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RESEARCH ARTICLE

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What is an online political advert? An interrogation of conceptual challenges in the formation of digital policy response

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Abstract

Despite British and European policymakers' quest to regulate online political advertising, it is not clear what exactly constitutes an online political advert. As with many areas of digital governance, it is therefore necessary to impose definitional criteria, yet the process of doing so is by no means straightforward. Using qualitative interviews, we set out to clarify alternative routes for definition by distilling policymakers' understanding of what it means for a piece of content to be an "advert," "online," and "political." Presenting a series of decision trees that trace policymakers' ideas, we reveal different traits that could be used to create a definition. In addition, we use our interviews to offer insight into the policymaking approach needed when defining complex and contested digital phenomena. Given the array of possible definitional approaches, we argue that policymakers will find it valuable to adopt an argumentative and communicative approach if efforts to gain consensus are to succeed. This article accordingly provides a practical tool for future attempts to define online political advertising, and casts light on the strategies policymakers may use when seeking to define and regulate complex digital phenomena.

KEYWORDS

communicative policymaking, definition, online, policymaking, political advertising, regulation

What is an online political advert? Does the term refer to the paid adverts that political parties and candidates field online ahead of election day? How about social media posts by influencers who are paid to advocate for an environmental campaign? Do Tweets from a charity promoting International Women's Day count? What about an email from a Government promoting voter registration? Each of these examples could conceivably be understood as a form of online political advertising. Whilst a few platform companies such as Facebook and Google have defined what constitutes this form of content, many state actors are only beginning to explore this concept. This is an incredibly complex task because, as a wide body of scholarship has shown, there can be considerable variation in what is thought to be *political* (Fitzgerald, 2013), or *advertising* (Richards & Curran, 2002). As demonstrated by a recent Eurobarometer survey, ideas about what "counts" are not always clear, with 37% of European participants reporting that they could not easily determine whether content they had encountered online was a political advert or not (European Commission, 2021a, p. 10). Such figures illustrate the existence of different views as to what does and does not count, and these differences exist not only amongst the public, but also amongst policymakers and platform companies (Sosnovik & Goga, 2021).

This definitional ambiguity is particularly significant in light of many regulators' recently stated desire to enhance the transparency of online political advertising and exert regulatory oversight (van Drunen, Helberger and Ó Fathaigh, 2022). Reacting to an apparent "multitude of risks associated with online targeted advertising," policymakers have diagnosed a need to protect citizens against adverse effects, particularly "when it comes to political discourse and democratic electoral processes" (European Data Protection Supervisor, 2022, p. 6). As a result, calls for an expansion of existing law have been made (Center for Data Ethics, 2020; European Commission, 2021b; Irish Electoral Reform Act, 2022,22, 2022; Kofi Annan Foundation, 2020, p. 20). Yet, in formulating a response, it has been noted that "[f]ragmented definitions of political advertising across Member States pose challenges when it comes to establishing whether advertising qualifies as political" (European Commission, 2021b). As a result, there is a perceived need in the European Union and the United Kingdom for a "common definition" (Ibid.; Center for Data Ethics, 2020). Whilst some attempts have been made—primarily with the European Commission (2021b; see also Jaursch, 2020)—to develop a definition, in other contexts there has been limited progress.

In seeking to understand and address the definitional challenge faced by policymakers, we argue that conceptualizing and redefining online political adverts is an essential first step in dealing with obstacles that hinder policymaking progress. In doing so, we seek to build a conceptual framework that explores how practitioners view the task of definition formation, what they deem to be a viable approach, and what type of challenge they must overcome to establish widely accepted criteria. Incorporating a variety of perspectives from practitioners, we present an overview of alternative criteria that could be used to define and regulate online political advertising.

In addition to scoping the shape of any possible definition, we also consider the strategies that policymakers may find valuable in producing a definition. Drawing insight from a well-established body of work on "communicative" and "argumentative" policymaking, we follow Fischer and Gottweis (2012, p. 7) in suggesting that "[p]olicymaking is fundamentally an ongoing discursive struggle over the definition and conceptual framing of problems, the public understanding of the issues, the shared meanings that motivate policy responses, and criteria for evaluation" (see also Stone, 2002). From this view, policy formulation or, in our case, the process of formulating a consensual definition of online political advertising, does not involve the identification of value-free criteria, but rather the exercise of political judgment and choice, and the articulation and justification of those choices to secure buy-in (Fischer & Gottweis, 2012; Majone, 1989). In highlighting the considerable contestation that surrounds ideas about the definition of online political

advertising we suggest that it is not possible to "construct a grand model that would combine all the partial perspectives into one general criterion of good policy" (Majone, 1989, p. 9), and that instead policymakers need to arbitrate between and then select the approach they deem most viable. As such, the task of producing a definition of online political advertising can usefully be understood as an essentially argumentative and communicative process in which choice, justification and communication will be paramount.

In exploring the challenge of defining online political advertising, we depart from previous studies that have drawn on academic theory or expert judgments to define particular advertising phenomena (Kerr & Richards, 2021; Richards & Curran, 2002). Rather, we interrogate the attitudes and ideas of those involved in policymaking. By examining their perceptions of what it means for content to be an *advert*, for an advert to be *online*, and for an advert to be *political*, we illuminate the choices inherent in any definitional attempt, outlining these in a series of decision trees that clarify how online political advertising could be defined. Through this activity we attempt to show why securing consensus is challenging, revealing that regulation in this space does not involve the imposition of simple, widely accepted definitional criteria, but will require policymakers to choose, explain and justify any regulatory parameters in line with a communicative approach (Majone, 1989).

To structure this article, we first introduce current tendencies in scholarship about online political advertising, before prefacing our method and then discussing each of the above questions in turn.

