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EDITORIAL NOTE

This volume represents concerted calls within and outside Africa on the need for multidisciplinary collaboration and research output. Specifically, papers were drawn from all disciplines and research focuses, which has further increased the quality of research and collegial engagement. Hence, topics covered in this volume cut across the areas of economics, politics, security, ICT, indigenous knowledge, development studies, finance, trade, youth engagement, agriculture, democratization, and nation-building, among others.

For instance, Thizwilondi Josephine Mudau in *African Youths and the Promotion of Sustainable Development through the Lens of Indigenous Knowledge (IKS) in the 21st Century* employed qualitative desktop research methodology in synthesizing existing literature to argue that IKS represents a dynamic body of wisdom encompassing sustainable agriculture, natural resource management, and community resilience and offers proven, contextually grounded solutions to modern challenges like climate change and food insecurity. The analysis highlights youth-led initiatives across the continent that are revitalizing indigenous crops, integrating traditional ecological knowledge with climate adaptation strategies, and using digital platforms for cultural preservation. Mudau concluded that for Africa to achieve authentic and sustainable development, a concerted effort is needed to empower youth through inclusive education, supportive policy frameworks, and intergenerational dialogue, thereby transforming indigenous knowledge from a cultural heritage into a living toolkit for a resilient future.

Masila Joshua Masipa in *Beneficiaries of Corruption? An analysis of the function of South African banks in handling and making money from crime proceeds* adopted institutional theory and the political economy of corruption and a qualitative research design that combines semi-structured interviews with compliance officers, financial regulators, and civil society actors with document analysis of Zondo Commission and Financial Intelligence Centre (FIC) reports, legal statutes, and policy papers in examining how, in spite of strict anti-money-laundering (AML) and anti-corruption laws, South African banks may profit from, handle, or ineffectively stop the flow of monies associated with corruption. Specifically, with an emphasis on whether banks directly or indirectly benefit from the proceeds of crime, Masipa investigated the relationship between financial institutions and illegal financial flows within the following objectives: (1) assess the regulatory framework that oversees AML compliance; (2) examine high-profile cases of corruption in which banks are implicated; (3) evaluate due diligence and institutional accountability; and (4) suggest changes to improve ethical banking governance.

Then Sipho Patrick Bhengu-Mancosa & Andriisha Beharry-Ramraj in *Advancing Small, Medium, and Micro Enterprise Growth through Digitalized Enterprise and Supplier Development in South Africa* examined the current state of Enterprise and Supplier Development (ESD) in South Africa, investigated the role of digitalization in enhancing ESD, identified the challenges and opportunities in digitalizing ESD, and provided recommendations for policymakers, corporates, and Small, Medium, and Micro Enterprises (SMMEs). A qualitative secondary data approach was employed, drawing on thematic analysis of existing literature, reports, and industry initiatives. For key findings, Bhengu-Mancosa & Beharry-Ramraj indicated that ESD adoption remains limited; digitalization (Mancosa) significantly enhances market access and supplier diversity; infrastructure and skills gaps persist; and strategic digital integration can unlock growth opportunities for SMMEs.

Lere Amusan & Ebenezer O. Oni, in their study, *Disinvestment of Multinational Corporations (MNCs) in Developing Areas: An Assessment of Shoprite Disengagement in Nigeria, started by reflecting on why*, at the global level, many MNCs have started to disengage

from their host states. In a bid to respond to the possible reasons, Amusan & Oni pushed further into examining possible reasons that could explain why Shoprite, a large South African retailing company, disinvested from Nigeria after operating in the country for about 15 years, using secondary sources supported by primary data and personal observations. For them, the reasons range from political, economic, marketing, and legal to civil society attitudes towards their business. Employing the twin theories of neoliberalism and oligopoly that facilitate globalization, Amusan & Oni concluded that, aside from losing litigation to its erstwhile Nigerian business partners, competition from domestic and foreign retail companies contributed in no small measure to why Shoprite exited the Nigerian market.

In A sober teacher is a problem”: Unpacking Political Ideology and Emancipatory Struggles Within teacher unionism, Zwane Thembinkosi Trevor & Matsepe David adopted the grounded postcolonial theory in examining how teacher unions embody and deploy political stances and ideologies to promote the emancipation and freedom of education, as well as the broader communities they aim to serve. Clearly, Trevor and Matsepe employed a qualitative interpretivist approach to analyze data from narrative interviews with unionized educators, along with further examination of public union discussions. Key findings of their research indicated four interrelated themes: (1) political consciousness as both a threat to order and a driver of democratic emancipation; (2) teacher unions functioning as a counter-hegemonic force challenging neoliberal geopolitics and political norms; (3) the ideological repositioning of teacher unions as intellectual activists rather than compliant officials; and (4) tensions between political agency and professional identity.

Douglas Nyath in Rural Youth and the Future of Farming in Sub-Saharan Africa: Revisiting the Abandonment Debate explored whether rural youth are truly abandoning agriculture or are instead redefining their involvement through diversified livelihood strategies. It examines the socio-economic, institutional, and cultural factors influencing youth decisions and analyzes how emerging hybrid forms of engagement—such as agripreneurship and part-time farming—are reshaping rural economies. A systematic desktop synthesis of peer-reviewed literature (2000–2025) was conducted using databases like Google Scholar, Scopus, and Web of Science. Nyaath observed that youth disengagement from agriculture is not uniform but context-specific, and the key determinants to such disengagement include land scarcity, education, labor market structures, gender norms, and limited access to finance and technology.

Then, in ***Equal Ideals, Unequal Realities: Gender Dynamics in the Workplace of an International Religious Non-governmental Organisation in Eswatini***, Thembumenzi Jomo Ntshalintshali & Innocent Simphiwe Nojiyeza examined attitudes, experiences, and organizational practices regarding gender roles, power dynamics, and inclusivity by drawing on in-depth interviews and focus groups with 20 employees from a range of departments and hierarchical levels. The results of their findings show that male participants, who were primarily ideologically devoted to gender equality, showed conflicted feelings about shifting power dynamics. Unconscious bias, policy implementation gaps, and organizational culture were equally identified as the primary obstacles to change. The results emphasize that in order to guarantee changes in gender equality, context-specific solutions are required that go beyond the adoption of policies.

In Indigenous Knowledge Systems and Environmental Conservation *Ngugi's Petals of Blood*, Thabo Prince Zondo started by reflecting on members of the impoverished and socio-economically disadvantaged community who are distressed by incessant drought and who consult a seer and offer sacrifices to seek solutions. Using this as a point of departure, Zondo explored how text gestures and Indigenous Knowledge Systems (IKS) address the real dilemmas faced by Africans following the extensive and cross-generational crises that accompany coloniality. In this, Zondo provided an ecocritical reading of the text, drawing on relevant postcolonial/decolonial

ideas to illustrate the ways in which indigenous African epistemologies can indeed boost efforts at environmental conservation and poverty alleviation in rural communities today.

Also, **Rendani Tshifhumul** in *Exploring the Role of African Indigenous Knowledge Systems in Healing Practices and Resilience During the COVID-19 pandemic in Thohoyandou*, presented a narrative inquiry into the experiences of individuals who survived COVID-19 without requiring hospitalization, based on in-depth interviews with three respondents. For Tshifhumul, among the identified practices were the inhalation of steam treated with stones and salt, as well as the application of various herbal concoctions, including *Tshiumbeumbe*, *Musese*, *Mufula Musudzungwane*, *Miora*, and *Mubomo*, guava leaves, and lemon grass tea, including a mixture that comprises onion, ginger, lemon, honey, and garlic. Therefore, Tshifhumul concludes that these findings not only shed light on the adaptive strategies employed by individuals in response to the pandemic but also underscore the significance of traditional healing practices in the context of contemporary health crises. Khulisile Judith Nkuna & Sikhumbuzo Sibuso Khoza, in their work, *Capturing Cultural Heritage: Exploring the Poetic Elements of Domesticated Animal Praise*, carried out an analytical analysis of the lyrical components found in the praises of Siswati domestic animals. Nkuna & Khoza observed that expressing gratitude to animals for their contributions to human life remains a significant goal of animal praise. Reflecting on case studies, they noted that the Nguni people view domestic animals as very close environmental companions, particularly for those who live in rural areas. Praise poetry's primary goal is to commemorate great men's accomplishments. However, the reverse is the case for the Swati people, who have a tradition of honoring non-human animals in their poetry, including the wild animals they encounter in their environs as well as the domestic livestock they raise.

