

Anything For Views Parenting:
Framing Privacy, Ethics, and Norms for Children of Influencers on YouTube
by

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Thesis submitted in partial fulfillment of
the requirements for the degree of
Master of Arts in the Department of Bioethics and Science Policy in the Graduate School
of Duke University

2023

ABSTRACT

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Abstract

Children who appear as the main characters or primary consumers of YouTube content have been the focus of emerging academic literature and public debate (Feller & Burroughs, 2022; Ferguson, 2018; Kumar, 2021). Sharenting, or posting information, photos, or videos about one's children on social media, has also been a discussion and concern among researchers, legal scholars, and parents (Kumar, 2021). Sharenting has online and offline consequences. It exposes personal information, such as a child's name and whereabouts, which may lead to unwanted attention or safety risks (Brosch, 2016; Blum-Ross, 2015). However, there is a significant subsection of YouTube media where children appear as integral supporting characters of an adult's content that has yet to be meaningfully researched.

The normalization of sharenting has coincided with an upsurge of influencers and influencer marketing (Abidin, 2018). The influencer marketing industry was estimated to be worth 16 billion dollars in 2022, projected to increase to 21 billion dollars in 2023 (Geysler, 2023). Influencers who involve their children in content position them, at times, as unintentional microcelebrities or brand assets (Abidin, 2015). When this happens, their appearance in user-generated content contributes to the premise and profitability of their parent's brand. However, children who consistently contribute to their parent's brand have no rights to the money their names, images, and likenesses

generate. They have no working hours to abide by and no access to representation by a third party acting without a personal stake in their profitability (Geider, 2021). Children are unaware of the long-term consequences of exposure to a digital audience, including potential privacy violations, online harassment, or reputational harm. They may also not fully understand the implications of having a digital identity established for them before they can make decisions for themselves.

While existing literature demonstrates that social media platforms, laws, and policies do not adequately regulate or protect the children of influencers, there has been no effort first to define the child of an influencer and, second, to identify at what point that regulation becomes necessary. In other words, when do influencer parents go beyond mere sharenting? This research project examines the complex interplay between the potential long-term impacts of children's involvement in influencer content and the gaps in regulations related to children's work on social media.

I aim to analyze the regulatory gray area children of influencers inhabit on YouTube and to identify salient features of influencer content which place children at disproportionate risk of undesirable exposure online. The present study scopes the value children provide to user-generated monetized content. It constructs a typology to describe the unique privacy and psychological risks they are exposed to when their parents' income involves their presence. It outlines common arguments influencer

parents use to justify their children's use in content production and discusses the impossibility of informed consent for children in this context.

Dedication

For my mom, KJ. Her memory is my guidepost for everything.

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1. Introduction

1.1 *My friend, Emma.*¹

I wonder what Emma is doing on her birthday this year. She just turned nine, and I haven't seen her recently. Last year her parents bought her a blue bike and picked fresh raspberries for her birthday breakfast. Emma's dad is a tenured engineering professor at a university in Utah, and her mom stays at home with Emma and her five older siblings. I was at Emma's baptism. I have seen her lose teeth, escorted her to vaccination appointments at the doctor, watched her throw temper tantrums in the grocery store, and supervised her playing on the shore of sandy beaches during family vacations. I vividly remember the yellow shoes she wore on her first day of preschool.

I have known Emma since she was born —since her siblings squealed with delight at pink sponge cake in an intimate kitchen gender reveal, to be precise. Emma, her siblings, and I have practically grown up together – but we have never met. Every detail I know about Emma is courtesy of her mother's YouTube channel, where she has

¹ Children constitute a particularly vulnerable group in research. To protect the privacy of real children who are featured in their parents' online content and to avoid causing them further harm, this project draws on real-life examples of publicly available YouTube posts. However, to prevent any personally identifiable information from being revealed, such as names or locations, I proceed with pseudonyms, altered details, and hypothetical scenarios that still accurately represent the original situations. This approach helps to highlight the dangers that this type of content poses to children while minimizing any potential risks that may arise during the research process. It decreases the ethical risk of sending more viewers to the original videos posted. A table of videos from which the generalizable principles and hypothetical scenarios were derived is available in the Appendix.

chronicled her children's daily lives through video blogs — known as vlogs — to over two million subscribers. Recently Emma's family has been the subject of intense online criticism. Viewers were not thrilled to watch Emma's mom document sending her older brother away to a wilderness rehabilitation camp, discussing intimate details of puberty with her daughters, or withholding Christmas presents from her youngest two children (Siu, 2021). I have not seen Emma in a while because her chronically online family has been noticeably absent from the internet. Discussions about Emma's family and the status of their YouTube channel birthed a Reddit forum where concerned fans and critics gather information about Emma and her siblings' whereabouts.²

Emma's situation is not unique. She is one of many children whose parents are using social media to document their day-to-day lives and, in the process, become influencers (O'Neill, 2019). Given the already minimal standards for consent on different social media platforms, parents may not be aware of the trade-offs that come with recording memories and broadcasting them to online audiences. Because an adult chose to film their lives and post them on YouTube, I could quickly gather an alarming

² These reddit forums have become typical of adults or families with large social media followings such that one could easily learn more about the children without consuming the primary content posted by their parents. See, <https://www.reddit.com/r/8passengersnark/>, <https://www.reddit.com/r/NotEnoughNelsonsSnark/>, <https://www.reddit.com/r/doughertydozen/>

amount of personal information about their child's whereabouts, interests, and personalities from the comfort of my own home.

1.2 Sharenting & Influencers

Sharenting, a portmanteau of the words "sharing" and "parenting," refers to the phenomenon of parents sharing information about their children on social media (Blum-Ross and Livingstone, 2017. p. 110).³ In the academic space between 2015 and 2020, "the number of Google Scholar results for the term sharenting jumped by a whopping 1,363 percent, from 19 to 278 results" (Kumar, 2021. p. 151). Sharenting has sparked public and academic intrigue about the ethical and privacy implications of divulging intimate details about children's lives on social media. Sharenting literature tends to balance the desire to explore nuanced and complex motivations of parents, including their children in social media posts, against concern for the privacy and autonomy of children, the potential harvesting and exploitation of their personal data, and the responsibility and accountability of parents for their online behavior (Siibak & Traks, 2019).

The normalization of sharenting has coincided with an upsurge of influencers and influencer marketing (Abidin, 2018). The influencer marketing industry was estimated to be worth 16 billion dollars in 2022, and it is projected to increase to 21

³ A more in-depth definition of "sharenting" is available in Appendix B.

billion dollars in 2023 (Geysler, 2023). As influencer culture has become integral to scrolling through social media, many parents take advantage of the economic opportunities it affords. Influencers often share details about their personal lives online (Abidin, 2018). Therefore, children of influencers may have less control over their privacy than the average child whose parents only occasionally post about them or post about them to smaller audiences like immediate family and close friends using a private account. Influencers who involve their children in monetized content⁴ position them, at times, as unintentional microcelebrities or brand assets (Abidin, 2015). In 2020, Abidin expanded on the concept of "micro-microcelebrities," which refers to children who are "intentionally groomed by their microcelebrity mothers to become commodities and human billboards from birth" (p. 227). When the child of a microcelebrity becomes a micro-microcelebrity, their appearance in user-generated content (UGC) contributes to the premise and profitability of their parent's brand. Yet, children who consistently appear in their parent's content have no rights to the money their names, images, and likenesses generate (Geider, 2021; McGinnis, 2022; O'Neill, 2019). They have no working hours to abide by and no access to representation by a third party acting without a personal stake in their profitability (Geider, 2021). The implications of sharenting for

⁴ A definition of "monetized content" is available in Appendix B.

children of influencers are worth analyzing because influencer parents distribute personal information with the implicit expectation of profiting monetarily, gaining exposure online, and aggregating larger audiences across multiple social media platforms. This practice places their children in a vulnerable position where they have no say over the use and dissemination of their personal information. The influencer industry is still in its infancy; most children who have appeared in their parents' content for prolonged periods are still children. Furthermore, they have been conditioned to believe that constant filming is normal.

1.3 Problem & Scope

While existing research demonstrates that social media platforms, laws, and policies do not regulate or protect the children of influencers, there has been no effort to identify at precisely what point that regulation becomes necessary. In other words, when do influencer parents go beyond mere sharenting? Academic literature, legal precedent, and the public at large have yet to present a formalized mechanism pinpointing the key elements of content posted by influencer parents that cross ethical lines. Therefore, there is a significant gap in understanding normative privacy boundaries for children of influencers on YouTube. This research focuses on the tension between three things: the potential long-term effects of children's participation in their parent's influencer content, the need for a better understanding of the relationship between the desire to control how

children are presented online and constraints on parental control of children's privacy and participation in monetized content, and gaps in regulations related to children working in social media. The tension between these three areas demonstrates the need for holistic collaboration between influencer parents, regulators, policymakers, and social media platform representatives.

The first objective of this thesis is to conduct a landscaping analysis. Chapters 1-3 begin by collecting and combining academic research with legal and policy limitations on children's privacy in monetized social media content. I proceed as follows. The rest of this first chapter provides important history on “anything for views parenting”, and briefly outlines YouTube’s content monetization structure. In Chapter 2, I identify nine qualities of YouTube content that goes beyond mere sharenting. Those salient features of influencer content which place children at disproportionate risk of undesirable exposure online inform Chapter 4’s typology of harms. The third section considers the current state of affairs in a literature review. Because the pool of literature discussing precisely this topic is relatively small, the literature review looks broadly at legal and academic work related to sharenting. In the first half of the literature review I examine the existing legal landscape and explain the regulatory void that children of influencers occupy. Next, I summarize common risks of sharenting other scholars have identified, such as data privacy, digital footprints, tension in parent-child relationships, and

embarrassment. The second aim of this thesis is to build on the landscaping and gap analysis by providing shared language and in-depth descriptions of privacy harms children of influencers might face. Chapter 4 begins with an unintended consequence of this category of content: moral distress for viewers. This segues into the novel typology of privacy harms for children of influencers. The typology of harms presents eight novel privacy harms children of influencers might face. In Chapter 5, I outline common motivations influencer parents disclose to their audiences for including minor children in their content. That section clarifies children's informed consent and recounts the rationale for limiting legal interventions in parent-child relationships. Finally, Chapter 6 compiles existing solutions and considers their shortcomings.

This research scopes the value children provide to user-generated monetized content and describes unique privacy and psychological risks they are exposed to when their parents' income involves their presence. It highlights the need for more research investigating how children of influencers with varying degrees of online notoriety are impacted by the repeated, long-term exposure of intimate details of their childhood by their parents.

1.4 Making Money on YouTube

My interactions with Emma and her family occur in a context that was unthinkable two decades ago. YouTube, a social media empire, is a video-sharing

platform and subsidiary of Google. YouTube was created in 2005 and has become one of the largest websites for sharing and viewing videos (Dunphy, 2017). YouTube's content monetization scheme shares ad revenue with creators by integrating advertisements that play automatically on their videos. The YouTube Partner Program allows content creators to earn money from their videos on the platform (YouTube Partner Program Overview & Eligibility - YouTube Help, n.d.). Once accepted into the partner program, YouTubers can earn money from ads displayed on their videos and other monetization options like YouTube Premium revenue share and Channel Memberships (YouTube Partner Program Overview & Eligibility - YouTube Help, n.d.). The amount YouTubers earn depends on factors including the number of views, audience location, the type of ads displayed, and viewer engagement.⁵ To be eligible for the YouTube Partner Program, creators must have a minimum of 1,000 subscribers and 4,000 hours of public watch time on their channel in the last 12 months (*YouTube Partner Program Overview & Eligibility* - YouTube Help, n.d.). Once a channel is monetized through the partner program, creators focus on aggregating subscribers. Subscribers are important audience members because they are more likely to watch a channel's new videos, leading to more views and increased consistency of views on each video. A high subscriber count also

⁵ Viewer engagement includes metrics such as watch time, comments, likes, clicks on ads, and other less transparent aspects of YouTube's content recommendation algorithm.

makes YouTube channels more attractive to sponsors interested in brand deals, product placements, and other marketing collaborations (Pacht-Friedman, 2022). What separates influencer content featuring children on YouTube from other portrayals of everyday life is its “ability to reach a large audience—and subsequently, the ability to monetize that reach” (Riggio, 2021, p. 508).

