

## A FRAMEWORK FOR ALIGNING SAPS BUSINESS PROCESSES WITH ITS CONSTITUTIONAL MANDATE: AN UBUNTU OPERATIONAL APPROACH

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**Abstract:** This study examines the misalignment between the operational business processes of the South African Police Service (SAPS) and its constitutional mandate as prescribed in Section 205(3) of the Constitution of the Republic of South Africa. Despite extensive reforms, challenges such as corruption, public distrust, inefficiency, and weak accountability persist. The purpose of this study is to develop an Ubuntu Operational Framework to realign SAPS organisational processes with constitutional policing principles. A systematic qualitative approach was adopted, drawing on secondary data from South African policing reports, academic literature, and international policing frameworks. Key findings indicate that institutional culture, leadership deficits, and weak community engagement are central barriers to effective policing. The study concludes that embedding Ubuntu principles into SAPS operations can enhance legitimacy, accountability, and service delivery.

**Keywords:** *Ubuntu, policing reform, SAPS, constitutional mandate, police legitimacy.*

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### Introduction

The evolution of policing in South Africa following the establishment of democracy in 1994 was one of the most crucial institutional reforms in the nation's history. The formation of the SAPS signified a purposeful transition from apartheid-era repressive policing to democratic, accountable, and community-focused policing. Section 205(3) of the Constitution of the Republic of South Africa mandates the SAPS to prevent, combat, and investigate crime; preserve public order; protect and safeguard the citizens of South Africa and their property; and uphold and enforce the law. Nonetheless, despite this advanced constitutional framework, several operational, ethical, and governance issues persistently hinder the congruence between SAPS business activities and its constitutional responsibilities (Shaw, 2002; Van der Spuy, 2015).

South African academics increasingly contend that the ongoing prevalence of violent crime, corruption, police brutality, and diminishing public trust illustrates a disjunction between constitutional principles and practical policing reality. Mark Shaw observes that democratic police in South Africa is hindered by institutional deficiencies, political influences, and organisational cultures retained from the apartheid period (Shaw, 2002). Johan Burger contends that the efficacy of policing cannot be evaluated exclusively by crime statistics, but rather by legitimacy, public trust, accountability, and community collaboration (Burger, 2011). These issues have escalated in response to rising violent crime rates and public discontent with law enforcement services.

The most recent national crime data published by the SAPS indicate that South Africa persists in facing distressing rates of violent crime, encompassing murder, rape, aggravated robbery, and

gender-based violence. The nation documented more than 27,000 homicides in recent yearly crime reports, resulting in one of the highest murder rates worldwide (SAPS, 2024). Furthermore, Statistics South Africa indicates that the apprehension around crime continues to be a significant societal issue impacting economic development, social cohesion, and the quality of life for citizens (Statistics South Africa, 2024). Researchers assert that ongoing allegations of corruption and instances of excessive force have eroded public confidence in the police institution (Burger, 2011; ISS, 2023).

Scholars of South African policing contend that the constitutional duty of the SAPS necessitates proactive measures beyond mere reactive law enforcement. Monique Marks asserts that democratic policing is primarily reliant on procedural justice, ethical behaviour, and robust police-community partnerships (Marks, 2005). Similarly, Elrena van der Spuy contends that police reform in South Africa has frequently prioritised structural modifications at the expense of profound organisational culture development (Van der Spuy, 2015). This argument is especially pertinent in a society marked by socio-economic disparity, unemployment, political strife, and a historical lack of trust between communities and law enforcement institutions.

International experts likewise underscore the necessity of harmonising enforcement techniques with democratic governance and community credibility. David Bayley contends that democratic policing necessitates legal responsibility, operational transparency, safeguarding of human rights, and responsiveness to community demands (Bayley, 2001). Tom Tyler contends that public adherence to the law is significantly shaped by perceptions of

police impartiality, procedural justice, and legitimacy, rather than solely by the fear of punishment (Tyler, 2006). These international viewpoints underscore the increasing global acknowledgement that effective law enforcement relies on ethical governance and public trust.

Furthermore, the United Nations continually underscores that contemporary policing organisations must incorporate human rights values, community engagement, accountability, and professionalism into their operational frameworks (UNODC, 2021). International policing frameworks increasingly promote people-centred and intelligence-led strategies that effectively tackle modern security issues while upholding democratic principles.