Intaher M. Ambe, Ellsworth C. Jonathan, Phathutshedzo D. Lavhelani,* and David H. Selby, in their study, *Exploring the landscape of demand management practices in the public health sector in the Gauteng Province, South Africa: An Empirical Analysis*, employed secondary sources in determining what demand management practices are employed within Gauteng, South Africa, and public health sector institutions. Findings in their study revealed substantial obstacles in organizational structure, demand management techniques, budget, and alignment between demand planning and strategic goals, as well as supply chain management (SCM) rules, regulations, and specifications. They conclude that the paucity of demand management implementation in public sector organizations reveals a misalignment between strategic goals, demand management, and demand planning, resulting in a loss of value for public sector organizations.

Aderinsola E. Kayode, Shalini Sing, & Patricia P. Badenhorst's research, *ICT for Indigenous Knowledge Dissemination and Education in Africa: A Systematic Review*, conducted a systematic review of literature published between 2015 and 2025 to examine how ICT tools and platforms have been deployed to support indigenous knowledge dissemination and education in African contexts. The findings of their research indicated that ICT can enhance indigenous knowledge preservation, improve youth engagement, facilitate intergenerational learning, and broaden global visibility of African knowledge systems when implemented with community participation. However, challenges remain regarding digital access, cultural sensitivity, intellectual property rights, and the sustainability of technology-driven initiatives.

In *Donald Trump-Twitter Diplomatic Disruptions And Impact On The Post-World War II International Order.*, Ndivhoniwani Aaron Tshidzumba & Puseletso Nthate examine how President Donald Trump's unprecedented use of Twitter as a direct channel for foreign policy communication disrupted established diplomatic norms inherited from the post-World War II international order. Through content analysis of Trump's social media communications, examination of foreign policy outcomes, and comparative analysis with traditional diplomatic practices, Tshidzumba & Nthate demonstrated that Trump's social media presidency constituted a

significant departure from institutional diplomacy and contributed to broader challenges facing the established international order. Further findings reveal that digital direct engagement by heads of state bypasses institutional constraints, undermines multilateral consensus-building, and creates new vulnerabilities in international relations.

Furthermore, in ***Determinants And Effect Of Small-Scale Livestock Production On Household Income In Malawi: Evidence From Fifth Integrated Household Survey***, Gladson Andrew Chipala, Christopher Chombo & Hannah Dunga examined the determinants and effects of small-scale livestock production on household income among farmers in Malawi, using cross-sectional data from the Fifth Integrated Household Survey (IHS5) with a sample of 8,795 households. Their key findings indicate that household size, access to credit, access to extension services, landholding size, distance to the market, and location in the Northern region significantly increase the likelihood of participation in livestock production. Notably, households engaged in livestock production earned, on average, an additional MWK 36,405.76 compared to non-producing households, demonstrating its important role in improving economic welfare.

In ***Navigating Artificial Intelligence Personalization and Consumer Privacy in Digital Marketing across South Africa and Global Contexts***, Suraksha Moothura and Andrishah Beharry-Ramraj critically examined how AI-driven hyper-personalization in digital marketing influences consumer privacy, with a specific focus on its ethical implications and regulatory challenges in South Africa in comparison to global standards using desktop literature review methodology. Moothura & Beharry—Ramraj observed that ethical concerns such as manipulation, algorithmic bias, and reduced consumer autonomy were found to be inadequately addressed in South Africa, where legal instruments like POPIA lack the specificity and enforcement capacity evident in global standards like the GDPR. Taleat, Bisiriyu Abiodun & Lukamba, Muhlya Tshombe's article, ***Energy Sustainability and Sustainable Development Agenda: The Role of Public-Private Partnership in South Africa***, investigated the role and effectiveness of Public-Private Partnerships (PPPs) in South Africa's energy development towards sustainability using a qualitative desk research methodology to analyze secondary data from policy documents, scholarly literature, and government publications. For Abiodun & Tshombe, key findings demonstrate that PPPs have attracted a substantial amount of private investment and benefited the economy through job creation and community development. However, institutional and systemic barriers, e.g., Eskom monopoly, regulatory uncertainty, grid integration constraints, and institutionalized dependency on coal, impede the full implementation of PPPs in accelerating the energy transformation. Hence, they recommend policy stability, energy regulation reform, enhancing financial methods, and ensuring that social equity consideration is factored into PPP structures.

For Olukayode Idris Lasisi in ***The Governance–Development Nexus in Nigeria: A Conceptual Synthesis of Good Governance and Policy Discourse Theories***, a qualitative, conceptual, and desk-based review approach was employed, relying on the literature, policy documents, and theoretical frameworks in reevaluating the governance development interface in Nigeria in terms of the role of institutional weaknesses, the inconsistency of policies, and discursive framing in the determination of sustainable development outcomes. Findings revealed that weak institutions, corruption, bureaucratic inefficiencies, low accountability, and marginalization in policymaking processes bedeviled Nigeria's sustainable development, thereby distorting policy implementation and weakening effective service delivery. Lasisi concludes by calling for the need to strengthen institutions, improve transparency, guarantee policy sustainability, encourage civic participation, and apply digital governance solutions, which is essential to attaining sustainable development.

Eyitayo Francis Adanlawo & Mpho Chaka in ***The Effect of Ethnicity And Politics on the Democratization of African Nations*** examined the theoretical challenge that ethnicity poses to the African state and the challenges it poses for democratization on the continent. To guide the

discourse, critical questions are raised: What kind of connection exists in Africa between politics and ethnicity? Under what conditions may ethnicity either support or undermine democracy? Can citizenship rights be reconciled with ethnicity? . Furthermore, Adanlawo & Chaka explored the evolution of ethnicity from the viewpoints of development communication and provided it with a psycho-social meaning. In their conclusion, Adalanwo & Chaka posited that, if ethnicity has an informative component, we should anticipate that voters' reliance on ethnic cues will decrease when certain forms of higher-quality information become available.

Lindokuhle Senamile Ntuli & Innocent Simphiwe Nojiyeza in ***Does Resource Scarcity Constrain Rural Women's Entrepreneurial Performance in KwaZulu-Natal, South Africa?***, examined whether resource scarcity significantly constrains the entrepreneurial performance of rural women in KwaZulu-Natal (KZN), South Africa. Anchored in the Resource-Based View (RBV), the study adopts a quantitative research design using survey data collected from 273 rural women entrepreneurs across uMhlabuyalingana, Big5Hlabisa, and eJozini municipalities. **Ntuli & Nojiyeza** revealed statistically significant relationships between entrepreneurial performance and seven resource-based constraints: leadership skills, financial institutional barriers, entrepreneurial experience, regulatory constraints, access to financial resources, technological limitations, and limited training opportunities. Lastly, in ***Transformative Governance Frontiers: Relational Public Administration for Smart City Inclusivity***, Melvin Diedericks examined the conceptualization of informal systems in the context of South African smart city initiatives. By repositioning informal systems as co-creators in urban governance, this study advocates for a paradigm shift from technocratic optimization to relational inclusion. This reframing aligns with South Africa's constitutional and developmental goals, enabling transformative governance and the effective localization of SDGs in sustainable cities.

It is expected that these works compiled in this volume will further enrich the discourse and provide policy options to individuals, governments, and countries, particularly in Africa.

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NAVIGATING ARTIFICIAL INTELLIGENCE PERSONALISATION AND CONSUMER PRIVACY IN DIGITAL MARKETING ACROSS SOUTH AFRICA AND GLOBAL CONTEXTS

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Abstract

Artificial Intelligence (AI)-driven hyper-personalisation has reconfigured digital marketing by embedding predictive analytics and automated decision-making into everyday consumer interactions. While these systems enhance marketing efficiency and engagement, they simultaneously intensify concerns regarding surveillance, behavioural manipulation, and erosion of consumer autonomy. Existing global scholarship recognises these risks; however, limited context-specific analysis interrogates how such dynamics unfold within emerging regulatory environments. This study addresses that gap by critically examining how AI-driven hyper-personalisation reshapes consumer privacy in South Africa and evaluating the adequacy of its regulatory framework in comparison with international standards such as the European Union's General Data Protection Regulation (GDPR) and the California Consumer Privacy Act (CCPA). A desktop-based systematic literature review was conducted using the Preferred Reporting Items for Systematic Reviews and Meta-Analyses (PRISMA) framework to synthesise peer-reviewed studies published between 2019 and 2025. The findings reveal that AI-driven personalisation systems operate through opaque algorithmic profiling mechanisms that weaken informed consent and shift control away from consumers. Although South Africa's Protection of Personal Information Act (POPIA) establishes foundational data protection principles, it lacks AI-specific provisions addressing explainability, automated decision-making, and effective consumer redress. In contrast, while the GDPR and CCPA provide more explicit safeguards, enforcement and technical interpretability challenges persist even within these jurisdictions. The study argues that the regulatory disparity between South Africa and more mature digital economies exposes local consumers to heightened risks within transnational digital marketing ecosystems. It concludes that strengthening AI-specific governance, enhancing institutional audit capacity, and embedding ethical design principles are necessary to reconcile technological innovation with consumer rights in both South African and global contexts.

