
CONTEXTUALISING POLITICAL ADVERTISING TO POLITICAL MICROTARGETING IN KENYAN ELECTIONS

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INTRODUCTION

Micro-targeting is a multi-step process that commences with the collection of data to analyse it with the aim of understanding people's behaviour and opinions. Political microtargeting often involves analysis of large data sets and use of predictive modelling that matches an individual's personal preferences with their political beliefs so as to produce a desired voting decision from that individual. The study focused on analyzing microtargeting in Kenya's political landscape.

METHODOLOGY

1. Data collection focused on paid Facebook advertisements for political candidates that took part in the 2022 presidential and gubernatorial elections held in each of the 47 counties in Kenya.

2. Doctrinal research was used to analyse secondary data especially existing Kenyan laws applicable to political micortargeting.

3. Comparative research method was used in making regulatory and policy recommendations.

COMPUTATIONAL ANALYSIS FINDINGS

- Microtargeting occurred to a certain extent and it varied according to identified locations, demographics and also topical themes.

- Ad messages contained topics disseminated throughout various regions in the country with Nairobi showing signs of some level of geotargeting.

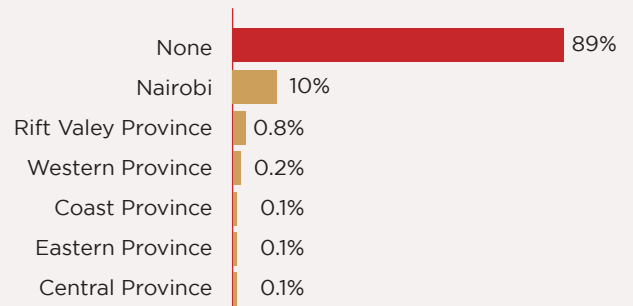


Figure 1: Regional targeting by political ads

- The data collected showed that a majority (57%) of political ads were targeted towards the 25-34 age group.
- Overall ads targeted towards the youth (18-34 yrs) represented 83% of the total ads within the data set.

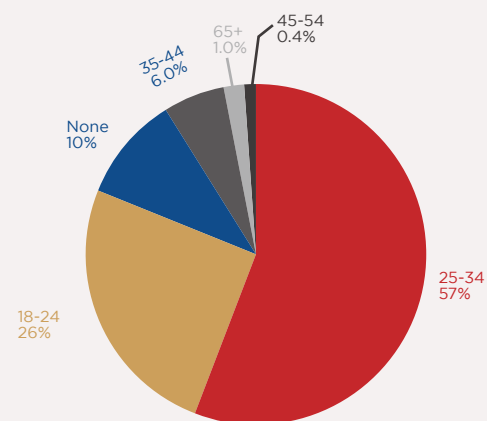


Figure 2: Distribution of Age group targeting by political ads



- Most topics were aimed at Nairobi.

Topic 0 (Support, people, women & rights)

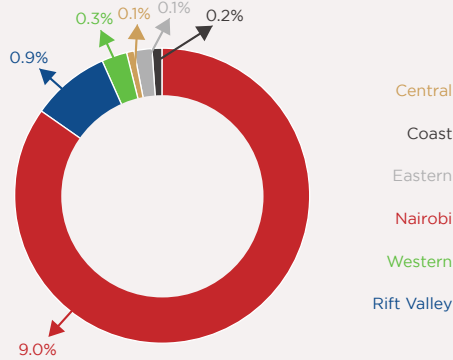


Figure 3: Regional targeting of Topic 0

Topic 1 (Chagua maendeleo emergency clinics care)

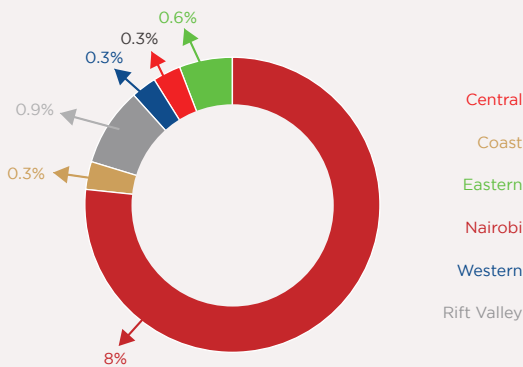


Figure 4: Regional targeting of Topic 1

Topic 2 (Form ni bottoms up mtendakazi Kenya inawezekana)

