

Assessing the Drivers of Non-Compliance with the Law in Gauteng: A Systematic Literature Review

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Abstract: *Non-compliance with the law in Gauteng undermines governance, economic development, and social cohesion (Altbeker, 2007; Bruce, 2013). This study employs a systematic literature review (SLR) methodology to synthesize findings from peer-reviewed articles, government reports and policy papers which were mainly published between 2000 and 2025. Using the “Preferred Reporting Items for Systematic reviews and Meta-Analyses (PRISMA) framework,” forty-two (42) studies were analysed (Page et al., 2021). The findings demonstrate that the culture of legal non-compliance is a complex phenomenon shaped by several interrelated underlying factors that act as key drivers which subsume socio-economic deprivation, weak institutional enforcement, corruption, cultural legacies of distrust, and psychological perceptions of legitimacy (SAPS, 2023; Altbeker, 2007; StatsSA, 2022). The review concludes with recommendations that emphasize strengthening compliance through institutional reforms, socio-economic interventions, and community engagement, which are presented as essential building blocks for effecting change in the enduring culture of lawlessness in Gauteng.*

Keywords: *Lawlessness; Non-compliance with the rules of the road; Crime; Delinquency; Law Enforcement; Illegal behaviour; Compliance; Crime Combating; Disregard of the law; Crime prevention interventions*

Date of Submission: 12-02-2026

Date of acceptance: 27-02-2026

I. INTRODUCTION

Legal compliance in South Africa reflects the interaction between individual behaviour and broader social, economic, and institutional structures (Altbeker, 2007; Bruce, 2013). In Gauteng, which encompasses Johannesburg and Pretoria, non-compliance is evident in persistently high crime rates, frequent regulatory breaches and contested relations between communities and law enforcement agencies (Breetzke & Horn, 2009; Rauch, Shaw & Louw, 2001). Understanding the complex interplay between social conditions and law-breaking behaviour is critical for developing effective interventions that promote safety, order, and legitimacy within the justice system (Breetzke & Horn, 2009).

Gauteng’s demographic and socio-economic profile amplifies these challenges (Bruce, 2013). With a population exceeding fifteen million, the province accounts for approximately a quarter of all reported crime nationally, making it a focal point for South Africa’s security and governance concerns (EWN, 2023). Patterns of urbanisation, entrenched inequality, and spatial fragmentation most notably in informal settlements, transport nodes, and mixed-use precincts produce structural challenges that complicate the enforcement of, and compliance with, legal and regulatory frameworks (CSV, 2016; Leggett, 2003).

This review examines the drivers of legal non-compliance in Gauteng, with particular emphasis on socio-economic, institutional, and cultural factors. By situating legal behaviour within its broader social and spatial context, the study aims to generate insights into the structural and behavioural dimensions of compliance and to inform evidence-based approaches to law enforcement and governance.

II. METHODOLOGY

2.1. Research Design

This study utilised a semi-systematic literature review to analyse the key factors contributing to the culture of legal non-compliance in Gauteng. A semi-systematic review was deemed appropriate because it allows for a structured yet flexible synthesis of diverse bodies of literature, including empirical studies, legal frameworks, and policy-oriented research, while still enabling the identification of thematic patterns across disciplines (Snyder, 2019; Xiao & Watson, 2019). This approach builds on earlier applications of semi-systematic reviews in criminological and social policy research (Cook et al., 1997; Crowther & Cook, 2007).

2.2. Data Sources and Search Strategy

The literature search was conducted over a two-month period using multiple academic and legal databases to ensure comprehensive coverage. The primary databases consulted; subsume Scopus, Web of Science, JSTOR, Google Scholar and Sabinet Online. These platforms were intentionally selected due to their broad and reliable coverage of peer-reviewed journals, official government publications and regionally focused on South African scholarship's, which is essential for conducting rigorous literature reviews (Page et al., 2021).

A structured, transparent, and replicable search strategy was applied across all afore-mentioned selected databases using a consistent set of predefined keywords and Boolean operators to ensure comprehensive coverage of relevant literature (Xiao & Watson, 2019; Page et al., 2021). The primary search terms included lawlessness, violent crime, deviant behaviour, non-compliance Gauteng, law enforcement South Africa and drivers of illegality. The selected keywords were designed to encompass both criminological perspectives on the etiology of the culture of general disregard of regulations and policy-focused literature addressing legal compliance, law enforcement practices, and justice system responses (Moffitt, 2018; Tonry, 2020).