Keywords: *AI-driven personalisation, consumer privacy, digital marketing ethics, marketing regulatory frameworks*

Introduction

Artificial Intelligence (AI) has become embedded in contemporary digital marketing infrastructures, fundamentally altering how firms generate value from consumer data. In the current data-driven economy, personalisation is no longer a strategic enhancement but an operational default. However, while AI-powered hyper-personalisation promises efficiency, relevance, and predictive precision, it simultaneously restructures the balance of power between consumers and digital platforms. This study proceeds from the position that the rapid institutionalisation of AI in marketing has not been matched by equivalent advances in ethical safeguards, regulatory oversight, or consumer agency, particularly within emerging digital economies.

Hyper-personalisation extends beyond conventional segmentation by deploying machine learning and natural language processing to infer behavioural patterns and anticipate consumer responses in real time (Alkhalili, 2023; Gungunawat, Khandelwal & Gupta, 2024). This technological capability has intensified expectations of contextual and emotionally responsive engagement (Bani, 2024; Wagh & Ramesh, 2024). However, the same systems that enhance relevance also rely on opaque algorithmic processes that obscure how decisions are made and how personal data is transformed into predictive profiles. Scholars caution that AI-driven personalisation often operates as a “black box,” limiting explainability and weakening meaningful consumer autonomy (Rai, 2019; Kejriwal, 2022). The central concern, therefore, is not personalisation itself, but the governance deficit that accompanies it.

This governance tension is particularly acute in South Africa. The Protection of Personal Information Act (POPIA) establishes a general data protection framework, yet it was not designed specifically for automated decision-making ecosystems driven by predictive analytics (Mbonye, Moodley & Nyika, 2024). While global instruments such as the European Union’s General Data Protection Regulation (GDPR) and the California Consumer Privacy Act (CCPA) have begun to confront algorithmic accountability more directly, even these regimes struggle to keep pace with AI innovation (Issaoui, Örtensjö & Islam, 2023). In emerging economies, structural constraints (including limited technical audit capacity and infrastructural weaknesses) further complicate enforcement (Arakpogun, Elsahn, Olan & Elsahn, 2021). Consequently, South Africa occupies a regulatory space where AI-enabled marketing expands rapidly within a framework that remains largely generalist rather than AI-specific.

Beyond legality, the ethical implications are profound. Algorithmic profiling risks normalizing behavioural surveillance, subtle manipulation, and discriminatory outputs, particularly where systems operate without transparency or effective redress mechanisms (Brkan & Bonnet, 2020). Consent, traditionally treated as the cornerstone of data protection, becomes weakened when users engage digital platforms under conditions of informational asymmetry and “functional ignorance” (Shanbhag, Dasi, Singla & Balasubramanian, 2024). In societies marked by historical inequality and uneven digital literacy, these asymmetries may reinforce structural vulnerabilities rather than merely reflect technological progress. Ethical evaluation of AI in marketing, therefore, requires more than compliance; it requires interrogation of how predictive efficiency intersects with justice, dignity, and fairness (Karami, Shemshaki & Ghazanfar, 2024).

Despite growing global scholarship on AI ethics and data governance, limited research critically examines how AI-driven hyper-personalisation operates within the specific regulatory and socio-economic conditions of South Africa, particularly in comparative dialogue with more mature jurisdictions. Existing studies either focus broadly on global AI governance or address South African data protection in general terms, without isolating the distinctive risks introduced by predictive marketing ecosystems. This gap obscures how hyper-personalisation reshapes consumer privacy norms in contexts where regulatory capacity, digital literacy, and enforcement mechanisms differ significantly from those in the Global North. The absence of context-sensitive analysis limits both theoretical advancement and policy responsiveness.

Accordingly, this study pursues three objectives. First, it critically examines how AI-driven hyper-personalisation in digital marketing restructures consumer privacy and autonomy. Second, it evaluates the adequacy of South Africa's regulatory and institutional frameworks, particularly POPIA, in addressing AI-specific risks. Third, it comparatively analyses South Africa's position against global regulatory models to identify governance gaps and inform more contextually grounded approaches to algorithmic accountability.

Literature Review

Conceptualising AI-Driven Hyper-Personalisation in Digital Marketing

Alkhalili (2023) defines hyper-personalisation as an advanced marketing strategy that leverages real-time data, AI, and behavioural analytics to deliver highly individualized experiences across digital platforms. Unlike traditional personalisation methods that rely on segmented demographic data, hyper-personalisation involves dynamic content

adaptation based on contextual and predictive inputs, enabling firms to anticipate and respond to consumer needs more accurately. Bani (2024) concurs, adding that this strategy has transformed consumer-brand relationships by facilitating immediate and highly relevant digital interactions that align with personal preferences and real-time behaviour.

Wagh and Ramesh (2024) explain that the foundation of hyper-personalisation lies in the integration of AI technologies such as machine learning, predictive analytics, and natural language processing, which collectively process vast volumes of consumer data to generate tailored outputs. For instance, machine learning enables systems to identify patterns in user behaviour and adapt marketing content accordingly, while natural language processing interprets unstructured data such as customer reviews and social media interactions to extract intent and sentiment. Gungunawat et al. (2024) argue that these tools have not only increased marketing efficiency but also heightened user expectations for digital experiences that feel intuitive, personal, and emotionally resonant.

However, Kejriwal (2022) states that this increasing dependence on AI introduces operational complexities and raises concerns about the cost and transparency of implementation. While predictive models offer impressive forecasting abilities, they often operate as 'black boxes' that limit visibility into how recommendations are formed. This concern is echoed by Rai (2019), who asserts that the opacity of algorithmic logic impedes consumers' ability to evaluate the fairness and appropriateness of personalized content, especially when their data has been passively collected. Therefore, while personalisation enhances user engagement, it may simultaneously reduce consumer autonomy and informed consent.

According to Segun-Falade, Osundare, Kedi, Okeleke, Ijomah and Abdul-Azeez (2024), predictive analytics functions as the strategic nerve centre of hyper-personalisation by anticipating future trends, preferences, and purchasing behaviour through real-time learning. Yet, this process relies on the extraction and continual analysis of sensitive consumer data, a practice which Shanbhag et al. (2024) argue can border on intrusive surveillance. This tension between personalisation and privacy is particularly sharp in contexts where data regulation is still evolving, such as South Africa. Mbonye et al. (2024) highlight that although the POPIA sets a legal precedent for responsible data usage, it remains poorly aligned with the speed and sophistication of emerging AI-driven personalisation strategies.

Furthermore, Singh and Kaunert (2024) note that AI-based predictive personalisation has recalibrated how firms define value, shifting the focus from product features to individual consumer relevance. However, Petrescu (2023) cautions that this shift demands a hybrid approach where human oversight complements AI to ensure contextual nuance and ethical judgment are preserved. The convergence of digital marketing and hyper-personalisation is thus not merely a technological evolution but a redefinition of consumer agency, with ethical implications tied to algorithmic influence, data transparency, and digital equity. Yella (2025) emphasizes that as AI becomes embedded across all facets of content creation, targeting, and delivery, marketers must rethink not just how personalisation is achieved, but also what it means for consumer trust and regulatory accountability.

Consumer Privacy in the Age of AI Personalisation

Cloarec (2020) states that consumer privacy in digital environments has

undergone a fundamental shift, evolving from a static concern about data protection into a complex issue of behavioural surveillance and emotional profiling. With AI-powered personalisation now embedded across most digital interfaces, the distinction between voluntarily shared data and passively harvested behaviour has become increasingly blurred. This has raised concerns about the erosion of digital boundaries, where consumer identities are reconstructed through algorithmic inference rather than direct disclosure (Cloarec, 2020). Brkan and Bonnet (2020) further argue that the so-called ‘black box’ nature of AI decision-making compounds this issue, as individuals are often unaware of how their personal data is processed or repurposed for marketing outcomes.

