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HEURISTIC QUESTIONS FOR INSTAGRAM LIVE

Abstract

As internet research has proliferated, so too have ethical concerns about Internet research. Emerging ethical guidelines about Internet research have highlighted the importance of critically adapting research practices to respect privacy norms in different contexts, often through heuristic questions. Picking up this scholarship, this article develops heuristic questions for researching Instagram Live. First, I consider the challenges posed by Instagram Live in the access and collection stage of research by arguing that time adds a second axis of privacy. Next, I examine how storage can take Instagram Livestreams out of context and compromise its contextual integrity by stripping it of its relational and affective components. Finally, I interrogate how Instagram Livestreams complicate power dynamics implicit in memory. Specifically, it may impose a “burden of liveness” on creators as livestreams are incorporated into disciplinary standards of publication.

Keywords

Ethical heuristics; Instagram; social media; new media; Internet research.

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1. INTRODUCTION

Internet livestreaming features are becoming an important part of the media landscape. News media organizations and politicians often livestream news events, and others use livestreaming to develop Internet celebrity¹, engage in strategic communication², fa-

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¹ T. Leaver, T. Highfield, C. Abidin, *Instagram: Visual Social Media Cultures*, Cambridge: Polity Press, 2020.

² J. Woodcock, M. Johnson, “Live Streamers on Twitch.tv as Social Media Influencers: Chances and Challenges for Strategic Communication”, *International Journal of Strategic Communication*, 13, 4 (2019): 321-335. Accessed April 15, 2023. DOI:10.1080/1553118X.2019.1630412.

cilitate political engagement³, participate in activism⁴, build communities for marginalized groups⁵, and develop identity⁶. However, livestreams raise ethical questions for researchers, especially around privacy and consent. Thus, I ask: What ethical issues around privacy arise in studying Instagram Live specifically? What ethical heuristics might be usefully applied?

I first outline the importance of heuristics and privacy in Internet research ethics before discussing features of Instagram Live. Next, I outline my case studies before developing ethical heuristics for the access and collection, storage, and presentation phases of researching Instagram Live.

2. LITERATURE REVIEW

2.1. *Heuristics in Internet Research Ethics*

As researchers have developed ethical frameworks for studying the Internet, some have developed disciplinary approaches, such as McKee and Porter's rhetorical work⁷. Independent national advisory boards, such as the Norwegian-based National Committee for Research Ethics in the Social Sciences and the Humanities, have also developed guidelines⁸.

I mostly draw from the Association of Internet Researchers (AoIR). AoIR released three sets of Internet Research Ethical Guidelines (IRE), the IRE 1.0, 2.0, and 3.0⁹. These guidelines emphasized how universal ethical frameworks cannot adequately account for the nuances of Internet research. Specifically, the IRE 2.0 outlined the place-based cultural dimensions of Internet research. Moreover, different Internet platforms have different cultural norms¹⁰. To adapt to situated contexts and cultural norms rather than give universal answers to ethical questions, AoIR and McKee and Porter both advocate for

³ E. Hammelburg, "#stemfie: Reconceptualising Liveness in the Era of Social Media", *TMG Journal for Media History*, 18, 1 (2015): 85-100. Accessed October 8, 2022. DOI: 10.18146/tmg.108; C. Butkowski, "Livestreaming Election Day: Political Memory and Identity Work at Susan B. Anthony's Gravesite", *Social Media + Society*, 8, 1 (2022): 1-12. Accessed November 2, 2022. DOI: 10.1177/20563051221086236.

⁴ M. Li, "Visual Social Media and Black Activism: Exploring How Using Instagram Influences Black Activism Orientation and Racial Identity Ideology Among Black Americans", *Journalism & Mass Communication Quarterly*, 99, 3 (2022): 718-741. Accessed October 8, 2022. DOI: 10.1177/10776990221108644.

⁵ M. Willcox, A. Hickey-Moody, A. Harris, "Instagram Live Community: A Queer Entanglement", paper presented at the Association of Internet Researchers, virtual, October 27-31, 2020.