2.3. Inclusion and Exclusion Criteria

To enhance the credibility, relevance, and methodological rigor of the review, predefined inclusion and exclusion criteria were systematically applied throughout the study selection process (Snyder, 2019; Xiao & Watson, 2019). Eligible sources comprised peer-reviewed journal articles, government reports, policy papers, legislative statutes, dissertations, and scholarly book reviews published in English. The review focused specifically on literature addressing the drivers of the culture of lawlessness, crime prevention strategies, legal compliance, and justice system responses. To ensure the incorporation of contemporary theoretical and policy developments, mainly studies published between 2000 and 2025 were considered (Page et al., 2021). Conversely, sources were excluded if they were non-English publications, opinion-based works lacking empirical or documentary evidence, or materials that fell outside the thematic scope of law enforcement and legal compliance. The application of these criteria ensured consistency, transparency, and relevance in the final body of literature analysed (Page et al., 2021).

2.4. Study Selection Process

The study selection process adhered to the "Preferred Reporting Items for Systematic reviews and Meta-Analyses) PRISMA 2020 guidelines" to ensure transparency and methodological rigor in reporting the literature review (Page et al., 2021). An initial total of 312 records were identified across the selected databases, of which 198 were excluded after the removal of duplicates and title and abstract screening. Seventy-two full-text articles were subsequently assessed for eligibility, resulting in the inclusion of forty-two studies in the final synthesis. This systematic process reduced selection bias and strengthened the reliability of the review findings (Page et al., 2021).

2.5. Data Analysis and Synthesis

Methodological rigor was strengthened using sources from accredited academic journals and established legal and policy databases, alongside consistent search strategies, transparent reporting of study selection, and systematic thematic synthesis (Snyder, 2019; Xiao & Watson, 2019; Page et al., 2021). These measures enhanced the reliability and validity of the review findings (Braun & Clarke, 2021; Miles et al., 2020).

III. Theoretical Framework

3.1. Introduction

This study adopts an integrated theoretical framework that combines Strain Theory, Procedural Justice Theory, Social Disorganization Theory, and Rational Choice Theory to explain patterns of non-compliance with the law in Gauteng. This framework aligns with provincial crime statistics, which show modest declines in overall crime alongside persistently high levels of serious offences, particularly violent and property crimes (EWN, 2023; SAPS, 2023). By integrating structural, institutional, community and individual-level explanations, the framework provides a comprehensive lens for understanding the complex drivers of non-compliance in South Africa's most populous province.

3.2. Strain Theory and Crime Patterns

Strain Theory (Merton, 1938) offers a structural explanation for the persistence of crime in Gauteng despite occasional reductions in reported offences. High levels of violent crime, robbery, and property-related offences are concentrated in economically marginalized areas (Leggett, 2003; Bruce, 2013). According to strain theory, individuals experiencing blocked access to socially valued goals such as stable employment, material

security, and upward mobility may adapt through illegitimate means, including theft, robbery, and other survival-driven crimes (Merton, 1938). In Gauteng, high unemployment, pronounced income inequality and limited economic opportunities generate structural strain, which aligns with persistent crime statistics in both urban and peri-urban contexts (Breetzke & Horn, 2009; Altbeker, 2007). Even when aggregate crime shows marginal declines, the continued prevalence of survival-oriented offences underscores the enduring role of socio-economic disadvantage as a driver of non-compliance (Altbeker, 2007).

3.3. Procedural Justice Theory and Violent Crime

Procedural Justice Theory emphasizes the role of legitimacy and fairness in promoting voluntary compliance with the law (Tyler, 2006). In Gauteng, murder and other violent crimes remain high despite visible policing efforts, suggesting that deterrence alone is insufficient (SAPS, 2023). Low community trust in law enforcement shaped by experiences of corruption, selective enforcement, and slow judicial processes reduces adherence to legal norms (Tyler, 1990; Tyler & Huo, 2002). Empirical studies in South Africa demonstrate that when citizens perceive the criminal justice system as unfair or ineffective, they are less likely to internalize legal standards, leading to persistent interpersonal violence and resistance to formal authority (Bruce, 2013; CSV, 2016). Procedural justice theory, therefore, provides a critical lens for understanding why violent crime persists even in areas with intensified law enforcement (CSV, 2016).

3.4. Social Disorganization Theory and Spatial Crime Concentration

Social Disorganization Theory (Shaw & McKay, 1942) explains the geographic concentration of crime observed in Gauteng's urban and peri-urban spaces. High-crime hotspots frequently coincide with informal settlements, high population mobility, rapid urbanization, and limited access to social services (Breetzke & Horn, 2009; CSV, 2016). Weak informal social controls, residential instability, and limited collective efficacy reduce communities' capacity to regulate behaviour internally, normalizing non-compliance in certain environments (Sampson, Raudenbush & Earls, 1997; Sampson, 2012). This spatial perspective is particularly relevant in South Africa, where historical patterns of spatial inequality and apartheid-era planning have left enduring pockets of socio-economic marginalization that foster repeated offending and intergenerational crime (Leggett, 2003).

