

# Contextualising Political Advertising Policy To Political Micro-Targeting In The South Africa 2024 Elections



**Authors:**

Charlene Kreuser, Legal Resources Centre  
& Joseph Gitonga Theuri, CIPIT

**With:**

Joshua Kitili, CIPIT  
Kiara Govender, Legal Resources Centre  
Mlamli Tyhulu, Legal Resources Centre.

**Editor:**

Adeboro Odunlami, AIRA Coordinator

**Creative Development:**

Ayomide Ilesanmi

An AIRA Report  
2024

# Executive Summary

The 2024 South African General Elections provided a significant case study in the use of political microtargeting on social media platforms, especially Facebook, as political campaigns increasingly employed data-driven techniques to influence voter behaviour. This report presents a comprehensive analysis of political microtargeting tactics used during the elections, drawing from both legal and computational perspectives.

Key findings from the computational analysis indicate that approximately 18% of political ads were classified as microtargeted, reaching highly specific voter segments with significant impacts on impressions. These ads, while fewer in number, garnered disproportionately high visibility compared to non-microtargeted ads. The analysis identified four dominant themes across the ad content, including governance issues, regional politics, and environmental concerns. The report also highlights gender biases in ad targeting and the disproportionate focus on certain age demographics and regions,

particularly Gauteng and Western Cape.

The legal analysis assesses South Africa's regulatory framework regarding political microtargeting. While South Africa's Constitution guarantees fundamental rights to privacy and political participation, existing legislation—such as the Protection of Personal Information Act (POPIA) and the Electoral Act—falls short in addressing the nuances of digital political advertising and micro-targeting. The report identifies gaps in the legal framework, such as the insufficient regulation of digital platforms like Facebook and the broad exceptions that allow political parties to collect and use personal data without explicit voter consent.

The report concludes with recommendations for legislative reforms to enhance transparency, accountability, and the protection of privacy in the context of political micro-targeting. Additionally, there is a pressing need for digital literacy programs to empower voters to critically engage with online political content.



# Introduction

In recent years, political campaigns worldwide have increasingly adopted social media platforms to implement microtargeting strategies aimed at influencing voter behaviour. South Africa's 2024 General Elections provided an ideal opportunity to study these techniques in action. Political microtargeting, defined as the practice of tailoring campaign messages to specific voter segments based on personal data, raises critical concerns regarding privacy, electoral fairness, and social cohesion. This report seeks to analyse the extent and impact of political microtargeting in South Africa's 2024 elections through both computational and legal lenses.

From a legal standpoint, this report explores the adequacy of South Africa's regulatory framework in addressing political microtargeting. Existing laws such as the Protection of Personal Information Act (POPIA) and the Electoral Act were analysed to determine whether they provide

sufficient safeguards against the misuse of personal data for political purposes. The report also draws from international examples, including the European Union's General Data Protection Regulation (GDPR), to recommend best practices for South Africa going forward.

On the computational side, this report deploys advanced techniques, including anomaly detection and topic modelling, to analyse political ads on Facebook during the election period. The analysis reveals significant patterns in how political campaigns used data to target voters, with microtargeting efforts disproportionately impacting certain voter segments. By combining these insights, this report provides a holistic view of the implications of political microtargeting in modern elections and offers practical recommendations for strengthening legal and regulatory protections.







## Objectives of the study

The objectives of the study were as follows:

1. To investigate whether online political advertising regulations in South Africa can be designed to restrict and detect online political micro-targeting practices that infringe on South Africans' rights to privacy and meaningful political participation.
2. To determine the laws applicable to political microtargeting in South Africa.
3. To analyse the shortcomings or gaps in South Africa's laws that are applicable to political microtargeting and make appropriate recommendations.
4. To contextualise external policy initiatives on political advertising to South Africa and consider their effectiveness in the country's context.
5. To determine the advertising tools available to political actors on Facebook that might enable political micro-targeting during the 2024 South Africa general elections.
6. To infer the targeting criteria in political advertisements on Facebook by political actors involved in the 2024 South Africa general election campaigns.
7. To determine the type and extent of political micro-targeted ads deployed.

## Methodology

In the initial phase, data on political microtargeting in South Africa was gathered through comprehensive desktop research. Secondary sources were analysed to examine the existing legal framework and its limitations, with key findings drawn from this analysis. Doctrinal research was employed to assess the relevant South African laws governing political microtargeting. To propose regulatory measures for online political advertising that would complement the current legal framework, a comparative research method was utilised. This involved evaluating policy initiatives from other jurisdictions, selected for their relevance in shaping informed regulatory and policy recommendations.

In the second phase, the analysis relied on data collected from Facebook's (Meta) Ad Library, which offered the most comprehensive data source compared to alternatives like Google Ads, Twitter (X), and TikTok. The study focused on manual data collection due to its simplicity and suitability for analyzing specific South African political campaigns. This method involved manually filtering ads by category, keywords, and demographic factors to capture detailed insights on ad content, targeting strategies, and impressions. By avoiding the technical complexities of API-based data collection, the manual approach allowed for a more nuanced, contextual understanding of the ads' tone, visuals, and placement, making it ideal for this focused analysis.





## South Africa's Political Landscape

The road to democracy has been winding and hard-fought for South Africa. The African National Congress (ANC) played a pivotal role in dismantling apartheid, leading the country to its first democratic election in 1994. Nelson Mandela famously became the country's first democratically elected president, with the ANC securing a 62 per cent majority. The party increased its majority in the second democratic election in 1999, and by the third democratic election in 2004, it won almost 70 per cent of the vote.

The ANC kept its position as South Africa's ruling party since 1994. Amidst growing dissatisfaction caused by internal party politics, corruption, inadequate service

delivery, as well as a failure to address unemployment, increased poverty, and inequality, support for the ANC steadily declined since the 2009 elections. The results of the most recent election of 29 May 2024 saw the party losing its parliamentary majority for the first time since it came to power. It secured just above 40 per cent of the vote. The 2024 election also marked the lowest voter turnout in South Africa's 30-year democratic history.<sup>1</sup> A week after the historic election, the ANC announced that it would form a Government of National Unity (GNU) which comprises 11 parties, including the Democratic Alliance (DA), (the official opposition prior to the 2024 elections).<sup>2</sup>

<sup>1</sup> Mohammed Haddad "South Africa elections final results: What happens next?" Al Jazeera (2 June 2024), available at <https://www.aljazeera.com/news/2024/6/2/south-africa-elections-results-what-happens-next>.

<sup>2</sup> South African Government News Agency "GNU: A new era for SA" (5 July 2024), available at <https://www.sanews.gov.za/features-south-africa/gnu-new-era-sa>.

## Digital Campaign Spending Leading up to the 2024 Elections.

In recent years, political advertisers increasingly used social media platforms to reach and influence voters through microtargeting strategies such as tailoring messages to specific voter segments based on their data profiles or to groups with similar characteristics as those of the primary target audience. As of January 2024, almost 43 per cent of South Africa's total population used social media, with the highest number of users being those between the ages of 25 and 34 (for the year 2022).<sup>3</sup> Given South Africa's heavy reliance on social media, there is significant potential for political parties and independent candidates to exploit social media by using targeted advertising technologies available on these platforms to engage a significant portion of the population.

In the lead-up to the 2024 national and provincial elections, the Campaign on Digital Ethics (CODE) looked at various political parties' spending on ads on Meta Platforms over a 90-day period from around the end of January/ start of February 2024. The purpose was to get an idea of the parties' intended target markets and budgets. CODE's report is enlightening, and we highlight a few of their findings.<sup>4</sup>

The Democratic Alliance was the biggest digital ad spender with over R2

million spent on almost 800 digital adverts on Meta Platforms. The DA targeted audiences based on their location, focusing on specific areas in the North West province and Mpumalanga. The Freedom Front Plus spent almost R250,000 on 39 digital ads. 98% of its digital ads targeted voters in the 18-35 age group. Interestingly, the ads were also targeted at people who liked three pages: *kykNet* (Afrikaans-language television channel); *Huisgenoot* (Afrikaans-language magazine); and *Afrikaans is Groot* (the largest Afrikaans music platform in South Africa).

CODE also considered digital ads run by organisations which were not registered as political parties, but that ran extensive election-related campaigns. Six pages spent close to half a million Rand on election-related campaigns on Facebook and Instagram over the 90-day period. The pages microtargeted voters based on their location, age, gender, and interest in issues such as load-shedding, elections, community issues, voting, and social change. Although none of the digital ads run by the organisation directly encouraged the voters to vote for a specific party or candidate, certain political parties were indirectly promoted.

3 Natalie Cowling "Social media usage in South Africa: popularity and demographics" Statista (23 February 2024), <https://www.statista.com/statistics/685134/south-africa-digital-population/>.

4 Campaign on Digital Ethics "Elections 2024: Are you being micro-targeted?" (30-04-2024), available at: <https://www.code-sa.org/post/elections-2024-are-you-being-micro-targeted>





## Review of applicable legislation

The use of digital platforms for microtargeting voters without disclosing connections to political parties or candidates may be harmful to democracy. This is because political microtargeting can manipulate voter behaviour by exploiting their biases, fears, and vulnerabilities, potentially influencing election outcomes. Political microtargeting also poses risks to social cohesion and the integrity of free and fair elections – it can cause social division and destabilisation by reinforcing existing beliefs and fragmented political discussions.

Ultimately, such an environment can create distrust in the political system and democratic process leaving voters feeling disconnected from their right to freely choose whom to vote for. As a result, it is important to establish the legal framework applicable to curb the potential harms of political micro-targeting. As mentioned above, South Africa has no specific legislation that addresses political microtargeting. In this section, we outline the various laws applicable to political microtargeting.



# The Constitution

The Constitution<sup>5</sup> was adopted in 1996 as the supreme law of the land.<sup>6</sup> It is a transformative document which aims to redress past inequalities through the establishment of a society based on democratic values<sup>7</sup> and the promulgation of a justiciable Bill of Rights. The Bill of Rights enshrines fundamental human rights and includes the right to privacy<sup>8</sup>, access to information<sup>9</sup>, and political participation rights<sup>10</sup>.