Hari, Sharma, Verma and Chaturvedi (2024) state that AI-enabled hyper-personalisation relies heavily on large-scale data collection that frequently exceeds the boundaries of informed consent. While consent mechanisms exist, they are often reduced to perfunctory checkboxes, failing to reflect meaningful consumer understanding or control. According to Shanbhag et al. (2024), most users engage with digital services under a state of “functional ignorance,” where acceptance of opaque data practices is traded for convenience, thereby normalizing systemic intrusion. This model of interaction fuels what Zuboff (as cited in Oshadi Karunanayaka, Jahankhani, El-Deeb, Will Arachchige and Amin Metwally Hussien, 2024) defines as “surveillance capitalism,” where human experience is commodified into predictive behavioural products for commercial exploitation.

Palle (2023) explains that consumer privacy breaches are no longer limited to identity theft or spam but extend to manipulation through predictive nudging and behavioural engineering. This is particularly problematic when

personalisation systems exploit cognitive biases to steer choices, making marketing not merely responsive but determinative. Chen, Tian and Jiang (2023) concur, noting that the absence of transparency in AI recommendations undermines user autonomy by making influence undetectable. Therefore, personalisation, when unregulated, risks becoming a form of algorithmic coercion that reconfigures the consumer's sense of agency in the marketplace.

Arriagada and Ibáñez (2020) assert that the monetization of personal data is structurally embedded in digital ecosystems, especially on social media platforms, where constant content production and exposure feed surveillance loops. This creates a feedback system where more personalized content leads to more engagement, which in turn generates more data, deepening the privacy trade-off. Eg, Demirkol Tønnesen and Tennfjord (2023) emphasize that these ecosystems are not just technological but cultural, reshaping the norms of what is considered private and acceptable in digital life. In such a context, consent becomes a moving target, shaped more by design and behavioural structure than by legal safeguards.

The risks of personal data exposure are heightened in regions with limited enforcement capacity. Mbonye et al. (2024) argue that although South Africa's POPIA is a significant step forward, it struggles to keep pace with the rapid deployment of AI in consumer-facing applications. Unlike the European Union's GDPR, POPIA lacks robust provisions for algorithmic transparency and individual redress, which makes it difficult for consumers to challenge personalisation practices that violate their privacy (Government Gazette, 2013). Issaoui et al. (2023) point out that even in well-regulated contexts, enforcement of privacy rights remains inconsistent, with organisations often exploiting grey areas in compliance frameworks.

Ethical Dimensions of AI-Powered Personalisation

Hari et al. (2024) assert that the ethical dilemmas surrounding AI-driven personalisation stem from its ability to mimic and influence human cognition, often without the user's awareness or consent. This raises concerns around manipulation, especially when predictive systems are used to exploit psychological vulnerabilities for commercial gain. Drawing on deontological ethics, Karami et al. (2024) argue that any system that bypasses an individual's capacity for informed choice violates the moral imperative to treat individuals as ends in themselves rather than means to a marketing objective. This ethical standpoint highlights the tension between algorithmic efficiency and moral responsibility in digital marketing ecosystems.

One of the most prominent ethical concerns in AI personalisation is algorithmic bias. According to Rodgers, Murray, Stefanidis, Degbey and Tarba (2022), AI systems trained on historical data can perpetuate and even amplify existing social inequalities, leading to discriminatory targeting or exclusion. This is particularly problematic in marketing contexts, where biased recommendations may reinforce stereotypes or restrict access to certain products and services. From a virtue ethics perspective, Shanbhag et al. (2024) explain that fairness, inclusivity, and respect for diversity must be integral to system design, yet these principles are often sidelined in favour of predictive accuracy. Therefore, while personalisation increases relevance, it may compromise the ethical values that underpin just and equitable digital interaction.

Transparency, or the lack thereof, represents another ethical fault line. Rai (2019) explains that many AI personalisation systems operate as 'black

boxes', making it difficult for users to understand why certain content or offers are presented to them. This opacity undermines trust and prevents individuals from making autonomous decisions. McLennan, Fiske, Tigard, Müller, Haddadin and Buyx (2022) propose an embedded ethics framework that would require developers and marketers to integrate transparency and explainability at every stage of algorithmic design. However, as Babatunde, Odejide, Edunjobi and Ogundipe (2024) contend, commercial pressures often incentivize opacity over openness, thereby privileging profit over ethical clarity. The utilitarian justification, that such systems increase overall efficiency and satisfaction, is challenged when the costs to individual autonomy and agency are ignored.

User manipulation is increasingly viewed as an ethical breach, especially when personalisation tactics are designed to steer consumer behaviour without explicit consent. Palle (2023) describes this as a form of digital coercion where algorithmic systems pre-empt user needs and subtly restrict choice structure. While such strategies may optimise engagement and conversion, they raise serious ethical concerns about consumer sovereignty. Khandelwal (2023) concurs, noting that while AI tools like those used by Netflix improve user satisfaction, they also pose risks of creating echo chambers that limit exposure to diverse content and ideas. This challenges the assumption that personalisation inherently enhances consumer welfare.

Furthermore, Karami et al. (2024) caution against over-reliance on utilitarian reasoning in evaluating AI personalisation, noting that the pursuit of the greatest good for the greatest number may come at the expense of marginalised or less data-visible users. Ethical decision-making in AI marketing must therefore balance consequentialist outcomes with duties to protect individual

rights and uphold moral integrity. As Petrescu (2023) suggests, hybrid intelligence, where human oversight complements AI systems, offers a potential safeguard against ethical lapses, but only if embedded within a framework of normative accountability.

Regulatory Frameworks Governing AI and Data Privacy: A Global Perspective

The surge in AI-powered personalisation technologies has brought regulatory frameworks under intense scrutiny, particularly regarding their effectiveness in safeguarding consumer rights and data privacy. The European Union's GDPR is widely acknowledged as one of the most robust legislative instruments for managing personal data in the age of AI. Brkan and Bonnet (2020) state that the GDPR's provision for data subject rights, such as the right to explanation, the right to erasure, and data portability, are foundational in establishing a transparent digital ecosystem. However, they also highlight that practical enforcement of these rights, particularly regarding the explainability of algorithmic decisions, remains technically and legally complex, raising questions about whether the regulation fully achieves its intended protective function (Brkan & Bonnet, 2020).

Similarly, Issaoui et al. (2023) explain that GDPR compliance across different jurisdictions has shown inconsistencies, especially within cloud services, where control over data flows and accountability for breaches is often fragmented. They argue that although GDPR compels companies to adopt data protection by design, enforcement varies across member states, and many organizations lack the capacity to interpret and implement its AI-related provisions effectively (Issaoui et al., 2023). Therefore, while GDPR serves as a global benchmark, its applicability to AI-powered personalisation systems,

particularly black-box algorithms, remains contested.

Across the Atlantic, the CCPA represents the United States' most notable attempt at comprehensive data protection. According to Isaca (2020), the CCPA empowers consumers with rights similar to those in the GDPR, such as the right to opt out of data sales and the right to request information on how their data is used. However, Isaca (2020) also asserts that the CCPA is more lenient in its scope and implementation, especially concerning algorithmic transparency and predictive analytics, which are central to AI personalisation. Unlike the GDPR, the CCPA does not explicitly regulate automated decision-making, leaving gaps in consumer protection where AI-driven personalisation is concerned.

Furthermore, McLennan et al. (2022) emphasize the need for integrating ethics into regulatory processes, arguing that legal compliance alone is insufficient for ensuring responsible AI use. They propose an embedded ethics model that complements regulatory oversight with proactive ethical evaluation during the system development lifecycle. However, as Arakpogun et al. (2021) caution, this approach faces implementation challenges in regions with limited regulatory maturity, such as many African countries, where data protection frameworks are still evolving. The authors explain that while African states are increasingly adopting data privacy laws, most lack enforcement mechanisms and regulatory agencies capable of auditing complex AI systems (Arakpogun et al., 2021).

From a corporate standpoint, Haleem, Javaid, Qadri, Singh and Suman (2022) note that many global firms prefer regulatory environments like the U.S. because of their flexibility, even if it compromises user protection. They argue that weaker regulations tend to foster innovation but often at the expense of

privacy, especially in fast-moving domains like hyper-personalized marketing. In contrast, the European model favours cautious innovation grounded in risk mitigation and rights preservation (Haleem et al., 2022). This regulatory divergence creates uneven protections for consumers depending on geographical location, underscoring the urgent need for harmonized global standards.