In the South African setting, the idea of Ubuntu provides a significant normative and operational basis for the transformation of policing. Ubuntu, sometimes expressed as “Umuntu ngumuntu ngabantu” (“a person is a person through others”), underscores humanity, compassion, dignity, empathy, communal responsibility, and social interdependence. African scholars contend that Ubuntu offers an indigenous ethical framework that can enhance constitutional policing and restore damaged police-community ties. Desmond Tutu famously stated that Ubuntu acknowledges that “my humanity is bound up in yours,” emphasising the interdependent relationship between individuals and society (Tutu, 1999). In police, Ubuntu fosters polite interactions, restorative conflict resolution methods, and service-oriented leadership.

This essay contends that connecting SAPS business processes with the constitutional mandate necessitates a thorough operational structure based on Ubuntu values, ethical governance, accountability, professionalism, and community collaboration. The proposed Ubuntu Operational Framework, with nine interconnected components, aims to reconcile constitutional policing principles with practical implementation. The framework contends that successful policing reform in South Africa necessitates not only legislation revisions or structural reforms but also the transformation of institutional culture, leadership practices, and community relations. Integrating Ubuntu principles into operational frameworks and decision-making processes can enhance police legitimacy, elevate service delivery, restore public trust, and foster safer, more inclusive communities within the SAPS.

## Background of the Study

Post-apartheid policing in South Africa underwent a radical restructuring to embody democratic administration, constitutional primacy, the preservation of human rights, and community involvement. The transfer from apartheid policing to the formation of the SAPS marked a fundamental change from a militarised, coercive regime to a service-oriented, constitutionally governed agency tasked with upholding Section 205(3) of the Constitution. Notwithstanding this continuous reform, the SAPS persist in grappling with entrenched systemic inefficiencies and institutional frailties.

Scholarship from South Africa regularly indicates that policing reform has not completely realised its desired objectives. Mark Shaw contends that crime control in post-apartheid South Africa is hindered by institutional fragmentation, inadequate coordination, and governance deficiencies within the criminal justice system (Shaw, 2002). Burger (2011) contends that the efficacy of policing is compromised by insufficient leadership capacity, inconsistent accountability measures, and inadequate

integration between policing frameworks and communities. Monique Marks also asserts that the evolution of policing has predominantly been structural rather than cultural, resulting in the persistence of entrenched organisational habits (Marks, 2005).

Empirical research further illustrates the gravity of South Africa's policing and crime issues. Statistics South Africa continuously reports excessively high rates of violent crime, including over 27,000 homicides per year, as well as increasing occurrences of robbery, assault, and gender-based violence (Statistics South Africa, 2024). These numbers indicate both extensive socio-economic disparities and operational inefficiencies within the SAPS. The Institute for Security Studies indicates that public confidence in policing has markedly diminished due to perceptions of corruption, inadequate service delivery, and restricted accountability (Institute for Security Studies, 2023). Johan Burger notes that community discontent is increasingly associated with inadequate reaction times, limited investigative capabilities, and irregular police presence in high-crime regions.

Elrena van der Spuy's supplementary research in South Africa contends that policing reform initiatives have inadequately tackled the profound cultural and ethical aspects of policing institutions, positing that without a transformation of organisational culture, structural reforms are inadequate (Van der Spuy, 2015). These viewpoints combined indicate a continual disparity between constitutional principles and policing practices in South Africa.

From a global standpoint, policing scholarship underscores the significance of legitimacy, equity, and procedural justice in effective law enforcement. David Bayley contends that police efficacy is predominantly influenced by public legitimacy and trust rather than coercive authority, asserting that democratic policing frameworks must emphasise responsibility and responsiveness (Bayley, 2001). Tom Tyler similarly underscores that procedural justice—individuals' perceptions of the fairness of police processes—significantly influences public compliance with the law and trust in law enforcement agencies (Tyler, 2006).

The United Nations emphasises that contemporary policing frameworks must conform to human rights standards, democratic accountability, and community engagement to guarantee sustainable security governance, cautioning that neglecting these principles results in legitimacy crises and diminished public cooperation (United Nations, 2021).

Both South African and worldwide literature collectively assert that effective policing relies not only on enforcement capacity but also on legitimacy, ethical governance, and community trust. This highlights the pressing necessity to realign SAPS operational operations with its constitutional mandate through transformative and value-oriented frameworks in the South African context.

## Problem Statement

The most significant problem of this study is the ongoing misalignment between the operational business procedures of the SAPS and its constitutional obligation to provide effective, responsible, transparent, and community-focused policing. Despite the post-1994 policing changes intended to convert SAPS into a democratic and service-oriented entity, data indicates that substantial operational, institutional, and cultural obstacles persist, hindering this transformation.