The element of justiciability is also significant: it signals a move away from the culture of authority that reigned during apartheid and towards a culture of justification. It demonstrates an intention to undercut the parliamentary sovereignty of the apartheid regime by increasing the power of judges in the law-making

process.<sup>11</sup> This means that when asked to do so, courts have the power to determine whether political parties and independent candidates' use of political microtargeting amount to an infringement of the right to privacy, access to information, and political participation, amongst others. In the absence of a statute that outlines the legal parameters of microtargeting, the Constitution is a vital tool.

The right to privacy, access to information, and political participation rights must be viewed in the context of the obligation on the state to respect, protect, promote and fulfil the rights contained in the Bill of Rights<sup>12</sup> and the limitation clause, which outlines the test to determine whether the limitation of a right is reasonable and justifiable in an open and democratic society

5 Constitution of the Republic of South Africa, 1996.

6 S 1(c) of the Constitution states that the "Republic of South Africa is one, sovereign, democratic state founded on the following values . . . (c) Supremacy of the constitution and the rule of law".

7 Preamble.

8 Section 14 of the Constitution

9 Section 32.

10 Section 19.

11 Karl Klare "Legal Culture and Transformative Constitutionalism" (1998) South African Journal on Human Rights; Pius Langa "Transformative Constitutionalism" (2006) Stellenbosch Law Review.

12 Section 7(2) of the Constitution.

13 Section 36.

based on human dignity, equality and freedom.<sup>13</sup> Here, the nature of the right; the importance of the purpose of the limitation; the relationship between the limitation and its purpose; and less restrictive means to achieve the purpose should be considered.

Section 14 guarantees everyone the right to privacy and includes the right not to have their person or home searched; their property searched; their possessions seized; or the privacy of their communications infringed. The interpretation of the scope of the individual's right to privacy in the digital age remains largely unexplored by South African courts. It is possible to argue that the state's obligation to respect, protect, promote and fulfil this right includes the promulgation of legislation that protects personal information insofar as political microtargeting is concerned. As will be discussed below, several laws facilitate the protection of personal information and the scope of political advertising. However, considering the election data discussed above, it is possible to argue that it has been insufficient to address the challenges that arise from political microtargeting.

The use of digital platforms for microtargeting voters without disclosing connections to political parties or candidates may be harmful to democracy. This is because political

microtargeting can manipulate voter behaviour by exploiting their biases, fears, and vulnerabilities, potentially influencing election outcomes. Political microtargeting also poses risks to social cohesion and the integrity of free and fair elections – it can cause social division and destabilisation by reinforcing existing beliefs and fragmented political discussions. Ultimately, such an environment can create distrust in the political system and democratic process leaving voters feeling disconnected from their right to freely choose whom to vote for. As a result, it is important to establish the legal framework applicable to curb the potential harms of political micro-targeting. As mentioned above, South Africa has no specific legislation that addresses political microtargeting. In this section, we outline the various laws applicable to political microtargeting.

Section 19 of the Constitution guarantees political rights and covers four themes in three sub-sections:

- The freedom to make political choices, including forming political parties, participating in the activities of political parties (such as recruiting members) or campaigning.
- The right to free, fair and regular elections.
- The right to vote in secret and.





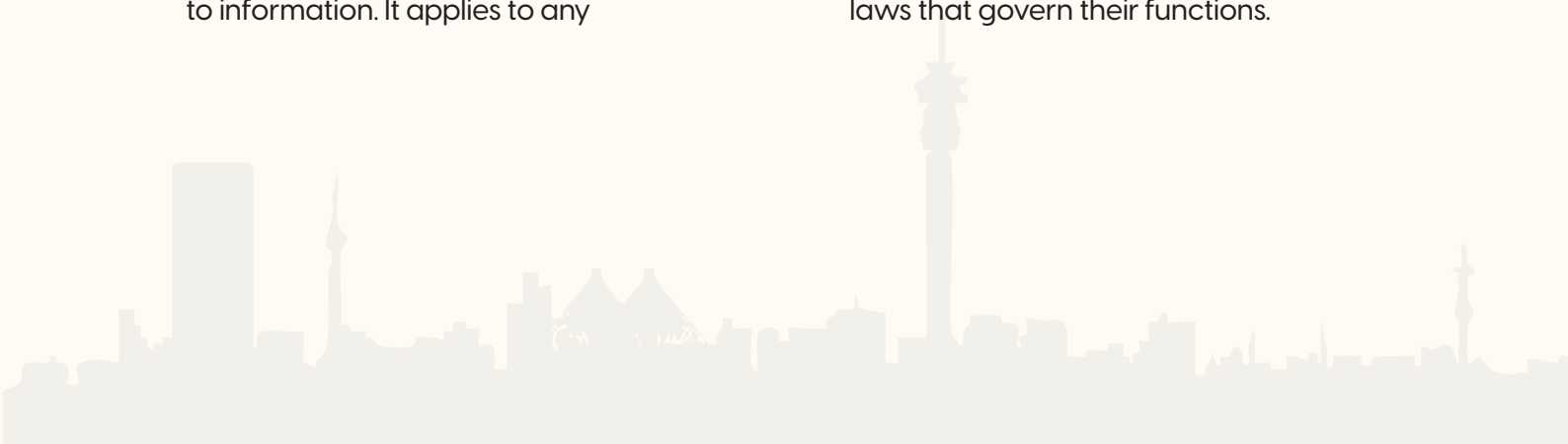
- The right to stand for office and, if elected, to hold office

Individuals and entities have the right to support parties or candidates that best align with their interests. The freedom to make political choices and participate in political activities encompasses digital election advertising. However, considering the interplay of the right to political participation with the right to privacy and access to information, support must be transparent and honest to maintain the integrity of the democratic process. Given the potential for political microtargeting to undermine political rights and democracy in general, it is vital that mechanisms must be created and enforced that address these risks.

Section 32 enshrines the right of access to information. It applies to any

information held by the state, as well as any information held by another person and that is required for the exercise or protection of any rights. This provision also requires the enactment of national legislation to give effect to this right. The Protection of Personal Information Act (discussed below) was adopted to do so. These rights are especially relevant in the context of political microtargeting, where personal data can be abused to tailor content to users with the express intention of manipulating them.

Beyond the Bill of Rights, the Constitution also established state institutions that support and strengthen South Africa's constitutional democracy. The Electoral Commission and the Independent Communications Authority of South Africa are two of these institutions. Their role is discussed below in relation to the laws that govern their functions.





## Protection of Personal Information Act 4 of 2013 (POPIA)

POPIA aims to give effect to the right to privacy, which includes protection against the unlawful collection, retention, dissemination and use of personal information. This is done through mechanisms that safeguard the processing of personal information by public and private bodies, while also balancing this against the right of access to information and the free flow of information in South Africa and across international borders. Besides creating requirements for the lawful processing of personal information that are consistent with international standards, POPIA provides remedies when information is processed contrary to the Act.

POPIA defines a “responsible party” as “a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information”. The Constitutional Court in *My Vote Counts NPC v Minister of Justice and Correctional Services* held that while political parties are not public or private bodies, they are “any other person” for purposes of the Act. As a result, political parties and independent candidates are bound by its provisions.<sup>14</sup>

POPIA prohibits political parties from processing the personal information of data subjects insofar as it concerns their political persuasion.<sup>15</sup> However, it also creates an exception to this rule and allows political parties to collect and use voters’ personal information if necessary to form a political party; participate in its activities; recruit members and canvass supporters; or to campaign for a political party or cause.<sup>16</sup> In turn, independent candidates are allowed to collect and use personal information of a voter for the purpose of canvassing supporters or voters or campaigning for national, provincial or local government elections or a referendum.

POPIA established the Information Regulator to promote, enforce and fulfil the rights protected therein.<sup>17</sup> In 2019, the Information Regulator released a “Guidance Note on the Processing of Personal Information of a Voter by a Political Party in Terms of the Protection of Personal Information Act” to guide political parties in their compliance with POPIA.<sup>18</sup> The Guidance Note is advisory in nature and is not legally binding.

<sup>14</sup> *My Vote Counts NPC v Minister of Justice and Correctional Services* [2018] ZACC 17; 2018 (5) SA 380 (CC); 2018 (8) BCLR 893 (CC).

<sup>15</sup> Section 26(a) of POPIA.

<sup>16</sup> Section 31(b).

<sup>17</sup> Section 2(d).

<sup>18</sup> Information Regulator “Guidance Note on the Processing of Personal Information of a Voter by a Political Party in terms of the Protection of Personal Information Act 4 of 2013” available at <https://info regulator.org.za/wp-content/uploads/2020/07/InfoRegSA-GuidanceNote-PPI-PolParties-1.pdf>

The Guidance Note reframes the eight conditions for the lawful processing of personal information contained in POPIA to clarify its application to political parties and independent candidates:

#### **Accountability<sup>19</sup>**

Political parties and independent candidates must ensure that the collection and use of personal information of voters comply with lawful processing conditions.

#### **Process limitation<sup>20</sup>**

- a. This refers to the conditions for processing personal information.

First, voters must consent to the collection and use of their personal information for campaigning purposes. Information must be collected directly from voters and cannot be obtained from data brokers. However, political parties and independent candidates are not required to obtain information directly from voters where that information is in a public record (example: the voters roll); if the information has been made public (example: details are available on a company website); or where a voter consented to the collection of their

personal information from another source.

When political parties or independent candidates contact voters through phone calls or automated messages, voters must be given the option to opt out. Voters may at any stage object to the processing of their personal information, at which point, political parties and independent candidates may no longer do so.

In exceptional circumstances, voters' personal information can be used without their consent. It must be shown that the collection and use protect the legitimate interest of a voter or pursues the legitimate interest of the relevant political party or independent candidate.

- b. Second, personal information must be processed lawfully. In other words, there must be a legal basis for processing the information and should not infringe on the right to privacy.
- c. Third, political parties and independent candidates may only collect information that is necessary for campaigning purposes.

<sup>19</sup> Section 8 of POPIA.

<sup>20</sup> Sections 9-12.

**Purpose specification<sup>21</sup>**

The collection and use of voters' personal information must have a defined and lawful purpose related to the functions or activities of the political party or independent candidate.

Political parties and independent candidates may not retain personal information for longer than necessary to achieve the purpose for which the information was collected and processed. However, information may be retained if it will be used for historical, statistical or research purposes and provided that the political parties or independent candidates safeguards the information from being used for a different purpose.