3.5. Rational Choice Theory and Opportunistic Crime

Rational Choice Theory (Becker, 1968) provides insight into opportunistic and organized crimes such as theft, kidnapping, and cash-in-transit heists in Gauteng. Offenders engage in calculated decision-making, weighing the perceived benefits against the costs of detection and punishment (Becker, 1968). Institutional challenges, including limited police capacity, low conviction rates and delays in the judicial system, reduce the perceived likelihood of apprehension, making non-compliance a rational choice (Altbeker, 2007; Shaw, 2010). This framework helps explain why certain categories of crime persist even during periods of intensified law enforcement (Altbeker, 2007; Shaw, 2010; Becker, 1968).

3.6. Integrated Interpretation of Crime Trends

Together, these four theoretical perspectives provide a holistic understanding of Gauteng's crime trends (Merton, 1938; Tyler, 1990; Sampson et al., 1997; Becker, 1968). While policing and enforcement strategies may temporarily reduce reported crime, underlying structural strain, weakened legitimacy, community disorganization, and rational calculations continue to drive non-compliance (Merton, 1938; Tyler, 1990; Sampson et al., 1997; Cornish & Clarke, 1986). The integrated framework underscores that crime statistics reflect not only the effectiveness of policing but also broader socio-economic, institutional, and community dynamics (Sampson et al., 1997; Tyler & Huo, 2002). Sustainable reductions in non-compliance therefore require multi-faceted interventions that address structural inequality, strengthen legitimacy, enhance community cohesion, and increase the perceived risks associated with offending (Merton, 1938; Tyler, 1990; Sampson et al., 1997; Becker, 1968). Table 1 below presents the key elements derived from South African Police Service (SAPS) crime statistics used to assess crime patterns in Gauteng during the 2023/2024 fiscal year.

Table 1: Conceptual Framework Matrix

Framework Level	Theoretical Basis	Key Crime Trends in Gauteng	Primary Drivers of Non-Compliance	Policy Focus	Recommended Interventions
Structural	Strain Theory (Merton, 1938)	Persistent property crime; robbery and theft despite overall crime declines	Poverty, unemployment, inequality, limited access to education	Socio-economic inclusion	Job creation programs; youth skills development; expansion of vocational training; formalisation of informal economic activities

Institutional	Procedural Justice Theory (Tyler, 2006)	Elevated levels of violent crime; slow declines in homicide rates	Low trust in police and courts; perceived corruption; weak accountability	Institutional legitimacy	Community-oriented policing; anti-corruption mechanisms; reduced court backlogs; improved case management and conviction rates
Community	Social Disorganization Theory (Shaw & McKay, 1942)	Spatial concentration of crime in urban hotspots and informal settlements	Residential instability; weakened social cohesion; limited informal control	Community capacity	Investment in community infrastructure; support for community safety forums; urban renewal and housing stability initiatives
Individual	Rational Choice Theory (Becker, 1968)	Persistence of opportunistic and organized crimes (e.g., kidnapping, cash-in-transit heists)	Low perceived risk of apprehension; inconsistent enforcement	Deterrence and enforcement	Increased police visibility; intelligence-led policing; consistent application of laws; enhanced investigative capacity
Integrated Outcome	Combined Framework	Mixed crime trends: modest reductions with persistent high levels	Interacting structural, institutional, community, and individual factors	Sustainable compliance	Coordinated multi-sectoral strategies aligning social policy, justice reform, urban planning, and law enforcement

IV. FINDINGS

4.1. Introduction

South African criminological scholarly works shows that non-compliance with the laws in Gauteng is a structurally embedded and multidimensional phenomenon shaped by socio-economic inequality, institutional weakness, urbanisation pressures, legitimacy deficits, and community dynamics (Leggett, 2003; Breetzke & Horn, 2009; Van der Merwe, 2019). In presenting the findings of this review, the following themes are outlined to delineate the multifaceted underlying factors that sustain and reproduce a culture of lawlessness within the city-region. Research consistently links crime and regulatory non-compliance to structural inequality and marginalisation, particularly among youth, where limited access to legitimate opportunities produces adaptive responses explained through Strain Theory and reinforced by spatial concentrations of crime in historically disadvantaged urban areas (Merton, 1938; Leggett, 2003; Breetzke, 2010; Delany, 2018). Weak institutional capacity and legitimacy manifested in uneven policing, slow judicial processes, and corruption, further undermine deterrence and voluntary compliance, especially in marginalised communities, aligning with insights from Procedural Justice Theory (Tyler, 2006; Bruce, 2013; Myburgh, 2016; Burger, 2020). International and contemporary South African studies corroborate these dynamics, demonstrating that inequality, rapid urbanisation, and weak governance drive spatially concentrated crime, with Gauteng continuing to account for a disproportionate share of national violent crime (Sampson, 2012; Goldstein, 2015; SAPS, 2024).

