.org/dictionary/english/scarcity>
- Chun, K.N., Schaller, Z. & Skaperdas, S. (2020). Why Are There Strikes? *Dans Revue D'Economie Politque*, 6 (130) 929-956.
- City of Tshwane. (2022). Audit Annual Report 2021-2022 Financial year. Pretoria: Government Treasury.
- City of Tshwane Metropolitan GAU. (2020). Profile: City of Tshwane. Pretoria: COGTA Printer.
- Cosatu. (2023). Cosatu congratulates its affiliate SAMWU for steadfast resilience as it marks 36 years. <https://mediadon.co.za/2023/10/24/cosatu-congratulates-its-affiliate-samwu-for-its-steadfast-resilience-as-it-marks-its-36-year-anniversary-today/>
- Development Bank of South Africa. (2024). The impact of municipal infrastructure in basic service delivery in South Africa. <https://www.dbsa.org/article/impact-municipal-infrastructure-basic-service-delivery-south-africa>
- Education and Training Unit. [Sa]. Integrated Development Planning for Local Government. <https://www.etu.org.za/toolbox/docs/localgov/webidp.html>
- Goba, T. (2023). Over 400 metro cops tasked with escorting municipal workers, says Tshwane. <https://Ewn.Co.Za/2023/08/30/Over-400-Metro-Cops-Tasked-With-Escorting-Municipal-Workers-Says-Tshwane>
- Halliday, M. (2022). What's the difference between protest, strike, and demonstration? <https://www.quora.com/What-is-the-difference-between-a-strike-and-a-protest-What-is-the-difference-between-a-protest-and-a-sit-in>
- Kenton, W. (2023). Economy: What it is, Types of Economies, Economic Indicators. <https://www.investopedia.com/economy-4689801>
- Khan Academy. (2024). Scarcity in microeconomics. <https://www.khanacademy.org/economics-finance-domain/ap-microeconomics/basic-economic-concepts/ap-economics-introduction/a/scarcity-article>
- Madubela, A. (2023). South Africa's growing social unrest proving as big a threat to growth. <https://mg.co.za/business/2021-12-08-july-unrest-proves-sparks-of-social-unrest-poses-a-risk-to-economic-growth/>
- Masiya, T., Davids, Y.D. & Mangai, M.S. (2019). Assessing service delivery: Public perception of municipal service delivery in South Africa. <https://www.jstor.org/stable/26633007?seq=1>
- Masweneng, K. (2023). Most strikes were by government workers in 2022: Report. <https://www.timeslive.co.za/news/south-africa/2023-02-09-most-strikes-were-by-government-workers-in-2022-report/>

McCain, N. (2023). Tshwane protest: Violent strike can now be called organised crime aimed at destabilising municipality.

<https://www.news24.com/news24/southafrica/news/tshwane-violent-protest-strike-can-now-be-called-organised-crime-aimed-at-destabilising-municipality-20230914>

Mostert, A. 2023. Despite SAMWU requesting workers to return, Tshwane illegal strike continues. <https://www.tshwane.gov.za/?p=59647>

National Geographic. (2024). Scarcity: Conservation, Earth science, Social Studies. <https://education.nationalgeographic.org/resource/scarcity/>

Ngobeni, M.A. (2018). Factors affecting service delivery in the Tshwane Municipality. <https://repository.nwu.ac.za/handle/10394/31031>

Office of the National Statistics. (2023). The impact of strikes in the UK: June 2022 to February 2023. United Kingdom: Office of the National Statistics. <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/workplacedisputesandworkingconditions/articles/theimpactofstrikesintheuk/june2022tofebruary2023>

Orlandi, N & Amra, R. (2021). Understanding the sources of municipal revenue_Parliamentary Budget Office. Pretoria: Government.

Oversveen, E. (2022). Capitalism and alienation: Towards a Marxist theory of alienation for the 21st century. *European Journal of Social Theory*, 25(3) 440–457.

Pheiffer, D.C & Rakubu, K.A. (2023). Municipal role in crime prevention: South African Milestones, Reflections and Challenges. *International Journal of Social Science Research and Review*, 6 (3) 35-555.