**Further processing limitation<sup>22</sup>**

Political parties and independent candidates may not collect and use personal information for a purpose other than the one for which the information was originally collected unless the new purpose is compatible with the original one. Similarly, the personal information can be used for a different purpose if it is available in or derived from a public record or have been made public by the voter.

**Information quality<sup>23</sup>**

Political parties and independent candidates must take reasonably practicable steps to ensure that personal information in their possession is, where necessary, complete, up to date, and not misleading.

**Openness<sup>24</sup>**

Political parties and independent candidates must have a privacy policy through which voters can gain insight into how and why their personal information is being processed. Political parties and independent candidates must also ensure that voters are aware of the purpose for collecting their information. Importantly, where information is not collected directly from voters, political parties and independent candidates must provide voters with the source from which their information was collected.

**Security safeguards<sup>25</sup>**

Political parties and independent candidates must ensure that adequate security measures and controls are in place to protect voters' personal information against loss, damage and misuse. Parties must inform the affected

21 Sections 13-14.

22 Section 15.

23 Section 16.

24 Sections 17-18.

25 Sections 19-22.

voter and the Information Regulator of any security breach. Additional safeguards apply where political parties and independent candidates make use of an operator to process voters' personal information on their behalf.

#### **Data subject participation<sup>26</sup>**

Voters may ask political parties or independent candidates whether they are holding their personal information. The parties or candidates must provide confirmation free of charge. Voters can also request a record or description of the personal information held, including third parties who had or has access to the information. Political parties and independent candidates must, on request from voters, correct or delete personal information and must confirm with voters that they have done so.

Although the enforcement of these conditions can provide some protection against microtargeting, the most pervasive shortcomings lie in the initial collection of personal information. The fact that political

parties and independent candidates are not required to obtain information directly from voters where that information is in a public record; has been made public; or where a voter consented to the collection of their personal information from another source undermines any meaningful protection that POPIA can offer. There is also a broad exception that allows the use of personal information without consent if it protects the legitimate interests of voters or pursues the legitimate interests of political parties or independent candidates.

The collection of personal information in this manner allows political parties and independent candidates to circumvent the direct permission requirement. Furthermore, the application of the exception where political parties and independent candidates may collect and use voters' personal information for political and related purposes means that political parties and independent candidates can attempt to justify the collection and use of personal information that goes beyond political persuasion if they can connect it to their functions or activities.

26 Sections 23–25.





## Electoral Act 73 of 1998

### *Electoral Commission: Institution of Chapter 9 of the Constitution*

The Constitution established an Independent Electoral Commission (IEC) as a state institution with the purpose of supporting South Africa's constitutional democracy. Its functions are to manage elections, to ensure that those elections are free and fair, and to maintain the integrity of the electoral process. The regulation of political advertising is integral to these functions. In this regard, the IEC must ensure that advertisements do not contain false information or hate speech. By monitoring and enforcing these standards, the IEC plays a crucial role in promoting truthful and respectful political discourse during elections.

### *Relevant provisions of the Electoral Act*

The IEC carries out its functions in terms of the Electoral Act, enacted to give effect to political participation rights. The Act regulates elections and provides for related matters, including political advertising.

The establishment and management of the voters' roll is a core function of the IEC insofar as the regulation of elections are concerned. The IEC is obligated to record the personal information of voters, including their addresses where "objectively available" or "reasonably available", on the voters' roll. The Electoral Act also provides that the

voters' roll be made accessible on an application basis.<sup>27</sup> Political parties and independent candidates are furnished with copies of the voters' roll to facilitate canvassing voters and to enable those who contest elections to verify whether voters are registered in the correct districts.<sup>28</sup>

The Electoral Act also governs political advertising with a strong emphasis on equitable treatment, proper conduct during campaigns, and prohibiting the dissemination of false or misleading information, and proper conduct during campaigns. The latter is most relevant to this discussion.

The Act prohibits the dissemination of false or misleading information in political advertisements if the intention is to disrupt or prevent an election; if it creates hostility or fear; or if it aims to influence the conduct or outcome of an election.<sup>29</sup> The dissemination of false information often aims to evoke a particular response, often one of fear, to promote support for a particular party or candidate. Although political microtargeting does not necessarily need to concern the spread of disinformation, the prohibition on disinformation in the Electoral Act goes a long way to protecting democratic public discourse.

Campaign advertising must be conducted in a manner that upholds the dignity and fairness of the electoral





The IEC carries out its functions in terms of the Electoral Act, enacted to give effect to political participation rights. The Act regulates elections and provides for related matters, including political advertising.

The establishment and management of the voters' roll is a core function of the IEC insofar as the regulation of elections are concerned. The IEC is obligated to record the personal information of voters, including their addresses where "objectively available" or "reasonably available", on the voters' roll. The Electoral Act also provides that the voters' roll be made accessible on an application basis.<sup>27</sup> Political parties and independent candidates are furnished

with copies of the voters' roll to facilitate canvassing voters and to enable those who contest elections to verify whether voters are registered in the correct districts.<sup>28</sup>

The Electoral Act also governs political advertising with a strong emphasis on equitable treatment, proper conduct during campaigns, and prohibiting the dissemination of false or misleading information, and proper conduct during campaigns. The latter is most relevant to this discussion.

The Act prohibits the dissemination of false or misleading information in political advertisements if the intention is to disrupt or prevent an election; if it creates hostility or fear; or if it aims to influence the conduct or outcome of an election.<sup>29</sup> The dissemination of false information often aims to evoke a particular response, often one of fear, to

30 Section 87.

31 Section 87.

### ***Electoral Code of Conduct***

The Electoral Code of Conduct (Code) is part of the Electoral Act. Parties and candidates contesting elections are bound by the Code. The Code comes into effect as soon as an election date is proclaimed and requires parties, agents, and candidates to adhere to its provisions until the official announcement of election results. Failure to comply can lead to the disqualification of independent or party candidates. The Code explicitly prohibits intimidation, stating that no person may use a position of power, privilege, or influence to sway the conduct or outcome of an election. The Code also forbids the dissemination of misinformation in political advertisements. In other words, no party or candidate may publish false or defamatory allegations about another party, its candidates, representatives, or members, or about any candidate and their representatives.

In *Democratic Alliance v African National Congress*,<sup>32</sup> the Constitutional Court engaged with the campaign messaging provisions of the Code. The Court held that a contextual reading of the Code prohibits false statements of the kind that could directly affect the practical arrangements and successful operation of an election and does not include information aimed at influencing the outcome of an election by shaping voters' views about opposing parties or candidates.

### ***Independent Communications Authority of South Africa Act 13 of 2000***

The Independent Communications Authority of South Africa (ICASA) was established in terms of the Constitution.<sup>33</sup> ICASA primarily regulates the telecommunications and broadcasting sectors in the country in the public's interest.<sup>34</sup> While ICASA does not directly regulate digital marketing, its oversight of electronic communications and broadcasting can indirectly impact certain aspects of digital advertising.<sup>35</sup> This regulatory body ensures compliance with standards and practices within the telecommunications and broadcasting industries, which can influence how digital advertising is conducted, particularly when it overlaps with these sectors.

ICASA plays a pivotal role in regulating political advertising. The ICASA Regulations set out specific rules for political advertisements and party election broadcasts (PEBs).<sup>36</sup> The Regulations stipulate that PEBs can only be aired during the designated election broadcast period. PEBs are a unique feature of South African political advertising, allowing parties to present their views to the public through free airtime provided by the public broadcaster. This system is designed to ensure that even parties with limited financial resources have an opportunity to communicate their messages to

32 *Democratic Alliance v African National Congress* ZACC 1; 2015 (2) SA 232 (CC); 2015 (3) BCLR 298 (CC).

33 Section 192 of the Constitution.

34 Independent Communications Authority of South Africa "Our Services" available at <https://www.icasa.org.za/pages/about-us>.

35 Independent Communications Authority of South Africa "Electronic Communication" available at <https://www.icasa.org.za/pages/about-us>.

36 GG 31602 GN 1419 of 2008.

voters. These regulations ensure equitable treatment of political parties by broadcasting licensees and stipulate guidelines for the content and distribution of political ads.

A commercial or community broadcasting service licensee intending to broadcast PEBs must inform ICASA in writing at least five days before the election broadcast period begins. Broadcasting service licensees must air PEBs without altering their content and must ensure that all PEBs are correctly identified. Additionally, parties submitting PEBs or political advertisements to broadcasting service licensees must ensure that the content does not contain material likely to provoke or incite any unlawful, illegal, or criminal acts, nor should it be perceived as condoning or supporting such acts.

ICASA's Regulations also focus on the content of political advertisements, prohibiting offensive language and ensuring that advertisements do not incite violence or hatred. Additionally, there are strict rules regarding the equitable allocation of advertising airtime to prevent wealthier parties from dominating the media landscape. In this manner, there is little room for political microtargeting. However, the major shortcoming of ICASA is that the Act and Regulations do not regulate online platforms. While traditional broadcasting services are subject to

oversight, digital platforms operate with more freedom regarding political advertisements and election-related content.

### ***Electronic Communications and Transactions Act 25 of 2002***

ECTA governs electronic communications, broadcasting services, and associated content standards in South Africa. It prohibits the broadcasting of party election broadcasts and political advertisements except under specific circumstances, focusing on traditional broadcasting services rather than digital platforms.<sup>37</sup> ECTA further requires that any political advertisement submitted to a broadcasting service comply with the Constitution, the Electoral and the Broadcasting Act, amongst others.<sup>38</sup> ECTA mandates that all broadcasting service licensees adhere to the Code of Advertising Practice by the Advertising Standards Authority of South Africa and any prescribed advertising regulations. The Complaints and Compliance Committee is responsible for adjudicating complaints about breaches of the Code by licensees not affiliated with the Advertising Standards Authority. While ECTA ensures fairness and transparency in political advertising for traditional broadcasting, it does not address digital political advertisements.

37 Section 57 of ECTA.

38 Section 6.





## General Comments on the Legislative Framework

### *Shortcomings*

There is no comprehensive legislation that governs political microtargeting, creating a legal gap in addressing this issue. Existing laws also do not provide sufficient protection or regulation. In this section, we reflect on the shortcomings of the most relevant laws.