4.2. Structural Inequality and Socio-Economic Strain

The criminological literature consistently identifies deep socio-economic inequality as a central structural driver of non-compliance with the law in Gauteng (Breetzke & Horn, 2009). High levels of economic marginalisation, persistent unemployment, and constrained access to formal labour markets and educational opportunities create social conditions conducive to both opportunistic and survival-oriented forms of crime (Breetzke & Horn, 2009; Demombynes & Özler, 2005). Within Gauteng’s highly urbanised and economically polarised landscape, these inequalities are spatially concentrated, amplifying their criminogenic effects and reinforcing patterns of uneven exposure to crime and victimisation (Breetzke & Horn, 2009; Breetzke, 2010). Large-scale quantitative research in South Africa provides robust empirical support for this relationship (Demombynes & Özler, 2005; Breetzke & Horn, 2009; Breetzke, 2010). Analyses of precinct and neighbourhood level crime data demonstrate a strong and statistically significant association between income inequality and violent crime, particularly in metropolitan provinces such as Gauteng (Demombynes & Özler, 2005; Breetzke & Horn, 2009; Breetzke, 2010). These studies indicate that inequality, rather than absolute poverty alone, is a decisive factor shaping patterns of contact crime, including robbery and assault (Demombynes & Özler, 2005; Breetzke & Horn, 2009; Breetzke, 2010). Gauteng’s persistent overrepresentation in national violent crime statistics reflects the enduring influence of these structural conditions (Breetzke, 2010).

Qualitative and mixed-methods studies further illuminate how South Africa’s historically entrenched socio-economic disparities generate environments in which non-compliance with the law becomes normalised (Leggett, 2003; Bruce, 2013; Delany, 2018). Research in townships and informal settlements highlights how limited access to legitimate income-generating opportunities encourages reliance on informal or illegal activities as rational coping strategies (Delany, 2018; Mpulu, Dliwako & Molotsi, 2023). These dynamics are compounded by intergenerational poverty, weak service delivery, and spatial exclusion, all of which undermine

social mobility and reproduce cycles of marginalisation and non-compliance (Leggett, 2003; Bruce, 2013; Delany, 2018; Mpulu et al., 2023).

South African scholarship aligns closely with international criminological theory and comparative research. Classical Strain Theory posits that disjunctions between culturally prescribed goals and structurally available means generate pressures toward non-conforming behaviour (Merton, 1938), while contemporary extensions emphasise the role of relative deprivation, inequality, and perceived injustice in shaping criminal conduct (Agnew, 1992; Messner & Rosenfeld, 2001). Comparative studies across both developed and developing contexts consistently demonstrate that societies characterised by elevated levels of inequality experience high rates of violent crime and regulatory non-compliance, particularly in large urban centres marked by social and economic segregation (Wilkinson & Pickett, 2009; Sampson, 2012).

In the Gauteng context, the persistent unevenness of socio-economic development most visible in large townships and informal settlements helps explain the continued prevalence of contact crime even during periods of marginal overall crime decline (SAPS, 2024; Mpulu et al., 2023). The literature therefore suggests that improvements in aggregate crime indicators may obscure unresolved structural drivers of non-compliance (Leggett, 2003; Bruce, 2013; Delany, 2018). Effective responses to crime in Gauteng consequently require policy interventions that extend beyond enforcement and directly address the socio-economic inequalities that sustain criminogenic conditions (Mpulu et al., 2023; Leggett, 2003; Bruce, 2013; Delany, 2018).

4.3. Institutional Weaknesses, Enforcement Gaps and Corruption

Institutional capacity constitutes a central theme in both South African and international criminological research on compliance and crime control. The literature consistently indicates that policing and criminal justice institutions in Gauteng are constrained by chronic resource shortages, uneven service delivery, skills deficits, and operational inefficiencies, all of which weaken deterrence and reduce public confidence in the rule of law (Bruce, 2013; Myburgh, 2016; Burger, 2020). These constraints are particularly pronounced in densely populated urban and marginalised areas, where high demand for policing coincides with limited institutional reach (Burger, 2020).

National-level criminological analyses further demonstrates that corruption, weak investigative capacity, and low case-clearance rates significantly undermine law enforcement effectiveness in South Africa (Leggett, 2003; Bruce, 2013; CSV, 2016; Mantenta & Dlamini, 2023). When crimes are unlikely to be detected, thoroughly investigated or successfully prosecuted, the perceived risks associated with criminal and non-compliant behaviour are significantly reduced, which can contribute to the normalisation of the culture of lawlessness (Beccaria, 1986). Procedural Justice Theory helps explain this dynamic by showing how perceptions of inefficiency, bias, and corruption erode institutional legitimacy and reduce voluntary compliance with the law (Tyler, 2006; Bradford et al., 2014).