Influencers must also abide by YouTube's platform policies, which include guidelines for creating, sharing, and monetizing content (Dunphy, 2017). YouTube's *Child Safety Policies* state they do not permit “content that endangers the emotional and physical well-being of minors” to be posted and warns users to not post content with minors that is “filmed in private spaces at home such as bedrooms or bathrooms” or that “reveals personal details about a minor” (*Child Safety Policy - YouTube Help*, n.d.). Failure to comply with these rules is supposed to lead to the content being removed, the account being demonetized, or the channel being suspended entirely. Furthermore, YouTube requires users to agree to their terms and conditions upon account creation, which includes granting other users a license to access and use publicly available content. YouTube's terms and conditions include a section titled 'License to Other Users,' which grants users a "worldwide, non-exclusive, royalty-free license" to use and modify the content (*Terms of Service – YouTube*, 2022).

Van Kessel et al. (2019) analyzed data about what aspects of high-subscriber channels contributed to their popularity. Their study found that “videos featuring a child or children who appeared to be under 13 – regardless of whether the video in question was aimed exclusively at children or not – received nearly three times as many views on average as other types of videos”. Three times is not an insignificant number when those views impact income. Three times as many views translate to three times as much ad revenue per video. A more substantial investigation would be needed to establish a legitimate connection between financial incentives as a motivation for sharenting. Still, this data points to a reason influencer parents might have for consistently including children in their content. At the same time, influencer parents have no genuine concept of how far their content will spread. Bernstein et al. (2013) point out that “people do a poor job of estimating the size of the invisible audience in social networks” (p. 25) by consistently underestimating or failing to account for the true reach of their social media posts. In a chaotic social media landscape, parents or families taking up influencing seem to symbolize the promise of a more wholesome form of peer-to-peer marketing. Paradoxically, however, YouTube has allowed informal misuse of children’s data, privacy, and labor. The fast growth of career YouTubers has exposed several regulatory gaps, namely around protections and compensation for children who appear in their parent’s YouTube content.

1.5 The origins of Anything for Views Parenting⁶

Our societal obsession with watching others raise their children did not materialize overnight; a look into the history and context of public-facing parenting can shed light on the role it plays in modern sharing on social media. Parents have always been interested in visually documenting their children (Kumar, 2021). In fact, “the birth of a child was one of the most common reasons for families to buy a camera” (p. 64). Kumar (2021) links the history of family photography to parents posting on social media. She suggests that society has legitimate interests in families presenting themselves as “coherent social units” because of “the family’s role in creating and producing normal adults” (p. 64). In the past, showcasing a family’s inner workings was significant to exhibit a parent’s capability to nurture children who will thrive as responsible, productive adults. Family photography contributes to those social and personal conceptions of a “responsible, autonomous family” (p. 68). Media portrayals of families also play an influential role in shaping societal expectations around child development and family life. As social institutions, families are obligated to internalize and reproduce “expert advice proffered through media, marketing, and self-reflection

⁶ Kylie Dennison coined the phrase “anything for views parenting” a YouTube video she posted in 2022. Kiki Chanel. (2022, August 4). *Anything For Views Parenting* [Video]. YouTube. https://www.youtube.com/watch?v=EQ_w1v-mmBM

and finding its own internal mechanisms, like curating family memories, to cope with the demands of it all” (p. 68). Analog versions of sharenting demonstrate a desire to comply with the social expectations of raising well-adjusted, successful children, considered a vital aspect of family life.

Social pressures to enact and family through the lens of a camera combined with more modern research on the extrinsic rewards associated with social media and the financial incentives of the influencer industry have created a perfect storm. Berryman & Kavka (2018) explain the “rapid normalization of livestreaming” has incentivized “individuals to feel comfortable with (and validated by) documenting their everyday lives – however exceptional, intimate or mundane” (p. 87-88). Sharenting as a form of entertainment, though, was popularized by network television shows like *Jon and Kate Plus 8*, *19 Kids and Counting*, *Little People Big World*, *Dance Moms*, and *Teen Mom*. All these shows churned out content where the kids and their parent’s unique lifestyles ultimately fuelled viewers to consume the product. Rey (2013) describes the concerns with this genre of television because it captures the “vulnerability that accompanies childhood” (p. 2). The tantrums, mundane first days of school, and family vacations with equal production value and emphasis on product placement that Emma’s parents share on YouTube look and feel reminiscent of episodes of *Jon and Kate Plus 8*. But the Gosselin children were not filmed *by* their parents. Creating a TLC show still entailed a

professional production crew, including camera operators, sound engineers, producers, and editors, to capture and edit the footage into a cohesive storyline. Although the parents agreed to participate, a third party stood in the corner with a camera and crafted the narratives of each episode. The very nature of UGC means that the creator retains more control over their content, including what they choose to film and share, how they present themselves, and what aspects of their lives they choose to keep private. Because influencer parents are both the creators and gatekeepers of their children's information, it remains unclear who is responsible when content featuring their children crosses a line.

Even though YouTube videos posted by influencer parents and network reality television shows about families may share similarities in subject matter, they differ significantly in content control mechanisms. Networks have certain obligations and duties to their audiences and the subjects being filmed. YouTube, unlike network television, allows influencers to share information more frequently and with limited intermediary gatekeepers. Partially, this is because they are subject to more stringent regulatory standards and guidelines⁷ regarding content featuring children. In 2012,

⁷ Guzman (2020) discusses that in the United States, the Federal Communications Commission (FCC) is the primary agency that regulates television content (p. 98). The FCC is an independent government agency responsible for regulating communications by wire, radio, television, satellite, and cable in the United States. Guzman points out that the FCC is not particularly interested in regulating internet-based services

Lifetime pulled an already-aired episode of *Dance Moms* after facing significant backlash for showing the cast of eight- to thirteen-year-olds performing a dance that was designed for them to appear nude (Nededog, 2012). The episode, titled “Topless Showgirls,” was withdrawn from all streaming platforms and never aired again. However, not before it was viewed 2.7 million times (Nededog, 2012). TLC also stopped airing episodes of *19 Kids and Counting* after it was revealed that Josh Duggar had molested five underage girls, including four of his sisters, when he was a teenager (Calamur, 2015). Initially, TLC only suspended the show, removing all episodes from its schedule. Later, the network announced it would not produce any further episodes of *19 Kids and Counting* and canceled it permanently. Michelle and Jim Bob Duggar – the parents who birthed those nineteen kids and agreed to put them on TV – were not in charge of cancelling their own show. A combination of content regulation and social norms played an important role in protecting the interests of those children. Even with scarce legal protections for kids on reality television, external pressure forced Lifetime to rethink whether showing young kids in a compromised position – one they likely could not comprehend or appreciate – was wrong. In both scenarios, it was not up to the

due to the difficulty associated with having to discern what media is an opinion protected by the First Amendment and what media was calculated as a performance specifically for profit” (2020, p. 98).

parents to determine what content crossed the boundaries of what was appropriate to show audiences at home.

2. Salient Characteristics of Privacy Harms in Content

In order to derive salient characteristics of privacy harms in the context of influencer content, I watched ten YouTube videos uploaded by influencer parents and took notes while doing so.⁸ The notes were translated into generalizable principles. For example, to pinpoint aspects of filming that could lead to a privacy harm, I noted aspects of physical locations “portions of the video filmed in the child’s bedroom” or personal health information “video discusses a child’s health information or documents a doctor’s visit / medical emergency.” A few consistent themes in the videos watched to derive generalizable characteristics included:

- Filming private moments of a child’s life, such as bath time, bodily functions, medical procedures, or tantrums
- Filming the child while crying or upset and capitalizing on this in the title or thumbnail of a video⁹
- Inappropriate or sexualized content
- Discussing a child’s educational, cognitive, or intellectual capacities with or without the child present

⁸ Videos are listed in Appendix A.

⁹ The colloquial term for this phenomenon is click-baiting. Clickbait often involves showing distressed children being pranked, in unusual scenarios, facing a severe health concern, and in embarrassing or compromising situations.

In Table 1, I propose a set of easily identifiable invasions of privacy for children of influencers. By doing so, I hypothesize the result will be at least three-fold. First, mere proposals of ethical norms and specific aspects of the content we might deem problematic are not yet formalized or agreed on. This project presents one starting point. Second, viewers will be more likely to report or unsubscribe from content where a child appears to engage in dangerous, intrusive, or inappropriate activities, making them allies in content moderation and enforcement. The third result follows from the second: when influencer parents know they have an informed audience, they may also be less likely to blatantly violate their children's privacy, ultimately modeling traits of responsible exposure. By successfully modeling this behavior, parents acknowledge the risks associated with online exposure and take steps to alleviate them.

Table 1: Salient Characteristics of Privacy Violations

Content Feature	How it looks...
Despite an account being registered in a parent or family name, a child or children is disproportionately the focus of content	Videos may feature the child or children prominently in the thumbnail images, titles, and descriptions, with their names or faces being used to attract views and engagement.
Filming occurs regularly for prolonged periods, often on a predictable schedule	Channels follow a consistent uploading schedule, posting multiple videos each week. Creates a predictable routine of filming, contributing to a sense that the children's lives are being constantly documented for public consumption.

Work is indistinguishable from play	Children are the central subject of videos. Their daily activities, habits, and routines are showcased and discussed in detail. Filming the children's leisure becomes a focus of the content. Advertisements and product placements are not well indicated.
Emotionally volatile or misleading content titles (clickbait)	Commodification and contagion of emotions such as joy, grief, regret, and despair. Exaggerating health conditions or interpersonal conflicts.
Homeschooling, frequent relocating	Children are at home or seemingly always available to feature in their parents or family's social media content.
Revealing personally identifiable information	Exposing mundane details about a child (their full name, birthday, height, etc.) that, when amassed over time, could allow for impersonation or identity theft.
Frequent disclosure of the child's physical location	Sharing information about where the child is located at a specific time, such as the city or town they live in, the name of their school or daycare center, or places they regularly visit, like a favorite park or restaurant.
Revealing intimate details about the child's identity, developmental, or intellectual capacity	Disclosing private information about the child's cognitive, emotional, physical, or spiritual growth. Includes information about their achievements, struggles, or developmental delays. Particularly for children with a complex medical diagnosis, intellectual or physical disability, children of minority status, from an unstable background, or struggling with gender, sexuality, and identity issues. This is especially vulnerable information to share with invisible, unquantifiable audiences.

Filming embarrassing, personal, confidential, or intimate conversations	Talking about puberty, sexual education, trying on clothes, and encouraging young children to talk about crushes or love interests. Filming the child at the doctor, in acute distress, or disclosing confidential health information.
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The purpose of Chapter 4's typology of harms will be to provide a preliminary framework for categorizing and understanding the various negative impacts experienced by minors appearing in their parents' monetized YouTube content. The typology enhances theoretical knowledge of privacy harms. It serves as a foundation for future research and policy development to protect children's well-being and privacy. The goal of watching content was to justify the typology's normative expectations by identifying recurring and recognizable intrusions. More important than any specific regulatory or policy decision is that policymakers and the public—especially current consumers of this genre of content —begin to understand the key themes of content that put children of influencers at disproportionate risk for future privacy violations.