#### **The Protection of Personal Information Act 4 of 2013 (POPIA)**

POPIA's direct consent requirements and exceptions for the use of personal information are insufficient: (a) political parties and independent candidates are not required to obtain personal information directly from voters if it is available in public records or has been made public; (b) POPIA allows the use of personal information without voter consent if it is deemed to protect the

legitimate interests of voters or political parties, creating a loophole that undermines the need for direct consent; and (c) the wide application of Section 31 enables political parties and independent candidates to justify the collection and use of personal information beyond what is necessary for political persuasion, as long as they can relate it to their functions or activities.

#### **Electoral Act**

While the IEC is tasked with regulating political advertising, ensuring that it is truthful and free from hate speech, the current framework may not be fully equipped to address modern challenges like political microtargeting. The Electoral Act allows political parties and independent candidates to access the voters' roll, including personal

information like addresses. This access is intended to facilitate canvassing but raises concerns about potential misuse. It is true that the Electoral Act emphasises fair conduct during campaigns, prohibiting intimidation, and preventing legitimate access to voters. Yet, the changing landscape of political advertising, especially digital, may require more updated and comprehensive regulations.

### ICASA Act

The most significant criticism is that ICASA's regulations do not cover online platforms, where much of modern political advertising occurs. This gap leaves digital platforms with more freedom to operate without the same oversight, creating a vulnerability in the regulation of political advertisements and election-related content online. Thus, while there are laws that protect personal information and regulate political advertising, they are deemed insufficient in addressing the challenges posed by political microtargeting.

### Developments in Holding Big Tech Companies Accountable

At the start of 2024, the Campaign for Free Expression (CFE)<sup>39</sup> submitted a formal request under South Africa's Promotion of Access to Information Act (PAIA) to Meta and other major social media and search platforms. The CFE sought details on measures being taken to protect election integrity in South Africa and to prevent hate speech, disinformation, and harassment,

especially targeting women journalists. Given the growing risk of election interference via social media, the CFE emphasised that this information was crucial to safeguard the right of South Africans to vote freely and safely.<sup>40</sup> Despite maintaining offices and staff in South Africa, Meta claimed PAIA did not apply to them, as their headquarters are based abroad, and the requested data was not stored locally. Meta issued a general statement claiming they had implemented measures to prevent election interference, hate speech, and disinformation but declined to provide specific details.

Following Meta's refusal, the CFE approached South Africa's Information Regulator, which confirmed that the CFE had a right to the information. The Regulator is currently investigating what information Meta must disclose. In an August 2024 media statement, the CFE described this development as "a significant step in holding one of the world's largest social media companies accountable for their actions in South Africa." Given that Meta controls Facebook, WhatsApp, Instagram, and Threads, this case marks an important move toward ensuring social media platforms take responsibility for their role in the spread of information and disinformation, and their impact on elections. The CFE also noted that Google, X (formerly Twitter), and TikTok had similarly denied PAIA requests, citing the fact that they are not based in South Africa. These cases are also before the Information Regulator for a ruling.<sup>41</sup>

39 The Campaign for Free Expression is a non-profit organisation dedicated to protecting and expanding the right to free expression for all and enabling everyone to exercise this right to the full, whether it by speaking out, by protesting, by revealing information, by blowing the whistle on wrongdoing, by arguing, debating, writing, painting, composing or just by shouting out your opinion.

40 Campaign for Free Expression "Meta's attempt to avoid SA law is slapped down by Information Regulator" (22-08-2024) available at <https://freexpression.org.za/media-releases/metas-attempt-to-avoid-sa-law-is-slapped-down-by-information-regulator/>

41 Id.

## Best Practice Examples: Comparative Regulatory Initiatives

### *European Union: General Data Protection Regulation*

The General Data Protection Regulation (GDPR) was adopted by the European Parliament and the Council of the European Union (EU) in 2016.<sup>42</sup> The GDPR is an EU law that establishes rules for the use of personal data (information) by organisations and companies. The GDPR applies to all EU member states. In the GDPR, personal data refers to information which could identify a living person, whether directly or indirectly, and includes names; contact details; interests; information about past purchases; health and online behaviour, amongst others. The GDPR enshrines seven basic rules for data regulation:

#### **a. Lawfulness, Fairness, and Transparency**

Personal data must be processed in a lawful, fair, and transparent manner.

#### **b. Purpose Limitation**

Data must be collected for specific, explicit, and legitimate purposes and not processed further in ways incompatible with those purposes, except for public interest, research, or statistical purposes.

#### **c. Data Minimisation**

Only the data that is adequate, relevant, and necessary for the intended purposes should be collected.

#### **d. Accuracy**

Personal data should be accurate and kept up to date. Inaccurate data should be corrected or deleted promptly.

#### **e. Storage Limitation**

Data should be stored in a form that allows identification of the subject only as long as necessary for the processing purposes. Longer storage is permitted for archiving, research, or statistical purposes, with appropriate safeguards.

#### **f. Integrity and Confidentiality**

Data must be processed securely, protecting against unauthorised access, loss, or damage.

#### **g. Accountability**

The data controller is responsible for ensuring compliance with these principles and must be able to demonstrate this compliance.

In practice, the GDPR can be leveraged to combat political microtargeting through its limitations on what kinds of data can be collected, its consent requirement, and its transparency requirement. Data controllers must specify a "lawful use" of the data and limit processing to that use, which forecloses using data to spread targeted misinformation.

42

Full document available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679>. Summary available at: <https://www.gdprsummary.com/gdpr-summary/#~:text=GDPR%20is%20an%20EU%20law,schoolbook%20examples%20of%20personal%20data>.



There are also strict requirements on the collection of “sensitive data,” which includes information about a data subject’s political opinions. This data can only be collected by political parties with whom the data subject is affiliated and cannot be shared with other processors.

The consent requirement forces data processors to disclose to potential data subjects the purpose for which their information will be used and give the subject a chance to withhold consent. Because data processors must provide explicit purposes for their data collection, the EU can keep track of which processors collect data for political purposes and regulate them accordingly.

The GDPR has a particularly effective enforcement mechanism. Data collectors, even those based outside of the EU, can face a maximum fine of 20 million Euro or 4 percent of their worldwide income, whichever is greater. The legislation does have some disadvantages. As it does not specifically address microtargeting and is meant to apply to data collection in general, it can be vague at times. Data processors can exploit this broad language to circumvent the requirements. Overall, the GDPR is comparable to the provisions of POPIA and the Information Regulator’s Guidance Note. As a result, it can be used as a best practice example in reflecting on how the South African legislative framework should be amended or new legislation adopted to address microtargeting.



## *Examples from African countries*

In recent years, both Nigeria and Kenya passed data protection acts modelled off the GDPR. Kenya's Data Protection Act of 2019 established an Office of the Data Protection Commissioner to oversee the registration of data processors, establish regulations on data use, and investigate complaints lodged by data subjects.<sup>43</sup>

Like the GDPR, data collectors must provide information about the purpose for the collection. Data must be "collected for explicit, specified, and legitimate purposes and not further processed in a manner incompatible with those purposes".<sup>44</sup> Kenya's Data Protection Act requires that data subjects be informed about their right to privacy and given the chance to withhold consent before their data is collected or processed. Nigeria's Data Protection Act of 2023 is similar to Kenya's in the sense that it also requires the informed consent of the data subject and states that data can only be used for lawful, limited purposes.<sup>45</sup>

The disadvantages of the GDPR apply in the Nigerian and Kenyan context as well. Without specific legislation to combat microtargeting, the data protection legislation is often broad and vague when it comes to responding to the

distinct practice of political microtargeting, which demands detailed provisions.<sup>46</sup> Furthermore, unlike the EU, Nigeria and Kenya have less capacity to enforce their legislation.<sup>47</sup> Enforcement seems to be based on complaints lodged by data subjects (usually individual civilians).<sup>48</sup> The efficacy of the complaint mechanism therefore relies on citizens being well-informed about their rights under the data privacy legislation and the process by which complaints are lodged. Because the legislation is relatively new, it is yet to be seen how efficiently the office can process complaints. Legal commentators suggest that this legislation could be improved by specifically addressing microtargeting and creating preemptive methods for rooting out inappropriate use of data.<sup>49</sup>

Kenya and Nigeria's laws offer insight on data protection legislation and its challenges on the African continent. Like the GDPR, Kenya and Nigeria's laws provide another lens through which to reflect on the South African legislative framework to mitigate the potential harms of political microtargeting.

43 Kenya Data Protection Act 24 of 2019.

44 Section 25(c).

45 Nigeria Data Protection Act 37 of 2023.

46 Sani Suleiman Sani and Joseph Gitonga Theuri "Contextualising Political Advertising Policy to Political Micro-targeting in Nigerian Elections" (2023) available at: <https://aira.africa/wp-content/uploads/2023/11/Contextualizing-Political-Advertising-Policy-to-Political-Microtargeting-in-the-Nigeria-Elections.pdf>

47 51.

48 Section 46 of Nigeria Data Protection Act; Section 56 of Kenya Data Protection Act.

49 Sani and Theuri at 51.

# Computational Analysis

## Data Sources

Against this backdrop, the South Africa 2024 General Elections provided an opportunity to observe and analyse political microtargeting techniques in action. After careful consideration of various data sources, Facebook (Meta) Ad Library emerged as the most suitable option. While other sources such as Google Ads Transparency Center, Twitter (X), and TikTok were evaluated, they were found to have significant limitations for this specific research context. Facebook Ad Library offers the most comprehensive and accessible data, including detailed information on ad content, targeting parameters, and performance metrics specific to South Africa. This rich dataset enables a more nuanced analysis of micro-targeting tactics employed by various political entities in the run-up to the 2024 elections.

## Political Microtargeting on Facebook

Facebook has provided an essential platform for political campaigns to reach their audiences or constituents, especially through ad targeting. This approach provides various means to allow adverts to reach a specific audience depending on the content of campaigns. Facebook is able to collect specific ads to ensure that political campaigns or topics target the right user. Some of the approaches that Facebook offers to reach a target audience include;

### 1. Personally identifiable information (PII) target audience

The advertisers provide details of personal information of users they aim to target. The advertisements can provide a list of individuals (the potential supporters of the campaign topic). Facebook then targets the advertisements to the list of users provided.





## 2. Look-alike target audience

From the information provided for the PII target audience, Facebook can use the look-alike target audience to advertise to other users who have similar characteristics to the provided list.

## 3. Attribute-based targeting

The advertisers create a target formula based on the target audience, such as their geographical regions and the basic and advanced demographics including gender, age, political views, and interests.