A CRITICAL REVIEW OF ONLINE POLITICAL ADVERTISING LITERATURE

As online political advertising has rapidly become a feature of contemporary election campaigns, studies of usage have emerged in the United States (Barrett, 2022; Edelson et al., 2018; Ridout et al., 2021), the United Kingdom (Dommett & Bakir, 2020; Power & Mason, 2023), Canada (Bennett & Gordon, 2020), Brazil (Silva et al., 2020), Ireland (Kirk & Teeling, 2021), Germany (Medina Serrano et al., 2020), across Europe (Kruschinski & Bene, 2022), and beyond. Whilst existing research has mapped campaigns' increasing reliance on online political advertising, and raised concerns about the democratic impact of this activity (Kim et al., 2018; Zuiderveen Borgesius et al., 2018), the vast majority of scholars studying online political advertising fail to define the object of study (Coppock et al., 2020; Edelson et al., 2018; Fulgoni et al., 2016; Hager, 2019; Harker, 2020; Kim et al., 2018; Kruikemeier et al., 2016; Ridout et al., 2021; see Jaursch, 2020 for a notable exception).

Despite this, there is a long-standing literature on the meaning of *advertising*, *online* and *politics* that provides important insights into how each component of online political advertising could be defined. Importantly, this existing work shows the potential for defining online political advertising in alternative ways. First, for scholarship on advertising, it is commonly acknowledged that "there is no widely adopted definition" of what constitutes an advert (Richards & Curran, 2002, p. 64; O'Barr, 2015). Nevertheless, alternative definitional criteria have been cited as indicative. Ahn et al. (2012) for example, define advertisements as "an instrument used to communicate certain content to consumers," stressing that "[t]hrough advertisements, potential consumers can acquire information about a product prior to purchase" (2012, pp. 257–258). Alternatively, Dahlen and Rosengren define advertising as "brand-initiated communication intent on impacting people" (2016, p. 334). Advertising has also been defined as "a paid, mediated form of communication from an identifiable source, designed to persuade the receiver to take some action, now or in the future" (Richards & Curran, 2002, p. 74). This idea of payment is particularly prominent within

existing work, with Rosenberg (1995) similarly defining an advert as "[a] paid-for nonpersonal presentation or promotion of goods, services, and/or ideas" (see also P. Bennett, 1988; Dunn & Barban, 1974; Richards & Curran, 2002; Wells et al., 1998; cf. Dahlen & Rosengren, 2016, p. 336). These approaches place emphasis on different attributes seen to be indicative of advertising, suggesting that policymakers could impose a range of different definitional criteria.

Second, in terms of identifying *online* adverts, similarly diverse attributes have been cited. Evans (2009, p. 37) defines online advertising as "advertising delivered on the Internet" (see also Kox et al., 2017; Peitz & Reisinger, 2015), whilst Ha (2008) describes "deliberate messages placed on third-party web sites including search engines and directories available through Internet access" (2008, p. 31). These approaches tend to contrast online with "offline" advertising, which is commonly treated as synonymous with advertising on "traditional" media such as print, radio, and television (Goldfarb & Tucker, 2011; Peitz & Reisinger, 2015). Some scholars draw a less binary distinction and describe the increasingly penetrable boundaries between older and newer media (Chadwick, 2017). As argued by Jordan (2009, p. 181), "a growing number of people now live in a hybrid world where the boundaries between what is physical (or actual) and what is digital (or electronic) continue to fade," leading the idea of "online" media to be viewed as increasingly irrelevant. Such ideas again show there is limited academic consensus about the distinguishing traits of online media, making it interesting to examine how policymakers understand and navigate this challenge.

Finally, within existing scholarship it is widely recognized that one of the fundamental challenges for anyone considering what constitutes political advertising is 'deciding exactly what counts as a "political" advertisement' (Crain & Nadler, 2019, p. 386). Many studying political advertisements directly have focused on content that attempts 'to convince someone to vote for or against a candidate' (Ridout et al., 2010, p. 3), or that is designed to 'promote the political interests of individuals, parties, groups, governments, or other organizations' (Holtz-Bacha & Kaid, 2006, p. 4; see also Moorman et al., 2019, p. 293; Sheehan, 2014, pp. 217–218). Beyond this there is a broader tradition of analysis looking at the idea of what is *politics* or *political* (W. Bennett, 2012; Leftwich, 2015; Susskind, 2018, p. 70). Dahl (1963), for example, defines politics as "any persistent pattern of human relationships that involves, to a significant extent, power, rule or authority" (1963, p. 6), whilst Hay (1997, p. 50) describes political activity as attempts to "redefine the parameters of what is socially, politically and economically possible for others." Admittedly, the concept of politics is contested as it is "described by a set of characteristics, none of which is always required, which can be combined in different ways, and which jointly are still not always sufficient" (van der Eijk, 2018, p. 9).

Noting these different possible approaches, and in light of ongoing interest in developing a widely accepted definition of online political advertising, within this article we examine practitioners' thinking about the possible ways in which this particular phenomenon could be defined. Rather than offering a new single definition, we set out to identify the alternative parameters that practitioners identify as possible distinguishing criteria. Mapping these in a series of decision trees, we examine policymakers' thinking and trace the implications of their ideas for what should or should not count as indicative of online political advertising. Showing the different parameters that policymakers could choose to impose, and revealing considerable dissensus about appropriate criteria, we suggest that a particular approach to policymaking is required. Drawing insight from a broad body of scholarship conceptualizing policymaking as a process requiring argumentation and communication, we suggest that any effort to regulate online political advertising will involve a process of understanding and choosing between alternative criteria, and then justifying and explaining those choices to secure any form of consensus.