⁶ Butkowski, "Livestreaming Election Day".

⁷ H. McKee, J. Porter, *The Ethics of Internet Research: Rhetorical, Case-Based Process*, New York: Peter Lang Publishing, 2009.

⁸ "Guidelines for Research Ethics in the Social Sciences and the Humanities," *National Committee for Research Ethics in the Social Sciences and the Humanities*, May 26, 2022. Accessed December 21, 2022, <https://www.forskningsetikk.no/en/guidelines/social-sciences-humanities-law-and-theology/guidelines-for-research-ethics-in-the-social-sciences-humanities-law-and-theology/>.

⁹ C.M. Ess, AoIR Working Committee, "Ethical Decision-Making and Internet Research: Recommendations from the AoIR Ethics Working Committee", the Association of Internet Researchers, November 27, 2002. Accessed October 3, 2018. <http://aoir.org/reports/ethics.pdf>; A. Markham, E. Buchanan, *Ethical Decision-Making and Internet Research: Recommendations from the AoIR Ethics Working Committee (Version 2.0)*, the Association of Internet Researchers, December 2012. Accessed October 3, 2018. <https://aoir.org/reports/ethics2.pdf>; a.s. franzke *et al.*, *Internet Research: Ethical Guidelines 3.0*, the Association of Internet Researchers, October 6, 2019. Accessed February 7, 2021. <https://aoir.org/reports/ethics3.pdf>.

¹⁰ Markham, Buchanan, "Ethical Decision-Making and Internet Research", 15-17.

phronēsis, or situational ethical judgement. To enact *phronēsis*, both offered heuristic questions, which are designed to walk researchers through a “series of considerations” to facilitate responsible research decisions¹¹. Given the increasing prominence of livestreams, this article focuses not on offering rigid guidelines but on heuristic questions by focusing on Instagram Live specifically.

2.2. Privacy in Internet Research Ethics

Specifically, this article develops heuristics focused on privacy, which is a key concern for Internet researchers. Privacy brings up ethical questions about vulnerability and harms. As privacy is a cultural concept, participants may post content publicly but expect it to be private. Participants are not always aware that researchers can use their content¹². Since participants post on social media for a specific audience, without obtaining consent researchers may unintentionally publish private information about participants for a new audience that puts participants at risk; an example is research about sensitive topics (like health, politics, sexuality) that in certain contexts may put some people at risk of facing social and legal sanctions¹³. Additionally, the potential for data leaks puts participants’ private information at risk. Lastly, questions of private data ownership are important; since participants put in the communicative labor to create data, many would prefer to be asked or given credit¹⁴. Thus, privacy has implications for what kinds of data are public for researchers to collect and what data requires informed consent. Importantly, as the IRE established, although technologies may give rise to ethical norms, these ethical norms must simultaneously account for how those technologies are cultural artifacts. Thus, privacy norms are established by technological features, social and cultural values, and people’s usage norms.

To more fully address privacy norms established by technologies and users, the IRE 2.0 argued that researchers should determine if they are approaching social media data as published texts or as human subjects, as the latter would require informed consent. If researchers determine they need informed consent, it is still not a straightforward process, and researchers must consider the ethical norms of place and platform, ensure that participants are fully informed, and determine how to seek informed consent with big data sets¹⁵. Researchers must also negotiate different conceptualizations of selfhood and relationality¹⁶.

Moreover, the interplays between technological features and user cultures are not universal; they shift. Thus, Internet scholars often turn to Helen Nissenbaum’s concept of “contextual integrity,” which refers to the idea that privacy norms must be contextualized. Nissenbaum added that privacy concerns are not static but emerge over time. Contextual integrity demands that not only are data gathered according to the privacy norms of specific contexts, but that data must also be distributed and circulated according to those privacy norms¹⁷. In practice, this means that if a person posts something in

¹¹ *Ibid.*, 2.