Notwithstanding comprehensive legal and institutional reforms, the SAPS persistently encounters systemic inefficiencies, inadequate accountability systems, corruption vulnerabilities, and diminishing public confidence. The Institute for Security Studies observes that public trust in policing has declined owing to perceptions of inadequate service delivery, corruption, and erratic law enforcement responses (Institute for Security Studies, 2023). Moreover, Statistics South Africa reports consistently elevated rates of violent crime, encompassing homicide, robbery, and gender-based violence, which further indicate deficiencies in policing efficacy and crime prevention capabilities (Statistics South Africa, 2024).

Scholarship on South African policing emphasises that these difficulties are fundamentally systemic rather than merely operational. Elrena van der Spuy contends that policing reform in South Africa has predominantly concentrated on structural transformation, while overlooking the ingrained organisational culture that persists in resisting substantive change (Van der Spuy, 2015). This cultural opposition hinders the efficacy of reforms intended to enhance accountability, professionalism, and community trust.

Johan Burger asserts that the functioning of SAPS is considerably compromised by ineffective leadership structures, inadequate oversight, and deficient community engagement strategies (Burger, 2011). Burger further underscores that the disparity between policing strategy and its execution leads to persistent inefficiency and public discontent with policing services.

The United Nations emphasises that policing institutions that do not conform to human rights principles and democratic accountability are prone to legitimacy crises, diminished public cooperation, and governance failures (United Nations, 2021). This global viewpoint underscores the assertion that legitimacy, transparency, and accountability are fundamental tenets of effective contemporary policing regimes.

The research collectively suggests that the fundamental issue lies not merely in insufficient policing capacity, but in a profound systemic misalignment between SAPS operational processes and its constitutional and democratic responsibilities. This discord persists in eroding public confidence, institutional credibility, and the overall efficacy of law enforcement in South Africa.

### **Aim of the Study**

This study aims to create an Ubuntu Operational Framework that aligns the South African Police Service's (SAPS) business processes with its constitutional mandate to improve policing effectiveness, reinforce accountability mechanisms, and restore public trust in policing institutions.

This objective is rooted in the constitutional duty of SAPS to prevent and combat crime while upholding human rights, dignity, and equality. Empirical research demonstrates a continual disparity between policy aims and operational realities. The Institute for Security Studies contends that diminishing public trust in law enforcement is intricately associated with views of corruption, inefficacy, and inadequate service provision (Institute for Security Studies, 2023). Statistics South Africa also underscores persistently elevated levels of violent crime, indicative of systemic issues in policing efficacy and crime prevention capabilities (Statistics South Africa, 2024).

The study on South African policing underscores the necessity for transformational methodologies. Mark Shaw contends that effective crime reduction in South Africa necessitates enhanced institutional coordination and governance capabilities within policing frameworks (Shaw, 2002). Similarly, Elrena van der Spuy contends that policing reform has predominantly been structural, whereas a more profound cultural revolution within SAPS has been inadequately addressed (Van der Spuy, 2015). Moreover, Johan Burger underscores that ineffective leadership and insufficient community involvement persistently detract from the efficacy and credibility of SAPS operations (Burger, 2011).

The United Nations emphasises that contemporary policing organisations must synchronise operational practices with human rights standards, accountability, and community engagement to guarantee legitimacy and sustainable governance outcomes (United Nations, 2021). These worldwide principles underscore the necessity for policing systems that are both effective and socially legitimate.

This study aims to address these challenges by proposing an Ubuntu-based operational framework that incorporates values of humanity, accountability, and community partnership into SAPS business processes, thus reconciling constitutional ideals with practical policing realities.

### **Research Objectives and Questions**

The objectives and research questions of this study are strongly grounded in both South African and international policing scholarship, which consistently highlights gaps between constitutional ideals and operational policing realities within the SAPS.

#### **Objective 1: To analyse gaps between SAPS business processes and constitutional policing requirements**

Research in South Africa verifies a continual disparity between the operational methods of SAPS and constitutional standards. Elrena van der Spuy contends that the transition of policing has predominantly been structural, but the institutional culture continues to be incongruent with the principles of democratic policing (Van der Spuy, 2015). Mark Shaw asserts that disjointed governance and inadequate coordination within the criminal justice system persistently hinder the successful execution of constitutional policing (Shaw, 2002). The Institute for Security Studies emphasises that operational inefficiencies within SAPS exacerbate the disparity between policy and practice (ISS, 2023).

#### **Objective 2: To examine factors contributing to inefficiency and mistrust in SAPS**

Empirical evidence shows that inefficiency and mistrust are driven by multiple institutional and governance failures. Johan Burger asserts that weak leadership structures, poor supervision, and limited community engagement significantly undermine SAPS performance (Burger, 2011). In addition, the Statistics South Africa reports persistently high levels of violent crime, which further erode public confidence in policing effectiveness (Stats SA, 2024). The ISS (2023) also notes that corruption perceptions and inconsistent service delivery contribute significantly to declining public trust.