METHODS

In the following analysis, we present data from a total of 19 interviews conducted with practitioners working in regulatory bodies, professional advertising associations, and civil society organizations invested in debates around online political advertising in the United Kingdom and the European Union. The UK and the EU cases are particularly relevant for our analysis as in both contexts there have been calls to define online political advertising to develop further regulation (Center for Data Ethics, 2020; European Commission, 2022c). In the UK, efforts have been made to improve the transparency of digital political campaign material. Historic UK electoral law requires printed election material to contain an "imprint," namely details about who produced and paid for the content, but such a provision did not extend to online election material. The Elections Act, enacted in 2022, which applies to the United Kingdom of Great Britain and Northern Ireland, extends the imprint rules to certain kinds of digital material such as paid political adverts, for which there must be an imprint displaying the name and address of the promoter and anyone else on whose behalf the material has been published (Elections Act, 2022; Electoral Commission, 2022). Meanwhile in the European Commission, proposals have been tabled which address the transparency and targeting of political advertising (European Commission, 2021b; van Drunen et al., 2022). Aiming to standardize currently heterogenous national requirements and procedures, the proposed legislation provides a new definition[1] of political advertising and creates obligations on providers and publishers. It proposes, for example, that this form of content should include a statement that indicates it to be a political advertisement, as well as revealing the identity of the sponsor. Proposals also outline plans for providers to retain information collected on the advertisement, whilst publishers must provide notification mechanisms where individuals can report content they believe does not comply with the rules (Burges Salmon, 2022). These proposals are, at the time of writing, being debated within the European Council (2022).

Our data collection occurred during the early stages of policy discussion in both contexts and as such our interviews captured the perspectives of actors active within debates about how to define an online political advert. It should be noted that our aim in this article is not to show whether a communicative approach was adopted in that context—as we did not study the dynamics of policy development—but rather to reveal why such an approach is likely to have value given the level of contestation we reveal.

Our interviewees were initially selected based on their expertise and involvement in online political advertising activities, as opposed to only online advertising or advertising in general. We approached either senior professionals or those with particular expertise in online political advertising.[2] During interviews, we used snowball sampling to identify other relevant organizations and individuals. Due to the small number of individuals working on this topic, we frequently spoke to one individual per organization, but conducted multiple or group interviews when expertise was more diffuse.

In terms of logistics, semi-structured interviews were conducted by one of two interviewers via video calls from May to July 2021 (initial interviews were conducted jointly to ensure consistency in approach). All interviews were conducted using the same set of semi-structured questions informed by a wider project, one component of which was devoted to definitional questions. Interviews lasted around 50 min, and all but one were audio recorded. Anticipating diversity in interviewees' conception of online political advertising, we asked each individual to give an account of their understanding of this term, and then to reflect in more detail on what differentiates each constituent part of this activity; namely, "advertising," "online," and "political." Transcripts or interview notes were sent to interviewees for approval before being analyzed in Nvivo, where we used an inductive coding process to identify passages relating to the definition or distinguishing

features of online political advertising. In reporting our findings, we highlight alternative foundations for a possible definition of online political advertising and perceptions of the utility of these alternatives. To honor the anonymity agreement, no individual names are cited in this paper. Instead, we refer only to the type of organization that an individual was from and assign a code to identify each interviewee (see Table 1).

DEFINING ONLINE POLITICAL ADVERTISING

To probe the meaning of online political advertising, we started by asking our interviewees to describe what they understood this term to mean, and we received a range of different responses. Some offered detailed definitions, asserting, for example, that an online political advert is "something which deliberately tries to influence the way a voter thinks about a particular issue, election or cause. So that could be anything from a website through to a video, through to a social media post" (interviewee C7). Some gave definitions with a particular focus such as the intent of the advert, specifying "I would see it as paid content on an online platform, which is designed to influence the political views or behaviors of citizens" (interviewee B1). Others provided multifaceted definitions, with one interviewee reflecting:

> Online political advertising is… I think you can cement it in material in two main ways: paid for spend on online platforms by political parties or political affiliated parties, or I would broaden it out and say it's a brand or media effort with a paid contribution, and that might be kind of organic, but paid organic, if that makes sense. So, it's organic advertising, this is by accounts, but it's promoted and used through an agency which is deliberately designing it to make it shared or go viral, etc. (interviewee C8)

Notably, the difficulty of offering a definition was commonly acknowledged by our interviewees. A policymaker noted "the difficulty of defining and setting limits to what is a political ad in the first place, not to mention an issue-based ad" (interviewee D2). Another recalled "perfectly good arguments suggesting that you shouldn't try to specifically characterize political advertising, because it becomes very difficult' (interviewee D1). Some struggled to answer at all, asserting 'this is an incredibly complex question, …which I don't really think has an answer" (interviewee E2).

Despite acknowledging the difficulties of this task, definitional attempts were seen to be vital. As one interviewee reasoned, "if you can't distinguish it, you can't regulate it" (interviewee C3), whilst another reflected that "when you have a loose definition, there can be many interpretations which leads to ambiguity" (interviewee A4). For this reason, each

TABLE 1 Summary of interviewees.

Individual affiliations	Code number	Number of interviewees
Regulatory Bodies	A1-A6	6
Government Advisory Body	B1	1
Civil Society Groups	C1-C8	8
European Commission	D1-D2	2
Professional Advertising Associations	E1-E2	2
Total Number of Interviewees		19

interviewee was eager to discuss possible routes to definition. In the analysis below, we present practitioners' insights into the alternative criteria that can be used to identify, first, an advert, second, online advertising, and third, political advertising. Distilling possible identifiers, in the following section, we develop a series of decision trees to help academics and practitioners appreciate the choices that may inform any possible definition of online political advertising. In each diagram we introduce possible definitional criteria and reflect on the type of content that would 'count' if these criteria were imposed, we also illustrate the types of content that would be excluded and that may lead practitioners to reject (or say no to) particular criteria.

WHAT DOES IT MEAN FOR CONTENT TO BE AN ADVERT?

Within our interviews, when asked about the criteria for identifying an advert, the idea of payment routinely emerged. Echoing an attribute also cited within academic literature, interviewees made comments such as: "I would say that payment is important and that distinguishes advertising from other forms of communication" (interviewee B1). Others similarly noted, "When I hear the word advertising I think paid for advertising" (interviewee C6), or stated that "there has to be a financial exchange behind it" (interviewee C1) or that "as soon as someone is being paid, in monetary form or in some other way, then I think that becomes clearly advertising" (interviewee C7). Reflecting the significance of this criteria, one interviewee explained the difference between paid and unpaid for content including editorial, noting: "if someone is paid to provide [information], …people need to know whether they are being influenced for a particular motive" (interviewee E2).