¹² C. Feisler, N. Proferes, “‘Participant’ Perceptions of Twitter Research Ethics”, *Social Media+Society*, 4, 1 (2018): 1-14. Accessed April 3, 2019. DOI: 10.1177/2056305118763366.

¹³ Markham, Buchanan, “Ethical Decision-Making and Internet Research”, 10.

¹⁴ Feisler, Proferes, “‘Participant’ Perceptions of Twitter Research Ethics.

¹⁵ Markham, Buchanan “Ethical Decision-Making and Internet Research”.

¹⁶ Franzke et al., *Internet Research: Ethical Guidelines 3.0*.

¹⁷ H. Nissenbaum, *Privacy in Context: Technology, Policy, and the Integrity of Social Live*. Stanford,

a relatively private social media forum, publishing that text in a public journal article may violate privacy norms.

If ethical considerations must account for technologically-established and user-generated privacy norms, it is important for researchers to critically consider how Instagram Live alters these norms. Thus, in the next section, I outline key features of Instagram Live.

2.3. Features of Instagram Live

Culturally, Instagram is visual and is often used for marketing, but it is heterogeneous¹⁸. Technologically, Instagram Live is a livestreaming feature on Instagram that disappears after the livestream has ended unless saved by the creator. A core feature of Instagram Live is its “liveness.” Liveness is often associated with live performances. However, neither “performance” nor “in-person presence” are intrinsic to liveness. José Muñoz argued that linking “liveness” with “performance” dampens both concepts’ theoretical and political richness¹⁹. Moreover, although hosts and viewers can see each other on Instagram Live, liveness is not necessarily “in-person.” Auslander argued liveness is not binarily opposed to mediated performances²⁰, nor is it an ontological condition of the technology itself²¹. Thus, scholarship on liveness has been able to expand to interrogate Internet-based performances. However, if liveness is not necessarily a public performance, nor is it necessarily “in-person,” it cannot be assumed that Instagram livestreams are published texts or human communications, thereby situating Instagram livestreams in an ambiguous place between public and private.

Another feature of Instagram Livestreams is real-time responsiveness, which structures relationships between streamers and participants. Real-time responsive technologies themselves are not the condition for liveness; rather, in addressing digital liveness, Auslander argued digital representations make claims on audiences, who must then choose to hold the object in their consciousness as a live event²². For Auslander, liveness arises from *relationships*, which are crucial for Internet research privacy ethics.

Other media scholars also emphasize relationships in theorizing “liveness.” Couldry used the term to refer to “a category whose use naturalizes the general idea that through the media, we achieve a shared attention to the ‘realities’ that matter for us as a society”²³, and it carries the *potential* to connect viewers to real events²⁴. On the Internet, Couldry theorized liveness in at least two distinct ways. First, “online liveness” refers to the ways that the Internet makes possible the “simultaneous co-presence of an audience”²⁵, with or without a center of transmission. Moreover, he theorized liveness as “group liveness”, or the “co-presence of a social group”²⁶; group liveness refers to the

CA: Stanford University Press, 2010.

¹⁸ Leaver, Highfield, Abidin, *Instagram*.

¹⁹ J. Muñoz, *Disidentifications: Queers of Color and the Performance of Politics*, Minneapolis: University of Minnesota, 1999, 190.

²⁰ P. Auslander, “Liveness: Performance and the Anxiety of Simulation”, in *Performance and Cultural Politics*, edited by E. Diamond, New York-London: Routledge, 1996, 198-218.

²¹ Auslander, “Liveness”.

²² *Ibid.*

²³ N. Couldry, “Liveness, ‘Reality,’ and the Mediated Habitus from Television to the Mobile Phone”, *The Communication Review*, 7 (2004): DOI: 10.1080/10714420490886952. 353-361 (356).

²⁴ Couldry “Liveness, ‘Reality,’ and the Mediated Habitus from Television to the Mobile Phone”, 355.

²⁵ *Ibid.*, 357.