#### **Objective 3: To develop an Ubuntu-based operational framework for policing reform**

The development of an Ubuntu-based framework is supported by African-centred policing discourse, which emphasises human dignity, community cohesion, and restorative justice. Monique Marks argues that policing reform must go beyond structural changes and incorporate value-based transformation rooted in local contexts (Marks, 2005). Furthermore, Desmond Tutu emphasises that Ubuntu reflects the principle that human dignity is interconnected, making it a suitable ethical foundation for policing transformation. Internationally, the United Nations supports the integration of human rights-based and community-oriented policing frameworks to enhance legitimacy and accountability (UNODC, 2021).

#### **Objective 4: To propose practical strategies for improving legitimacy and service delivery**

International policing literature strongly supports legitimacy-based policing reforms. David Bayley argues that effective policing depends on public legitimacy rather than coercive force (Bayley, 2001). Similarly, Tom Tyler emphasises that procedural justice and fair treatment are key drivers of public trust and compliance with law enforcement (Tyler, 2006). The United Nations (2021) further reinforces that accountability, transparency, and community participation are essential for improving service delivery and institutional legitimacy.

#### **Research Questions and Supporting Sources**

##### **➤ What causes the misalignment between SAPS operations and its constitutional mandate?**

Shaw (2002) identifies fragmented governance and weak institutional coordination as key causes of misalignment. Van der Spuy (2015) adds that entrenched organisational culture continues to resist transformation. ISS (2023) further highlights operational inefficiencies as a structural cause of this misalignment.

##### **➤ How do institutional and cultural factors affect SAPS performance?**

Burger (2011) states that weak leadership and inadequate accountability systems negatively affect performance. Marks (2005) argues that cultural resistance within SAPS limits reform effectiveness. Van der Spuy (2015) further emphasises that organisational culture remains a major barrier to change.

##### **➤ How can Ubuntu principles improve policing effectiveness and legitimacy?**

Ubuntu principles emphasise dignity, empathy, and collective responsibility. Tutu (1999) highlights Ubuntu as a foundation for human-centred governance. Marks (2005) supports the integration of value-based policing approaches. The United Nations (2021) reinforces community-centred and human rights-based policing models as globally accepted standards.

##### **➤ What operational framework can enhance SAPS accountability and community trust?**

Bayley (2001) argues that legitimacy-based policing frameworks improve public trust. Tyler (2006) confirms that procedural fairness strengthens compliance and legitimacy. ISS (2023) recommends strengthening accountability mechanisms and community engagement to restore trust in SAPS.

##### **➤ Significance of the Study and Research Gaps**

This study is significant as it contributes to the continuing discussions on policing reform by suggesting a practical and culturally relevant Ubuntu Operational Framework to enhance the business operations of the SAPS. It addresses enduring issues of diminished public trust, inadequate accountability, and inefficiencies in policing service delivery by proposing an African-centered strategy that harmonises practical policing tactics with constitutional principles.

The study's value resides in its capacity to enhance both scholarly and policy-related discussions around democratic policing in South Africa. Monique Marks and Elrena van der Spuy's scholarship on South African policing indicates that, despite significant structural reforms since 1994, the transformation of SAPS has inadequately tackled the underlying cultural and ethical aspects within the organization (Marks, 2005; Van der Spuy, 2015). This study enhances understanding by transitioning the emphasis from solely institutional restructuring to value-oriented and philosophy-driven policing reform rooted in Ubuntu ideals.

The work simultaneously solves a significant deficiency in the current literature. The majority of South African policing research, including studies by Mark Shaw and Johan Burger, has focused on governance deficiencies, operational inefficiencies, and issues in crime control. Nonetheless, these studies frequently lack a thorough operational framework that incorporates African epistemologies like Ubuntu into policing practices. The Institute for Security Studies (ISS, 2023) similarly recognises systemic deficiencies in SAPS performance but fails to completely convert these findings into a coherent, value-oriented operational framework for transformation.

Moreover, international policing frameworks, as articulated by David Bayley and Tom Tyler, underscore legitimacy, procedural justice, and accountability as essential pillars of effective law enforcement. Nonetheless, these models frequently exhibit insufficient contextual adaptation to South Africa's socio-political realities, historical inequities, and culturally varied populations. The United Nations advocates for human rights-based police frameworks; however, these international models are often executed without enough adaptation to indigenous value systems like Ubuntu.