While merely identifying these salient characteristics of content is not the sole solution to addressing the issues surrounding sharenting, they position influencers who feature their children in ethically questionable posts outside the bounds of socially acceptable sharenting behavior. The amount of influencer content implicating children posted to YouTube is insuperable for analysis and tracking by any one person or

program. Invoking norms is one strategy to begin educating users about the free content they produce or view. As such, beginning with qualitative norms rather than quantitative guidelines will help address the root causes of ethically questionable content. If salient characteristics of harmful content are further tested, accepted, and enforced by platforms, parents, and audiences, then quantitative methods for monitoring the amount of work a minor should be doing and determining adequate compensation schemes can be meaningfully created. Adopting guidelines that position certain features of content as impermissible helps alleviate some burdens on parents to decide what content is ethically questionable or might violate their child's privacy. Legal recourse will also be an important mechanism for children who experience emotional, psychological, or financial damages due to their participation in online content generation. If influencer content featuring a minor does not fall under a broadly recognized privacy violation, then informed labor-policy mechanisms can address concerns regarding compensation and compliance for their appearance.

3. Literature Review

Two main categories of literature were consulted for this thesis. First, law review articles are the basis for the legal and policy dimensions of children’s labor, digital rights, and privacy on social media. Additionally, a handful of interdisciplinary research articles contribute to the social influence, risks, history, and perceptions of sharenting. By analyzing and synthesizing this existing literature, the following chapter provides an overview of the ethical complexities and identifies gaps in the research that can inform future studies.

3.1 Law Review

Legal scholarship tends to view children’s activity online through an inherent expectation of “conflict between a parent’s right to free expression and a child’s right to privacy” (Kumar, 2021. p. 130). Kumar (2021) notes that legal writing from the US and beyond usually concludes that parental expression wins out (p. 130). I analyzed twenty law review articles contributing significantly to this larger discourse on sharenting, children’s privacy, and child labor in the entertainment industry. Of those twenty articles, twelve focused explicitly on kidfluencers¹⁰, influencer marketing, or sharenting (Cobb, 2021; Geider, 2021; Guzman, 2020; Lavaveshkul, 2012; Masterson, 2020;

¹⁰ For a definition of “kidfluencer” see Appendix B.

McGinnis, 2022; O'Neill, 2019; Pacht-Friedman, 2022; Plunkett, 2020; Riggio, 2021; Saragoza, 2020; Steinberg, 2016). Four more discuss outdated protections for child labor provisions for children in reality television (Glickman, 2010; Nobile, 2013; Podlas, 2010; Rey, 2013). The remaining five relate to children's privacy and digital identities (Brown, 2020; Hamming, 2019; Sorensen, 2016; Takhshid, 2022).

Law review articles highlight how the fast-paced rise of social media platforms and the increasingly blurred lines between public and private spaces have resulted in two concurrent issues. First, children in monetized social media content present a host of ethical dilemmas for parents who share information about their children online. For example, does a parent's desire for social connection or financial security outweigh a children's reasonable entitlement to privacy, seclusion in their home, or control over their future social identity or online presence? The second issue is a legitimate legal and policy struggle to capture child entertainment labor on social media. As the child entertainment industry becomes more digitized, US law has proven functionally insufficient for children's privacy and labor rights in a less understood and constantly evolving social media industry.

3.1.1 Existing Legal Landscape

Of course, it is not illegal for parents to put their children on the internet. The legal landscape of child protection includes mechanisms to control the exposure of

prematurely independent subjects who, in theory, cannot shield themselves from the physical and social risks of adult life. In the context of child entertainment and online privacy, these include Coogan Laws, the Children’s Online Privacy Protection Act (COPPA), and the Fair Labor Standards Act (FLSA). Children of influencers, however, represent a particular paradox because these mechanisms intended to protect them from dangers– such as exploitative workplaces or inappropriate data collection online – have left them exposed. Instead, their association with their parents’ content positions them as part of the imagined threat to which such regulatory forms of protection initially emerged. This section illustrates children of influencers are not offered the standard protections of children working in any other industry. These legal articles help identify why US child performance regulations – those laws meant to create oversight and supervision for the hours and conditions of child entertainers – do not apply to UGC (McGinnis, 2022. p. 249). Laws and regulations ensuring that children will be protected and compensated for social media appearances are not evolving fast enough (Geider, 2021; O’Neill, 2019; McGinnis, 2022).

3.1.1.1 Coogan Laws

In the conventional world of child performers, contracts govern working hours, schooling, and working conditions (McGinnis, 2022). Coogan Laws, named after child star Jackie Coogan in the 1920s who was robbed of his fortune by his mother and

stepfather, offered an initial measure of protection by requiring a portion of a child's earnings to be set aside until adulthood (Pacht-Friedman, 2022. p. 366-367). Coogan laws force parents of a child actor to deposit at least fifteen percent of what a child earns into a blocked trust; the remaining eighty-five percent can be dedicated to expenses related to advancing the child's education and acting career (p. 368). Yet, the inability to expand the definition of a child actor to encompass social media and reality television means that parental oversight is the sole safeguard against potential exploitation (p. 372). Furthermore, although Coogan trusts provide financial provisions for the labor, the harms incurred by children who didn't ask to be famous are not always economic (O'Neill, 2019. p. 48).

Without Coogan laws applicable to UGC on YouTube, the concept of exploitation, central to discussions about child labor in entertainment, is a rhetorical tool for making parents the object of blame. More specifically, it enables a causal narrative whereby "bad" parents are seen as simultaneously dependent on the continued production of content featuring their children as publicly available objects for consumption and irresponsible for continuously exposing their children to invasions of privacy in front of mass audiences.

3.1.1.2 Children's Online Privacy Protection Act (COPPA)

Concerns about children's online privacy were formalized with the passage of the Children's Online Privacy Protection Act (COPPA) in 1998 (Cobb, 2021. p. 967). In the United States, COPPA limits the information websites collect *from* users under thirteen (p. 968-969). Companies may use data to target adults with advertisements based on their preferences, habits, and interests. COPPA is intended to prevent the same data from being collected about children. In 2013, the Federal Trade Commission (FTC) updated its understanding of personally identifiable information protected by COPPA. As of 2013, personal information includes "voice, audio, image file containing a child's voice and/or image; geolocation data that reveals a street name plus city, or equally revealing information; online contact information such as a screen name or username, persistent identifiers that recognize users across time and sites or services, such as an IP address or device serial number" (Solove & Schwartz, 2020. p. 927). COPPA protects children's information from corporations. COPPA does not, however, prevent adults from going online and sharing information about their children (McGinnis, 2022. p. 261). It gives parents the authority to determine what level of information can be collected about under thirteen-year-olds and provide consent for their child's online activities (Takhshid, 2023).

The version of the internet that COPPA was designed to regulate in 1998 was “a different era with simpler concerns” (Takhshid, 2023. p. 6). As the transactional nature of online activities has evolved, COPPA has become “ill-suited” to regulating for-profit corporations like YouTube (p. 8). Cobb (2021) points out that “YouTube operates in a COPPA gray area” because it hosts content for individual channel owners (p. 974). Some channels contain child-directed content, while others do not. YouTube and Google were accused of violating COPPA in 2019 for collecting information about viewers of “child-directed” (p. 974) content. The FTC issued a \$170 million judgement against YouTube, forcing them to change policies to ensure that child-directed content was clearly designated. YouTube channel owners had to self-designate whether their content was “directed towards children” (p. 976). Child-directed content will automatically have personalized ads and commenting turned off (p. 972). Content *featuring* children does not have to comply with this same standard. COPPA is a mechanism to limit entities from harvesting information about children browsing the internet. However, it has no enforceability when protecting children's appearance in their parents’ monetized content.

3.1.1.3 Fair Labor Standards Act (FLSA)

In response to exploitative child labour practices, the US created the Fair Labour Standards Act (FLSA) in 1938 (Guzman, 2020. p. 87). Congress was concerned with

children involved in hazardous occupations (McGinnis, 2022). They saw child performers as growing their talents and categorically excluded them from federal protection under the FLSA (p. 251-252). This exemption means child performers can work longer hours and be paid lower wages than their adult counterparts. Initially, such an exemption was justified by the belief that the entertainment industry offered educational and cultural benefits for children and that the regulations that apply to other industries – such as factory or farm work– would be too restrictive (Pacht-Friedman, 2022). However, this exemption has been criticized for leaving child performers vulnerable to exploitation and abuse (Saragoza, 2020).

It is incredibly peculiar that child labor is covered by the FLSA, but child performers are exempt from these laws because their work is believed to be “non-oppressive” (McGinnis, 2022. p. 254). This means that children depend on each state to create regulations specifically for child entertainers (Glickman, 2010. p. 149). Seventeen states do not have such laws, creating a disparate treatment for child performers (McGinnis, 2022. p. 254). Other states, such as New Mexico, are incredibly restrictive about welfare and education standards for child-performers (O’Neill, 2019. p. 47). The few states that have enacted specific entertainment policies for children do not extend to kids who appear in their parent’s monetized content (O’Neill, 2019. p. 46). Geider (2021) highlights how states such as California and New York have regulated children who

appear in other media types (p. 7-13). Furthermore, several scholars point out that the differences between state legislation allow the entertainment industry to “engage in a sort of forum shopping when setting up a production that involves child entertainers” (Geider, 2021, p. 13). McGinnis (2022) reiterates that attempts to regulate social media work involving children would need to be achieved at the federal level to be effective, and attempts to that end thus far have been futile (p. 255).

3.1.1.4 Federal Trade Commission (FTC) Influencer Guidelines

The US Federal Trade Commission (FTC) regulates endorsements and testimonials in advertising (Harris, 2019). Their influencer guidelines, updated in 2019, require that any material connection between an influencer and the company they endorse must be disclosed clearly and conspicuously in any sponsored content (*Disclosures 101 for Social Media Influencers*, 2019). This includes any financial compensation, gifts, or free products the influencer receives (Saragoza, 2020, p. 585-586). The purpose of these guidelines is to ensure that consumers are not misled by endorsements, allowing them to make informed purchasing decisions. This is important because of the uniquely intimate relationships that influencers have with their followers and the ability of that intimate relationship to affect purchasing decisions.

Saragoza (2020) notes that when influencer guidelines are violated, the FTC is more inclined to pursue action against advertising agencies or companies when

influencers do not correctly disclose ads (p. 595). Although the FTC has enacted influencer guidelines, they are not well-tracked or enforced (Harris, 2019). As it turns out, the FTC frequently issues warning letters, settlement agreements, and “endless chances to comply” with the guidelines established for influencers (Harris, 2019. p. 975). Further, McGinnis (2022) briefly explains that although “the FTC has published guidelines for influencers and other advertisers, which require disclosure of paid advertisements and public relations gifts, there are no specific provisions aimed at children” (p. 261). This gap in enforcing the FTC’s influencer guidelines could be resolved by requiring “disclosures on sponsored posts that signal to consumers that a kidfluencer is being adequately compensated for their participation in sponsored content on social media platforms” (p. 600).

3.1.1.5 Washington State House Bill 1627 ¹¹

Proposals such as House Bill 1627 (2023) in Washington State have called for regulation that guarantees children in their parent’s content are compensated based on their proportionate appearance. It also allows children to request the deletion of a video they are in once they reach the age of majority (p. 4-5). If passed, influencers would have

¹¹ Because this legislation is so new, it is not addressed in any law review articles.

to set aside gross earnings for their minor children when the following conditions are met:

“at any time within the previous 12-month period: (a)(i) The number of views received per video segment on any 2 internet platform or network met the platform or network's threshold for generation of compensation; or (ii) The vlogger received actual compensation for video content equal to or greater than \$0.10 per view; and (b) At least 30 percent of the vlogger's compensated video content produced within a 30-day period included the likeness, name, or photograph of the vlogger's minor child. Content percentage is measured by the percentage of time the likeness, name, or photograph of the vlogger's minor child visually appears or is the subject of an oral narrative in a video segment, as compared to the total length of the segment.” (2023, p. 3-4)

There are three issues with this approach. First, as a state-level mechanism, it is limited in scope. Influencers with the ability to be employed anywhere within the United States could easily relocate to another state if they did not want to comply. As discussed in relation to the FLSA, reality television producers are attracted to working with minors from states without regulation for child entertainers (Glickman, 2010. p. 166). Influencer parents could easily do the same. Second, even if HB1627 passed and even if other states adopted similar laws, the amount of human capital necessary to audit and enforce these regulations would be significant. Constructing systems to ensure compliance with the bill would require resources that do not seem realistic. The process of auditing and enforcement might subject children of influencers to increased surveillance. It imposes another layer of data collection and analysis by whatever person

or piece of technology is responsible for overseeing accordance with the law. Finally, the bill assumes that the issues with the current privacy violations faced by children of influencers will be alleviated by carefully monitoring the slow release of their information. More research would be needed to determine whether being featured in five percent, or fifty percent has any direct correlation with the quantity of information available about a child. This perpetuates the myth that monetary reimbursement will remedy the privacy or psychological consequences of participating in social media content.