## Data Collection from Facebook (Meta) Ad Library

Data collection from Facebook Meta Ad Library can be done by accessing the Facebook Ad Archives. The collection of data for political campaign advertisements can be done in several approaches:

### a. Manual Data Collection

This involves manually browsing through and filtering necessary information regarding the ads of political campaigns. It involves navigating to the Meta Ad Facebook Library and selecting the country and the ad category, and relevant keywords. The ad category can include all ads, politics, issues, or elections. This selection criteria promotes adequate access to specific data on the

political campaign ads that should be analysed. After selecting the ad category, country, and relevant keywords, filters can then be applied to narrow down the search from Meta Ads Library providing precise information needed. The filters can be through impressions (the number of times your content was seen, including multiple views from individual users), date ranges, or most relevant ads. Screenshots and recordings can then be taken for documentation. Detailed information can then be done on demographic information, advertiser name (political campaign name), ad content, and/or impressions.

**b. Automated Data collection through Facebook Ad Library API**

This approach involves accessing information through a developer's account. The analyst creates a Facebook developer account to enable them to access the necessary information. The user obtains an access token by obtaining the necessary permissions. Once this has happened, the user can query the data using specific API endpoints. The search for a specific ad depends on the endpoint URL programmatically used. This approach is useful in large-scale data collection. It provides data such as ad spend, ad content, demographic and geographical reach, and impressions. Impressions are the number of times an ad is advertised to the target audience.

In this analysis, we have employed manual data collection. This is because, in this data collection, we are dealing with specific data collection focusing on the recent South Africa political election (campaigns). This approach is beneficial in this scenario for several reasons;

- a. It does not require any knowledge of APIs, as it is simple and easy to access without technical skills.
- b. The analysis targets a specific demographic within the region of South Africa; hence its small-scale nature makes manual data collection more applicable.
- c. Based on the current context of the ads provided by tone, visual elements, and placement, manual data collection provides a contextual understanding of the ads.
- d. This approach of data collection provides highly accurate and relevant data to the user/viewer as each ad is individually recorded and reviewed.
- e. It avoids the complexity and potential problems associated with API usage, including authentication errors, changes in API structure, or rate limiting.



## Ad Classification Methodology

### Anomaly Detection

To identify microtargeting in Facebook ads for the 2024 South Africa General Elections, we employed an anomaly detection framework using the One-Class SVM (Support Vector Machine) algorithm. One-Class SVM is specifically designed for outlier detection in high-dimensional datasets, making it optimal for identifying anomalies in ad data (Schölkopf et al., 2001; Tax & Duin, 2004).

### One-Class Support Vector Machines

One-Class Support Vector Machines (OC-SVMs) have emerged as a powerful tool for anomaly detection, especially when only positive examples (i.e., examples of the normal class) are available. Schölkopf et al. (1999) reformulated the standard SVM to address the one-class classification problem, aiming to separate the target class data from the origin in the feature space.

This approach involves solving a quadratic programming problem to find a hyperplane that maximises the distance from the origin, thereby capturing the region where the training data resides. The objective function and constraints for this optimization are:

Objective Function:

$$\min(\frac{1}{2}||w||^2 + \frac{1}{\eta n} \sum_{i=1}^n \xi_i - \rho)$$

Constraints:

$$w \cdot \phi(x_i) \geq \rho - \xi_i \text{ for } i = 1, \dots, n$$

$$\xi_i \geq 0 \text{ for } i = 1, \dots, n$$

The key innovation in Schölkopf et al.'s methodology is the introduction of the regularisation parameter  $\eta$ , which replaces the penalty parameter  $C$  used in traditional SVMs. The parameter  $\eta$  ranges between 0 and 1 and provides a more interpretable way to control the model. Specifically,  $\eta$  sets an upper bound on the fraction of outliers and a lower bound on the number of support vectors, making it easier to understand and tune the model's performance.

Schölkopf et al.'s approach uses Lagrange multipliers and kernel functions to transform the input data into a higher-dimensional feature space, where the decision function is computed. The resulting decision function is:





$$f(x) = \text{sign}\left(\sum_{i=1}^n \alpha_i K(x, x_i) - \rho\right)$$

Where:

$K(x, x_i)$  is the kernel function used for the dot-product calculations in the feature space.

$\alpha$  are the Lagrange multipliers obtained from the optimization problem.

This function returns +1 for data points within the region defined by the training data and -1 for outliers.

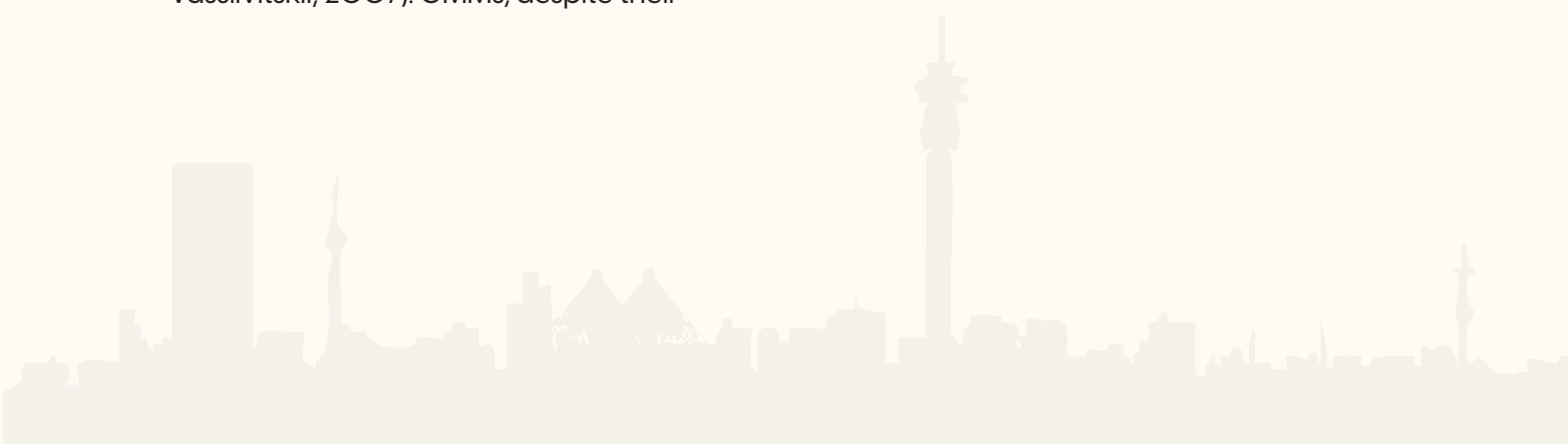
### Rationale for Choosing One-Class SVM

OC-SVM is optimally suited for scenarios characterised by predominantly normal data interspersed with a minority of anomalous points—a typical scenario in political microtargeting analytics. This method constructs a hyperplane that encloses the majority of the data points, effectively identifying subtle anomalies that simpler methods might overlook (Chen et al., 2019).

When compared to alternative techniques such as k-means clustering or Gaussian Mixture Models (GMM), One-Class SVM demonstrates significant advantages. K-means clustering, while effective for grouping similar data points, is inherently limited in its anomaly detection capacity due to its primary focus on minimising intra-cluster variance (Arthur & Vassilvitskii, 2007). GMMs, despite their

utility in probabilistic modelling, often encounter challenges with high-dimensional data and necessitate careful selection of component numbers, which can be cumbersome in the dynamic and multifaceted domain of social media data (Reynolds, 2009). Other anomaly detection methods such as Isolation Forests and DBSCAN (Density-Based Spatial Clustering of Applications with Noise) were considered. Isolation Forests isolate observations by randomly selecting a feature and splitting it based on a random threshold, making it effective for high-dimensional datasets. DBSCAN, while effective for clustering, may struggle with high-dimensional data and varying densities within the dataset.

One-Class SVM, however, excels in handling high-dimensional data and is less sensitive to parameter selection, facilitated by a grid search optimization of the 'nu' parameter. This parameter adjustment balances the fraction of outliers with the training error, enhancing the model's robustness (Erfani et al., 2016). Additionally, the kernel trick employed by One-Class SVM allows it to capture non-linear relationships within the data, an essential feature for accurately detecting anomalies in the intricate datasets typical of political microtargeting (Hoffmann, 2007).



This research hypothesises that:

1. There are distinct patterns in how political ads are typically targeted on Facebook.
2. Microtargeting efforts will deviate from these typical patterns in detectable ways.
3. The One-Class SVM algorithm can learn the "normal" targeting patterns and flag deviations that may indicate microtargeting.
4. These detected anomalies will correspond to actual microtargeting efforts by political parties, rather than random variations or noise in the data.

The features used for anomaly detection were: `impressions`, `spend`, `estimated\_audience\_size`, `posts\_to\_date`, `ad\_duration`, `dominant topic`, `topic\_perc\_contrib`, `region`, `age group`, `gender` and `publisher platforms`. These features were chosen because they provide a comprehensive overview of ad performance and reach, allowing the model to detect deviations from typical advertising patterns. By including these metrics, we ensured that the model captures both financial and temporal aspects of the ads.

## Text Analysis - Topic Modeling

Textual analysis of ad content was performed using TfidfVectorizer (Term Frequency-Inverse Document Frequency) and Latent Dirichlet Allocation (LDA). TfidfVectorizer was chosen to convert textual data into numerical feature vectors, emphasising terms that are significant within the ad content while down-weighting common terms (Manning et al., 2008; Jones, 1972). This method provides a balanced representation of term importance, unlike simple term frequency methods which can overemphasise frequent but less informative words.

For topic modelling, we employed LDA, a generative statistical model that identifies latent topics in large text corpora by assuming that documents are mixtures of topics and topics are mixtures of words (Blei et al., 2003; Griffiths & Steyvers, 2004). LDA is advantageous over other methods like Non-negative Matrix Factorization (NMF) or Principal Component Analysis (PCA) for its ability to produce interpretable and coherent topics, which is crucial for understanding the themes and focus areas in the ad content.





The features analysed for text included 'Topic\_Perc\_Contrib', 'Dominant\_Topic\_1', 'Dominant\_Topic\_2', 'Dominant\_Topic\_3' and 'Dominant\_Topic\_4'. These features were selected to capture the contribution of different topics within each ad, helping to identify the primary themes and messages being conveyed. This granularity allows us to pinpoint specific targeting strategies used in the ads.