For the most part, interviewees interpreted payment as a prerequisite for the placement of adverts, noting "political advertising is something which someone has paid for a message to be distributed and communicated in a space which is normally subject to costs to use" (interviewee E2). They also highlighted the significance of having "to pay because you're getting an audience you wouldn't otherwise get" (interviewee C4). From this perspective, billboards, social media advertising banners and paid influencer posts counted as advertising.[3] Payment for distribution or communication was not, however, the only type mentioned. In addition, some interviewees argued that payment for other purposes could also be indicative of advertising. Citing party political campaign material that had been "clearly designed by some kind of brand agency or an agency," one interviewee argued that advertising could involve payment for the creation, not only the dissemination of content (interviewee C8). From this perspective, a distinction could be drawn between material that is made without financial resource (such as when an individual writes a Tweet, or posts a photo taken on their own phone) and disseminated for free, and material where money is expended on content creation and dissemination (such as when a company is paid to design a graphic or advert to be posted on social media, or a professional is hired to take photos or to make videos that are posted online and financially "boosted"). Such examples suggest that payment can emerge at different stages of content creation and dissemination—with payment at either stage potentially deemed indicative of advertising.

Whilst payment was commonly cited as an identifying feature of advertising, a number of interviewees raised questions about the implications of such a choice. Citing the significance of "organic material" manifest in unpaid for content, one interviewee reflected "many would argue that a Tweet is not advertising. I don't buy that argument; a Tweet is a channel. What you put within it may or may not be advertising. And as far as the ASA is concerned, a Tweet can be an ad[4]" (interviewee C5). A group of regulators similarly recalled having "a heated debate in our team about whether a social media post by a politician about the elections that was unpaid for counted as political advertising, as it had many of the characteristics of

political advertising, apart from the fact that it wasn't paid for" (interviewee A4). Other interviewees cited the practical difficulties of using payment to identify advertising because of the increasingly blurred boundaries between paid and unpaid for content. They reflected:

> […] if you think about content that is originally maybe a paid for ad or originally cost money to create, but then gets picked up and shared by other people. My position would be that the sharing of it also constitutes advertising. But then, you're getting into the whole it's not paid for, it's unpaid, it's more of an organic way of spreading material. (interviewee C6)

For those seeking to identify online political advertising, this suggests that different approaches can be taken, and that questions about *whether* and *when* payment occurs can play a role in identifying relevant content. Such differences of opinion suggest that securing consensus is likely to be challenging, making it important for policymakers to clarify and justify the particular choices imposed when formulating a definition. Mapping these ideas to trace the different parameters that could be established to identify advertising (Figure 1), we can see a number of (often imperfect) choices need to be made when attempting to determine what does or does not count.

WHAT DOES IT MEAN FOR AN ADVERT TO BE ONLINE?

The question of what constituted an *online* advert was the most challenging for our interviewees to address, and we saw considerable reticence about what should and should not be viewed as an *online* advert. Inductively coding our interview transcripts, we did, however, identify a number of potential criteria, with references to certain types of media and specific media characteristics as indicative.

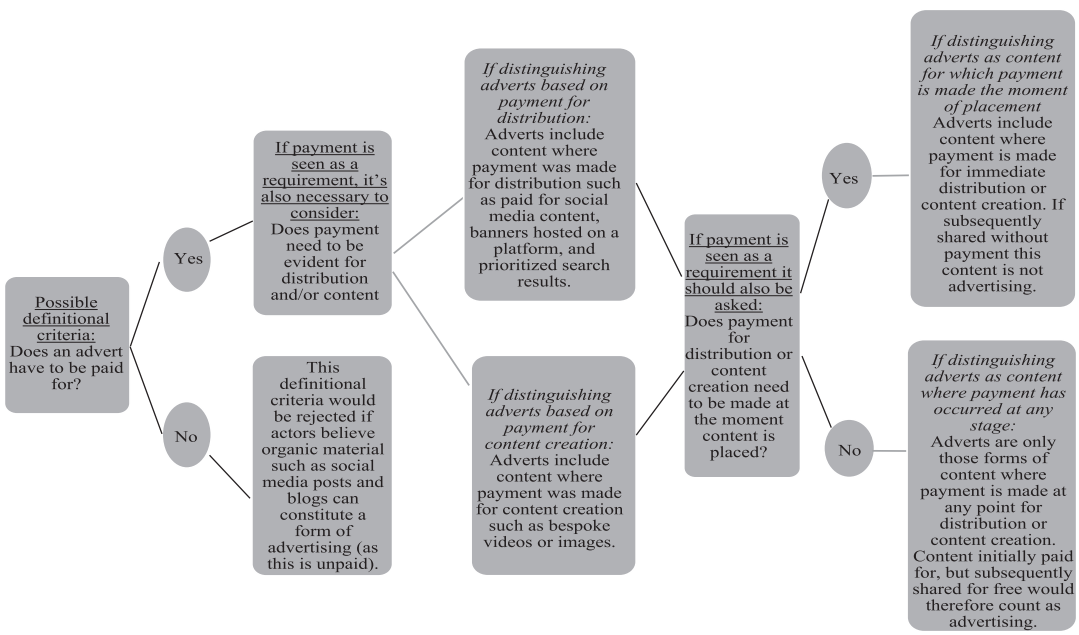

FIGURE 1 Possible criteria for identifying advertising.

First, a number of our interviewees pointed to specific types of media as sites for online advertising. Interviewees cited very different examples of where this type of advertising occurred. There was accordingly widespread agreement that online advertising "can be both on social media platforms, but also on the internet more broadly" (interviewee B1). Whilst numerous interviewees spoke about online advertising channels provided by social media companies, some also noted that traditional, offline media are being increasingly digitally enabled (interviewee E1). Illustrating this point through a discussion of television advertising, one interviewee reflected that it was increasingly challenging to classify television advertisements as online or offline because of the growth of television streaming via web pages or apps, and the way in which televisions are now often connected to the internet. These blurred boundaries were seen to make any attempt to classify particular media as on- or offline challenging, with some interviewees arguing that such labels were likely to "go out of date quite quickly" (interviewee A2).