The literature gap is twofold: firstly, the lack of a comprehensive, Ubuntu-based operational framework that incorporates cultural, ethical, and constitutional aspects of police; and secondly, the inadequate adaptation of international policing models to South African contexts. This study addresses these deficiencies by providing a paradigm that is both theoretically robust and practically implementable, with the objective of improving legitimacy, accountability, and community confidence in SAPS operations.

#### **Theoretical Framework**

This study is grounded in an integrated theoretical framework that combines Ubuntu Philosophy, Procedural Justice Theory, and Police Legitimacy Theory to explain how policing institutions can achieve alignment with constitutional mandates within the SAPS. These theories collectively support a human-centred, ethical, and community-oriented policing model that prioritises dignity, fairness, and trust as foundations of effective policing.

#### **Ubuntu Philosophy**

Ubuntu philosophy provides the foundational ethical lens for this study. It emphasises humanity, interconnectedness, compassion, and collective responsibility, captured in the principle “*umuntu ngumuntu ngabantu*”. Desmond Tutu argues that Ubuntu reflects the moral understanding that human beings are deeply interdependent, and that justice systems must promote reconciliation and social harmony rather than alienation. In policing contexts, Ubuntu promotes respectful engagement between police officers and communities, reinforcing dignity and social cohesion (Tutu, 1999). South African policing scholars such as Monique Marks further argue that value-based policing rooted in African epistemologies is essential for meaningful institutional transformation (Marks, 2005).

### **Procedural Justice Theory**

Procedural Justice Theory, developed by Tom Tyler, argues that public perceptions of fairness in police processes significantly influence legitimacy and compliance with the law. Tyler (2006) asserts that when citizens perceive police actions as fair, transparent, and respectful, they are more likely to trust law enforcement institutions and obey the law voluntarily. This theory is particularly relevant in South Africa, where historical inequalities and ongoing mistrust between communities and the SAPS continue to challenge effective policing. The Institute for Security Studies (ISS, 2023) supports this view by highlighting that legitimacy deficits in policing are closely linked to perceptions of unfair treatment and inconsistent service delivery.

### **Police Legitimacy Theory**

Police Legitimacy Theory, advanced by David Bayley, posits that the effectiveness of policing is not primarily determined by coercive power, but by the extent to which the public grants authority and consent to the police. Bayley (2001) argues that legitimate policing depends on accountability, transparency, and responsiveness to community needs. In the South African context, legitimacy challenges are evident in declining public trust, as highlighted by the Statistics South Africa, which reports persistent dissatisfaction with safety and policing effectiveness among citizens (Stats SA, 2024).

### **Integrated Theoretical Perspective**

When combined, Ubuntu Philosophy, Procedural Justice Theory, and Police Legitimacy Theory provide a comprehensive framework for analysing and improving policing in South Africa. Ubuntu contributes a moral and cultural foundation, procedural justice provides a behavioural and operational lens, and legitimacy theory offers an institutional performance measure. Internationally, the United Nations reinforces these perspectives by emphasising that human rights-based and community-oriented policing is essential for sustainable governance and public trust (UNODC, 2021). Together, these theories support the development of a human-centred policing model that aligns SAPS operational processes with constitutional and democratic principles.

### **Literature Study**

Literature on South African policing regularly indicates that, despite reforms implemented post-1994, the SAPS persists in confronting deep-rooted issues pertaining to corruption, inadequate accountability mechanisms, ineffective leadership, and diminishing public confidence. Johan Burger contends that the effectiveness of SAPS is compromised by institutional inefficiencies and insufficient oversight mechanisms, which diminish service delivery

and operational consistency (Burger, 2011). Similarly, Mark Shaw asserts that crime control in South Africa is hindered by fragmented governance within the criminal justice system, which restricts coordinated and effective policing responses (Shaw, 2002).

Empirical evidence from the Institute for Security Studies (ISS) substantiates these apprehensions, indicating that perceptions of corruption, variable police standards, and inadequate accountability mechanisms have markedly diminished public trust in SAPS (ISS, 2023). Elrena van der Spuy contends that policing reform has predominantly concentrated on structural transformation, thereby overlooking profound organisational culture challenges that persistently influence behaviour and institutional performance (Van der Spuy, 2015). This indicates that successful reform necessitates both institutional restructuring and a transformation of values.

International literature offers an additional viewpoint by highlighting legitimacy, impartiality, and trust as fundamental components of effective policing. David Bayley contends that the efficacy of police organisations is determined more by public legitimacy and consent than by coercive capacity (Bayley, 2001). Tom Tyler contends that procedural justice, defined as individuals' perceptions of the fairness of police activities, is a crucial factor influencing public cooperation and faith in law enforcement agencies (Tyler, 2006). These viewpoints underscore a worldwide transition towards legitimacy-oriented policing frameworks.