For text analysis, methods like NMF and PCA were evaluated. NMF, which factors non-negative matrices into components, provides parts-based representation but can be less interpretable than LDA. PCA reduced dimensionality by transforming data into principal components but is less effective for topic modeling as it does not explicitly model word co-occurrence patterns.

## Results

### a. Extent of Micro-targeting

The analysis revealed a prevalence of micro-targeting, with 18% of ads classified as suspected micro-targeted outliers. While fewer than normal ads, these outliers had disproportionately high impressions on average. Specifically, these micro-targeted ads garnered an average of 284,627 impressions, substantially higher than the 86,258 impressions averaged by non-micro-targeted ads. This disparity suggests that micro-targeting strategies enabled campaigns to focus their efforts on precise, concentrated voter segments. By leveraging data-driven personalised messaging, these campaigns appear to have maximised their impact on specific audience niches, potentially achieving greater efficiency in their outreach efforts.

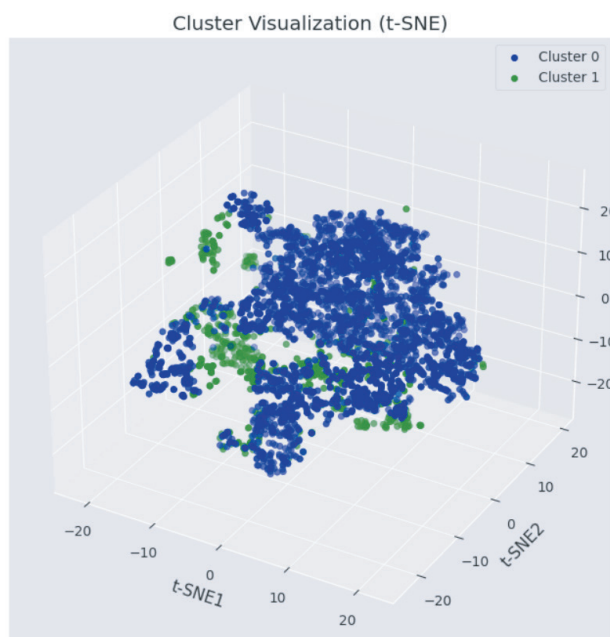


Figure 1: 3D t-SNE Cluster Visualization of micro-targeted & non-micro-targeted ads

The t-SNE algorithm projected the high-dimensional data into a 3D space, allowing us to visualise similarities and differences between data points. This visualisation represents the results of the anomaly detection algorithm, with Cluster 0 (blue) representing the "normal" advertisements and Cluster 1 (green) representing the potential micro-targeted advertisements. The scattered nature of the green points suggests that anomalies are diverse and can occur in various regions of the feature space. Some areas with higher concentrations of green points might indicate regions where anomalies are more likely to occur. While there is a clear distinction between the two clusters, there is also some overlap or similarity between them, as indicated by the mixing of green and blue points in some areas.

### b. Topics and Content Strategies

Analysing the coherence values indicated that the LDA model with 4 topics generates more coherent topics compared to fewer or more topics. The variances in bubble size represent the prevalence of each cluster topic, while the distances indicate the semantic similarity or difference between topics.

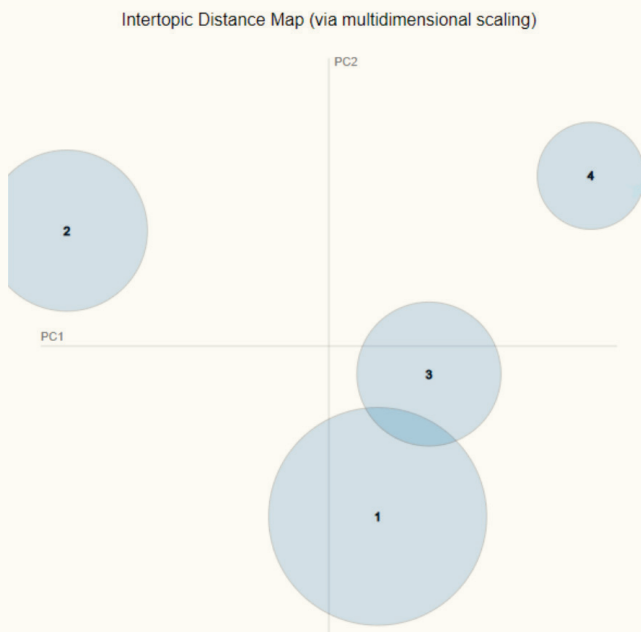


Figure 2: Intertopic Distance Map

Topic modelling uncovered three dominant themes across ads:

- **Topic 1 (ANC Dominated Campaign Ads):**

This topic revolves around political discourse and social issues within South Africa. It highlights keywords related to governance ('anc', 'government', 'president'), public services ('education', 'health'), community engagement ('community', 'democracy'), and rights ('rights', 'law'). The presence of keywords like 'elections', 'vote', and 'manifesto' suggests a focus on political campaigns and public participation in governance. Issues of leadership ('president', 'leader') and social welfare ('health', 'children') are also central.

- **Topic 2 (Independence and Regional Politics):**

This topic centres around regional politics, particularly regarding independence movements ('independence', 'referendum', 'cape independence'). It emphasises issues such as voting rights ('vote', 'elections'), community safety ('crime', 'police'), and economic concerns ('economic'). The mention of 'schools' and 'government' suggests discussions on local governance and public services in the context of regional autonomy.

- **Topic 3 (Resources and Environmental Issues):**

This topic focuses on environmental issues and economic policies. Keywords like 'coal', 'mine', 'environmental', 'climate', and 'pollution' highlight concerns about resource extraction, environmental impact, and climate change. The emphasis on 'jobs', 'energy', and 'economic' suggests discussions on sustainable development and green energy initiatives ('solar', 'energy'). Wildlife conservation ('wildlife') and pollution control ('pollution') are also prominent themes.

- **Topic 4 (DA Dominated Campaign Ads):**

This topic revolves around governance issues and service delivery challenges. Keywords such as 'da', 'government', 'corruption', 'jobs', and 'unemployment' indicate concerns about governance effectiveness, corruption, and economic stability. Service delivery ('water', 'health', 'food') and social issues ('crime', 'unemployment') are critical concerns. The mention of 'elections' and 'leaders' suggests discussions on accountability and political promises in addressing community needs.



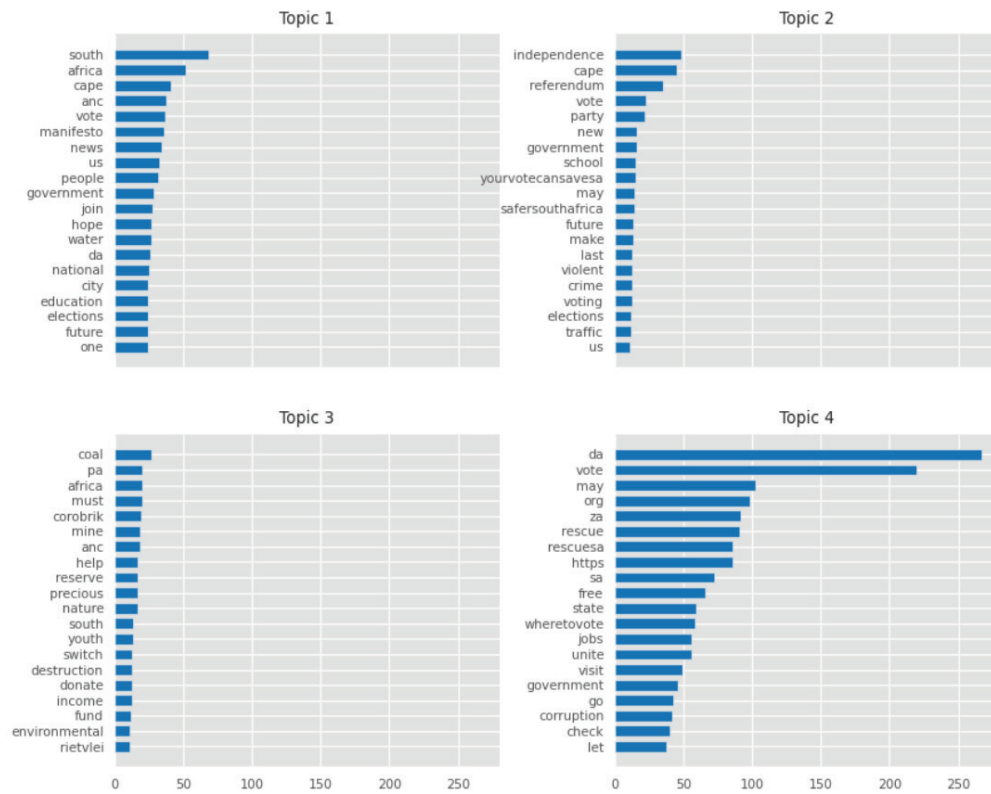


Figure 3: Key Terms for the four identified Topics

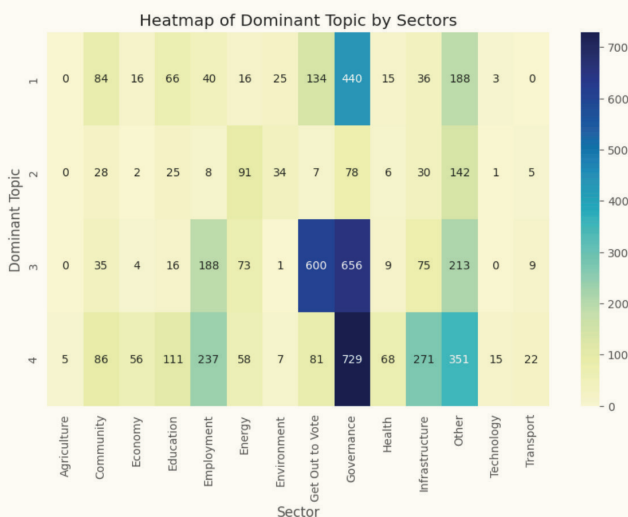
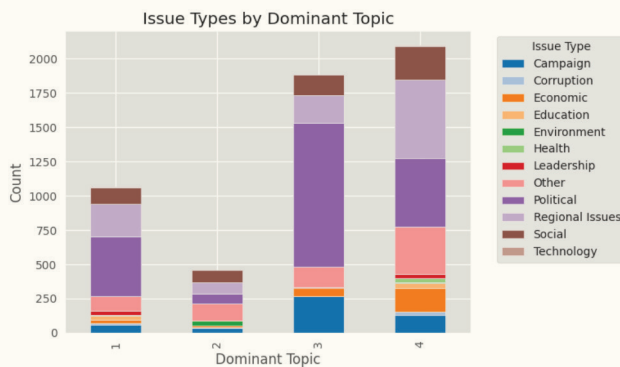
The distribution of the target variable is remarkably consistent across all topics. Approximately 81-82% of the instances in each topic are labelled with a target of 0, while 17-19% are labelled with a target of 1.