South Africa's Legal and Institutional Response to AI in Marketing

The legal and institutional landscape in South Africa is actively evolving to confront the opportunities and threats posed by AI-driven marketing, especially concerning hyper-personalisation and consumer data privacy. Central to this effort is the POPIA, which was enacted to regulate the processing of personal information and to align South Africa with international data protection norms. Mbonye et al. (2024) state that POPIA provides a framework that holds both private and public entities accountable for data protection, including stipulations on lawful processing, consent, and data subject participation. However, they argue that while POPIA is conceptually robust, it remains under strain when addressing algorithmic opacity and the complex profiling systems used in AI personalisation (Mbonye et al., 2024).

According to the Government Gazette (2013), POPIA mandates that personal data must be collected for a specific, explicitly defined, and lawful purpose. Yet, in the AI marketing context, predictive systems frequently exceed the scope of originally declared data usage, blurring the lines of lawful consent. This challenge becomes even more salient when dealing with machine learning algorithms that derive new insights from consumer behaviour patterns not initially covered in user agreements. The Information Regulator SA (2024) concurs that such practices raise questions about

informed consent, particularly when marketing systems evolve dynamically and lack transparency in how personal data drives personalized content delivery.

Institutionally, the Information Regulator serves as South Africa's main oversight body for enforcing POPIA compliance and promoting responsible data governance. However, Arakpogun et al. (2021) argue that many African regulatory bodies, including South Africa's, lack the capacity and technical expertise to audit complex AI models effectively. They explain that without institutional readiness in terms of AI literacy, algorithmic auditing capabilities, and inter-agency collaboration, enforcement remains superficial and reactive rather than proactive (Arakpogun et al., 2021). Therefore, even when legal structures are in place, institutional limitations undermine the actual governance of AI in marketing ecosystems.

The readiness of South African firms to implement ethical AI-driven personalisation within regulatory boundaries is also uneven. Arora, Ensslen, Fiedler, Liu, Robinson, Stein and Schöler (2021) explain that firms adopting AI personalisation often prioritize customer engagement and competitive advantage, sometimes at the expense of regulatory compliance. They note that the pressure to deliver tailored experiences can lead companies to bypass or inadequately implement privacy safeguards, particularly among small- to medium-sized enterprises that lack dedicated compliance infrastructure (Arora et al., 2021). This tension between innovation and accountability presents a significant barrier to aligning corporate practices with ethical marketing principles.

Furthermore, Alkhalili (2023) asserts that while South African companies increasingly recognize the commercial value of AI personalisation, their understanding of the ethical and legal complexities remains superficial. This is

compounded by the lack of sector-specific guidance on how to ethically operationalize personalisation tools, especially in consumer-facing industries such as retail and financial services. Consequently, although POPIA offers a general framework, there is a vacuum in practical implementation protocols for AI-specific marketing technologies.

Comparative Gaps and Policy Alignment between South Africa and Global Best Practices

South Africa's attempt to align with global regulatory and ethical standards in AI-driven personalisation remains an evolving challenge. According to Mbonye et al. (2024), the POPIA forms the cornerstone of South Africa's data privacy regime, yet it is not sufficiently tailored to address the unique implications of AI in digital marketing contexts. In contrast, global frameworks like the GDPR in the European Union and the CCPA in the United States explicitly define provisions around automated decision-making and algorithmic transparency, which are central to AI personalisation strategies (Issaoui et al., 2023). This difference in regulatory maturity introduces a critical disparity in safeguarding consumer autonomy across jurisdictions.

Furthermore, Isaca (2020) states that the GDPR mandates organisations to offer meaningful explanation and opt-out mechanisms when profiling individuals using automated systems. These mechanisms are essential in mitigating risks related to algorithmic bias and opaque data practices, issues often embedded in AI-powered personalisation (Brkan & Bonnet, 2020). South Africa's POPIA, by contrast, does not yet provide a robust legal basis for explaining how AI systems derive profiling outcomes, which leaves consumers vulnerable to exploitation without avenues for redress (Government Gazette, 2013). Therefore, the gap is not just legal but epistemological, highlighting the absence

of institutional familiarity with the technical dimensions of AI decision-making.

Additionally, while countries under the GDPR and CCPA regimes have begun integrating AI ethics councils, ombudsman offices, and algorithmic auditing standards, South Africa continues to rely on reactive compliance measures (Information Regulator SA, 2024). According to McLennan et al. (2022), such reactive postures are insufficient in environments where personalisation operates in real-time, necessitating agile oversight models. South Africa's Information Regulator has issued guidance on direct marketing, yet the implementation lacks the institutional agility to enforce these guidelines against dynamically evolving AI tools. This institutional inertia further widens the policy distance between South Africa and the regulatory foresight demonstrated by jurisdictions like the European Union.

Arakpogun et al. (2021) assert that the structural weakness in South Africa's AI oversight stems in part from capacity constraints, limited funding, and the absence of inter-sectoral collaboration. By comparison, the European Commission has advanced frameworks such as the AI Act, which proactively categorizes risks and sets compliance thresholds before deployment. South Africa's approach, as described by Mbonye et al. (2024), remains focused on general data protection principles without adequately embedding AI-specific protocols into legislation. This lack of specificity hinders local firms from fully understanding the ethical boundaries of AI personalisation.

However, Arees (2022) explains that the ethical ambitions embedded in global standards can serve as guiding norms for South Africa, especially in drafting sector-specific codes of conduct for AI use in marketing. Yet such harmonisation requires legal and technological

interoperability, conditions not yet met due to divergent infrastructural and institutional maturity. According to Karami et al. (2024), policy alignment is only effective when supported by ethical awareness, technical fluency, and enforceable governance, elements that are currently unevenly distributed across regions.

Therefore, while POPIA lays a foundational legal framework, its insufficiency in regulating AI-driven personalisation in line with global best practices underscores an urgent need for systemic realignment. Without this, South African consumers remain at a regulatory disadvantage in the global digital economy (Mbonye et al., 2024).

Theoretical Framework

This study is theoretically grounded in Surveillance Capitalism Theory, which conceptualises contemporary digital markets as economic systems structured around the extraction, analysis, and commodification of behavioural data. Within this framework, digital platforms do not merely facilitate exchange but transform human experience into data assets that can be predicted, modified, and monetised. Surveillance is therefore not incidental to digital marketing; it is constitutive of its economic logic. Fuchs (2013) situates this process within a broader political economy of surveillance, arguing that data extraction represents a new modality of capital accumulation in which user activity becomes both labour and commodity. In this sense, AI-driven hyper-personalisation reflects an intensified stage of data capitalism, where algorithmic infrastructures convert behavioural traces into predictive intelligence that enhances commercial advantage.

Pencolé (2024) advances this understanding by identifying control, exploitation, and social reproduction as central dimensions of surveillance

capitalism. Control operates through algorithmic profiling that structures choice environments; exploitation arises from asymmetrical appropriation of behavioural surplus; and reproduction refers to the normalisation of surveillance practices within everyday digital life. These dimensions are particularly visible in AI-driven marketing systems that anticipate preferences and nudge consumer decisions without transparent deliberation. Rather than framing privacy erosion as a technical malfunction or isolated compliance failure, Surveillance Capitalism Theory positions it as a structural feature of data-driven economic organisation.

Scherer and Neesham (2023), drawing on a post-Kantian critical perspective, further argue that surveillance capitalism produces “organised immaturity,” wherein individuals become dependent on algorithmic infrastructures that shape perception and choice while limiting reflexive autonomy. Applied to AI hyper-personalisation, this critique reveals how predictive systems recalibrate agency by embedding behavioural guidance into digital interfaces. The theory thus foregrounds power asymmetries embedded within algorithmic governance, highlighting how informational dominance consolidates authority within corporate platforms while rendering consumers increasingly transparent.

Anchoring this study in Surveillance Capitalism Theory therefore enables a structural interpretation of AI-driven hyper-personalisation in South Africa. It shifts the analytical focus from isolated regulatory gaps to systemic economic incentives that privilege extraction and prediction over autonomy and transparency. By situating POPIA and comparative global frameworks within this broader political-economic lens, the study interrogates not only whether regulation is sufficient, but whether existing governance models can

meaningfully constrain an economic system fundamentally oriented towards behavioural commodification.