A prominent benefit of legislation like this is that it introduces some friction into the existing system and may deter parents from posting inappropriate content featuring their children. However, to focus on vlogging as simply misplaced labor exploitation, while valuable, does not fully capture the dynamics at play. Advocating narrowly for monetary compensation or the ability to remove content from YouTube once a child reaches the age of majority does not showcase the wide-ranging ethical or psychological implications for children working in entertainment capacities, for their parents, in the solitude of their own homes. If root causes of ethically questionable content are addressed first, then informed labor policy mechanisms can be implemented to address concerns regarding compensation and compliance with child labor practices.

3.1.1. Summary of Legal Landscape

Influencer parents may be using their children as a source of income, which raises questions about child labor and exploitation. Current laws and policies do not address this issue. Other gaps include the inability of policy mechanisms such as the Children’s Online Privacy Protection Act (COPPA) and or the Federal Trade Commission’s (FTC) influencer guidelines to capture children’s data privacy when their parent consents on their behalf. Emerging regulations, like Washington State’s House Bill 1627, begin to realize a quantitative method to monitor children in monetized social media content. Compensation based on a minor’s proportional inclusion in their parents’ work would require continuous auditing and oversight; such monitoring subjects children to further data collection. HB 1627 also fails to address ethically questionable content that might constitute privacy violations but not labor violations.

Table 2: Summary of Existing Laws and Policies

Name	Where it applies or what it covers	Gaps
Coogan Laws	Provisions for children working in entertainment. Usually require work permits mandating the number of hours they can work, percentage of earnings into a trust, etc.	State-by-state; does not apply to social media.
Children’s Online Privacy Protection Act (COPPA)	Limits the information that websites can collect about users under thirteen. Personal information includes	COPPA imposes data collection limitations; it has

	demographic data (e.g., name and address) and "persistent identifiers" like an IP address or browser cookie.	no enforceability when protecting children's appearance in monetized content.
FTC influencer/advertiser guidelines	Requires disclosure of paid ads and PR gifts in content.	No provisions are aimed at children.
Fair Labour Standards Act (FLSA)	Concerned with traditional occupations considered hazardous.	Categorically excludes acting/performing.
House Bill 1627, Washington State	Washington State: intended to cover children in family vlogs and monetized social media content	Only a proposed bill; has not yet passed. Limited state labor regulation, not a privacy provision.

3.2 Literature on Sharenting Motivations

Shifting focus away from the legal and regulatory aspects of sharenting, interdisciplinary scholars from fields such as communication and media studies, human-computer interaction, marketing, and sociology have all defined and described sharenting through explorations of parental behavior on social media. This growing body of literature seeks to understand the underlying motivations behind why parents

share information and images of their children online and how they perceive the impact of their actions on their children. For many parents, posting on social media allows them to express themselves and exchange information about parenting experiences. Still, the potential consequences of such actions on children's privacy and wellbeing are also important to consider. Kumar (2021) offers an apt summary of sharenting literature to date, suggesting that is “problematizes children’s presence online as a form of risk and then holds parents responsible for mitigating that risk” (p. 134).

Some remark that “pro-social” aspects of sharenting provide parents with a network of social support or belonging online, which can be especially valuable for those with children who have unique health conditions or special needs (Amon et al., 2022. p. 2; Brosch, 2016; Duggan et al., 2015). Others discuss the economic imperatives of performing parenting and pregnancy on social media (Argen, 2022; Jorge et al., 2021). However, especially for new parents, repeated visits to social media are “associated with higher stress levels” (Amon et al., 2022. p. 2). Furthermore, to participate in and receive community benefits, families must participate in self-disclosure (Ammari et al., 2015). Self-disclosure involves revealing information about oneself to others. For children of influencers, self-disclosure is inherently intertwined with "sharing about the child's identity as well" (Ammari et al., 2015. p. 1902). The openness of YouTube presents challenging confrontations when self-disclosure entails inappropriate or embarrassing

information. Exposure on an emotional level is deeply uncomfortable; consistent and repeated exposure can be traumatic.

Ågren (2022), Jorge et al. (2021), Leaver (2017), Abidin (2015), Abidin (2018) and Abidin (2020) all discuss the intersection of sharenting and influencer parents. Ågren (2022) frames infants on Instagram as “digital capital” (p. 9). Infants are described as precious brand assets for their influencer parents' content creation and advertising opportunities (p. 20). Abidin (2015) studied children of Instagram influencers – many with their own Instagram accounts – in Singapore as “micro-microcelebrities.” In *Pre-School Stars on YouTube: Child Microcelebrities, Commercially Viable Biographies, and Interactions with Technology*, Abidin (2020) reviews interactions of South Korean internet-native YouTube stars between ages 3-5 (p. 232).

3.2.1 Common Risks

Now that more academics are aware of sharenting as a social phenomenon, several studies have explored the risks or consequences that can arise when parents post about their children. These risks are amplified for children of influencers; they inform the typology of harms outlined in Chapter 4.

3.2.1.1 Datafication & Data Privacy

In recent years, the development of new technologies has drastically increased the information we share online, the availability and variety of content for consumption,

and the volume of consumer data derived from it. The potential to monitor and profile individuals grow in unquantifiable ways when data brokers and analytics companies have troves of information about a person's interests, cognitive development, and behavior over the course of their entire life. A frequently cited study found that "92 percent of U.S. children have some type of online presence by the time they are 2 years old" (Magid, 2010). As more parents create online personas featuring their children, the permanence of online activity poses complex challenges to our perceptions of what it means to be a good parent (Kumar, 2021; Kumar & Shoenebeck, 2015).

Datafication is a contemporary phenomenon which refers to the quantification of human life through digital information, very often for economic value (Mejas & Couldry, 2019. p. 1). Datafication refers to collecting, analyzing, and using data to inform decision-making and gain insights (p. 2). Datafication transforms various aspects of human life and activity into digital data that can be quantified and analyzed using algorithms and software tools (p. 2). Mejas & Couldry (2019) argue that pieces of data "...do not naturally exist, but only emerge through a process of abstraction: something is taken from things and processes, something which was not already there in discrete form before" (p. 2). Data collection is a frequently cited concern for academics who study sharenting (Amon et al., 2022; Blum-Ross, 2015). This is particularly relevant because of the rate at which data can be easily collected and sold to private companies or

data brokers (Amon et al., 2022. p. 5). Social media platform policies “lack clarity about what specific types of data companies distribute to third parties, making it difficult for users to understand where their data may flow” (Kumar, 2020. p. 59). This data can link an individual with an existing data trail, or digital footprint (Blum-Ross, 2015).

Kumar (2021) links digital identities – online profiles or personas – with risk more broadly (p. 134). Recently, she argues, sharenting in popular news and academic circles has capitalized on “potentiality risk” because our current fears about data interfering with an individual’s future achievements and opportunities are not yet coherent (p. 127 & p. 148). What is generally considered innocuous sharing today could become highly sensitive in the future (Citron & Solove, 2022. p. 818). Personal information and imagery collected about a child can and likely will be used in ways we cannot imagine. Those consequences could be severe. Discrimination by employers or educational institutions based on past mistakes is one possibility. Conversely, there is the possibility that such enormous amounts of footage about a child's daily whereabouts compromise their physical safety. Once the information has been shared, the way it is used is no longer under the control of a parent or family. Projecting these fears onto children encapsulates our concerns about future adults, “datafication is alarming because it challenges people’s agency, eroding their ability to chart their own life path” (Kumar, 2021. p. 148). As a result, Kumar proceeds with the idea that placing individual

responsibilities of sharenting on individual parents or families is both insufficient and too idealistic because it ignores the “broader sociotechnical conditions” (p. 127) that create and perpetuate risks of datafication in the first place. Most scholars in this area are still trying to understand the extent to which personally identifiable data may be extracted from YouTube videos now and in the future.

3.2.1.2 Embarrassment & Exposure

Blum-Ross (2015) pointed out that while curating memories in online contexts, it can become difficult to distinguish where a parent’s identity ends and the child begins (p. 2). Sharenting frequently creates relationship tensions and boundary negotiations between children and parents (Siibak & Traks, 2019; Verswijvel et al., 2019). Verswijvel et al. (2019) found that most adolescents felt their parents’ social media sharenting to be unequivocally embarrassing; only a handful expressed support or saw value in what their parents had to say about them online. Tactics to avoid embarrassment are a core theme echoed throughout sharenting literature (Amon et al. 2022; Ouvrein & Verswijvel 2019). This may include being transparent with their children about their online presence, respecting their children's wishes when sharing personal information or images, and taking steps to protect or otherwise filter their children's personal information online. Ouvrein & Verswijvel (2019) and Sarkadi et al. (2020) conducted

research with children and adolescents about their perceptions of sharenting. While the studies were structured differently, they both relay a singular takeaway:

“Children want to be asked about, and listened to, before their parents ‘sharent,’ that is, share stories or images about them on social media.” (Sakardi et al., 2019. p. 982)

Often children's privacy boundaries differ from their parents, which can cause frustration and tension. This finding suggests that parents may need to communicate more effectively with their children about sharenting and involve them in decision-making.

4. Harms

Children's privacy on social media has garnered significant public and academic attention in recent years (Kumar, 2021). While growing awareness of the topic helps solidify the legitimacy of concerns surrounding influencer sharenting, there is still an inadequate understanding of what elements of ethically objectionable material posted by influencer parents constitute privacy harm and what effects those harms might have on both children and audiences. Will children of influencers feel embarrassed, anxious, or resentful because of their highly public upbringing? Do adverse effects of prolonged participation in an influencer parent's content, such as emotional distress, constitute remediable privacy harm? In their typology of privacy harms, Citron & Solove (2022) explain that "harms involve injuries, setbacks, losses, or impairments to wellbeing" (p. 799). Proving an injury, setback, or loss due to privacy harm is difficult because they are ambiguous, subjective, and nearly impossible to quantify (p. 796). At the same time, "Courts struggle with privacy harms because they often involve future uses of personal data that vary widely...these harms do not fit well with existing cramped judicial understandings of harm." (Solove & Citron, 2022. p. 793). Their characterization of harm fits well with difficulty describing which intangible harms are distinct concerns for children of influencers.

4.1 Methodology

This section addresses unique privacy harms for influencer children by building a functional typology naming, defining, and describing them. To my knowledge, a typological methodology has never been employed to categorize privacy harms experienced by children with influencer parents.

Typologies serve as valuable tools for organizing and systematically comparing information. Creating a typology involves identifying and categorizing different types or classes of a phenomenon based on specific characteristics or features (Smith, 2002). However, typologies have drawbacks, such as incomplete or overlapping categories, reliance on arbitrary or ad hoc criteria, lack of explanatory or predictive power, and the risk of reifying the categories themselves (Smith, 2002. p. 381-382). Therefore, it is vital to acknowledge the limitations of the typology, and the potential for new information or data to emerge that may challenge or alter the categorization.

I hope that the typology will be iteratively challenged and that the results will help address the challenges posed by sharenting and influencer marketing and ensuring the protection of children's privacy and welfare in the digital age. Therefore, this typology can be considered a starting place for future empirical research to build on.

4.2 Harms to Viewers

The impact of sharenting content on viewers is a significant gap in discussions on its potential harms. It is essential to acknowledge that the effects of influencer parenting on children are not confined to those directly involved in creating the content but also extend to those who consume it.