Taken together, these ideas suggest that certain types of media—such as websites, televisions and other digitally enabled devices—could be viewed as forums on which online political advertising is evident. Mapping these ideas onto a decision tree (Figure 2), we suggest that this question could, therefore, be used to identify an example of an online advert but note that there was no universal agreement about this criterion.

A second theme to emerge within interviews was the distinguishing characteristics of online advertising. The online world of political advertising was seen to be remarkably more complex than the offline phenomenon. It was observed, for example, that "there are certain specific things about online political advertising which are different from advertising [offline]"

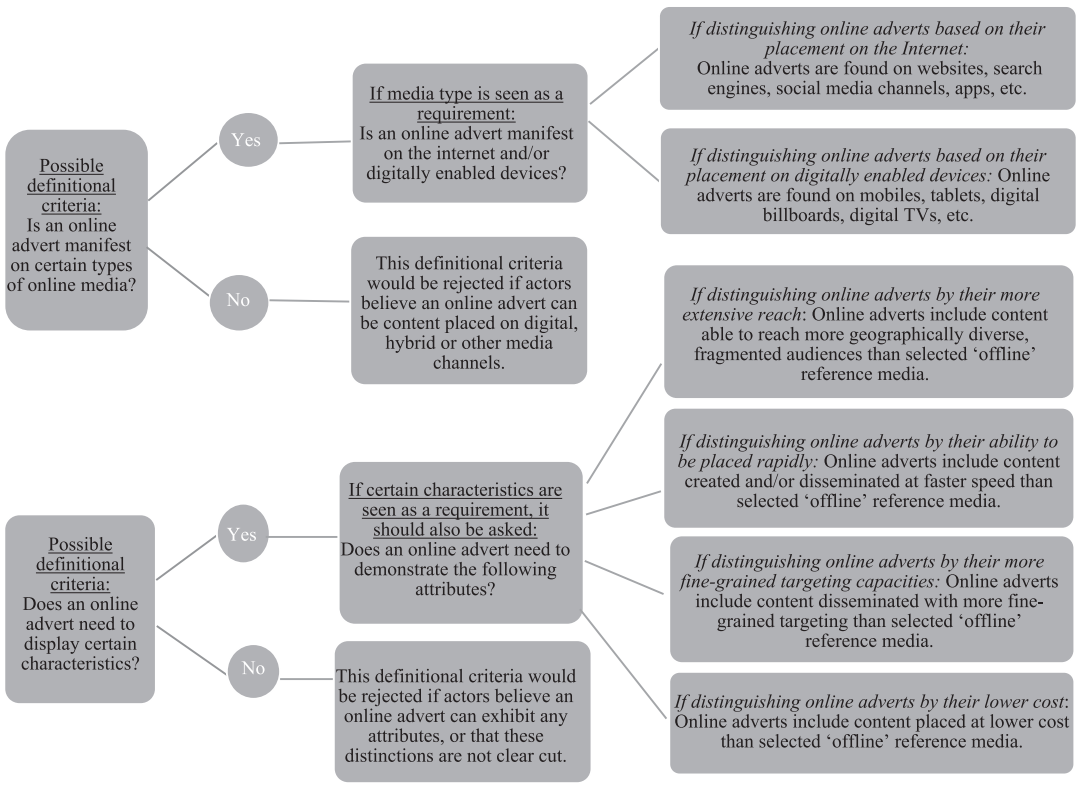

FIGURE 2 Possible criteria for identifying online advertising.

(interviewee D1). In particular, interviewees isolated four characteristics that differentiated online from offline media.

First, references were made to the greater reach of online media. Interviewees observed that online advertising can be used to "reach pretty much anyone on their mobile phone or whatever" (interviewee C3). It was understood that this characteristic provided a point of differentiation. Second, interviewees highlighted the unprecedented speed of the online sphere. One reflected that a defining characteristic of the online space was that advertising could be "generated very quickly and distributed very quickly, quite different to offline, quite different to posters, quite different to leaflets, all of which have to be planned weeks in advance" (interviewee C5). Such traits led online advertising to be viewed as characterized by "rapid fire, swift moving tactics that are deployed in the digital sphere" (interviewee C5). Third, interviewees spoke about the higher capacities of online targeting such as hyper-localized targeting, with some seeing this as the main feature distinguishing online and offline advertising (interviewee C5). Finally, some interviewees identified the low cost of online advertising as a distinctive attribute. One reflected that "with online political ads, because the cost of entry is probably cheaper compared to traditional advertising, the number of advertisers was quite high" (interviewee A4). Whilst interviewees tended to identify binary distinctions between online and offline advertising, some found it 'more useful to talk about the spectrum of targeting and addressability and personalization' (interviewee C4) rather than discerning an outright binary difference. They explained that:

> What we are finding is that almost every medium of advertising, even the ones that a few years ago weren't, are now addressable and targetable in novel ways. You've got addressable TV advertising, you've got digital billboards on the Tube, you know, they're being targeted at different demographics, travelers at different times of day… So, actually, I think what we're talking about is a spectrum of addressability in targeting and personalization. And some advertising media have more or less of it. (interviewee C4)

Mapping these ideas onto a decision tree, online attributes constitute a second tree branch in an attempt to identify online advertising, with four characteristics listed as indicative (Figure 2). We acknowledge, however, that the perceived utility of such questions is not uniform and indeed, many of our interviewees questioned the need to isolate online content as a distinct phenomenon, noting that in practice they "make no distinction between online and offline…[because] a message online and a message offline is still a message and it's still seen by people" (interviewee C5). It is also unclear how viable these criteria are to implement in practice as the process of establishing clear differences between online and offline practice is not straightforward. Such ideas suggest that those seeking to define online political advertising may not want to differentiate between the on- and offline sphere but may instead take an inclusive approach to define any media.