Despite periodic declines in certain crime categories, Gauteng continues to account for a disproportionate share of serious violent crime nationally, reflecting both elevated levels of criminal incidence and sustained institutional strain (SAPS, 2024). Official crime statistics consistently place Gauteng among the leading contributors to national murder and contact crime figures, underscoring the limits of enforcement-driven approaches in the absence of adequate institutional capacity (SAPS, 2024; Burger, 2020). The literature therefore suggests that persistent violence in the province is not merely a function of criminal propensity but is intricately linked to structural weaknesses within policing and justice institutions that constrain effective crime prevention and accountability (Burger, 2020).

4.4 Legitimacy Deficits and Perceptions of Injustice

A persistent theme within South African criminological scholarship concerns the role of procedural justice and institutional legitimacy in shaping compliance with the law (Tyler, 2006; Prinsloo, 2019; Bello & Matshaba, 2021). Research indicates that residents of Gauteng particularly those living in historically marginalised communities frequently perceive policing as uneven, slow, or biased, which undermines perceptions of fairness and weakens voluntary adherence to legal norms (Bruce, 2013; CSV, 2016; Burger, 2020). These perceptions are deeply rooted in apartheid-era policing practices and are reproduced through contemporary experiences of selective enforcement, poor responsiveness, and limited accountability (Modise, 2025).

National survey data further substantiates these concerns, revealing declining levels of public trust in the police and criminal justice institutions, alongside persistent feelings of insecurity, especially in urban provinces such as Gauteng (Statistics South Africa, 2019; CSV, 2016). Criminological analyses suggest that when citizens perceive legal authorities as ineffective or unjust, cooperation with law enforcement decreases and compliance becomes increasingly instrumental rather than normative (Tyler, 2006; Bradford et al., 2014). In this context, legal obedience is less likely to be motivated by legitimacy and more dependent on the perceived risk of punishment (Tyler, 2006).

These legitimacy deficits contribute to the proliferation of informal dispute resolution mechanisms and parallel systems of regulation at the community level (Moult, 2006; World Justice Project, 2024). Studies document how neighbourhood patrols, vigilante practices, and customary or informal justice forums emerge as substitutes for formal institutions in areas where state authority is perceived as weak or illegitimate (Buur, 2006; Bruce, 2013; Super, 2016). While such mechanisms may offer short-term solutions to insecurity, the literature cautions that they ultimately weaken formal legal compliance and entrench fragmented governance, reinforcing cycles of mistrust between communities and the state (Röder, 2010; Swenson, 2018).

4.5. Cultural Norms, Social Networks, and Informal Control Systems

Social and cultural factors constitute an important dimension in understanding compliance and non-compliance within Gauteng. Criminological research indicates that in many communities, particularly those characterised by socio-economic marginalisation, informal governance structures, locally embedded norms, and reciprocal social networks play a significant role in shaping everyday regulatory behaviour (Leggett, 2003; Buur, 2006; Super, 2016). These community-level dynamics often influence whether individuals comply with, selectively adhere to, or disregard formal legal rules (Swenson, 2018).

These patterns are consistent with social control and life-course criminological perspectives, which emphasise the importance of informal social bonds, collective norms, and community attachments in regulating behaviour over time (Hirschi, 1969; Sampson & Laub, 1993). Where such informal controls are strong, compliance may be maintained independently of formal enforcement; however, where norms diverge from statutory expectations, locally legitimate practices can conflict with state law (Griffiths, 1985/1993; Osman, 2019). In the South African context, historical exclusion and uneven state presence have contributed to the persistence of such alternative normative orders, particularly in townships and informal settlements (Buur, 2006; Bruce, 2013).

Informal regulatory systems frequently emerge as adaptive responses to perceived inadequacies in state capacity and legitimacy (Osman, 2019; Griffiths, 1985/1993; Swenson, 2018). Community patrols negotiated dispute resolution, and informal sanctioning mechanisms often function as substitutes for formal institutions, producing hybrid or negotiated forms of compliance that prioritise local order over statutory legality (Super, 2016; Comaroff & Comaroff, 2006). While these arrangements may enhance immediate social regulation, the literature cautions that they can also entrench fragmented governance and weaken alignment with formal legal frameworks, thereby complicating efforts to promote consistent and universal compliance (Swenson, 2018).

4.6. Urbanisation, Spatial Stressors and Social Disorganisation

Urban criminological scholarship emphasises the role of rapid urbanisation, spatial inequality, overcrowding, and population mobility in shaping patterns of non-compliance and crime (Sampson & Groves, 1989; Lemanski, 2004; Wacquant, 2008). Within Gauteng, elevated levels of residential mobility, together with the rapid growth of informal settlements, have undermined informal mechanisms of social control and weakened community cohesion (Sampson, 2012; Breetzke, 2010). This erosion of social stability has, in turn, contributed to the spatial concentration of crime in particular urban areas particularly those localities around the central business districts (CBDs) (Shaw & McKay, 1942; Sampson, 2012; Breetzke, 2010). These conditions reflect classic social disorganisation dynamics, in which concentrated disadvantage and population turnovers undermine collective efficacy and informal regulation (Wacquant, 2008; Breetzke & Horn, 2009).