4.2.1 Moral Distress

I think there has been increased public interest in sharenting because so many people have inadvertently viewed content that has compromised their moral integrity. This exposure has caused varying levels of unacknowledged and widespread moral distress. Although viewing online content is, in most cases, a conscious choice, it is challenging to parse out ethically questionable content from wholesome entertainment. Especially because influencers may start out showcasing their children in innocuous ways. Maybe the child passes through the background or makes a cameo occasionally. Still, over time, the same influencer may slowly reveal themselves to have partaken in actions that compromise their children's privacy or inherent dignity. When viewers are repeatedly exposed to such content, they may become desensitized to the emotional impact, leading to a normalization of inappropriate behavior and exploitation. Consider the following hypothetical scenario:

Anna had been following Emily and Mike's family on YouTube for years. Anna loved watching their videos and felt like she was part of their lives. When Emily and Mike announced

they were planning to adopt a child from another country, she was excited to see their family grow. They started a crowd-funding campaign to help with the expensive fees associated with international adoption and shared their journey with an adoption agency on their YouTube channel. Anna donated to their GoFundMe campaign and eagerly awaited the arrival of their new child. Emily and Mike's channel experienced considerable growth in the leadup and eventual journey to meet two-year-old Mia and bring her home. Anna had always considered adopting in the future, and felt the information Emily and Mike shared would be useful in the future.

When Mia arrived, Anna was thrilled to see her on the vlog. She was a sweet and playful little girl, and Anna felt proud to support Mike and Emily's growing family. Emily and Mike's channel continued growing as Mia's parents posted frequent updates about her. After she arrived, they were able to be more candid in their reviews about the international adoption process, filming her meltdowns and discussing Mia's medical conditions. Despite the family having other kids, Mia quickly became the focal point of a large portion of the channel's content. But as time passed, Anna and Emily and Mike's other viewers started noticing something wasn't quite right. Mia seemed to be struggling with behavioral issues, and Emily and Mike didn't know how to help her. At one point, they videoed Mia with her hands duct taped to prevent her from sucking on her thumb. Anna felt sorry for Mia and wondered why Emily and Mike continued to vlog about her if they struggled so much. She didn't want to watch the videos anymore but was curious to see how the story would unfold. Eventually, Emily and Mike filmed a video revealing their decision to "rehome" Mia with the help of their adoption agency. Viewers were shocked and saddened by the news. Anna was horrified that she had contributed to the turbulence in Mia's life. After all, she had watched Mike and Emily for years, supporting their channel monetarily with her views and through their various campaigns to fund Mia's adoption. Anna didn't understand why they would give up on Mia and felt like she had been a part of something wrong.

For years, viewers like Anna watched a real child during one of the most vulnerable periods in their life while collectively contributing to her continued exploitation and overexposure by tuning in. Although the details have been changed,

Anna’s predicament is based on the real story of one prominent YouTube family.¹² While the backlash they received caused the family to take their channel off the platform entirely, the scenario is cited frequently in sharenting literature and pop-culture discussions about the ethics of family vlogging channels. Even though the channel has since been deleted, a quick search produces innumerable photos, video clips, and dramatic retellings detailing the situation. It seems profoundly unfair that highly profitable content from a vulnerable period in “Mia’s” life was so widely viewed. And that her consolation prize was rejection.

Leaving Mia aside for a moment, put yourself in Anna’s shoes. I assume that, like most viewers, Anna does not want to feel complicit in harm or privacy violations of children. None of the existing literature discusses how viewers negotiate the particular spatial and temporal parasocial relationships they forge with content creators and their children. As content consumers, watching conversations and private moments between adults and children we would not otherwise be privy to through a screen cannot conceivably occur without material or psychological consequences. For viewers, I believe these consequences could manifest as *moral injuries*. In bioethics literature, a

¹² McNeal, S. (2020, May 29). *A YouTuber Placed Her Adopted Autistic Son From China With A New Family — After Making Content With Him For Years*. BuzzFeed News. <https://www.buzzfeednews.com/article/stephaniemcneal/myka-stauffer-huxley-announcement>

moral injury refers to psychological harm arising from violating a person's moral or ethical code (Wiinikka-Lydon, 2019). It can occur when an individual is placed in a situation that conflicts with their deeply held beliefs or values, causing them to feel intense guilt, shame, or moral distress. This type of injury can occur in various settings, including healthcare, military, and social justice work (Campbell et al., 2016). It can have long-lasting effects on a person's emotional well-being and ability to function personally and professionally.

Moral distress – a type of moral injury – is a related idea that refers to the psychological and emotional discomfort that individuals experience when they cannot act according to their moral beliefs and values (Campbell et al., 2016. p. 2). In the context of watching content that exploits children online, viewers may experience moral distress when they feel helpless or unable to intervene and advocate for the children involved. While moral distress can be a valuable way to describe the feeling of conflict with one's values, it is considered a weaker construct than moral injury because it does not necessarily involve the same level of intrusion, violation, or trauma. Moral distress focuses on the emotional and psychological consequences of being unable to act on one's moral beliefs. In contrast, moral injury involves a more profound sense of betrayal and violating one's moral identity. Campbell et al. (2016) offer a definition of *moral distress*

applicable to viewers of content they watch and later recognize as inconsistent with their beliefs or values. They say:

“Moral Distress = one or more negative self-directed emotions or attitudes that arise in response to one’s perceived involvement in a situation that one perceives to be morally undesirable” (p. 6)

Typically, moral injuries are discussed in the context of dilemmas or distress experienced by military service members or healthcare providers as functions of their occupation (Campbell et al., 2016). For Anna, believing that she had in some way contributed to the harm and upheaval of Mia’s life has the potential to cause significant distress. *Had she misjudged Emily and Mike’s ability as parents? Was living vicariously through their adoption journey wrong? Is Mia safe now? Did she have a new family? Should Anna have been wary about how entitled she felt to information about Mia’s developmental or cognitive delays because she helped fund the adoption?* These questions are legitimate, and one would hope that viewers in Anna’s situation take the time to think critically about what they witnessed.

Conceptualizing Anna’s feelings as a legitimate form of moral distress, onset as a secondary privacy violation that influencer parents inadvertently inflicted, has significant implications. Moral distress for viewers, in my view, can be defined as:

One or more negative self-directed emotions or attitudes as the direct result of exposure to content that violates one’s personal moral and ethical beliefs. Moral distress for viewers stems from feeling complicit in supporting or promoting

material harm, feeling powerless to intervene, or feeling conflicted between personal values and the desire for entertainment or social connection forged through social media. Moral distress for viewers can result in feelings of guilt, shame, anger, embarrassment, and helplessness.

Moral distress for viewers could present as psychological distress, emotional dysregulation, or feelings of helplessness. This cohesive definition of moral distress for viewers could have important consequences for debates surrounding sharenting, kidfluencers, and children of influencers because it acknowledges that in some cases the child featured in content is not the only person who has suffered a negligent infliction of emotional distress by influencer parents.

It might seem distasteful to ascribe harm to someone watching a YouTube video. Especially considering that, in most cases, there are no tangible connections between the children being watched and the viewer. But viewers have every right to feel a sense of betrayal and loss of trust in the social and digital platforms that allow them to form deeply intimate connections with other viewers while simultaneously creating systems that would enable covertly harmful content to thrive. While there is a physical screen that gives viewers the power to disengage, they know other audience members tolerate children remaining exposed. In this sense, viewer disengagement is a reclamation of authority in response to parents who transgress the rules of social order by using their children to solicit the attention of adult strangers.

4.3 Typology of Harms to Children

Despite the popularity of influencer culture, and the growth of sharenting in academic spaces, there are few attempts to marry existing frameworks for privacy harms with specific descriptions of their manifestations. Privacy harms that social media poses are not necessarily unique to children; they are described elsewhere in privacy literature as possibilities for anyone. Solove's (2006) article, *A Taxonomy of Privacy*, provided this typology's starting point and inspiration. Solove's taxonomy of privacy identifies four main categories of privacy harms: information collection, information processing, information dissemination, and invasion. Children in their influencer parent's content may be vulnerable to a range of emotional and social harms within the scope of Solove's taxonomy. With Solove's taxonomy and the literature outlined in Chapter 3 in mind, I conceptualize eight privacy harms children of influencers might face.

4.3.1 Unwanted attention from invisible audiences

Children of influencer parents are subjected to negative comments and online harassment from strangers who disagree with their parents' views or content. The specific type of exposure children of influencers face – repeated viewing by large, unknown audiences – could lead to feelings of surveillance, distrust, paranoia, and a lack of autonomy for the child. It can also create a distorted sense of reality where the

child's every action is performed. Their sense of self is shaped by their public persona and parents' followers rather than their lived experiences.

4.3.2 Risks to personal safety

As their parents share more and more content online, their children's personal information and images may become widely available online. Children's personal information might include aspects of their identity, such as their full name, birthdate, and location. For example, a child might be pictured wearing an article of clothing with the name of the school they attend. Another fear is that parents distributing online content will leave children vulnerable to identity theft or online predators (Coughlan, 2018). There is some disagreement about the extent to which this concern will materialize. Palfrey et al. (2010) suggest that the actual rate of crimes, especially "internet-initiated sex crimes involving strangers" and "cyberstalking by adult offenders" against children, are not as concerning as peer-to-peer harassment or cyberbullying (p. 7). These high-profile fears "obscures the reality that most sexual solicitation of minors is by other minors and young adults" (Palfrey et al., 2010. p. 6-7).

The granularity of information can also skew perceptions of risk. A video which identifies the location of a family or child only by their state or city has much less certainty concerning physical location than one which captures the orientation of a particular mountain range, street signs, or other notable landmarks consistently

throughout videos over time. Although those risks might be small, disclosure of the child's personally identifiable information poses a non-zero chance that the information could be used in a way that would negatively affect the child's physical safety or future data security.

4.3.3 Loss of control over personal information

While disruptions to privacy have spread across society in the social media era, there are some specific issues relevant to the psychological development and capacity for consent in content that involves minors. Not only does disclosure of personal information pose physical risks, as discussed in the previous section, but growing up in the public eye means children of influencers lose control over the personal narrative of their childhood. They face a slow, subtle erosion of personal boundaries. As children become adolescents and adolescents emerge into the world as independent adults, they will have to either accept or reject the preconceived identities their parents and an anonymous group of spectators have had a role in shaping. All emerging adults must navigate constructing an identity independent of their families to a certain extent. However, if most of us want a fresh start, we can physically relocate with relative anonymity. But children of influencers will never have that option. No matter where Mia or Emma and her siblings go, people will know them, know how they grew up, and the ways their parents treated them in the privacy of their homes. They have

irretrievably lost some autonomy over the narrative of their childhood. This harm is compounded for children who might have aspects of their identity – sexual orientation and gender expression, religious affiliation, disability status, medical diagnoses, previous experiences in foster care or adoption, etc. – that they may regret sharing so widely because it inhibits their ability to change over time.

4.3.4 Stigma

Stigma and embarrassment are potential harms that children of influencer parents may face. As their parents' popularity grows, their children may become known to a wider audience. They may be recognized in public or at school for partaking in content creation. Children of influencer parents may feel pressure to conform to their parents' image or brand, even if it doesn't align with their values or interests. This could lead to feelings of embarrassment or shame if their parents' content is controversial. It also puts them at risk of bullying, criticism, shame, or harassment.

4.3.5 Psychological Consequences

Constant filming by a parent or caregiver might make children feel like they are persistently being watched; this could be anxiety-inducing or stressful. Consistent filming schedules required for influencer content creation can have psychological consequences for the children involved. Feeling pressure to perform and entertain during daily life can create a sense of self-consciousness or feelings of being constantly

"on display." This could have negative psychological consequences in the short term, such as increased anxiety, mistrust, and a sense of being constantly under surveillance, even in private spaces. It can also lead to a lack of trust between the child and their parents or caregivers. Over time, this could lead to more serious mental health issues such as depression, anxiety, or low self-esteem.