WHAT DOES IT MEAN FOR AN ADVERT TO BE POLITICAL?

Our interviewees appeared most comfortable when reflecting on the nature of politics and political adverts, and a number of different possible criteria were suggested to identify this form of content. Echoing trends in academic literature, many of our interviewees approached the task of defining politics by specifying multiple spaces or "buckets" (interviewee A4) in which politics could occur. Attention was variously directed to elections, formal political institutions and processes, and informal political activities and spheres (interviewee A2, C1). A number of interviewees therefore made comments such as:

> […] there's a Venn diagram of different rings that are drawn around [politics]. Everything that falls within election advertising falls within it. Then, beyond that, you've clearly got advertising that is explicitly capital P political, but is not focused on a particular election…And then, there's the small P political stuff, which is where you get into much more issues-based advertising, which may or may not be by parties or indeed may or may not be by registered non-party campaigners, but just organizations that could be particularly NGOs and charities that are doing work which aligns with their charitable purposes, but by its nature becomes small P political drifting into capital P political. (interviewee A2)

Unpicking the relevance of election advertising and issue-based advertising, the vast majority of our interviewees described politics as innately connected to elections, asserting "if it's political advertising, it's electioneering" (interviewee E1) and that political advertising is "primarily about people who are involved in elections in some way or another" (interviewee C1). Another noted: "[t]here is certainly value in talking about specific rules and expectations around election time" (interviewee C4).

Developing these ideas, interviewees spoke about the significance of specific contexts, explaining that political advertising could be distinguished by references to particular moments or arenas. Reflecting on the dominance of an electoral approach, many interviewees argued for a focus on elections and specifically the election campaign period. In this way content related to an election campaign or to the act of casting a ballot was deemed to be political. Others, however, argued that an exclusive focus on elections would neglect other political fields "where paying for attention can be most powerful …[in] shaping public debate" (interviewee C4). From this perspective, it was argued that politics is "broader than just about elections and referendums, it's about political campaigning that might go on year-round" on a whole host of different issues (interviewee A1, A6, E2). Making this point, one interviewee cited Oxfam, a charitable organization, as an example, contending "if it's campaigning on an issue to change a piece of legislation, for example, then it can be [engaged in] political advertising" (interviewee C8). Drawing attention to campaigning, governing and policy development, these comments suggest that a wider range of activities and actors beyond electoral periods can be viewed as indicative of politics.

Introducing an alternative criterion for *political* content, some interviewees focused on formal political institutions and events. Interviewees therefore described political processes played out in Parliament, local government or other recognized sites of formal political activity. Political adverts were therefore seen to be those that spoke about the activities conducted by these institutions or that sought to influence the work conducted at these sites. In contrast, some of our interviewees suggested that politics could be manifest in everyday life. It was argued that "politics is not a sort of walled off, separate part of life. It's an extension of what people care about and how they feel about themselves and their families and their neighbors and all the rest of it" (interviewee C4). Reasoning from this perspective, interviewees considered attempts to shape attitudes and behaviors without engaging formal political institutions as indicative of politics. Politics was seen as a sphere that the media, companies and ordinary members of the public could all engage in.

Mirroring these ideas, we found some interviewees pointing not to specific contexts but to actors. In terms of elections, some focused attention on those participating in elections, with mention of "political parties" (interviewee D1) as the primary focus. Individuals' participation in election debate was also considered inherently political by some, with one noting that 'anyone making a political point' in election campaigns was involved in politics (interviewee A4). For those conceptualizing politics not simply as elections, but as associated with formal political institutions, attention was directed to the content placed by

civil servants, elected representatives and political appointees associated with these institutions, as well as by those trying to influence these specific actors. At the widest level, a whole array of actors were seen as potentially engaging in political activity, with companies, the media and private citizens all being seen capable of creating political content. Some interviewees did, however, raise reservations about this expansive approach, commenting that "it can be hard to differentiate between some commercial advertising and issue-based political advertising" (interviewee C7). Others similarly noted that "things have perhaps grown muddier in the increasing use of companies' sustainability campaigns or companies taking more of a stand on social issues" (interviewee B1, C8). These comments suggest that there are perceived challenges in adopting more expansive criteria when seeking to differentiate between political and non-political content. Mapping these ideas on a decision tree (Figure 3), we suggest that those seeking to define and identify political content—and specifically online political advertising—can make different choices as to what does or does not count. Specifically, it is possible to specify the importance of particular contexts, and/or particular actors in identifying this phenomenon.

In addition, our interviewees also surfaced a third possible criteria: the goal of advertising. Interviewees noted that "the principal function" of an advert was "really important" in identifying political activity when it comes to regulation (interviewee A6). One interviewee contended, "if you're looking at influencer advertising or sponsored content… I think they still do count as advertising because the means of what they're trying to achieve is the same" (interviewee C2).

In specifying political goals, the majority of interviewees saw political activity as synonymous with attempts "to influence people's opinion on individual matters" (interviewee A5). This could occur both within elections by "both persuading them to vote a certain way, or…turn up at a polling station," or by "influencing political opinions" (interviewee B1). As one interviewee reflected, an advert is political if its purpose is to "influence people's political views," regardless of whether it is about "who they vote for" or "supporting a party, a policy issue, or legislation or else" (interviewee C6). Interlinking with the above discussion, these types of persuasion and influence were often associated with different contexts or actors. One interviewee therefore reflected:

> In terms of defining what are objects of a political nature and political ends, [there are] things like influencing the outcome of elections or referendums, bringing back changes to the law, influencing the policies or decisions of local regional governments, influencing the policies or decisions of persons in public functions that are conferred in law. So that is quite a useful approach, I guess. (interviewee A3)

In addition, interviewees identified different political goals in activities. One focused on "fundraising" as a political goal (interviewee B1), with another reflecting that political advertising was "paid media happening online for the purpose of either appealing for votes or appealing for financial support of a political organization or campaigning on an issue that might have political significance" (interviewee C2). Whilst our interviewees did not provide an exhaustive list of goals, their ideas suggest a possible approach to identifying political content that builds on academic classifications of fundraising, mobilization, persuasion, and informing (Baldwin-Philippi, 2019).