Longitudinal and spatial analyses in South Africa further demonstrate that provinces characterised by intense urban stress and inequality most notably Gauteng exhibit persistent concentrations of violent crime over time (Demombynes & Özler, 2005; Breetzke & Horn, 2009; Breetzke, 2010). Such studies show that crime patterns are not randomly distributed but are deeply embedded in urban spatial structures shaped by historical segregation, contemporary migration, and uneven development (Breetzke & Horn, 2009; Breetzke, 2010). International research similarly confirms that large metropolitan regions with high inequality and rapid urban growth experience enduring crime “hot spots,” reinforcing the relevance of urban governance and spatial planning in crime prevention (Eck & Weisburd, 1995; Sampson & Laub, 2005).

National-level trend analyses indicate that although South Africa has experienced marginal overall declines in certain crime categories over the past decade, substantial variation persists across crime types and geographic regions (Statistics South Africa, 2019; Burger, 2020). Gauteng continues to account for a disproportionate share of serious violent crime, underscoring the importance of province-specific urban dynamics in shaping non-compliance patterns. The literature therefore suggests that aggregate national trends may obscure localised and spatially concentrated criminogenic conditions, highlighting the need for context-sensitive and place-based policy interventions.

V. Discussion of Findings

Across the reviewed body of literature—spanning provincial, national, and comparative criminological research—non-compliance in Gauteng consistently emerges as the outcome of interrelated socio-economic pressures, institutional constraints, legitimacy deficits, cultural dynamics, and urban spatial conditions. Rather than reflecting isolated failures of law enforcement, patterns of non-compliance are shown to be embedded within broader structural and social contexts that shape both opportunities for crime and motivations to comply with, or withdraw from, formal legal systems (Leggett, 2003; Breetzke & Horn, 2009; Sampson, 2012).

The literature demonstrates, firstly, that socio-economic inequality is a key driver of both violent and non-violent forms of non-compliance. South African empirical studies show strong associations between income inequality, unemployment, and contact crime, particularly in Gauteng's metropolitan areas, where economic polarisation is most pronounced (Demombynes & Özler, 2005; Breetzke, 2010). These findings align with international strain-based and institutional anomie perspectives, which argue that unequal access to legitimate means generates pressure toward criminal and non-compliant behaviour in highly stratified societies (Merton, 1938; Messner & Rosenfeld, 2001; Wilkinson & Pickett, 2009).

Secondly, weak enforcement and limited institutional capacity reduce deterrence and facilitate opportunistic lawbreaking (Becker, 1968). South African criminological analyses highlight chronic resource shortages, uneven policing, low investigative capacity, and slow court processes as factors that diminish the certainty of punishment and weaken compliance incentives (Bruce, 2013; Myburgh, 2016; Burger, 2020). Consistent with deterrence theory and institutional effectiveness research, the literature suggests that when enforcement is perceived as inconsistent or ineffective, the perceived costs of non-compliance decline (Becker, 1968; Tyler, 2006).

Thirdly, deficits in institutional legitimacy contribute to voluntary withdrawal from formal legal processes (Bradford et al., 2014). Survey-based and qualitative studies in South Africa indicate declining trust in the police and justice system, particularly among residents of marginalised communities, where perceptions of bias, corruption and inefficiency are widespread (CSV, 2016; Statistics South Africa, 2019; Bradford et al., 2014). Procedural Justice Theory provides a robust explanatory framework, demonstrating that perceptions of unfairness and lack of voice undermine normative compliance and reduce cooperation with legal authorities (Tyler, 2006).

Finally, the literature shows that community norms and informal governance practices can compete with, or substitute for, state regulation (Bradford et al., 2014). In contexts where formal institutions are viewed as ineffective or illegitimate, local norms, informal dispute resolution mechanisms and community-based regulation often shape compliance behaviour more strongly than statutory law (Buur, 2006; Comaroff & Comaroff, 2006; Super, 2016). While these practices may enhance local order in the short term, they frequently produce negotiated or selective forms of compliance that weaken the authority and universality of formal legal frameworks (Swenson, 2018).

Taken together, these findings align with criminological theories emphasising structural strain, procedural justice, social disorganisation, and the erosion of informal social controls (Shaw & McKay, 1942; Sampson & Laub, 1993; Agnew, 1992). Although recent crime statistics suggest marginal declines in certain offence categories, the persistence of serious violence in Gauteng indicates that compliance remains deeply shaped by enduring socio-economic inequalities, institutional weaknesses and legitimacy challenges (Bruce, 2013; SAPS, 2024). The literature therefore underscores that sustainable improvements in compliance require interventions that extend beyond enforcement to address the underlying social, institutional and spatial conditions that sustain non-compliance.