4.3.6 Reputational Damage

Reputational damage is the potential long-term consequence of exposing a child's personal information and developmental progress over time. In turn, this dossier of data has the potential to narrow the kinds of decisions an individual can make about their life because of their online presence. The future use of this information is uncertain. Still, there is a risk of discrimination by employers or educational institutions based on past mistakes, attitudes, or actions captured on film.

4.3.7 Loss of Discretion or Seclusion

A loss of discretion or seclusion represents a sense of indistinguishable boundaries about where, when, or why a child is being filmed. The breach of, or inability to clearly articulate physical and contextual boundaries for filming is a harm in and of itself. More importantly, it could interfere with their ability to relax and be themselves in their home. It may make them feel pressured to constantly perform for their parents, peers, or a camera or to seek validation from online audiences.

Loss of seclusion refers to a reduction in a child's ability to be alone or reclude from the audience that exists behind a camera, whereas psychological harm refers to the potential for damage or injury to their mental health or well-being. While a loss of discretion or seclusion can be a contributing factor to psychological harm, it is not the same as psychological harm.¹³ It could be uncomfortable or distressing for a child to feel like their personal space or privacy is being invaded, but it may not necessarily have long-term consequences. Although the two concepts are related, the intrusion on a child's seclusion is distinct from the psychological harms that might follow.

4.3.8 Unknowable harms

The online world is constantly evolving, and it's difficult to predict how information shared today may be used in the future. Citron and Solove (2022) explain the possibility of "unknowable and future harms" (p. 817). They explain the range of risks and uncertainties brought about by data breaches exposes individuals to a "future risk of injury" (p. 817). Children of influencers are subject to similar unknowable and

¹³ A helpful example for the distinction between a potential for a loss of discretion or seclusion and psychological harms of being filmed is the reality show *Dance Moms*. *Dance Moms* focused on the lives of young competitive dancers and their mothers as they navigated the high-pressure world of dance competitions. Importantly, the dancers were filmed exclusively at their dance studio and dance competitions. The show rarely offered glimpses into the children's life outside of dance. Children in that show were undoubtedly at risk of psychological harm due to the high-pressure situations, negative reinforcement, and emotional manipulation by their dance teacher for the purposes of compelling television. But, they retained a sense of discretion and seclusion because they contextual nature of that show was obvious; they were not filmed in their homes, by their parents, or outside of dance.

future-oriented harms. Unknowable harms could relate to the mental or emotional toll of their involvement in content production, leading to stress or burnout. Unknowable harm might also result from the data available about their childhood, leading to identity theft or compromised online privacy. Emerging technologies pose other risks like recycling content from an individual's childhood into visual deepfakes or AI voice impersonations. The extent of all the other effects outlined in this typology is uncertain and unknowable; the damages or harms suffered will be highly contextual and unquantifiable. Varying degrees of harm will not be easy to predict. Perceptions of harm might relate to the size of the parents' audience and income, the length of their exposure, their proportional inclusion in the parents' content, and the granularity of information revealed about them.

4.4 Limitations

No existing research explores the process of growing up and entering adolescence with a devoted social media following. Privacy, particularly for children of influencers, will be complicated by aggregation (Citron & Solove, 2022. p. 816). This is especially true for children of influencers who might be subject to seemingly "small but numerous" privacy harms (Citron & Solove, 2022. p. 816). The true extent of this aggregation will not be understood until the first or second wave of children featuring prominently in their parents' social media content reach adulthood.

Given this, the present typology has several limitations that should be acknowledged. First, the typology is based on a review of interdisciplinary literature, not systematic primary data collection. The typology relies on the accuracy and completeness of the literature discussed in Chapters 1 and 3, as well as my own observations described in Chapter 2. Second, the typology is not intended to be exhaustive or definitive. It is speculative by nature, and additional types of harm could be identified in future research. Third, the typology is focused on the harms that may result from children's involvement in their parents' influencer content and does not address potential benefits or positive outcomes. Fourth, section 4.2: Harms to Viewers is preliminary at best. While the consequences of influencer content for children is nascent, the effects of how it will impact viewers on a personal and societal level are even less investigated. Finally, the typology is based on Western cultural norms and is undoubtedly influenced by my own personal biases. It may not apply or be generalizable to other cultures or societies with different attitudes towards privacy, social media, and child-rearing.

Table 3: Privacy Harms Children of Influencers Might Face

Privacy Harm	Definition	Harms experienced
<i>Unwanted attention from invisible audiences</i>	Sustained attention over long periods of time.	Being recognized, contacted, or commented on by strangers.
<i>Risks to personal safety</i>	Filming the location of houses, schools, and extra-curricular activities. Disclosing the location of daily whereabouts and activities.	Makes it possible for strangers to identify the child’s location. May lead to the apprehension of harm or disturbances in daily activities.
<i>Loss of control over personal information</i>	Attaches informational or emotional baggage to individuals (e.g., something from their past that they would rather not disclose— health struggles, time spent in foster care, etc.).	Inhibits future ability to remain anonymous and craft a narrative of their childhood.
<i>Stigma</i>	Negative stereotypes and judgment because of their parent’s online presence.	Long-term effects on self-esteem, self-worth, and social interactions. This could lead to social isolation, bullying, harassment, or discrimination.
<i>Psychological consequences</i>	Pressure to conform to specific standards of behaviour or	A feeling of growing up in a “fishbowl” under constant threat of surveillance. This could manifest in a

	appearance because of their parents' public image.	range of symptoms, including anxiety, depression, post-traumatic stress disorder (PTSD), and other mental health disorders.
<i>Reputational damage</i>	Connects information to individuals, inhibiting personal or professional relationships, opportunities, and choices due to long-term public scrutiny. Inability to escape past actions, behavior, or data profile.	Loss of agency or unfair judgment. Limits ability to change. This can lead to an increase in power that others have, creating a profile that can be used to judge them (i.e., landlords, employers, institutions, insurers).
<i>Loss of discretion or seclusion</i>	Erosion of trust in boundaries between public and private settings or conversations.	Inability to distinguish physical or contextual boundaries for filming. Makes it difficult for children to maintain control over intimate details of their life and childhood, and to retain a sense of bodily or mental solitude.
<i>Unknowable Harms</i>	Unpredictable, unforeseen, and unintended consequences.	Even with the best intentions and extensive analysis, it may be impossible to fully anticipate all the potential downstream effects of including children in their influencer parent's content.

5. Consent & Common Justifications

As the existing legal landscape outlined in Chapter 3 demonstrates, children's digital labor on YouTube inhabits a regulatory gray area. One of the complicated factors allowing these channels to slip through regulatory cracks is that they are run by adults. Most social media platforms have established thirteen as the minimum age to create an account. In part, this age restriction represents a threshold standard for consent or an implicit recognition that young children cannot agree to YouTube's terms of service. However, "the age of 13 appears to be at odds with both the old common law tradition of recognizing twenty-one as the age of capacity and the modern law of recognizing the age of eighteen for the capacity to contract" (Takhshid, 2023. p. 12). Furthermore, nothing prevents parents from featuring children on their accounts and consenting on their child's behalf (McGinnis, 2022). Parents generally retain the ability to determine what is best for their children, and they get to choose the level of privacy their children have online. Anxieties over the ethics of consent, and the subsequent discussion of protecting children's relative anonymity online, reflect a broader perception of children as highly vulnerable. That vulnerability and perceived helplessness tie into conceptualizing children's consent (Alderson, 2007).

Consent is permission or agreement to something after being informed about what the act or exchange entails (Tan & Jones, 2001). In medical practice, a minor can consent to a course of treatment but is not typically given the leeway to refuse it (Parekh,

2007. p. 78). Consent for children hinges on their competence or ability to make informed decisions (Tan & Jones, 2001. p. 304). Competent individuals can sufficiently demonstrate reasoning and reflection about their course of treatment and can appreciate the consequences of alternative courses of action or inaction (Parekh, 2007; Alderson, 2007). Assent, on the other hand, is a term used specifically for children who cannot legally provide consent for themselves (Tan & Jones, 2001. p. 303-304). It refers to the child's agreement to participate in something, given that they have been given age-appropriate information about what is involved. Assent acknowledges that while children may not have the legal capacity to provide full consent, they still have the right to be involved in the decision-making process and have their preferences considered. For children of influencers, seeking consent or permission before posting on social media becomes even more complicated when parents make decisions about including their children in content creation. Particularly given the unknown nature and incalculable risks and harms associated with their participation.

In the US, children's consent is not legally valid (Alderson, 2007. p. 2276). When a parent provides consent on their child's behalf, courts tend to uphold "a tradition of family autonomy immune from invasive state interference in the upbringing of one's child" (Masterson, 2018. p. 597). Indeed, the US Supreme Court has ruled consistently that the right of parents to raise their children as they see fit is "essential" (McGinnis, 2022. p. 260). Furthermore, parental immunity prevents a child from suing their parent

for a tort-related claim (Pacht-Friedman, 2021. p. 378).¹ To illustrate this tension,

Sorensen (2016) discusses *Pollock v Pollock*:

“a privacy case concerning video-recording a child, the Sixth Circuit Court of Appeals also displayed a commitment to the inherent rights of parents, holding that a child's ability to consent does not preclude a parent from being allowed to consent on the child's behalf. They upheld the parents' actions, so long as they were ‘objectively reasonable.’” (p. 167)

Sorensen goes on to explain that courts have historically privileged the view that parents hold incredible power to act in the best interest of their children and uphold their rights to exercise that power of consent even “in circumstances no autonomous adult would consent to” (p. 171). Nevertheless, parents' information about their children “is of the most intimate and detailed form possible” (p. 174). And simultaneously, “data disclosed online are often persistent, searchable, and hard to delete” (Palfrey et al., 2010. p. 11). The nature of that intimate information, Sorensen believes, should incite a fiduciary-type relationship between parents and children. In this relationship, parents become the trustees or stewards of their children’s digital identities. Is parental permission to participate in YouTube content with such large audiences sufficient when parents themselves may not understand the dangers of information security? It could be argued

¹ William L. Prosser’s *Privacy*, 48 CALIF. L. REV. 383, 388-89 (1960) identifies four main privacy related torts: (1) Intrusion upon the plaintiff’s seclusion (2) public disclosure of embarrassing private facts about the plaintiff (3) publicity which places the plaintiff in a false light in the public eye (4) appropriation for the defendant’s advantage of the plaintiff’s name or likeness”. These torts were conceptualized before the proliferation of the internet and social media.

that this protective and potentially paternalistic approach to children's consent is outdated in scenarios where neither the parent nor the child can truly comprehend the consequences of their consent.

Because children cannot weigh the long-term risks of repeated online exposure, the fundamental question is: are the potential privacy and psychological risks associated with using children in monetized content acceptable for adults to impose on their children? Of course, there are potential benefits that might justify these impositions. Children of influencers can inherit lucrative audiences in the same way a child who inherits a small business might. They have the opportunity to learn valuable skills related to content creation, social media management, and entrepreneurship from their parents, which may help them in their future careers. They can travel, lead lives of great material value, and can easily pivot into other forms of entertainment in the future. In the subsections below, I outline other common reasons that influencer parents might utilize to justify that their impositions are legitimate.

5.1 The “Good Life” Defense

The first and possibly most common justification influencer parents lean on is to emphasize their strong work ethic and their commitment to providing for their family through their chosen career. It is remarkable how much revenue influencers generate, especially on YouTube. Kids are documented living lavish lifestyles with obscene amounts of toys, shopping sprees, and never-ending vacations (Dunphy, 2017).

Depending on their parents' success as influencers, the children may benefit from this sense of financial stability. For example, they may have access to high-quality education, extracurricular activities, and travel opportunities. Presumably, provisions of a "good life" are a fair trade-off for their work. A recent *Teen Vogue* article featuring the child of an influencer summarizes this issue:

“Claire says both her parents left their jobs because the revenue from the YouTube channel was enough to support the family and to land them a nicer house and new car. ‘That’s not fair that I have to support everyone,’ she said. ‘I try not to be resentful, but I kind of [am].’ Once, she told her dad she didn’t want to do YouTube videos anymore, and he told her they would have to move out of their house and her parents would have to go back to work, leaving no money for nice things.” (Latifi, 2023. para 3.)