A focus on goals was also evident in attempts to identify political actors. Interviewees spoke about adverts being political if they were "inserted by or on behalf of a person or body whose objects are wholly or mainly of a political nature" (interviewee A3). Referring to existing regulation, another interviewee described how they identified political content by asking whether "75% or more of the organization's activity sits in that campaigning area" (interviewee A5). If these criteria were met, then adverts were viewed as political

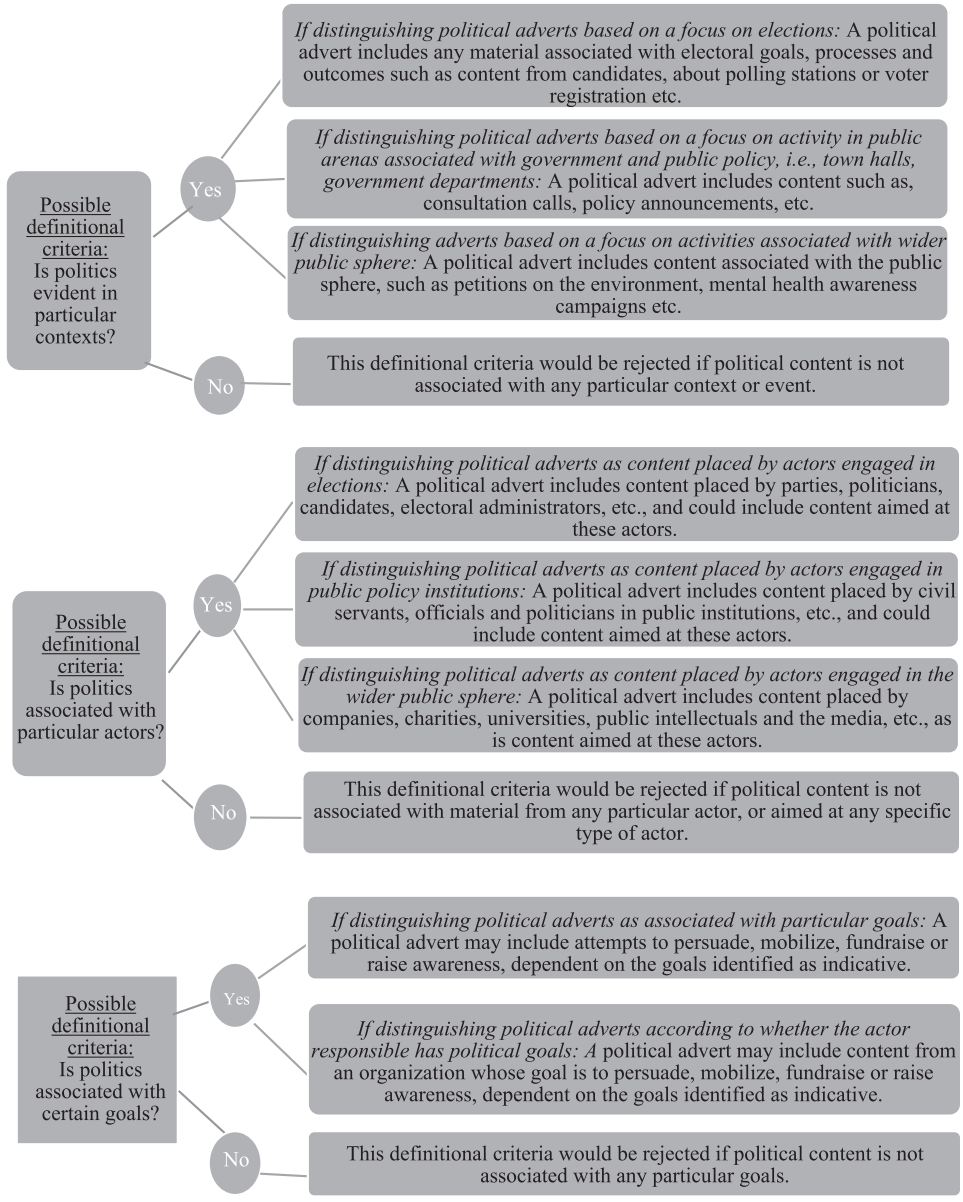

FIGURE 3 Possible criteria for identifying politics.

(interviewee A5). Reflecting on these points, we add a third potential criteria to Figure 3 that focuses on the goals that may be considered indicative of politics.

DISCUSSION

The task of defining online political advertising is by no means straightforward. As the above analyses reveal, when trying to determine what constitutes an advert, what differentiates online advertising, or what renders an advert political—let alone how these attributes

intersect—a range of different parameters can be established. Whilst the contestability of online political advertising has been acknowledged in existing attempts to define each component of this phenomenon, it has hitherto been unclear how online political advertising as a distinct form of advertising content can be identified, and how practitioners perceive the different criteria that could be used to distinguish this form of content.

In moving towards a new definition of online political advertising, we have distilled a range of criteria that practitioners deem to have (varying degrees of) utility in identifying relevant content. Whilst examined here in isolation, when combined, it is possible to construct particular understandings of what is or is not indicative of an online political advert. Returning to the examples outlined at the start of this article, it is possible to determine what 'counts' by clarifying the criteria used at each level to distinguish relevant content. If, for example, a regulator defined online political advertising as paid or unpaid content, that was placed on any media, and that related to elections, politicians and/or referendums only, then paid content that political parties and candidates field ahead of election day, and an email from a Government promoting voter registration would count as online political advertising. In contrast, social media posts by influencers who are paid to advocate for an environmental campaign and Tweets from a charity promoting International Women's Day would not. In contrast, if a regulator defined online political advertising as paid (for distribution or content creation) content, placed on social media or webpages, that seeks to influence debate in the public sphere, then social media posts by influencers who are paid to advocate for an environmental campaign would count, but Tweets (that were not sponsored) from a charity promoting International Women's Day, or content from a party, candidate or Government would not. These examples show how by answering the questions distilled above in decision trees, policymakers (and others) can develop criteria for what is and is not captured by this terminology, making it possible to identify relevant content. This article, therefore, offers a valuable new tool for practitioners seeking to develop a new definition, or to understand (and critique) the scope of existing definitional approaches.