²⁶ *Ibid.*

“continuous mediation” between peer-groups facilitated by things like mobile phones. These different conceptions of liveness set up different contexts for Internet research.

Building from this work, scholars who study Instagram Live have argued that liveness is a kind of affective co-construction between creators, audiences, and technologies. As liveness is neither intrinsic to audiences nor technologies, Hammelburg argued liveness can be usefully theorized through the interrelated constructions of 1) user, 2) content, and 3) technology²⁷. Likewise, Willcox *et al.*²⁸ argued that both human and non-human life forms are integral in building digital communities and relationships. Furthermore, they argued that these relationships are highly affective, and Butkowski²⁹ similarly linked livestreams to affect. Although gaming communities have different contexts, viewers who participate in Twitch livestreams are driven by social motivations³⁰. Twitch researchers argued that streamers engage in affective and immaterial labor³¹. Twitch can also give people a sense of control and encourage them to self-disclose about difficult periods in their lives, including mental health³². These authors all offer an understanding that liveness is a relational “co-presence” that is both co-constructed and affective.

A final key feature of Instagram Live is ephemerality. Ephemerality broadly refers to how content is no longer accessible after a specific time. While ephemerality is often contrasted with digital archive cultures, Bainotti, Caliandro, and Gandini argued the two complement each other³³. Existing studies revealed that ephemerality affects people’s practices and how they interact with each other³⁴. Importantly, perceived ephemerality can affect people’s privacy calculus and prompt self-disclosure³⁵. Ephemerality makes people more likely to reveal intimate details. This complicates privacy because when data persists without users’ knowledge or control, there can be repercussions for them as their personal and social needs evolve, around other people’s perceptions of them, and their memories of the past³⁶.

If ethical issues and privacy concerns must account for the features of technologies and social norms of participants, and if Instagram Live’s technological features and social norms differ from “traditional” social media, I ask: What ethical issues around privacy arise in studying Instagram Live specifically? What ethical heuristics might be usefully applied in this context?

²⁷ Hammelburg, “#stemfie”, 86-87.

²⁸ Willcox, Hickey-Moody, Harris. “Instagram Live Community: A Queer Entanglement”.

²⁹ Butkowski, “Livestreaming Election Day”.

³⁰ Z. Hilvert-Bruce, N. James, M. Sjöblom, J Hamari, “Social Motivations of Live-Streaming Viewer Engagement on Twitch”, *Computer in Human Behavior*, 84 (2018): 58-67. Accessed April 15, 2023. DOI:10.1016/j.chb.2018.02.013.

³¹ Woodcock, Johnson, “Live Streamers on Twitch.tv as Social Media Influencers”.

³² J. De Wit, A. Van der Kraan, J. Theeuwes, “Live Streams on Twitch Help Viewers Cope With Difficult Periods in Life”, *Frontier in Psychology*, 11 (2020): 1-15. Accessed April 15, 2023. DOI: 10.3389/fpsyg.2020.586975.

³³ L. Bainotti, A. Caliandro, A. Gandini, “From Archive Cultures to Ephemeral Content, and Back: Studying Instagram Stories with Digital Methods”, *New Media + Society*, 23, 12 (2020): 3656-3676. Accessed April 15, 2023. DOI: 10.1177/1461444820960071.

³⁴ B. Xu, P. Chang, C. Welker, N. Bazarova, D. Cosley. “Automatic Archiving versus Default Deletion: What Snapchat Tells Us About Ephemerality in Design”, paper presented at Computer Supported Cooperative Work & Social Computing, February 2016, 1662-1675. Accessed April 15, 2023. DOI: 10.1145/2818048.2819948.

³⁵ X. Ma, Q. Yurn, C. Zhuo, C. Hichang, “Perceived Ephemerality, Privacy Calculus, and the Privacy Settings of an Ephemeral Social Media Site”, *Computers in Human Behavior*, 124 (2021): 1-14. Accessed April 15, 2023. 10.1016/j.chb.2021.106928.