As noted in the introductory chapter, videos including children under thirteen attract three times as many views as those without (Van Kessel et al., 2019). Three times as many views translate to three times as much ad revenue per video. This algorithm-dependent monetization scheme can create a situation where adults informally depend on their children's appearance in posts to make money. Furthermore, it undermines the legitimacy of the influencer marketing industry to relegate children to a shadow workforce. Suppose influencer parents truly want to demonstrate their strong work ethic and commitment to their chosen online profession. In that case, advocating for safe working conditions in their industry for all children involved in content creation, not just their own, should be important. This could include advocacy for legal protection,

contractual obligations, or enhanced privacy protection and identity management frameworks on YouTube.

5.2 Digital Scrapbooking

Uploading for extended periods allows parents to store the modern-day equivalent of scrapbooks for their family lives in one place (Luscombe, 2017). Vlogging is designed to capture activities families would already be doing. Recall all the mundane, innocuous things I know about Emma and her siblings. Emma’s parents and other influencers claim that keeping their lives online allows them to store memories in one place. Their channels function as polished home movies available on demand. This defense might have been more plausible when YouTube was a newer platform, and the risks of oversharing and the monetary benefits of running a social media account online were less evident. But as YouTube’s popularity has exploded, filming children under the guise of “memories” is a weak defense. If a digital scrapbook was the goal, parents could create private accounts or unlisted videos only available to close friends and families.

This justification also fails to consider that it is *because* children in social media content are filmed primarily doing things we charitably assume they are already doing that their parents can allow them to remain unaware of the surplus value their appearances create. As Agren (2022) points out, “influencers’ success is largely based on them presenting themselves as authentic, creating a feeling of intimacy and revealing

parts of their daily lives to their followers” (p. 19). This ability to share parenthood preserves the integrity of the format for both viewers and creators while broadening the influencers' brand and creating more intimate attachments between followers and various family members (p. 19). Posting highly edited, commodified memories on social media under the guise of collecting memories reinforce the idea that the children are not working. When audiences reasonably assume children are participating and not performing, it becomes easier to suggest that they do not require legal protection or compensation for their appearances. This defence upholds deeply rooted neoliberal structures of commodification whereby “children are at the very bottom step doing labor by just existing” (Argen, 2022. p. 20). As mentioned, the mere presence of children amplifies the profitability of a video. While digital scrapbooking preserves the integrity of the format for both viewers and creators, it reinforces the idea that platforms, influencer parents, and viewers have no fiduciary duties to the children who appear in content because the act of appearing does not require skilled workers.

5.3 Awareness & Advocacy

Large families, religious families, blended families, adopted children or children with disabilities, and families living in exceptional locations or under novel circumstances have found niches on YouTube. Large families often share their daily routines and dynamics, showcasing the challenges and joys of raising a large family. Religious families may share their faith-based practices and beliefs with their audience.

Blended families may share their experiences integrating different family units and navigating new family relationships. Adopted children or children with disabilities may have their experiences and perspectives shared by their parents or guardians to raise awareness and provide support to other families in similar situations. Families living in exceptional locations or under novel circumstances share scenic views and travel adventures, providing a unique glimpse into different lifestyles and cultures. Each of these niches offers a different perspective and appeals to a diverse audience on YouTube.

Online communities forged on YouTube can raise awareness of problems they face in society and overcome feelings of isolation. For example, there is a thriving community for parents of children with autism to educate viewers about common misperceptions related to developmental disabilities (Ryan, 2022; Lloyd et al., 2019). Beyond entertainment, this can increase public awareness of the challenges certain minority groups or families face in their everyday lives that the general public might not see otherwise.

While raising awareness and advocating for social issues are admirable goals, using children to achieve them is problematic. The “awareness and advocacy” justification may result in a child being objectified and treated as a spectacle for the benefit of others rather than being valued as an individual with their own autonomy and dignity. This can be particularly concerning for children who may not fully

understand the implications of being featured in public content or lack the opportunity and agency to provide meaningful consent or assent. For example, a child in a religious family might be featured in content promoting a specific religious belief or practice without considering how the child's views or preferences could evolve. Although a parent's YouTube channel might aim to raise awareness about important issues or showcase a positive portrayal of families in unique communities, it raises questions about the ethics of using children's experiences and stories for entertainment.

5.4 “*But my kid likes making content!*”

Agency exists in structural contexts. If those structural conditions are coercive, if participation is incentivized through economic or other means, the possibility of meaningful and enthusiastic consent is compromised. Power dynamics between a child and a parent are inherently unequal, and children may feel pressure to comply with their parent's wishes or to seek their approval. Even if a child consents to be filmed, that consent may not be considered legitimate because children cannot fully understand, anticipate, or appreciate potential consequences. This is the case in social media content, where children cannot appreciate the scope or ramifications of their participation.

While describing the unique terms of children's participation in reality television, Rey (2013) notes that “children do not understand the potential negative effects ... and are therefore not capable of making informed voluntary decisions before participating” (p. 2). Parents may be responsible for protecting their children from these adverse

effects, even if their child desires to participate. Similarly, children of influencers do not have the capacity to weigh the long-term risks of repeated exposure to such large audiences against the benefits of their participation. Consider the following hypothetical scenario:

One mother emphasized that she took great care in ensuring that her nine-year-old daughter was enthusiastic about having a special outing with her parents filmed. The video thumbnail includes a close-up photo of the daughter; the title consists of the phrase "Parents Explain the Birds and the Bees" posted to the large family's two million subscribers with the hashtag "#Thetalk" in the video description. Although the mother makes it clear she respects her children's boundaries regarding the filming of this sensitive moment by reiterating that not all sixteen of her children have wanted to have this occasion on video. This child, however, consented. A few minutes later, on the way to a special outing with both parents, the mother pans to the backseat and asks her daughter if she knows where they are going or what they will discuss. The daughter replies, "No, I have no idea."

This is not an uncommon video genre for influencer parents; it is a trope that occurs again and again. While the parent may argue that they are trying to educate their child and their followers, does that child's willingness to participate constitute valid assent? Would it make a difference if the daughter understood what kind of conversation would be filmed? Would it make a difference if she was over the minimum age requirement to join YouTube? Another possibility in this scenario unclear to a viewer is that the child's consent may not be genuinely voluntary but rather a product of the parent's influence. As such, they may be vulnerable to manipulation or coercion, even if they appear enthusiastic about participating in filming. A conversation about sexual topics is especially sensitive. It may put the child at risk for future exploitation or

embarrassment, as the video may be shared publicly or misused. Not to mention less tangible risks of being uncomfortable, confused, or embarrassed in the future by such discussions, which could lead to emotional distress.

Even if a child genuinely enjoys participating in content creation, it does not necessarily mean that it is in their best interests. The law often protects children from doing things not in their best interest. Justifying the inclusion of minor children because they consented to their inclusion obfuscates the root of the problem. It also fails to account for the current context in which these children envision their futures. More children today want to be influencers than astronauts (Taylor, 2019). With that statistic in mind, it seems even less realistic to expect children to weigh the risks and benefits of their appearance accurately. A child's enjoyment of participating in content creation and sharing may be a factor to consider. Still, it should not be the sole justification for their inclusion. Parents and caregivers must also consider the risks and harms of their participation and prioritize their child's long-term well-being over their desires or motivations.

6. Solutions & Shortcomings

What do we tell Emma in ten, fifteen, and twenty years when she can understand how many people watched her grow up? What do YouTube, her parents, or society owe her? Should Emma's parents have had the digital literacy skills and foresight to avoid the potential privacy risks, or should platforms like YouTube at least be mandated to pay Emma for her appearance in content? Should policymakers slow the rate of social media innovation – an industry which employs many -- to protect Emma? These are all questions to which there is no clear answer. Yet, the work this project has built on demonstrates they are questions of profound social importance. Most who have studied the issue agree: there will be more Emmas, and not just on YouTube. While the previous section showed how parents justify and consent to posting their children publicly, this section highlights how some experts are already thinking about these challenges to children's privacy on social media through legal means and platform infrastructure.

Law review articles tend to hyperfocus on legal issues and arguments as tools to give children more control over their online presence as they age, even after their parents have established it. Few address that children of influencers, unlike the child entertainers that most labor regulations aim to describe, are not famous for playing a character; they are famous for being themselves. Still, without legal requirements, any approach a parent takes to manage the income generated by or with their children on social media is entirely voluntary (Saragoza, 2020. p. 587). Many suggest extending the

provisions of a Coogan law, or FLSA, to children in social media content (O'Neill, 2019; Geider, 2021). Pushing for an updated Coogan Law – a state-level regulation – should guarantee minors in their parents' social media posts have work permits issued by their respective state Department of Labor (McGinnis, 2022; Geider, 2021; Riggio, 2021). This would ensure all adequate provisions have been made for the minor's educational instruction, supervision, health, and welfare. It could also outline specific work hours and limit the number of filming hours a child participates in daily.

One approach, presented by Takhshid (2023), challenges the concept of parental consent under COPPA because of the “ambiguity of the risks and harms associated with ... companies' collection of minors' data” (p. 46). Consent also eliminates the possibility of bringing any tort claims (p. 51). Instead, Takhshid (2023) proposes a shift “away from frameworks that seek to protect children's digital privacy by relying on notice and parental consent forms, and instead adopt positive law to protect children's digital privacy” (p. 57). Alternatively, Pacht-Friedman (2022) suggests the US follow France's lead. France recently passed legislation offering children who appear in social media content the same protection as child actors or models under the country's labor codes (p. 385). Once French children reach the age of majority, they can also sue their parents if previous online posts caused a significant privacy violation (p. 385). Recognizing that the US is a long way from having the ability to enact similar laws, YouTube and other social media platforms might have to take more initiative and allow these children the

power in the future to request content about them be removed from a social media platform (p. 387-388). The content takedown request mechanism echoes Washington's HB-1627 (2023). HB-1627 proposed two things: pay children who appear in content and offer them a way to alter their digital footprint as adults through a content removal mandate. Auditing and enforcement approaches come with their own drawbacks. YouTube, or a compliance department of some kind, would hold more data about those children when previously they only aggregated data under the umbrella of an adult account holder. It would cost a considerable amount of money and deter many content creators from including their children in content. I see this as a positive thing, but influencers who rely on YouTube as a source of income may not.

Although useful, these legal remedies do not reflect the perspectives and lived experiences of other stakeholders, such as influencers, children who appear in their parent's content, or platform representatives who have a more direct and personal understanding of the challenges of blanket regulations or altering platform infrastructure. Addressing children's right to privacy in their day-to-day lives as a labor policy and law problem obscures its root causes. Lack of privacy is also a social problem with underlying socioeconomic motivations. Seeking to solve it within the logic of the law ignores the undercurrent of pervasive privacy issues that social norms have a role to play in upholding. Additionally, concerning children's legal issues, there are limitations on the range of punitive measures or legal strategies available to adults that infringe on

a child's privacy. Neither the influencer parents nor YouTube can be clearly accused of violating child labor laws.

Academic literature and more mainstream media publications that describe sharenting often misconstrue modern parents as lacking rational thinking. Academics who describe sharenting appeal to a parent's ability to engage with better digital literacy education or to manage their children's social media exposure responsibly. Hamming (2020) points out that focusing on educating parents or investing in digital literacy strategies is a highly idealistic approach. Education alone will not actively incentivize parents to make positive choices about their children's privacy (p. 1061). Education is a privileged access opportunity that cannot be equitably applied the way that legislation with tangible consequences will. Beyond issues of incentives or access, arguments favoring an 'education and awareness' approach to children's privacy online might still fall prey to one of the most common counterarguments to privacy of all time: the idea that their children have "nothing to hide" (Hamming, 2020. p. 1061). Privacy is more than just concealing information; it is also about controlling who can access your personal information and how it is used. Just because someone is not actively trying to hide aspects of their identity or data does not imply they are giving anyone unrestricted access to it.