In addition to clarifying the types of choice that those attempting to define online political advertising need to make, this paper has also offered unique insight into the ideas of policymakers and the type of policymaking that is required. Assigned the task of producing a new, widely accepted definition, it is important to understand how these actors approach this activity, and what they perceive to be a viable approach. Within this paper we have shown limited consensus as to how online political advertising should be defined, and widespread awareness of the challenges that derive from imposing different criteria. Whilst policymakers acknowledged the need "to draw the line somewhere" (interviewee E2), it was recognized that 'one definition might be capturing some ads and avoiding others' and that "[t]here are issues around how broad or narrow you set the scope" (interviewee A4). Even in areas with greater consensus, such as the value of focusing on paid content, or electoral contexts, actors and goals, there was awareness of what was being missed. In the context of a desire to produce definitions that will stand the test of time and be widely adopted as standards for regulation, these insights suggest that the task of regulating political advertising is not a "value-free, technical project" (Fischer & Gottweis, 2012, p. 2), but requires policymakers to exercise choice and offer an argument as to why a particular strategy is deemed most viable. Policymakers can therefore fruitfully approach the task of defining online political advertising as a communicative and argumentative process, recognizing that no simple solutions will present themselves and that any selected criteria are likely to be imperfect, but can still be explained and justified in an attempt to secure consensus.

In making this argument it is important to acknowledge that it was not the intention of this study to examine the degree to which current policymaking efforts exhibit communicative practices. Our focus was on identifying and explaining the challenge of producing a definition, drawing on critical policymaking scholarship to understand why difficulties emerge

and pointing to the type of policymaking approach practitioners may find fruitful. Future research is needed to examine the degree to which communicative practices are or were evident in current debates around online political advertising regulation. This approach will be particularly valuable if conducted comparatively, examining countries where online political advertising regulation is already enacted (such as New Zealand), is in development (the European Union) or is simply being proposed (the United Kingdom). Such applied study has the potential to provide further insight into the application and success of a communicative approach.

Our analysis focused on the ideas voiced by practitioners, using semi-structured interviews to identify how these actors understand online political advertising. As online political advertising is a relatively new phenomenon and the field is fast evolving, we argue the practitioners' perspectives are particularly valuable for those seeking to understand, study, or regulate this phenomenon. Nonetheless, our approach has a number of limitations. Developed as an inductive project arising from data collected for wider research, our interviews were not intended to scrutinize insights from the existing academic literature. As such, we did not ask practitioners to reflect on the utility of definitions and distinctions already made by scholars, and hence have limited ability to reflect on the degree to which policymakers endorse or refute scholarly ideas. Future research should pursue such analysis to be able to offer more direct insights on the confluence between academic and policymakers' ideas. Furthermore, in focusing on practitioners' ideas, we have developed our decision trees to account for the ideas expressed within interviews. This means that we have not mapped the full range of criteria that could be used to identify online political advertising, such as criteria cited in existing scholarship but not mentioned by our interviewees. This means that our decision trees should not be viewed as exhaustive, but rather as illustrative of the particular distinctions cited as informative by our interviewees. Whilst noting these limitations, we argue that our analysis offers a valuable new template for those seeking to develop definitions, revealing not only the type of criteria that can be used to distinguish this activity, but also the need to explain the choices behind any definition to secure widespread buy-in.

CONCLUSION

This article has explored the challenge of defining online political advertising. Whilst a growing topic of regulatory attention, to date there has been limited discussion of how a new, widely accepted definition could be formulated, and which characteristics would provide a useful foundation for identifying relevant content. Departing from existing scholarship, in the article we examined the attitudes of those entrenched in current debates around the regulation of online political advertising, to provide new insight into the type of criteria that could be developed and the approach to policymaking that regulators may find valuable. Distilling possible indicators of advertising, online advertising, and political content, we provide a series of decision trees that clarify the kind of choice being made when any definition is developed. Through this endeavor, we provide new insight into the possible criteria that policymakers could pursue and suggest the value of a communicative approach to policymaking given the degree of contestation about online political advertising.

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CONFLICT OF INTEREST STATEMENT

The authors declare no conflicts of interest.

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ENDNOTES

[1] In Article 2 Section 2 of the Proposal, it states that "'political advertising' means the preparation, placement, promotion, publication or dissemination, by any means, of a message: (a) by, for or on behalf of a political actor, unless it is of a purely private or a purely commercial nature; or (b) which is liable to influence the outcome of an election or referendum, a legislative or regulatory process or voting behavior".

[2] We interviewed individuals from the following organizations: the Electoral Commission, the Office of Communications (Ofcom), Clearcast, the Advertising Standards Authority (ASA), Center for Data Ethics and Innovation, Who Targets Me, Mozilla Foundation, the Conscious Advertising Network, Full Fact, Reform Political Advertising, Privacy International, politicaladvertising.co.uk, Tony Blair Institute, European Commission, the Institute of Practitioners in Advertising and the European Platform of Regulatory Authorities.

[3] Interviewees varied in their view of influencers, with some noting that these actors were often not paid. Whilst there was no consensus as to whether this form of content constituted advertising as opposed to marketing or political activism, a number did include this activity within the definition of advertising. For example, one interviewee reflected: 'if a political party or cause pays someone to say something in particular, or not to say something in particular, but pays them for saying anything at all on the subject, then I think that definitely counts as political advertising' (interviewee C4).

[4] According to the ASA website, "There are some instances in which the ASA will consider that user-generated content (UGC), such as social media posts, tweets, photos, reviews and blogs/vlogs created by private individuals, is subject to the CAP Code." For more details, see: https://www.asa.org.uk/advice-online/remit-social-media.html

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