Topics 3 and 4 are the most prevalent, together comprising 73% of the dataset. This suggests these two topics are the primary areas of focus within the dataset.

Dominant Topic	Proportion	Target	Proportion
Topic 1	19%	0	82%
		1	18%
Topic 2	8%	0	81%
		1	17%
Topic 3	37%	0	82%
		1	18%
Topic 4	36%	0	81%
		1	19%

Table 1: Proportions of Dominant Topics and Micro-targeting categories

Across all topics, political and social issues consistently dominate, indicating that the primary focus of the ads is on governance, societal matters, and related themes. Leadership, economic, and health issues also have significant representations, particularly in Topics 3 and 4. Topic 2's narrow concentration on political matters suggests more in-depth discussions on specific political themes. The consistent presence of minor issues such as campaigns, corruption, education, the environment, regional issues, and technology across all topics reflects a broad interest in various important areas.

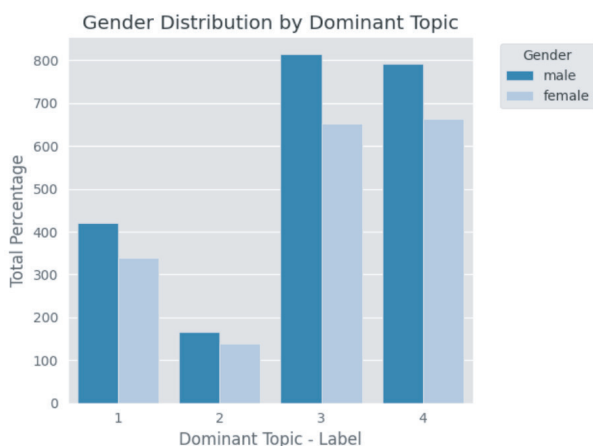


The "Governance" sector stands out with the highest values across all topics, particularly for Topics 3 and 4, indicating a strong focus on governance-related issues. Other prominent sectors include "Get out to vote" for Topic 3, and "Technology" and "Infrastructure" for Topic 4.

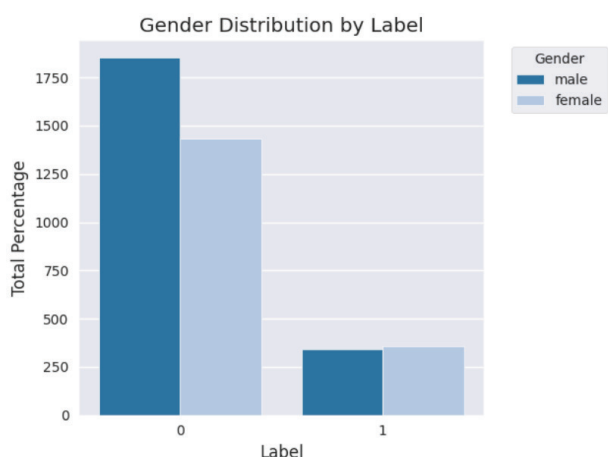
Conversely, sectors like "Agriculture" and "Transport" consistently show low values across all topics, highlighting their minimal representation. "Community" and "Economy" have relatively low values but do show some presence across topics. Meanwhile, sectors such as "Employment" and "Energy" display moderate values across multiple topics, indicating a more balanced distribution.

### c. Gender Biases in Targeting

All three topics display a gender gap in the number of impressions, with male representation substantially outpacing female representation. Topic 3 has the largest population and the biggest absolute gender gap. Topics 1 and 2 have smaller populations but still maintain the gender imbalance.



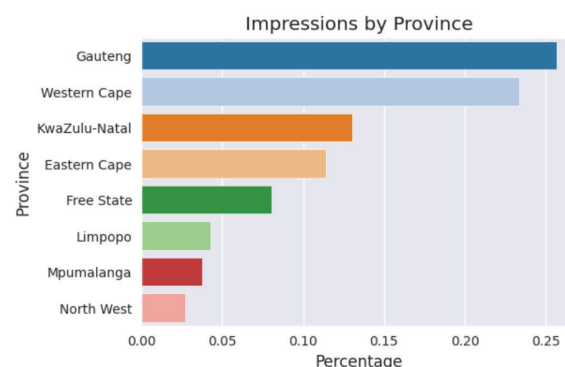
The imbalance might reflect differences in social media platform usage between genders for consuming political content. It's possible that men are more active or visible to advertisers on Facebook. This imbalance could lead to disparities in political information exposure between genders.



The ads suspected for microtargeting (Label 1) had a smaller gap compared to the normal ads (Label 0), with the number of impressions by females slightly higher than that of males. This is an indication that using microtargeting strategies may have been employed to balance out the gender disparity seen in general ads.

#### d. Regional and Demographic Focuses

While impression distribution across age brackets was relatively even, geographic data revealed regionalized targeting strategies. Gauteng and Western Cape, South Africa's major urban hubs, dominated impressions across most topics. Campaigns clearly recognized digital ads' impact in cities and focused ad delivery there.



Across all topics, the 25-34 and 35-44 age groups are consistently the most targeted demographics for both non-targeted and microtargeted ads. This indicates that these age groups are the primary focus of ad campaigns, likely due to their high engagement and influence potential. Microtargeted ads particularly emphasize the 25-34 age group, showing a strategic effort to influence this key demographic.

The 18-24 age group also receives considerable attention, although slightly less than the older age groups. Younger teenagers (13-17) and older adults (55-64 and 65+) are less frequently targeted, indicating that these groups may be less influential or less engaged in the contexts relevant to the ads.

Dominant Topic	Label	13-17	18-24	25-34	35-44	45-54	55-64	65+
1	O	0.00	0.15	0.22	0.19	0.13	0.12	0.16
	1	0.00	0.15	0.22	0.25	0.09	0.08	0.11
2	O	0.00	0.18	0.24	0.19	0.12	0.11	0.14
	1	0.02	0.15	0.29	0.26	0.07	0.05	0.07
3	O	0.00	0.17	0.24	0.19	0.12	0.11	0.15
	1	0.00	0.16	0.24	0.23	0.11	0.08	0.11
4	O	0.00	0.16	0.23	0.19	0.12	0.12	0.16
	1	0.01	0.15	0.25	0.22	0.10	0.09	0.11

The overall distribution of ad impressions reveals that Gauteng and Western Cape consistently receive the highest proportions across all topics and targeting types, reflecting the large urban populations and economic significance of these regions. In contrast, provinces like North West, Mpumalanga, and Limpopo generally receive the lowest proportions. This pattern suggests

that ad campaigns prioritise areas with higher population density and potentially greater political influence. General ads exhibit a consistent distribution pattern across topics and provinces, while microtargeted ads show more variation, indicating a strategic adjustment to target specific demographics or regions more precisely.

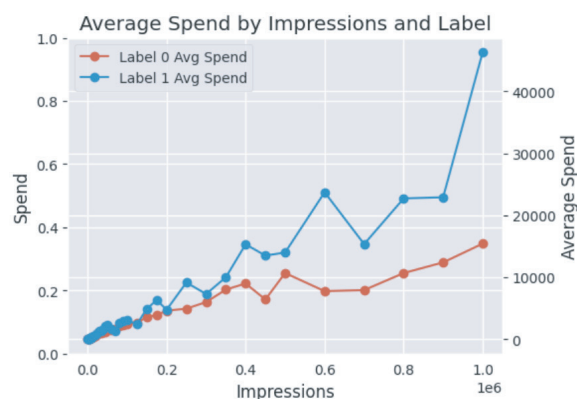
Dominant Topic	Label	KwaZulu-Natal	Eastern Cape	North West	Western Cape	Gauteng	Free State	Mpumalanga	Limpopo
1	O	0.12	0.13	0.03	0.26	0.27	0.07	0.04	0.04
	1	0.15	0.07	0.02	0.11	0.15	0.08	0.06	0.07
2	O	0.12	0.10	0.03	0.24	0.28	0.12	0.03	0.04
	1	0.16	0.04	0.03	0.13	0.20	0.02	0.06	0.13
3	O	0.11	0.11	0.03	0.26	0.29	0.09	0.04	0.04
	1	0.20	0.09	0.04	0.11	0.14	0.09	0.03	0.06
4	O	0.12	0.13	0.03	0.26	0.27	0.07	0.04	0.04
	1	0.19	0.12	0.03	0.13	0.16	0.07	0.04	0.06

Microtargeting efforts highlight significant shifts in provincial focus. For instance, while Gauteng and Western Cape see a lower proportion of microtargeted ads compared to general ads, KwaZulu-Natal, Limpopo, and Mpumalanga experience notable increases in microtargeting for all topics. These adjustments suggest that campaigns use microtargeting to fine-tune their reach, potentially aiming to engage swing voters or key demographics in these areas. However, some smaller provinces may remain underserved by these strategies, emphasising the need for a balanced approach.

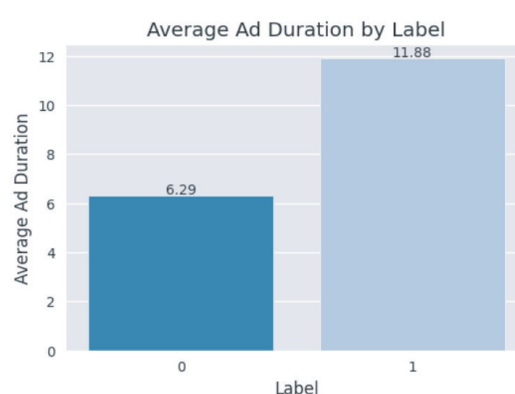
### e. Engagement and Influence

For lower impression volumes (up to about 0.5 million), both ad types show similar and relatively low average spend, increasing gradually with impressions. However, as impression volumes increase beyond this point, a stark divergence emerges.