5.1. Policy Implications

Socio-economic and institutional interventions are central to effective crime prevention in Gauteng. In line with the Growing Gauteng Together (GGT 2030) vision 2030 Plan of action and the National Development Plan 2030, targeted job creation, improved access to education and skills development address the structural drivers of crime and non-compliance by reducing poverty, inequality and social exclusion (Gauteng Provincial Government [GPG], 2020; National Planning Commission [NPC], 2012). At the institutional level, strengthened anti-corruption measures, enhanced accountability, and the professionalisation of policing supported by the 2016 White Paper on Policing and the Gauteng Safety Strategy (2015-2020) are essential for improving the legitimacy and effectiveness of law enforcement (GDCS, 2015; Civilian Secretariat for Police Service, 2016). Additionally, community-based approaches, including capacitated Community Policing Forums and participatory engagement strategies with emphasis on addressing causal factors of crime. The full implementation of both the 2011 Integrated Social Crime Prevention Strategy (ISCP) and 2022 Integrated Crime and Violence Prevention Strategy (ICVPS), is one of the fundamental tools in bridging formal and informal governance systems, promoting public trust, and achieving sustainable, contextually responsive crime prevention outcomes (Department of Social Development, 2011; GDCS, 2015; Civilian Secretariat for Police Service, 2022). The

below table illustrates the synthesis of the literature proposals and the current provincial strategies to enhance compliance with the law.

Table 2: Gauteng Safety Policy Framework’s Analysis

Framework Level	Policy Focus	Recommended Intervention	Existing Gauteng or SAPS Strategy / Initiative	Alignment with Crime Trends
Structural	Socio-economic inclusion	Job creation programs; youth skills development; formalising informal economy	Growing Gauteng Together 2030 notes that integrated policing and safety strategy is instrumental in addressing socio-economic drivers as part of long-term crime prevention planning and community empowerment approaches.	Addresses high property and economic crime linked to unemployment and inequality
Institutional	Enhance legitimacy & procedural justice	Community-oriented and joint policing; anti-corruption; reduce backlogs	One province. One plan. One mission” crime pact (MoU) coordinates SAPS, metro police, and municipal units across boundaries.	Responds to persistent violent crime and improves policing effectiveness
Community	Strengthen community capacity	Invest in infrastructure; community safety forums	Operation O Kae Molao and integrated service delivery ops include coordinated multi-agency patrols and community partnerships to improve visibility, information sharing, and local engagement.	Targets hotspots with weak informal controls (e.g., informal settlements)
Individual	Improve deterrence & enforcement	Intelligence-led policing; increased patrols; specialised units	SAPS Integrated Crime Prevention Plan and high-density crime operations such as Operation Shanela target serious, organised, and opportunistic crime through intelligence-driven deployments and arrests.	Focuses on opportunistic/violent offences with low perceived risk of sanction
Cross-Cutting /Integrated	Multi-sectoral coordination	Joint planning, shared data, private sector partnerships	Gauteng provincial MoU and strategic collaborations with private security and tech? (e.g., CCTV networks like Vumacam) strengthen crime prevention and enforcement capacity.	Supports sustained reductions and long-term compliance

Gauteng’s approach to addressing non-compliance reflects a multidimensional strategy grounded in established criminological theory and empirical research. Structural interventions target the socio-economic roots of criminality such as inequality, unemployment, and limited access to legitimate economic opportunities which are strongly associated with economically motivated and violent crime in the province (CSV, 2016; Statistics South Africa, 2022). These patterns are consistent with Strain Theory, which links blocked socio-economic opportunities to increased offending (Merton, 1938; Agnew, 1992). Provincial development frameworks, including Growing Gauteng Together 2030, seek to address these pressures through job creation, youth skills development, and economic inclusion. At the institutional level, reforms aimed at improving coordination, accountability, and procedural justice within policing and the criminal justice system respond to evidence that perceived legitimacy and fairness of law enforcement are critical determinants of voluntary legal compliance (Tyler, 2006; Bruce, 2013).

These structural and institutional measures are reinforced by community and individual level interventions (Sampson, Raudenbush, & Earls, 1997). Community-based initiatives seek to strengthen informal social controls and collective efficacy in high-crime areas, consistent with Social Disorganisation Theory, which links weakened social cohesion and residential instability to crime concentration (Shaw & McKay, 1942; Sampson et al., 1997). At the individual level, intelligence-led and high-density policing strategies aim to increase the certainty of detection for organised and opportunistic crimes, reflecting Rational Choice perspectives on deterrence (Cornish & Clarke, 1986; Nagin, 2013). These efforts are further supported by cross-sectoral partnerships that integrate policing, social development, urban management, and surveillance technologies, aligning with evidence that sustainable reductions in non-compliance require coordinated, multi-level governance responses (UNODC, 2010; ISS, 2023).