In conclusion, the literature reveals that AI-powered hyper-personalisation in digital marketing simultaneously enhances consumer engagement and exposes individuals to significant ethical and privacy risks. While global frameworks like the GDPR and CCPA provide more targeted provisions for algorithmic accountability and consumer protection, South Africa’s POPIA remains limited in its ability to address the rapid evolution of AI technologies. Ethical concerns, ranging from algorithmic opacity and user manipulation to loss of autonomy and biased decision-making, are compounded by institutional and legal gaps that hinder effective oversight. The review underscores that without robust and forward-looking regulation, the use of AI in marketing may erode consumer trust and deepen regulatory disparities between developed and developing economies. Therefore, understanding the limitations and strengths of existing frameworks is essential to identifying policy, ethical, and infrastructural realignments needed to navigate AI personalisation responsibly in both local and global contexts.

Methodology

This study employed a PRISMA-guided systematic literature review to ensure methodological transparency, replicability, and analytical rigour. The review followed the four-phase protocol outlined in the PRISMA 2020 statement, namely identification, screening, eligibility, and inclusion (Page et al., 2021). The PRISMA framework was selected because the research question spans interdisciplinary domains, including digital marketing, data protection law, AI ethics, and regulatory governance. Given this conceptual breadth, a structured systematic approach was necessary to avoid selective narrative synthesis and to ensure that study

selection followed a clearly documented and reproducible process.

The literature search was conducted between April and May 2025 using Google Scholar and EBSCOhost (Business Source Complete and Academic Search Ultimate). EBSCOhost was selected for its indexing of peer-reviewed journals in business, law, technology, and social sciences, while Google Scholar was included to capture interdisciplinary and emerging scholarship on AI governance that may not yet be fully indexed in traditional databases. Although reliance on two databases introduces potential coverage limitations, both platforms provide

substantial global reach and cross-disciplinary indexing, which aligns with the comparative and governance-focused scope of this study. The structured Boolean search string applied across both databases was: (“Artificial Intelligence” OR “AI”) AND (“Hyper-Personalisation” OR “Personalised Marketing”) AND (“Digital Marketing”) AND (“Consumer Privacy” OR “Data Protection”) AND (“Ethical” OR “Regulatory” OR “Governance”). Searches were restricted to English-language, peer-reviewed academic publications between 2019 and 2025 to ensure alignment with contemporary AI technological developments and regulatory discourse.

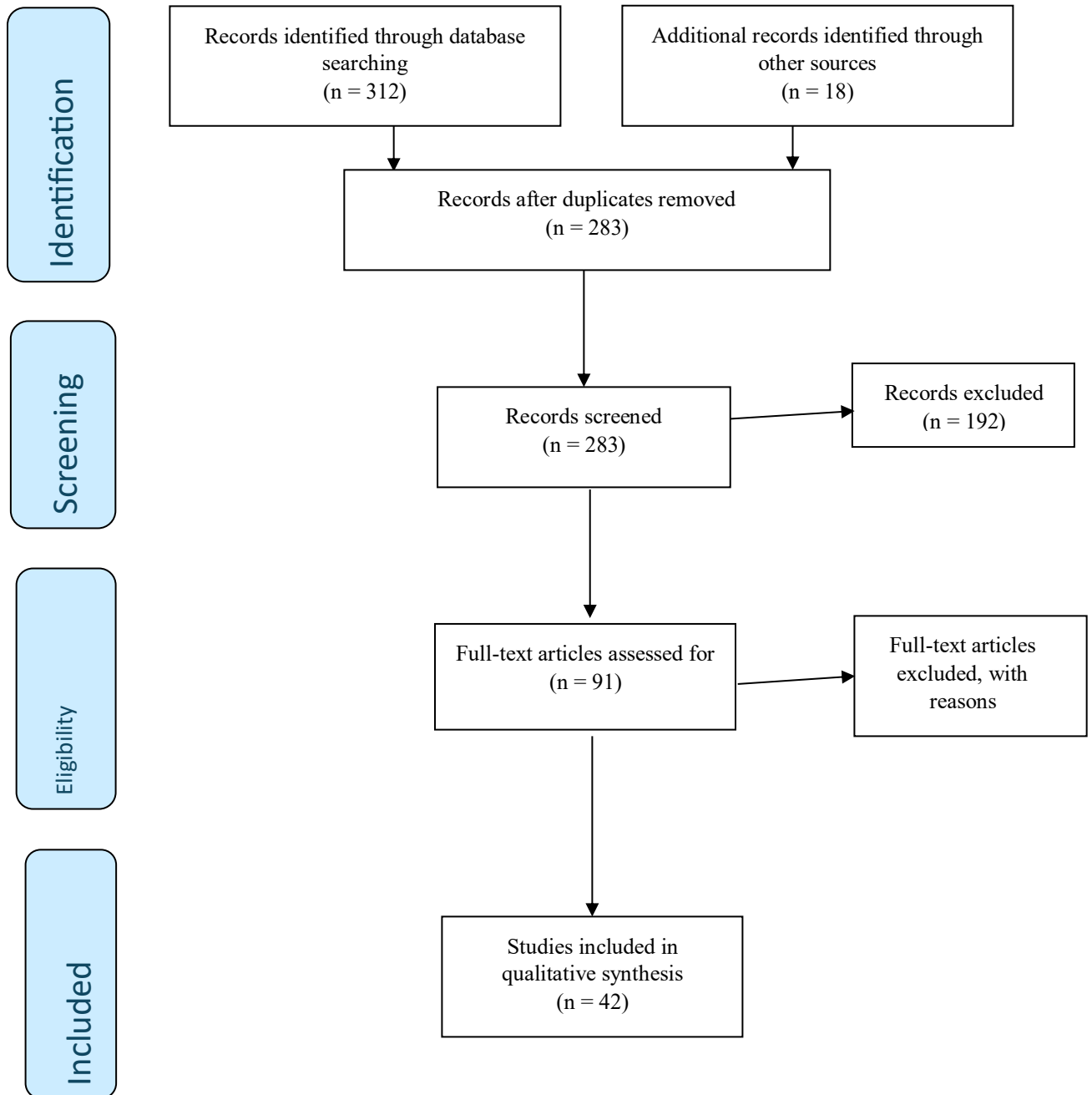


Figure 1: PRISMA 2009 Flow Diagram (Source: adaptation by researcher from Moher D, Liberati A, Tetzlaff J, Altman DG, The PRISMA Group (2009)).

The identification phase yielded 312 records through database searching, with an additional 18 records identified through reference chaining of key articles, resulting in 330 total records. After removing 47 duplicates, 283 unique records remained for screening. During the title and abstract screening phase, 192 records were excluded due to irrelevance, primarily because they focused exclusively on technical AI engineering without privacy implications, general AI ethics without marketing relevance, or non-consumer-facing applications. This left 91 full-text articles for eligibility assessment. At the eligibility stage, 49 full-text articles were excluded for reasons including methodological weakness, lack of regulatory focus, purely opinion-based commentary, or insufficient connection to AI-driven personalisation in digital marketing. Ultimately, 42 studies were included in the final qualitative synthesis. No quantitative meta-analysis was conducted due to conceptual and methodological heterogeneity across legal, ethical, and marketing scholarship.

To strengthen methodological credibility, included studies were subjected to critical appraisal based on three evaluative criteria: conceptual clarity in defining AI personalisation or regulatory constructs, methodological robustness (including empirical design, doctrinal legal analysis, or systematic review structure), and relevance to consumer privacy governance or comparative regulatory analysis. Rather than claiming elimination of researcher bias, this study acknowledges that interpretive judgement is inherent in thematic synthesis. Bias mitigation was addressed through predefined inclusion criteria, consistent application of search strings, structured documentation of exclusions, and transparent numerical reporting.

Data analysis followed a thematic synthesis approach. The 42 included studies were coded iteratively to identify recurring patterns across technological, ethical, legal, and comparative governance dimensions. Six core themes emerged: the technical architecture of AI-driven hyper-personalisation; privacy erosion and evolving consent models; ethical tensions including algorithmic bias and manipulation; global regulatory responses such as the General Data Protection Regulation and the California Consumer Privacy Act; South Africa's Protection of Personal Information Act framework; and comparative governance gaps between South Africa and mature digital jurisdictions. This structured synthesis enabled a critical comparative analysis rather than a descriptive literature aggregation, thereby strengthening the study's originality and analytical contribution.