Micro targeted ads exhibit a dramatic increase in average spend as impressions grow, with several pronounced spikes in spend at higher impression levels. The highest spike occurs at around 1 million impressions, where the average spend for microtargeted ads far exceeds that of general ads. In contrast, Normal ads maintain a more consistent and moderate increase in average spend across all impression levels. This pattern suggests that while microtargeting may be cost-effective for smaller audience segments, it becomes significantly more expensive when scaled to larger audiences.



Potential micro-targeting outliers had an average duration of 11.88 days, while normal label 0 ads averaged only 6.29 days.



Micro-targeted ads are typically designed to engage specific audiences more deeply and for longer periods, aiming to build a stronger connection with the target demographic. This prolonged engagement can be crucial for influencing voter behaviour or reinforcing campaign messages. By maintaining a presence in the targeted audience's feed over an extended period, these ads can reinforce the campaign's message and increase the likelihood of recall and action.



## Key Findings:

### 1. Prevalence and Impact of Micro-targeting

The study identified that 18% of ads were classified as suspected micro-targeted outliers. While fewer in number, these ads demonstrated outsized reach, averaging 284,627 impressions compared to 86,258 for non-micro-targeted ads. This suggests that micro-targeting strategies allow campaigns to focus their efforts on specific voter segments with greater efficiency.

### 2. Content Strategies

Topic modeling uncovered four dominant themes in ad content, ranging from party-specific campaign messaging to issue-based discussions on governance, independence movements, and environmental concerns. This diversity in content reflects the multifaceted nature of South African political discourse.

### 3. Gender Biases

A notable gender gap in ad impressions was observed, with male audiences generally receiving more impressions than females. However, micro-targeted ads showed a more balanced gender distribution, suggesting their potential to address demographic disparities in political outreach.

### 4. Regional and Demographic Focus

Urban hubs like Gauteng and Western Cape dominated impressions across most topics, indicating a strategic focus on populous areas. Age-wise, the 25-34 and 35-44 groups were consistently the most targeted demographics, particularly in micro-targeted campaigns.

### 5. Engagement and Influence

Micro-targeted ads exhibited longer average durations (11.88 days) compared to normal ads (6.29 days), suggesting a strategy of prolonged engagement with specific audience segments. Additionally, micro-targeted ads showed significantly higher spend at larger impression volumes, indicating their potential for scaled impact but also higher costs.



# Conclusion

The analysis of political micro-targeting in the 2024 South African elections reveals several significant trends and implications for digital campaign strategies. Importantly, the findings validate the research hypotheses; identifying that approximately 18% of ads were classified as suspected micro-targeted outliers; while fewer in number, these ads achieved outsized reach, averaging 284,627 impressions compared to 86,258 for non-micro-targeted ads, underscoring the effectiveness of microtargeting for specific audience segments.

Although political campaigns can leverage data-driven microtargeting techniques to reach diverse voter segments, balance gender representation in political messaging and address underrepresented demographics, legislative developments and amendments are crucial to ensure adherence to privacy standards and ethical considerations such as data protection, transparency, and user consent. The underlying goal should be to create more inclusive political discourse without compromising

individual privacy or manipulating voters through overly invasive targeting practices.

Legislative developments are also crucial for ensuring that social media platforms are accountable for and transparent about their role in political advertising. For example, social media platforms should expand ad libraries and provide more comprehensive targeting information. These measures would enable researchers, regulators, and the public to gain deeper insights into digital political campaigning practices, thereby facilitating more effective monitoring of the evolving landscape of online political communication.

Besides legislative change, there is also a pressing need for enhanced digital literacy programs given the sophistication of modern targeting techniques. Voters should be empowered with the skills to critically engage with and evaluate political content online, fostering a more informed and discerning electorate.



# Recommendations

In light of the above findings, this report outlines key recommendations to ensure ethical, transparent, and privacy-respecting practices in political microtargeting. As social media becomes increasingly integral to political campaigning, there is an urgent need for legislative and policy updates to hold platforms accountable and protect voter autonomy. The following recommendations advocate for enhanced transparency in ad targeting, stronger data protection measures, responsible use of microtargeting by political campaigns, and initiatives to equip voters with the skills to critically assess online political content. These steps aim to foster a digital political landscape that supports informed democratic participation without compromising individual rights or democratic values.

- **Legislative Updates**  
South Africa needs to implement laws requiring social media platforms to be accountable and transparent about their role in political advertising, ensuring adherence to data protection and user consent standards.
- **Expanded Ad Libraries**  
Platforms need to enhance ad libraries with comprehensive targeting information, allowing for improved monitoring by researchers, regulators, and the public.
- **Enhanced Digital Literacy Programs**  
We need more initiatives to empower voters with the skills to critically evaluate and engage with political content online, fostering a more informed electorate.
- **Protection and Transparency**  
South Africa needs transparency and ethical standards in political messaging, ensuring data-driven techniques respect privacy and contribute positively to democratic discourse.



# References

Arthur, D., & Vassilvitskii, S. (2007). k-means++: The advantages of careful seeding. Proceedings of the Eighteenth Annual ACM-SIAM Symposium on Discrete Algorithms.

Blei, D. M., Ng, A. Y., & Jordan, M. I. (2003). Latent dirichlet allocation. Journal of machine Learning research, 3(Jan), 993-1022.

Campaign for Free Expression. (2024, August 22). Meta's attempt to avoid SA law is slapped down by Information Regulator. Retrieved from <https://freeexpression.org.za/media-releases/metass-attempt-to-avoid-sa-law-is-slapped-down-by-information-regulator/>

Campaign on Digital Ethics. (2024, April 30). Elections 2024: Are you being micro-targeted? Retrieved from <https://www.code-sa.org/post/elections-2024-are-you-being-micro-targeted>

Chen, J., Sathe, S., Aggarwal, C. C., & Turaga, D. (2019). Outlier Detection with Autoencoder Ensembles. Proceedings of the 2017 SIAM International Conference on Data Mining.

Constitution of the Republic of South Africa, 1996.

Cowling, N. (2024, February 23). Social media usage in South Africa: Popularity and demographics. Statista. Retrieved from <https://www.statista.com/statistics/685134/south-africa-digital-population/>

Democratic Alliance v African National Congress ZACC 1; 2015 (2) SA 232 (CC); 2015 (3) BCLR 298 (CC).

Electoral Act 17 of 1998.

Electoral Commission v Mhlope [2016] ZACC 15; 2016 (8) BCLR 987 (CC); 2016 (5) SA 1 (CC).

Electronic Communications and Transactions Act 25 of 2002

Erfani, S. M., Rajasegarar, S., Karunasekera, S., & Leckie, C. (2016). High-dimensional and large-scale anomaly detection using a linear one-class SVM with deep learning. Pattern Recognition.

Griffiths, T. L., & Steyvers, M. (2004). Finding scientific topics. Proceedings of the National academy of Sciences, 101(suppl 1), 5228-5235.



Hoffmann, H. (2007). Kernel PCA for Novelty Detection. *Pattern Recognition*.  
 Jones, K. S. (1972). A statistical interpretation of term specificity and its application in retrieval. *Journal of documentation*, 28(1), 11-21.

Haddad, M. (2024, June 2). South Africa elections final results: What happens next? Al Jazeera. Retrieved from  
<https://www.aljazeera.com/news/2024/6/2/south-africa-elections-results-what-happens-next>

Independent Communications Authority of South Africa Act 13 of 2000

Independent Communications Authority of South Africa. Electronic communication. Retrieved from <https://www.icasa.org.za/pages/about-us>

Independent Communications Authority of South Africa. Our services. Retrieved from <https://www.icasa.org.za/pages/about-us>

Information Regulator. Guidance note on the processing of personal information of a voter by a political party in terms of the Protection of Personal Information Act 4 of 2013. Retrieved from  
<https://infoeregulator.org.za/wp-content/uploads/2020/07/InfoRegSA-GuidanceNote-PPI-PolParties-1.pdf>

Kenya Data Protection Act 24 of 2019.

Klare, K. (1998). Legal culture and transformative constitutionalism. *South African Journal on Human Rights*.

Langa, P. (2006). Transformative constitutionalism. *Stellenbosch Law Review*.  
 Ma, Y., & Perkins, S. (2021). Online Anomaly Detection on the Edge for the Industrial Internet of Things. *IEEE Internet of Things Journal*.

Manning, C. D., Raghavan, P., & Schütze, H. (2008). *Introduction to information retrieval*. Cambridge university press.

My Vote Counts NPC V Minister of Justice and Correctional Services [2018] ZACC 17; 2018 (5) SA 380 (CC); 2018 (8) BCLR 893 (CC).

Nigeria Data Protection Act 37 of 2023.

Protection of Personal Information Act 4 of 2013.

Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC. Retrieved from  
<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016RO679>.



Regulations on Party Election Broadcasts, Political Advertisements, the Equitable Treatment of Political Parties by Broadcasting Licensees and Related Matters GG 31602 GN 1419 of 2008.

Reynolds, D. A. (2009). Gaussian Mixture Models. Encyclopedia of Biometrics. 41

Sani, S. S., & Theuri, J. G. (2023). Contextualising political advertising policy to political micro-targeting in Nigerian elections. Retrieved from <https://aira.africa/wp-content/uploads/2023/11/Contextualizing-Political-Advertising-Policy-to-Political-Microtargeting-in-the-Nigeria-Elections.pdf>

Schölkopf, B., Platt, J. C., Shawe-Taylor, J., Smola, A. J., & Williamson, R. C. (2001). Estimating the support of a high-dimensional distribution. Neural computation, 13(7), 1443-1471.

Schölkopf, B., Williamson, R. C., Smola, A. J., Shawe-Taylor, J., & Platt, J. C. (1999). Support vector method for novelty detection. Advances in neural information processing systems, 12.

South African Government News Agency. (2024, July 5). GNU: A new era for SA. Retrieved from <https://www.sanews.gov.za/features-south-africa/gnu-new-era-sa>

Tax, D. M., & Duin, R. P. (2004). Support vector data description. Machine learning, 54(1), 45-66.

Wang, C., Ge, L., & Liu, H. (2021). One-Class Support Vector Machines for Anomaly Detection in Streaming Data: An Empirical Comparison. IEEE Access.