³⁶ V. Mayer-Schönberger, *Delete: The Virtue of Forgetting in the Digital Age*, Princeton: Princeton University Press, 2011.

3. CASE STUDY

For my dissertation, I “tracked” #NotAgainSU, which was created by a Black student-led organization, NotAgainSU. NotAgainSU responded to a white supremacist harassment campaign at Syracuse University, beginning in November 2019. Syracuse University is a private university in New York, USA. Using mixed-methods, I followed Salter et al.’s³⁷ Understanding Digital Culture Institute because it provided cultural and ethical frameworks for studying online activity. The institute also offered tools like GetOldTweets3³⁸, which I used to collect Twitter data that included #NotAgainSU. I also used the Digital Methods Initiative’s³⁹ YouTube tool, and I hand-collected public Instagram posts. However, as high-level data omits context⁴⁰, I also used critical discourse analysis of posts, and I reached out to organizers and people who circulated the hashtag with IRB-approved surveys and interviews. Since my dissertation, I have worked with co-researchers to continue this work, and I have interviewed social justice organizers with other campaigns about their experiences. The decisions in this manuscript do not reflect my co-researchers’ decisions.

I ultimately relied on surveys and interviews and did not collect Instagram Live data. This manuscript outlines some of the heuristic questions I developed for myself during these research projects and how I came to that decision. I looked to existing literature on livestreams and ephemeral content, like Stories, which is another ephemeral feature of Instagram, paying particular attention to the data collected, their analysis methods, and presentations. My decisions followed scholars who were also publishing about activist content. However, comparing their work to scholars who published about everyday topics was useful to develop heuristics for broader use.

Although each stage is intimately tied to the other stages, I outline ethical considerations that researchers might consider in the access and collection, storage, and presentation stages of the research process.

4. FINDINGS AND DISCUSSION

4.1. *Access and collection*

Since Twitch streamers perceive livestreams to be more private and are more likely to disclose personal information⁴¹, I was conscious of how these norms might extend to Instagram. In accessing content on Instagram Live, I considered privacy on two axes – I considered both spatial boundaries and temporal boundaries. By spatial aspects, I mean the technical affordances that allow people to “get into” Instagram Live. Creators must choose to set their livestream to “public,” where anyone who has an Instagram account and the link can access the livestream. Likewise, Instagram refers to livestreams as

³⁷ A. Salter et al., “Understanding Digital Culture”, accessed December 12, 2020. <https://understanding-digitalculture.hcommons.org/institute-overview/>.

³⁸ A. Giroux, “Twitter Data Scraping Tutorial,” accessed August 12, 2020, <https://hcommons.org/app/uploads/sites/1001909/2020/07/Twitter-Data-Scraping-Jupyter-Notebook-text-instruction.pdf>.

³⁹ Digital Methods Initiative, “DMI Tools”, accessed June 12, 2020. <https://wiki.digitalmethods.net/Dmi/ToolDatabase>.

⁴⁰ C. D’Ignazio, L. Klein, *Data Feminism*, Cambridge: MIT Press, 2020.

⁴¹ Ma, Yurn, Zhuo, Hichang. “Perceived Ephemerality, Privacy Calculus, and the Privacy Settings of an Ephemeral Social Media Site”.

“broadcasts”, implicitly positioning them as public performances. This relatively easy access positions Instagram Live as a public space where researchers could observe a public event, like a news broadcast.

However, by default, livestreams do not appear on the Explore page, where people would find public content. Rather, after Instagram removed the IGTV feature in October 2021, people must type “IGTV” into the search bar, and then scroll to find a video with the “Live” icon next to it. Instagram itself offers little guidance on searching for livestreams, although blogs outline the process. This technologically complicated process of accessing “public” broadcasts positions livestreams as relatively private spaces.