The United Nations asserts that contemporary policing systems must be founded on human rights values, accountability, and community engagement to guarantee sustainable government and efficient crime prevention (UNODC, 2021). The UN contends that policing regimes that do not incorporate these principles frequently encounter legitimacy crises, diminished community cooperation, and decreased operational efficacy.

The literature collectively demonstrates a distinct alignment between South African and international viewpoints: South Africa encounters structural, cultural, and governance issues within SAPS, while global scholarship underscores the necessity of legitimacy, fairness, and human rights-oriented policing for effective law enforcement. This underscores the necessity for a transformative, value-oriented police paradigm rooted in constitutional principles and culturally pertinent methodologies like Ubuntu.

### **Discussion and Key Findings (Literature Study)**

The examined literature depicts a coherent and persuasive portrayal of policing in post-apartheid South Africa: notwithstanding significant reform initiatives, the SAPS continues to be hindered by entrenched institutional, cultural, and governance obstacles that compromise its constitutional responsibilities. A significant consensus exists in both South African and foreign academics regarding the primary concern of diminishing legitimacy due to inadequate accountability, ineffective leadership, and insufficient organisational transformation.

A significant conclusion from South African literature is that the operational inefficiencies of SAPS are not merely isolated administrative issues but are systemic in character. Johan Burger contends that insufficient supervision mechanisms and deficiencies in leadership critically undermine service delivery and operational uniformity (Burger, 2011). This indicates that inefficiencies are ingrained in the organisational structure of SAPS rather than being solely performance-related problems. Mark Shaw asserts that

fragmented governance within the overarching criminal justice system hinders coordination, leading to reactive instead of proactive policing strategies (Shaw, 2002).

A significant discovery is the enduring trust deficit between communities and the South African Police Service (SAPS). The Institute for Security Studies (ISS) emphasises that perceptions of corruption, inconsistent policing methods, and inadequate accountability procedures have substantially diminished public trust in policing organisations (ISS, 2023). The breakdown of trust immediately undermines cooperation between communities and law enforcement, consequently diminishing crime prevention initiatives and reducing overall policing efficacy.

Moreover, Elrena van der Spuy offers a vital perspective by contending that SAPS reform has disproportionately concentrated on structural redesign, thereby overlooking the necessity for profound transformation of organisational culture (Van der Spuy, 2015). This discovery is notably important as it suggests that statutory reforms are inadequate unless the behavioural norms, values, and ethical standards governing daily policing actions are also addressed.

International literature enhances this analysis by redirecting attention from enforcement capacity to legitimacy and equity as the cornerstone of effective policing. David Bayley contends that the efficacy of police is predominantly influenced by public legitimacy rather than by coercive authority (Bayley, 2001). Tom Tyler illustrates that procedural justice citizens' perceptions of the fairness of police treatment directly affects public trust, obedience, and collaboration with law enforcement agencies (Tyler, 2006). The findings indicate that legitimacy is a tangible result of equitable and transparent policing procedures.

The United Nations underscores that policing institutions should be founded on human rights, accountability, and community engagement to attain sustained efficacy (UNODC, 2021). The UN cautions that neglecting to incorporate these principles frequently leads to legitimacy issues, less community collaboration, and decreased operational efficacy.

### **Synthesis of Key Findings**

Based on the reviewed literature, the following key findings emerge:

- SAPS face persistent structural inefficiencies linked to governance fragmentation and weak leadership.
- Corruption perceptions and inconsistent service delivery have significantly eroded public trust.
- Organisational culture remains a major barrier to meaningful transformation within SAPS.
- Legitimacy, rather than force, is central to effective modern policing.
- Procedural justice and fairness directly influence public cooperation and compliance.
- Human rights-based and community-oriented policing models are globally recognised as best practice.
- There is a strong need for culturally grounded frameworks, such as Ubuntu, to bridge the gap between policy and practice.

The literature collectively indicates that policing reform in South Africa cannot succeed through structural changes alone. Instead, sustainable transformation requires a shift toward legitimacy-based, value-driven, and community-centred policing

approaches. This reinforces the necessity of developing an Ubuntu Operational Framework that integrates ethical governance, fairness, accountability, and human dignity into SAPS operational processes.

### **Practical Recommendations**

Based on the identified gaps between constitutional policing ideals and operational realities within the SAPS, the following practical recommendations are proposed to strengthen accountability, legitimacy, and service delivery in line with both South African and international policing best practices.