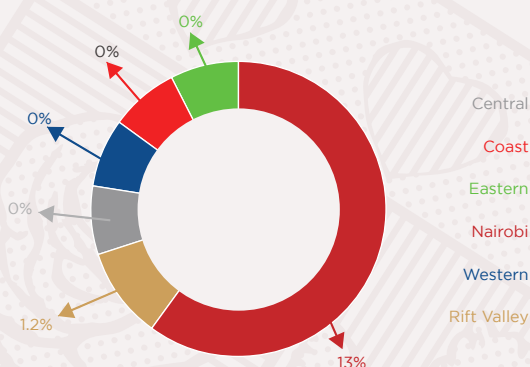


Figure 5: Regional targeting of Topic 2

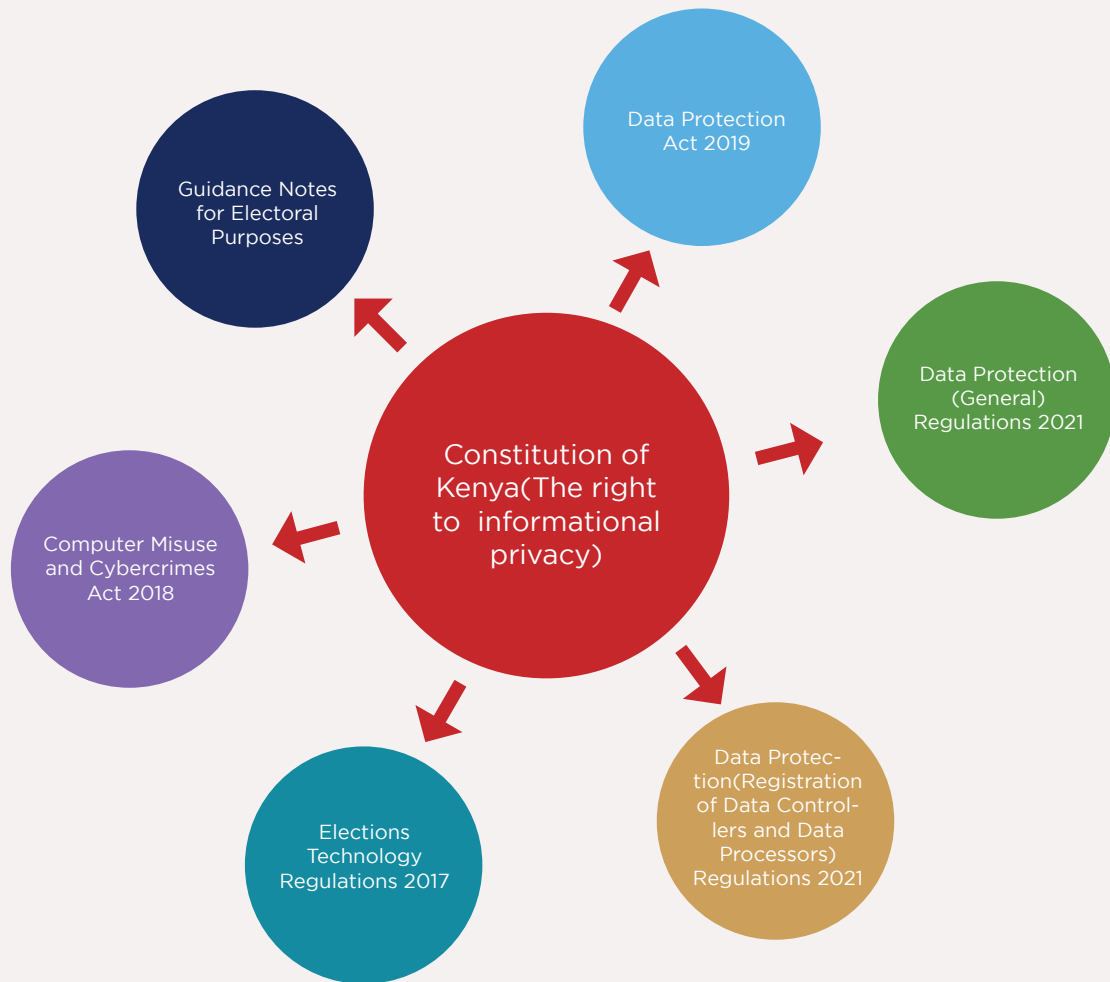
LEGAL ANALYSIS FINDINGS

- Kenya lacks a specific legislation that deals with political microtargeting.
- Despite not having a specific legislation in Kenya, the following laws are applicable: Constitution of Kenya, Data Protection Act 2019, Data Protection (General) Regulations

2021, Data Protection (Registration of Data Controllers and Data Processors) Regulations 2021, Elections (Technology) Regulations 2017, Computer Misuse and Cybercrimes Act 2018 and Guidance notes for electoral purposes.

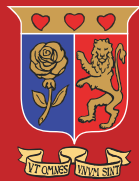
- The identified laws deal with how personal data should be handled while taking into consideration the right to privacy.
- Among the laws identified it is only the Computer Misuse and Cybercrimes Act 2018 that prescribes offences associated with mishandling of data.





POLICY RECOMMENDATIONS

- There needs to be laws addressing political microtargeting as a separate subject.
- Election laws should define and describe what online platforms entail.
- Kenyan election laws should incorporate record keeping requirement.
- Disclosure requirements should also be included in electoral laws.
- Provisions limiting the period of online political advertising should be included in the electoral laws.
- A clear definition of online political advertising and what it entails should be included in the electoral laws
- Inclusion of a provision on transparency of political advertisements should be incorporated in the electoral laws.



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