Alternatively, some advocate for applying a "rights-based" framework to the digital labor of children who appear in their parents' content (Carrêlo, 2022; Sargeant,

2022). Others suggest parents construct a child's online identities through duty-based frameworks like "privacy stewardship" (Kumar & Schoenebeck, 2015, p. 1310) or "fiduciary relationships" (Sorensen, 2016). Privacy stewardship represents a parental duty to navigate the inherent tension of documenting childhood and preserving a sense of identity protection (p. 1310). Online privacy stewardship also means that "good parenting" entails constant hypervigilance of a child's online presence and activities. This suggests a (perhaps naïve) understanding of parents as consistently reliable custodians of their children's information as the interface between social media and future-oriented risks is still emergent. Kumar (2021) presents three parent-child relations that require different levels of intervention in online privacy management practices: (1) an adversarial relation, (2) a stewardship relation and (3) a representational relation (p. 179-180). An adversarial relation, most evident in legal literature, "pits parent's and children's rights against each other and implies a potential need for legal redress" (p. 179). A stewardship relation engages experts to help parents manage social media, according to best practices, on behalf of their children (p. 179). And the representational relation questions social conceptions of boundaries between parent-child identity and "invites society to rethink its emphasis on the individual rather than relation, dimensions of identity and privacy" (Kumar, 2021, p. 179-180).

Other practical suggestions for platform design could also play a role in making sharenting a less ubiquitous practice. For example, Ammari et al. (2015) proposes

“design opportunities” for online disclosure management. Of their areas for design, “retroactive identity management” is the most translatable to the YouTube landscape (p. 1902). Retroactive identity management would offer the ability to alter the available information about oneself in the future. This would allow children more control over their digital presence as they age, even after their parents have established it. However, their paper also points out this can also put unrealistic expectations on users to be “available, active, and vigilant about their online identities” (p. 1902). Placing the onus of online identity management on individual parents does not interrupt the expediency of information that occurs at a societal level, nor will it capture parents generally uninterested in the work involved to engage in protective privacy measures. It also does not constitute a guarantee that all available data or metadata about an individual could legitimately be cleared.

At the same time, the intersection of social media and social problems, particularly for children, can seem incomprehensible. The variation of potential solutions to this issue is daunting. Removing children from the internet, or even exclusively social media, is unrealistic. Parents and viewers have a role to play in keeping children safe online. Social media platforms and policymakers appear poised to do more, and the particulars of how they approach identifying and mitigating the harm experienced by children of influencers deserve further research, testing, and attention.

7. Conclusion

The present study is the first to describe privacy harms experienced by children of influencers and link them to salient features of YouTube content which place children at risk of irresponsible exposure. The first chapter brought together a brief landscape of the influencer industry, YouTube's platform policies and monetization infrastructure, the history of "anything for views" parenting, and interdisciplinary literature to examine monetized content's far-reaching implications for children of influencers. Chapter 2 outlined observable features of content posted by influencer parents that violate their child's privacy and compiled them into a table identifying salient features of harmful content. The literature review in Chapter 3 summarizes legal loopholes allowing children of influencers to remain unregulated and exposed to privacy, economic, and child labor violations in the United States. From there, I constructed a typology of privacy harms that children of influencers might face. The typology describes and categorizes eight ways minors in their parents' monetized YouTube content may be negatively affected. The consequences of featuring minors in influencer content may impact children's psychological well-being, physical safety, and other aspects of their privacy, now, and in the future. Common reasons that a parent might look past those concerns, and discussions about a child's inability to provide meaningful consent helped to illustrate the complexity of this issue. While there is no one-size-fits-all solution currently available, the typology of privacy harms children of influencers might face

provides a foundation for further research and policy development in the rapidly evolving influencer industry. Combining the resources gathered in this project highlight that YouTube's thriving influencer activity is not without ethical concerns, particularly for the children of influencers.

This thesis has primarily been concerned with fleshing out ethical and privacy considerations related to children of influencers, such as the immature legal landscape and the risks of exploitation and harm to children. Analyzing children of influencers in their parent's YouTube content enriches the general understanding of how and why a parent may share information about their children. There is still a dire need for further research to understand the nuances of risk and economic incentives for parents who continually expose their children online. These include the immediate and long-term effects growing up in an influencer household. This could incorporate evaluations of mental health, emotional development, and relationships with family and peers. Another area for research is the impact participation may have on children's cognitive, emotional, and social development. For example, exploring the effects of having a constant "audience" on brain development and the impact of exposure to social media through an influencer parent on self-esteem or conceptions of privacy. Alternatively, studies could focus on motivations of influencer parents through interviews or surveys. Questions to be asked of influencer parents might relate to the potential conflicts of interest between their desire for online notoriety or financial gain, and any sense of

responsibility to preserve their children's privacy and well-being. Lastly, it is vital that solutions are more aggressively investigated and tested. Determining the most effective mechanism to balance reasonable privacy standards for children against legitimate interests of influencer parents will be the most substantial way to mitigate and compensate the harms fleshed out in this project. As the privacy risks for children of influencers become more apparent, further research can test and solidify these concerns and conceptualize appropriate legal remedies to neutralize them.

Appendix A: Videos Analyzed

Table 4: YouTube Videos Referenced

Channel Name	Video Title	Date Posted
8Passengers	The Making of Eve	January 7, 2015
8Passengers	Back to School for EVE!	September 14, 2018
8Passengers	Eve's Baptism	January 2, 2022
8Passengers	Hawaii Holiday with 6 KIDS	December 30, 2018
8Passengers	It's MY BIRTHDAY!!! Great to be 8!,	November 22, 2021
Anisia Lagness	WE RUSHED HER TO THE HOSPITAL	July 21, 2018
Bonnie Hoellein	The Girlfriend Saga Continues!	October 6, 2022
Bonnie Hoellein	How Lincoln Lost His Pinky	February 14, 2023
Dougherty Dozen	MOM OF 12 MORNING ROUTINE **MEAL PREP**	December 14, 2022
Dougherty Dozen	MOM OF 12 MORNING ROUTINE	October 19, 2022
Not Enough Nelsons	The "TALK" Parents Explain The Birds & The Bees to PresLee	September 27, 2021
Not Enough Nelsons	The "TALK" Parents Explain The Birds & The Bees to ElleCee! *Emotional*	January 29, 2023

Appendix B: Relevant Abbreviations & Definitions

This section aims to provide explanations of social media slang to clarify key terms that might be considered jargon. This is intended to ensure consistent use of language when describing closely related, unfamiliar, or interconnected concepts.

User-generated content (UGC): User-generated content (UGC) is content created and shared by users or audiences rather than by professional content creators or publishers (Daugherty et al., 2008). UGC can be found on various platforms and formats, such as blogs, websites, social media, videos, podcasts, and e-books. The content can be free or paid. Typically, UGC is funded by advertising, sponsorships, subscriptions, sales, or other forms of revenue (Daugherty et al., 2008).

Influencers: Cotter (2018) defines an influencer as users who “have accrued a large number of followers on social media and use this social capital to gain access to financial resources” (p. 896). Influencers have a minimal established basis in law; industry stakeholders have little consensus about when a social media creator becomes a proper influencer.² The terms “content creator” or titles specific to the platform “YouTuber” are utilized interchangeably. For this report, influencers can be defined as individuals with large, loyal social media followings who use their platforms to do two things. First, they

² Harris (2019) describes mega, macro, and micro influencers as categories describing the reach, relevance and resonance of a particular accounts influence.

create and share content expressing opinions, experiences, and stories with their audience. As a result of creating and sharing that content, they generate revenue. Influencers also use their platforms to promote products, services, or brands, and to generate revenue or profits from posts. In many respects, influencers represent a democratization of celebrity culture, blurring the boundaries between fame and everyday experience while also serving as a force for capitalist commodification. They are emblematic of new forms of media and emerging technology's power to reconfigure how we engage with social, cultural, and economic systems, giving rise to new forms of authority and influence that require critical inquiry and examination (Zuboff, 2017).

Monetized Content: Influencers make money using social media platforms and other online channels to promote products, services, and brands to their followers (Abidin, 2015). Monetized content refers to posts where the creator is remunerated through one of these methods: advertising, sponsorships, affiliate marketing, merchandise, and paid collaborations.

Sharenting: Sharenting is the practice of parents sharing information, photos, and videos of their children on social media platforms (Blum-Ross & Livingstone, 2017; Amon et al., 2022; Brosch, 2016). It is a form of digital parenting that has become increasingly common in recent years as more and more parents use social media to document and share their children's lives with their friends, family, and followers (Brosch, 2016).

Child Influencers or Kidfluencers vs Children of Influencers: The distinction between child influencers and children *of* influencers is not explicitly defined in any literature. A child influencer or “kidfluencer” follows from the previous definition of an influencer, with the caveat that for young children – usually preschool or elementary-school age – accounts are created under the child’s name and managed or run by their parents (Maheshwari, 2019; Feller & Burroughs, 2021). A kidfluencer’s content portrays the child as the primary creator and owner of their online image and persona (Saragoza, 2020). Kidfluencer content, such as toy reviews or unboxings, are designed to appeal to other children (Feller & Burroughs, 2021). These accounts do not technically breach social media platform user agreements because the accounts appear to be monitored or run by an adult. The term kidfluencer does not capture children who appear in their parents’ content. Children below the age of consent for social media platforms appearing in any form of monetized social media content – typically 13 years old – are not creators, owners, or primary benefactors of their online persona; their experiences on social media, digital footprints, and any public perception thereof are shaped and mediated by their parents' choices and online interactions (Saragoza, 2020).

In contrast, I characterize the child *of* an influencer as any minor, passively featured in their parent's social media posts. Children of influencers appear in content which does not target their age group. Influencer parents building their own brands might have young audience members, however, they make content for other adults. For

example, a popular YouTube channel features the daily rituals of a mom cooking for her twelve children. In many videos, while she cooks, cleans, and grocery shops, her children do not appear on camera. But throughout the 40-minute videos, the children are referenced at length—often by name. She tells viewers what extracurricular activities each child attends on that day and discusses their medical diagnoses while making sandwiches for her picky eaters. Even in videos where her children are not on camera, viewers are continuously being fed highly intimate details of their lives. Parenting content is presumably meant to appeal to other parents. Still, given that it necessarily implicates children, studies that define and explore children of influencers as they age under the supervision of “parent-managers who conscientiously monitor, groom, and curate a biographical narrative that can later be monetized” are sorely lacking (Abidin, 2020, p, 227). Through these narratives, children of influencers are assigned different roles. They are mischievous, curious, angry or overly exuberant. These everyday scenes create unique relationships with the influencer’s followers (Argen, 2022, p. 17). As Argen (2022) briefly states, “The children of influencers are born into a culture in which consumption and visibility are the norms and in which the camera, followers and advertising collaborations are a constant companion” (p. 20).

Both kidfluencers and children of influencers lack control over how their name, image, or likeness is used in monetized content. The distinction between a kidfluencer and the child of an influencer describe slightly different levels of agency, autonomy, and

privacy for children on social media. Separating these two groups helps inform later discussions highlighting the need for appropriate protections and support for children on these platforms.

Vlogs or Vlogging: Vlogging refers to video blogging. Specifically creating and uploading video blogs on social media (Luscombe, 2017). Vlogging can be used for various purposes, such as entertainment, education, and personal expression. Some vloggers have become successful influencers, using their vlogs to promote products, services, and brands and to generate income from advertising and sponsorships. Family vloggers are social media family channels that document the lives of parents and children (McGinnis, 2022. p. 4). Family vlogs often showcase a family's everyday lives and important milestones. They can be an entertaining and educational way for viewers to get a glimpse into the lives of others (Riggio, 2021; Pacht-Friedman, 2022).

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