5.2. Limitations

The existing literature on crime and regulatory compliance in South Africa is subject to several notable limitations (Burger & Gould, 2019). Firstly, there is a paucity of longitudinal analyses conducted at the provincial level, which constrains the ability to assess temporal trends, policy impacts and institutional change within specific contexts such as Gauteng (Burger & Gould, 2019; Gauteng Provincial Government [GPG], 2020). Secondly, the literature demonstrates limited integration of community perspectives in studies of

compliance and crime prevention, resulting in an underrepresentation of local knowledge, lived experience and informal governance dynamics that shape behavioural responses to regulation (Department of Social Development, 2011; Bradford et al., 2014). Finally, persistent methodological challenges remain in distinguishing between officially reported crime trends and unreported or informal behaviours, particularly in communities characterised by low trust in law enforcement, which undermines the reliability and interpretability of crime data (Statistics South Africa, 2022; Leggett, 2018).

VI. CONCLUSION

In conclusion, the drivers of non-compliance in Gauteng are complex and interconnected, shaped by persistent socio-economic inequality, institutional capacity constraints and broader social dynamics. Despite ongoing policy and enforcement efforts, crime statistics continue to reflect high levels of serious and violent offences, indicating that compliance challenges remain deeply embedded within structural and systemic conditions (South African Police Service [SAPS], 2023; Statistics South Africa, 2022). These patterns underscore the limitations of enforcement-led approaches in isolation and highlight the necessity of holistic, integrated responses that address the underlying socio-economic and governance-related root causes of non-compliance (Auditor-General of South Africa, 2022; National Planning Commission, 2012). Consistent with the GGT vision2030 plan of action and the National Development Plan 2030, sustainable improvements in compliance and public safety require coordinated interventions that combine socio-economic development, institutional reform, and meaningful community engagement (Gauteng Provincial Government [GPG], 2020; National Planning Commission [NPC], 2012).

VII. Recommendations

7.1. Strengthen Institutional Legitimacy and Enforcement Capacity through Procedural Justice Reforms

The review demonstrates that weak institutional capacity, corruption, and low levels of public trust significantly undermine voluntary compliance with the law in Gauteng. Enforcement strategies should therefore move beyond visibility-based policing toward procedural justice-centred reforms that emphasise fairness, accountability, transparency, and consistency in policing and judicial processes.

Key actions include but are not limited to enhancing the efforts of professionalising policing through strengthened anti-corruption mechanisms, improved investigative capacity, reduced court backlogs, and consistent application of the law across communities. Community-oriented policing and joint operations between SAPS, metro police and provincial safety structures should be expanded to rebuild legitimacy and enhance cooperation. Improving perceptions of fairness and effectiveness is essential for restoring public confidence and increasing normative compliance, particularly in historically marginalised communities where distrust of formal institutions remains entrenched.

7.2. Address Structural Socio-Economic Drivers of Non-Compliance through Targeted Inclusion and Youth Development

The literature consistently identifies inequality, unemployment, and limited access to legitimate economic opportunities as central structural drivers of non-compliance in Gauteng. Sustainable reductions in lawlessness therefore require integrated socio-economic interventions that address the root causes of crime rather than relying solely on deterrence.

Targeted job creation programmes, youth skills development, vocational training, and the formalisation of informal economic activities should be prioritised in high-risk urban areas and informal settlements in line with the objective of the 2022 Integrated Crime and Violence Prevention Strategy (ICVPS). Moreover, these interventions align with Strain Theory by reducing the socio-economic pressures that incentivise survival-driven and opportunistic offending. Aligning safety strategies with provincial and national development frameworks, such as Growing Gauteng Together 2030 and the National Development Plan, is critical to ensuring that crime prevention is embedded within broader socio-economic transformation efforts.

7.3. Strengthen Community Capacity and Integrate Formal and Informal Governance Systems

Findings from the review indicate that in contexts of weak state legitimacy, communities often rely on informal norms, dispute-resolution mechanisms, and local governance structures that may compete with or substitute formal legal systems. While these mechanisms can provide short-term order, they risk entrenching fragmented governance and selective compliance.

To address this, Gauteng should fully implement both the Integrated Social Crime Prevention Strategy (ISCPS) and ICVPS that strengthen community infrastructure, capacitate Community Policing Forums and participatory engagement platforms. These initiatives should bridge formal law enforcement with community-based structures, enhancing collective efficacy while aligning local norms with constitutional legal frameworks. Place-based interventions in crime hotspots particularly informal settlements and high-mobility urban zones are

essential for restoring informal social controls, improving cooperation with authorities, and achieving sustainable, context-sensitive compliance.

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