#### **Integrate Ubuntu Philosophy into SAPS Training and Leadership Development**

Ubuntu should be institutionalised as a core value in SAPS academies and continuous professional development programmes. This would ensure that policing is grounded in human dignity, empathy, and collective responsibility. As Desmond Tutu emphasises, Ubuntu promotes the idea that humanity is interconnected, making it a strong ethical foundation for restoring trust between police and communities.

#### **The components of Ubuntu operational Framework are summarised as follows**

- Strategic Leadership and Governance: Ensure top-down alignment, ownership and strategic utility of the SAPS.
- System Modernisation and Infrastructure development: Upgrade SAPS's technical and architecture to improve scalability, security and functionality.
- Data Governance and Ethical Oversight: Build trust in data usage and ensure compliance with ethical standards.
- Data Ethics Committee: Standardised data protocols audit trails and transparency.
- AI-Driven Crime Analytics and Predictive Tools: Integrate advanced while mitigating biasness.
- Capacity Building and Cultural Change: Equip SAPS personnel with the skills and mindset change for data I collaboration informed operations.
- Interagency Integration and Stakeholder Collaboration: Promote cross-sector collaboration and intelligence sharing.
- Public Transparency and Community Engagement: Rebuild public trust through openness and accountability.
- Oversight Implementation: Phase-based rollout: Key success indicators, and regular progress reviews.

#### **Strengthen Community Policing Forums (CPFs) for Participatory Governance**

Community Policing Forums should be revitalised to function as genuine co-governance structures rather than symbolic platforms. Enhanced participation will improve transparency, local accountability, and shared responsibility for safety. This aligns with the findings of the Institute for Security Studies, which highlights the importance of strengthening community trust to improve policing effectiveness.

#### **Implement Real-Time Accountability and Transparency Systems**

SAPS should adopt digital and technological systems that allow for real-time monitoring of complaints, case progress, and officer conduct. This would reduce corruption risks and improve responsiveness. The United Nations stresses that transparency and

accountability mechanisms are essential for maintaining public confidence in modern policing institutions.

### **Enhance Ethical Leadership Development Programmes**

Leadership development within SAPS must prioritise ethical decision-making, constitutional compliance, and transformational leadership skills. Johan Burger argues that weak leadership remains a major factor undermining policing effectiveness and public trust. Strengthening leadership ethics will therefore directly improve institutional performance and accountability.

### **Adopt Intelligence-Led and Community-Centred Policing Models**

SAPS should strengthen the integration of intelligence-led policing strategies with community-based approaches to ensure proactive crime prevention and efficient resource allocation. According to Mark Shaw, fragmented and reactive policing systems limit effectiveness in addressing complex crime patterns in South Africa. Combining intelligence-led policing with community participation can significantly improve operational outcomes.

These recommendations collectively emphasise a shift from reactive, enforcement-driven policing to a proactive, ethical, and community-centred model. By embedding Ubuntu values alongside modern policing technologies and governance systems, SAPS can enhance legitimacy, rebuild public trust, and strengthen constitutional compliance in policing practice.

### **Methodological Approach**

A qualitative systematic approach was adopted in this study to examine the misalignment between the operational business processes of the SAPS and its constitutional mandate. This approach involved a structured and rigorous review of existing academic literature, official SAPS reports, international policing frameworks, and relevant policy documents. The aim was to synthesise evidence thematically in order to identify persistent policing challenges and opportunities for reform.

Qualitative systematic approaches are widely recognised in social science research for their ability to generate deep, contextual understanding of complex institutional problems. According to John W. Creswell, qualitative research is appropriate when exploring social phenomena that require interpretation of meanings, experiences, and institutional behaviour (Creswell, 2014). In the context of policing, this method allows researchers to critically examine organisational culture, governance challenges, and policy implementation gaps.

Similarly, Norman Denzin emphasises that qualitative systematic inquiry enables triangulation of multiple data sources, improving the credibility and depth of findings (Denzin & Lincoln, 2011). This is particularly relevant for policing studies where issues such as corruption, legitimacy, and accountability require interpretation across multiple institutional and social dimensions. In support of systematic literature approaches, David Gough argues that systematic reviews provide a transparent and replicable method for synthesising evidence across diverse sources, allowing researchers to identify patterns, contradictions, and research gaps (Gough et al., 2012). This strengthens the reliability of conclusions drawn from secondary data.

Within the South African policing context, Mark Shaw and Elrena van der Spuy both highlight the importance of synthesising

multiple sources of evidence to understand systemic policing challenges, particularly where institutional data may be fragmented or inconsistent. Their work supports the use of qualitative synthesis to interpret policing reform outcomes in South Africa.