Findings and Discussion

This study examined how AI-driven hyper-personalisation in digital marketing restructures consumer privacy and regulatory governance within South Africa, situated against global standards. While the literature converges around concerns relating to opacity, consent erosion, and institutional insufficiency, closer examination reveals deeper theoretical tensions that complicate the dominant narrative. Rather than simply demonstrating that AI personalisation threatens privacy, the synthesis exposes competing normative assumptions about innovation, autonomy, economic value, and state capacity. The six thematic clusters identified through systematic analysis are therefore reinterpreted here not as isolated categories, but as interconnected fault lines within contemporary digital governance.



Reframing Hyper-Personalization: Efficiency Versus Autonomy

The first critical tension lies in how hyper-personalisation is conceptualised. A substantial body of literature marks AI-driven marketing as a transformative efficiency mechanism that enhances customer experience and optimises engagement (Alkhalili, 2023; Bani, 2024). From this perspective, predictive analytics represents an evolutionary improvement over demographic segmentation, enabling firms to anticipate needs and deliver contextually relevant interactions. The assumption underpinning this view is largely utilitarian: personalisation increases aggregate welfare by reducing friction and improving satisfaction.

However, this celebratory framing rests on an implicit trade-off that is rarely problematised in marketing scholarship. Scholars such as Rai (2019) and Kejriwal (2022) caution that predictive systems operate as black boxes whose internal logic is inaccessible even to developers. This creates a paradox: the more technically sophisticated personalisation becomes, the less intelligible it is to the individuals it profiles. Thus, while efficiency increases, epistemic asymmetry deepens. The contradiction is significant because personalisation is framed as empowerment through relevance, yet it simultaneously constrains autonomy by limiting users' awareness of how options are curated.

Moreover, the literature diverges on whether predictive engagement enhances or displaces agency. Singh and Kaunert (2024) describe hyper-personalisation as delivering "dynamic customer experiences," implying reciprocal interaction. Yet Chen et al. (2023) demonstrate that post hoc explanations

rarely restore autonomy once algorithmic nudging has occurred. This empirical tension suggests that personalisation may simulate responsiveness without preserving meaningful choice architecture. Therefore, rather than representing a simple technological progression, hyper-personalisation restructures the locus of decision-making power from consumer deliberation to algorithmic inference.

Privacy as Behavioural Autonomy: Expanding the Conceptual Frame

A second major finding concerns the conceptual expansion of privacy. Earlier data protection frameworks focused on informational control, assuming that privacy violations occur when data is improperly accessed or disclosed. However, the reviewed literature increasingly frames privacy as behavioural autonomy rather than mere data ownership (Cloarec, 2020). AI systems do not simply store data; they infer preferences, predict vulnerabilities, and shape environments in ways that pre-empt decision-making.

This shift introduces a normative contradiction. Legal frameworks such as the GDPR and POPIA are primarily designed around lawful processing and consent, yet AI-driven systems operate through continuous inference that often exceeds initial consent parameters. Mbonye et al. (2024) note that POPIA mandates purpose specification, yet machine learning models evolve beyond the original declared purpose. Thus, even when data collection is technically lawful, downstream inference may exceed the epistemic scope of consent.

The literature also presents competing interpretations of consumer complicity. Shanbhag et al. (2024) argue that users operate in a state of "functional ignorance," normalising intrusive data practices in exchange for convenience. In contrast, Arriagada and Ibáñez (2020)

suggest that digital participation is culturally embedded, meaning consent is shaped by platform design rather than conscious trade-offs. These positions differ in attribution of responsibility: one emphasises passive acquiescence, the other structural conditioning. The implication is that privacy erosion cannot be reduced to individual failure to read terms and conditions; it is embedded within socio-technical ecosystems that recalibrate expectations of normality.

This distinction matters for regulatory reform. If privacy erosion is behavioural rather than informational, then compliance-based consent frameworks are structurally insufficient. The tension between informational legality and behavioural manipulation reveals a governance gap that current regulatory tools struggle to address.

Ethical Frameworks: Competing Normative Logics

The ethical analysis in the literature reveals a deeper fragmentation. Deontological perspectives emphasise that AI systems must respect autonomy and treat individuals as ends in themselves (Karami et al., 2024). Under this framework, manipulative nudging and opaque profiling constitute moral violations irrespective of aggregate benefit. Virtue ethics approaches similarly stress fairness and inclusivity, warning against algorithmic bias (Rodgers et al., 2022; Shanbhag et al., 2024).

Yet utilitarian arguments remain influential, particularly within marketing discourse. Babatunde et al. (2024) suggest that personalisation enhances engagement and overall efficiency, implicitly prioritising collective gains. The tension between these frameworks is rarely resolved. If personalisation increases convenience for the majority but disadvantages marginalised groups through biased profiling, how should

regulators weigh these competing harms and benefits?

Moreover, embedded ethics proposals (McLennan et al., 2022) advocate integrating moral reasoning into design processes. However, this approach assumes organisational willingness and capacity to internalise ethical constraints. Arora et al. (2021) demonstrate that competitive pressures often incentivise performance metrics over normative reflection. Thus, ethical embedding may remain aspirational without enforceable accountability structures.

A further contradiction emerges around algorithmic bias. While bias is widely acknowledged as a risk, the literature differs on its source. Some scholars locate bias in flawed training datasets (Rodgers et al., 2022), implying technical remediation. Others argue bias is structurally reproduced through historical inequalities embedded in data economies (Arees, 2022). If bias is systemic rather than technical, incremental model adjustments will not suffice. This divergence complicates simplistic calls for fairness audits and reveals that ethical governance requires structural rather than cosmetic reform.

Global Regulatory Responses: Strengths and Structural Limits

The literature consistently presents the GDPR as a benchmark framework (Brkan & Bonnet, 2020). Its provisions on transparency, data subject rights, and accountability mechanisms represent a significant advancement over earlier privacy regimes. However, closer analysis reveals that the GDPR's effectiveness is contingent upon technical interpretability and enforcement capacity. Issaoui et al. (2023) highlight that even within the European Union, compliance remains inconsistent, particularly in cloud-based infrastructures.

This exposes a critical empirical tension: robust legal architecture does not automatically translate into effective governance. The right to explanation, for instance, presupposes that algorithmic reasoning can be meaningfully articulated. Rai (2019) questions whether complex machine learning systems can provide explanations that are both accurate and comprehensible. If explanations are either oversimplified or technically opaque, the right risks becoming symbolic rather than substantive.

The CCPA, while empowering consumers with opt-out rights, lacks explicit provisions for automated decision-making (Isaca, 2020). This regulatory asymmetry reflects divergent philosophical orientations: the European model prioritises precautionary rights preservation, whereas the U.S. model favours market flexibility (Haleem et al., 2022). Neither fully resolves the governance dilemma posed by dynamic personalisation systems operating at scale.

The literature therefore challenges the assumption that importing GDPR-style principles will automatically remedy governance gaps. Legal transplantation without institutional capacity may create formal alignment without functional equivalence.

South Africa: Normative Alignment Versus Institutional Capacity

The South African case exemplifies this structural dilemma. POPIA aligns conceptually with international data protection standards (Mbonye et al., 2024), yet it lacks AI-specific provisions addressing algorithmic transparency and automated profiling. The contradiction is not merely legislative but institutional. Arakpogun et al. (2021) emphasise that many African regulatory bodies lack technical expertise for algorithmic auditing.

This creates a layered governance gap. First, there is a doctrinal gap, as POPIA does not explicitly regulate automated decision-making. Second, there is an enforcement gap, as institutional capacity to interpret and audit AI systems remains limited. Third, there is a corporate compliance gap, as firms adopt personalisation technologies without fully integrating ethical safeguards (Arora et al., 2021).

Notably, the literature does not present South Africa as uniquely deficient. Rather, it reveals how global regulatory disparities become magnified in contexts where digital infrastructure and enforcement resources are uneven. South Africa's framework is normatively aligned but operationally constrained. This distinction shifts the critique from legislative insufficiency alone to systemic capacity challenges.

Comparative Governance: Beyond Legislative Sophistication

The final thematic synthesis reveals that regulatory divergence between South Africa and mature digital economies reflects differences in institutional maturity rather than mere legislative wording. McLennan et al. (2022) highlight the emergence of proactive ethics councils and algorithmic oversight bodies in some jurisdictions. South Africa, by contrast, remains largely reactive in enforcement posture.