Projections. (2024). Strike Contingency Planning: Are You Prepared. <https://projectionsinc.com/strike-contingency-planning/>

Ramadie, O. (2023). Despite SAMWU requesting workers to return, Tshwane illegal strike continues. Despite SAMWU requesting workers to return, Tshwane illegal strike continues – City of Tshwane

Sadique, M. (2023). Tshwane workers affiliated to Samfu who took part in ‘illegal, unprotected’ strike face axe. <https://www.iol.co.za/pretoria-news/news/tshwane-workers-affiliated-to-samwu-who-took-part-in-illegal-unprotected-strike-face-axe-924983b1-f004-43bb-b97c-f03693765501>

Semone, M. (2020). Annual Industrial Action Report 2020. Pretoria: Department of Employment and Labour.

Servest. (2019). Labour unrest and industrial action in the South African workplace. https://www.servest.co.za/facilities-insights/labour-unrest_strike_intervention/#:~:text=Economists%20agree%20that%20the%20effect,inevitably%20lead%20to%20higher%20inflation.

South Africa. (1997). Basic Conditions of Employment, Act No.75 of 1997. Pretoria:Government Printer.

South Africa. (1996). Constitution of the Republic of South Africa, Act No 108 of 1996. Pretoria: Government Printer.

- South Africa. (2020). Department of Local Government. *City of Tshwane Municipality Integrated Development Plan: 2020-2021*. Pretoria: Government Printer.
- South Africa. (1996). The National Crime Prevention Strategy of 1996. Pretoria: Government Printer.
- South African Government. (2024). Key issues: Government priorities. <https://www.gov.za/issues/key-issues>
- Statistics South Africa. (2023). City of Tshwane. https://www.statssa.gov.za/?page_id=993&id=city-of-tshwane-municipality
- Stuurman, S. (2023). Majority of City of Tshwane clinics remain operational despite illegal SAMWU strike. Pretoria: City of Tshwane. <https://www.tshwane.gov.za/?p=59420#:~:text=Majority%20of%20City%20of%20Tshwane%20clinics%20remain%20operational%20despite%20illegal%20SAMWU%20strike,-August%204%2C%202023&text=Earlier%20in%20the%20week%2C%20I,Hercules%2C%20Karen%20park%20and%20Rosslyn%20Clinics.>
- Tenza, M. (2015). An investigation into the causes of violent strikes in South Africa: Some lessons from foreign law and possible solutions. http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S2077-49072015000100011
- Tenza, M. (2020). The effects of violent strikes on the economy of a developing country: A case of South Africa. *OBITER*, 519-537. http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S1682-58532020000300004
- The Conversation. (2023). Municipalities can play a key role in South Africa's economic development. Here's how. <https://theconversation.com/municipalities-can-play-a-key-role-in-south-africas-economic-development-heres-how-169952>
- Theunissen, G. (2023). City of Tshwane condemns criminality by illegal strikers. Pretoria: City of Tshwane. <https://www.tshwane.gov.za/?paged=3&m=202308#:~:text=City%20of%20Tshwane%20condemns%20criminality,intimidation%20and%20death%20threat%20>
- Tikkanen. (2024). Strike: Industrial relations_Britannica. <https://www.britannica.com/money/topic/strike-industrial-relations>
- Tshikalange, S. (2021). Tshwane mayor says SAMWU will be billed for cost of 'unlawful strike'. <https://www.timeslive.co.za/news/south-africa/2021-10-25-tshwane-mayor-says-samwu-will-be-billed-for-cost-of-unlawful-strike/>
- Uzoh, C.B. (2021). Strike Action: The Only Weapon Available to Public Sector Employees in Nigeria in their Agitation for Better Working Conditions. *ZIK Journal of Multidisciplinary Research*, 4: 1-19.
- Zwane, Z. (2023). Disruption of refuse collection services in Tshwane. Pretoria: City of Tshwane. <https://www.tshwane.gov.za/?p=59426>

Copyrights

Copyright for this article is retained by the author(s), with first publication rights granted to the journal. This is an open-access article distributed under the terms and conditions of the Creative Commons Attribution license (<http://creativecommons.org/licenses/by/4.0/>).