Cross-referencing this technologically-mediated spatial axis of privacy with participant norms informed the types of data that I accessed because I was conscious of how livestreams are “co-constructed” by multiple participants with different norms. Researchers can easily reach out to the creator for informed consent. However, if livestreams are co-constructed by all participants, then consent may also extend to viewers and moderators. On Twitch, viewers join livestreams for social reasons⁴²; however, being social does not equate to being public. Thus, as the screennames of viewers are displayed across the bottom of the screen, participants may also include viewers, who become visible to researchers by default. Depending on the data collected and the sensitivity of the topic, it also may be necessary to ask for informed consent from viewers. By the same token, especially large livestreams, such as news accounts’ reports, might be considered public. Ultimately, to consider both technological affordances and participant practices, determining things like the status of the livestreaming account or the number of viewers might affect researchers’ decisions about whether to designate the space as public.

While Instagram livestreams are bound in technological “space” by their positioning on the platform, creators may choose not to archive livestreams for later public access. Thus, user-practices may also technologically limit livestreams by *time*, which operates as a second axis of privacy in livestreamed media. Indeed, other scholars who have researched ephemeral social media features have noted the ways that ephemeral features cultivate a more intimate environment for prominent creators⁴³ and everyday users, which can prompt greater self-disclosure through perceived privacy⁴⁴. Sometimes, the *point* of ephemeral media is that they can be forgotten⁴⁵.

This temporal axis of privacy again complicates data collection, access, and informed consent. To adapt to user practices when accessing data, researchers must be available when broadcasts begin. Moreover, the temporal axis of privacy raises questions about *when* researchers should reach out to creators for informed consent; ideally, researchers would reach out to participants *before* collecting information, giving creators the opportunity to alert their followers and opt out. However, as many livestreams are spontaneous, this may be impossible. Indeed, in my research, an organizer talked about how they used livestreaming features for sudden events. Even if I had wanted to access livestreamed data, I could not have asked for consent beforehand. However,

⁴² Hilvert-Bruce, James, Sjöblom, Hamari, “Social Motivations of Live-Streaming Viewer Engagement on Twitch”.

⁴³ C. Steele, *Digital Black Feminism*, New York: New York University Press, 2021, 106.

⁴⁴ Ma, Yurn, Zhuo, Hichang, “Perceived Ephemerality, Privacy Calculus, and the Privacy Settings of an Ephemeral Social Media Site”.

⁴⁵ Mayer-Schönberger, *Delete: The Virtue of Forgetting in the Digital Age*.

researchers who decide that this data is necessary may need to ask for consent *after* the livestream has ended.

Other researchers have grappled with how to navigate the dual privacy axes of space and time on livestreams. Specifically, I argue that how researchers conceptualize liveness may affect the ways that researchers conceptualize privacy in time-based livestreams.

For example, Catherine Knight Steele demonstrated how time-based media enabled Black feminists to assert agency over their own narratives, which is especially important for groups that have been systematically misrepresented in mainstream news media⁴⁶. Steele engaged with time-based Instagram Stories as conversations, which she argued require long-term commitment to a group⁴⁷. Moreover, Steele explicitly positioned herself as a researcher *and* group member⁴⁸. Thus, Steele's participatory approach aligns with Couldry's definition of liveness as the "co-presence of a social group," which refers to how liveness extends beyond the immediate digital mediation into things like conversation⁴⁹. This approach positions the researcher as a participant, and it exemplifies AoIR's understanding of social media data as involving human subjects, which requires informed consent.

In contrast, other scholars have collected more persistent data. In a study involving Instagram photos and Facebook Live, which is like Instagram Live, Butkowski⁵⁰ collected screenshots of archived Facebook livestreams, Instagram photos, video titles, timestamps, length of videos, view counts, number of reactions, number of comments, and number of shares. While much of this data was collected from a news organization, Butkowski also collected real-time comment feeds and Instagram photos posted during the same time-period. Similarly, Bainotti, Caliandro, and Gandini⁵¹ also collected public Instagram Stories. They also "circumvented the object of study" by collecting ephemeral Instagram Stories on YouTube and reactions via YouTube comments. Their approach methodologically emphasized "digital small stories" to explore mundane, open-ended stories that people tell about themselves. Both cases accessed data that were clearly public and that were archived, and thus not temporally-bounded in the same way as strictly ephemeral media. By collecting information about a news organization's broadcast and methodologically approaching the data as "stories," both might be understood as approaching the livestream from the perspective of an audience member. Although online liveness exists across a spectrum, this approach mirrors Couldry's definition of online liveness as the "simultaneous co-presence of an audience"⁵². Thus, these foci on news and "stories" enabled them to approach livestreams as an audience for a published text, which AoIR argued may not require informed consent.