However, the literature also cautions against romanticising global models. Enforcement gaps persist in Europe and the United States (Issaoui et al., 2023). Therefore, the comparative deficit is relative rather than absolute. What differentiates contexts is not the absence of regulation, but the degree of institutional agility and technical literacy embedded within governance structures.

Arees (2022) suggests that harmonisation efforts must account for infrastructural

disparities. Blind replication of GDPR mechanisms without addressing resource constraints may exacerbate compliance burdens without enhancing protection. Thus, comparative analysis reveals that effective governance requires contextual adaptation rather than legislative mimicry.

Integrative Insight: Power Recalibration in Digital Markets

Across these themes, a central insight emerges: AI-driven hyper-personalisation recalibrates power within digital markets. The literature often frames personalisation as a consumer-centric innovation. Yet critical examination demonstrates that predictive systems consolidate epistemic authority within corporate infrastructures. Consumers are increasingly known through inferred data rather than self-disclosure, and regulatory frameworks struggle to keep pace with inferential expansion.

The contradiction is therefore structural. Personalisation promises intimacy and relevance while simultaneously deepening informational asymmetry. Regulatory frameworks aim to preserve autonomy through consent and transparency, yet these mechanisms operate within systems designed to obscure complexity. Ethical frameworks call for fairness and respect, yet commercial incentives prioritise optimisation.

In the South African context, these tensions are amplified by institutional constraints and infrastructural disparities. However, the challenge is not exclusively national; it reflects a global governance struggle to reconcile predictive efficiency with democratic accountability.

Rather than reiterating that opacity and consent erosion are problematic, the analysis demonstrates that these issues are symptoms of a broader transformation in how digital power operates. Hyper-personalisation does not merely

personalise marketing; it reorganises the architecture of choice, knowledge, and control. The critical task for regulators is therefore not simply to refine consent mechanisms, but to rethink governance models capable of addressing behavioural inference and algorithmic influence at scale.

In conclusion, the findings reveal that AI-driven hyper-personalisation simultaneously advances commercial innovation and destabilises normative assumptions underpinning privacy law and consumer protection. While global frameworks provide partial blueprints, their effectiveness depends on institutional capacity, technical literacy, and contextual adaptation. South Africa's regulatory trajectory illustrates both the ambition and the limitations of aligning with global standards without equivalent infrastructural depth. The governance challenge is thus not merely legal, but structural and epistemological. As personalisation technologies become embedded across digital ecosystems, resolving this tension between innovation and accountability becomes not optional but foundational to preserving consumer autonomy in the algorithmic age.

Recommendations

In light of the critical findings presented in this study, a multidimensional response is necessary to address the ethical and regulatory challenges posed by AI-driven hyper-personalisation in digital marketing. First, there is a clear need for South Africa to move beyond broad data protection mandates and establish AI-specific legal provisions that directly govern algorithmic profiling, automated decision-making, and consumer redress. This requires legislative amendments to the POPIA that mirror the precision and scope of frameworks such as the European Union's GDPR, particularly concerning transparency obligations, explainability of AI systems, and the

enforceability of opt-out rights for data subjects. Without such amendments, consumers remain exposed to opaque personalisation systems that operate beyond the boundaries of informed consent and ethical accountability.

Secondly, institutional capacity must be substantially enhanced. The Information Regulator SA and relevant oversight bodies should be equipped not only with the legal mandate but also with the technical expertise to audit AI algorithms, assess profiling practices, and enforce compliance in real time. This can be achieved through the establishment of a dedicated AI ethics and governance unit within the Information Regulator's office, tasked with monitoring high-risk AI systems and developing sector-specific codes of conduct for industries where hyper-personalisation is most prevalent. Such institutional reforms should also include formal partnerships with academic institutions and civil society organisations to support ongoing research, independent oversight, and public engagement on the ethical use of AI in marketing.

Moreover, South African businesses must be supported through regulatory sandboxes and capacity-building initiatives to foster compliance without stifling innovation. Many firms, especially Small and Medium Enterprises, lack the resources to implement robust data governance frameworks. Thus, regulatory agencies, industry associations, and technology developers must collaborate to create accessible toolkits, training programmes, and ethical auditing standards that enable responsible AI deployment. Ethical design principles, such as fairness, inclusivity, and explainability, should be embedded at the inception of personalisation strategies rather than retrofitted under legal pressure. In this regard, hybrid intelligence models that combine human oversight with algorithmic systems offer a

promising avenue for balancing personalisation efficiency with moral integrity.

Lastly, there must be a deliberate effort to harmonise South Africa's regulatory posture with global best practices. While full alignment with the GDPR may not be immediately feasible, adopting its core principles, particularly in relation to algorithmic accountability and user rights, can position South Africa as a digitally sovereign state that prioritises ethical innovation. Engagement in international forums, data protection agreements, and regional policy dialogues within the African Union and the Southern African Development Community (SADC) can facilitate this harmonisation. By doing so, South Africa can mitigate cross-border data risks, attract responsible foreign investment in AI technologies, and safeguard its citizens from the exploitative tendencies of transnational personalisation platforms. Ethical governance, in this context, is not a constraint on innovation but its most vital enabler in the digital age.

Future Research

Future research should explore longitudinal analyses of consumer responses to AI-driven hyper-personalisation within diverse South African demographic segments. While this study highlighted critical theoretical and regulatory issues, empirical investigations are needed to assess how different populations understand, perceive, and negotiate the trade-offs between personalisation and privacy. In particular, future studies could examine the behavioural effects of algorithmic targeting on consumer autonomy and trust over time, especially among vulnerable or digitally marginalised groups. These inquiries would contribute to the contextualisation of global ethical debates within South Africa's unique socio-economic and cultural landscape, offering

more granular insights into consumer agency, informed consent, and digital literacy in AI-mediated marketing environments. Moreover, there is a need to critically evaluate how datafication practices differ across industries such as retail, banking, and healthcare, where personalisation models may have markedly different implications for consumer welfare and regulatory compliance.

Another promising area of future research lies in the comparative evaluation of AI governance models in the Global South. Given the fragmented and evolving nature of AI regulation across the African continent, scholars should investigate how South Africa's approach to regulating hyper-personalisation aligns or diverges from regional counterparts such as Kenya, Nigeria, or Rwanda. This line of inquiry could reveal opportunities for harmonising AI oversight through pan-African frameworks or regional data protection instruments that account for shared infrastructural and institutional limitations.

Furthermore, interdisciplinary research is required to bridge technical, legal, and ethical knowledge gaps, particularly in assessing the operational viability of ethical AI design principles, algorithmic auditing mechanisms, and sector-specific compliance protocols in real-world marketing systems. Such research would be instrumental in informing policy development, stakeholder engagement, and capacity-building strategies aimed at embedding responsible innovation in South Africa's digital economy.

Conclusion

This study has explored how AI-driven hyper-personalisation in digital marketing influences consumer privacy, with a concentrated focus on the ethical and regulatory challenges facing South Africa in relation to global standards. It has become undeniably clear that while

hyper-personalisation enhances marketing efficiency and consumer engagement, it simultaneously introduces complex ethical dilemmas such as algorithmic bias, data manipulation, and erosion of consumer autonomy. The study has demonstrated that AI technologies, particularly machine learning and predictive analytics, transform consumer data into behavioural insights in ways that are often opaque and intrusive. Global regulatory frameworks like the GDPR and CCPA offer more comprehensive safeguards through provisions for algorithmic transparency and individual rights, yet these protections are inconsistently enforced and not easily transferable to developing contexts. In contrast, South Africa's POPIA, although a positive step towards data governance, falls short in addressing the nuanced realities of algorithmic decision-making, surveillance capitalism, and consent in the age of AI.

Therefore, the findings of this study underscore a pressing need for South Africa to bridge its regulatory, ethical, and institutional gaps if it is to protect consumer rights in an increasingly algorithmic marketplace. Legal instruments alone are insufficient without ethical foresight, technical literacy, and institutional agility. The challenges identified in this study are not isolated technical issues, but symptoms of a deeper misalignment between the pace of technological advancement and the maturity of governance mechanisms. As AI personalisation becomes more embedded in everyday marketing practices, the stakes for consumer dignity, autonomy, and trust will only intensify. South Africa's future in the global digital economy will be defined not only by its capacity to innovate but by its resolve to regulate responsibly, equitably, and proactively. This study therefore contributes to an urgent and ongoing conversation that must guide the next

phase of policy, scholarship, and
technological design.

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