Furthermore, the United Nations promotes evidence-based policy analysis using qualitative and mixed-method approaches to assess policing effectiveness, accountability, and human rights compliance in member states (UNODC, 2021). This reinforces the global acceptance of qualitative systematic approaches in policing research.

Overall, the methodological approach enabled the integration of diverse perspectives from South African and international literature, allowing for a comprehensive thematic analysis of SAPS operational challenges and reform opportunities.

### **Key Takeaways / Impact of the Study**

This study makes a significant contribution to policing reform within the context of the SAPS by advancing a culturally grounded and constitutionally aligned framework for improving operational effectiveness and public trust. The key insights demonstrate both theoretical and practical value for transforming policing in South Africa.

- **Provides a culturally relevant policing reform model**

The study introduces an Ubuntu-based operational perspective that situates policing within African ethical and cultural values. This approach responds to long-standing critiques in South African policing literature, including those by Elrena van der Spuy and Monique Marks, who argue that reform efforts have insufficiently addressed cultural and value-based transformation within SAPS.

- **Bridges the gap between constitutional ideals and operational policing**

The study addresses the persistent disconnect between SAPS constitutional obligations and day-to-day policing practices. This gap has been widely noted in institutional assessments such as those by the Institute for Security Studies, which highlights ongoing inefficiencies, inconsistent service delivery, and accountability failures that undermine constitutional policing.

- **Strengthens legitimacy and public trust**

By emphasising fairness, dignity, and procedural justice, the study reinforces the importance of legitimacy as a foundation for effective policing. Tom Tyler and David Bayley both argue that legitimacy and trust, rather than coercion, are central to successful law enforcement systems. Strengthening these dimensions directly enhances public cooperation and compliance.

- **Promotes ethical leadership and accountability**

The study highlights the importance of ethical leadership as a driver of institutional transformation. As noted by Johan Burger, weak leadership and inadequate accountability mechanisms remain key challenges affecting SAPS performance and credibility. Strengthening ethical governance is therefore essential for sustainable reform.

- **Enhances community–police collaboration**

The framework encourages deeper engagement between police and communities through participatory structures such as Community Policing Forums (CPFs). This aligns with global standards promoted by the United Nations, which emphasises that

community participation is essential for effective, democratic, and human rights-based policing.

Collectively, the study contributes to reimagining policing in South Africa as a values-driven, constitutionally compliant, and community-centred institution. It offers both a conceptual and practical pathway for transforming SAPS into a more legitimate, trusted, and effective policing organisation.

### Methodological Approach

A qualitative systematic approach was adopted. This involved structured analysis of academic literature, SAPS reports, international policing frameworks, and policy documents. The approach enabled thematic synthesis of policing challenges and opportunities for reform.

### Conclusion

This study has demonstrated that the SAPS continues to face a persistent and deeply entrenched misalignment between its operational business processes and its constitutional mandate to deliver effective, accountable, and community-centred policing. Despite extensive post-apartheid reforms, evidence from South African scholarship and institutional reports confirms that challenges such as weak accountability, corruption risks, inconsistent service delivery, and declining public trust remain significant barriers to policing effectiveness (Burger, 2011; ISS, 2023; Van der Spuy, 2015).

The analysis further shows that these challenges are not only structural but also cultural and ethical in nature. As highlighted by Mark Shaw, fragmented governance within the criminal justice system continues to undermine coordinated crime prevention efforts, while Elrena van der Spuy emphasises that insufficient organisational culture transformation has limited the impact of formal institutional reforms. These findings confirm that sustainable policing reform cannot be achieved through policy adjustments alone, but requires a fundamental shift in values, leadership behaviour, and operational philosophy. From an international perspective, scholars such as David Bayley and Tom Tyler reinforce the argument that legitimacy, fairness, and procedural justice are the foundation of effective policing systems. In addition, the United Nations underscores that policing institutions that fail to embed human rights, accountability, and community participation inevitably face legitimacy crises and weakened public cooperation.

Against this backdrop, the study concludes that aligning SAPS operational systems with constitutional values is both urgent and essential. The integration of Ubuntu principles provides a transformative and contextually relevant pathway for rebuilding trust, strengthening ethical leadership, and enhancing accountability within policing structures. Ubuntu, as a philosophy of human dignity, interconnectedness, and collective responsibility, offers a powerful foundation for reshaping policing practice in South Africa. Ultimately, the study asserts that sustainable policing reform in South Africa will only be achieved when operational

systems, institutional culture, and leadership practices are fully aligned with constitutional principles and grounded in human-centred values. Embedding Ubuntu within SAPS business processes is therefore not merely an ideal, but a necessary condition for restoring legitimacy, improving service delivery, and strengthening democratic policing in South Africa.

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