To adapt to technologically-mediated norms of privacy and user practices, these authors suggest that how researchers conceptualize liveness matters for issues of privacy and informed consent. If researchers conceptualize liveness as the co-presence of a social group, informed consent is integral because it suggests that researchers are engaging with human subjects. Depending on the sensitivity of the topic and what data researchers collect, this may include viewers. Researchers may also ask creators if viewer consent is necessary,

⁴⁶ Steele, *Digital Black Feminism*, 96.

⁴⁷ *Ibid.*, 13.

⁴⁸ *Ibid.*, 12-13.

⁴⁹ Couldry "Liveness, 'Reality,' and the Mediated Habitus from Television to the Mobile Phone", 357.

⁵⁰ Butkowski, "Livestreaming Election Day".

⁵¹ Bainotti, Caliandro, Gandini, "From Archive Cultures to Ephemeral Content, and Back".

⁵² Couldry "Liveness, 'Reality,' and the Mediated Habitus from Television to the Mobile Phone", 357.

or which viewers require consent. If researchers conceptualize liveness as the co-presence of an audience, informed consent may be less salient because it suggests that researchers are engaging with public texts. For mundane everyday interactions that researchers approach as audience members, other viewers might also be considered audiences and thus may not require informed consent. In my research, I consider liveness as the co-presence of a social (activist) group. Thus, I would want to obtain consent from creators, and I would solicit their feedback on the appropriateness of obtaining audience consent.

Thus, researchers might ask:

- Considering the ephemeral and often spontaneous nature of Instagram Live, when and how will researchers obtain informed consent?
- How do researchers conceptualize liveness, and how does this affect the relationship that the researcher has with the Instagram Livestream? Does the researcher identify as a participant or as an audience member?
- If Instagram Livestreams are co-constructed, how do the researchers determine from whom informed consent is necessary?

4.2. Storage

Storing livestreams is also a concern. Broadly, researchers must consider how storage can compromise the contextual integrity of Livestreams.

Some researchers may choose to store proxy data rather than livestreams themselves. In my research, I asked participants about their experiences and thus stored interview data. Others take ethnographic approaches and store things like fieldnotes or engage with creators over a long period of time. This approach comes with less risk of data breaches. However, as addressed below, fieldnotes and observations are more valuable in some disciplines.

Some researchers “circumvent [ephemeral] digital objects” by looking to more permanent digital objects, such as those archived on YouTube; however, these digital objects often reflect high-profile creators⁵³. Researchers may also consider using softwares that are built into their machines, such as screen-recording, or they may use third-party applications, thus adding another party to the research process. Yet, the capabilities of the softwares themselves can increase the potential for risk. For instance, Wondershare Uniconverter is a downloadable software that is marketed to record Instagram Livestreams⁵⁴. Two potential issues arise with using a software like Wondershare; first, Wondershare’s Democreator feature, which is an all-in-one free recorder, also has facial recognition software built into the tool⁵⁵. In 2012, IRE 2.0 pointed to the potential risks of facial recognition softwares in Internet research⁵⁶, and those risks have substantially increased in the last decade. Second, full use of the Uniconverter product requires users to purchase the software, introducing financial interests into the research process.

Researchers might also consider recording through third-party companies that are offered for free through many institutions, such as Zoom. While helpful, these services

⁵³ Bainotti, Caliendo, Gandini, “From Archive Cultures to Ephemeral Content, and Back”.

⁵⁴ C. Smith, “How to Record Someone’s Instagram Live with Helpful Ways”, last modified November 8, 2022, Wondershare, accessed December 1, 2022, <https://videoconverter.wondershare.com/record/record-instagram-live.html>.

⁵⁵ “DemoCreator User Guide”, Wondershare, accessed December 1, 2022. <https://democreator.wondershare.com/guide-mac/ai-face-recognition.html>.

⁵⁶ Markham, Buchanan “Ethical Decision-Making and Internet Research”, 9.

are still third-party companies whose financial interests are served by institutional affiliation, and they can be hacked, potentially risking participant confidentiality. These programs also come with risks about facial recognition; for instance, rights groups have critiqued Zoom's implementation of "emotion recognition" technologies as invasive and biased against people currently coded as non-white⁵⁷.

Storage of screenshots on local machines may offer some solutions. However, this might still remove certain kinds of data. Specifically, if people engage in livestreams for social reasons⁵⁸, researchers might consider how relationships and the affective components of livestreams would not carry over as recordings. In my interviews with organizers and other participants, people frequently cited the affective nature of livestreams, which may be related to how livestreams mediate specific kinds of relationships⁵⁹. However, when stored, livestreams no longer mediate interpersonal relationships, and the affective component fades. Thus, affect and relationships are fundamental parts of livestreams, but they cannot be stored. Butkowski similarly noted this limitation, arguing that analyzing data years later adds discrepancies⁶⁰. Thus, even with screen-recordings, researchers might consider adding fieldnotes to attempt to maintain some of these components.

Therefore, researchers might ask:

- If researchers use screen-recordings, how will researchers engage with facial recognition capabilities and the financial interests of third-party companies?
- How can researchers store Instagram livestreams to maintain the relational and affective contexts?

4.3. *Presentation and publication*

Finally, presenting ephemeral social media data can take it out of its social and political context. As I hinted at the end of the last section, since affective and relational elements are a crucial part of livestreams that cannot be stored, researchers must consider how, or if, they can present livestreams in ways that do not further distance the livestreams from their initial relational and affective contexts.

Specifically, the presentation of ephemeral content complicates the power dynamics associated with *memory*. Mayer-Schönberger argued that the persistence of data without user control can lead to negative consequences in terms of people's ability to remember the past in ways that assist them in their developing needs⁶¹. Yet, on a group level, some events must be remembered; Frosh and Pinchevski demonstrated how media can position audiences as witnesses to atrocious events, such as the Holocaust. Thus, witnessing comes with ethical responsibilities⁶². Media can facilitate witnessing and enable creators to generate "cultural grassroots memories"⁶³. Likewise, in work with

⁵⁷ M. DeGruerin, "27 Rights Groups Demand Zoom Abandon 'Invasive,' and 'Inherently Biased' Emotion Recognition Software". *Gizmodo*, May 11, 2022. Accessed April 24, 2023. <https://gizmodo.com/zoom-emotion-recognition-software-fight-for-the-future-1848911353>.

⁵⁸ Hilvert-Bruce, James, Sjöblom, Hamari, "Social Motivations of Live-Streaming Viewer Engagement on Twitch".

⁵⁹ Auslander, "Liveness".

⁶⁰ Butkowski, "Livestreaming Election Day", 5.

⁶¹ Mayer-Schönberger, *Delete: The Virtue of Forgetting in the Digital Age*.

⁶² P. Frosh, A. Pinchevski, eds., *Media Witnessing: Testimony in the Age of Mass Communication*, New York: Palgrave Macmillan, 2009.

⁶³ R. Bartoletti, "Memory and Social Media: New Forms of Remembering and Forgetting", in *Learning*

protest movements, regardless of whether it is livestreamed, this witnessing comes with ethical imperatives.

However, “grassroots memories” may conflict with *institutional* memories⁶⁴. Indeed, in my research, protest groups used livestreams to contest dominant narratives being constructed about them by institutions. Thus, memories are sites of power struggles. How researchers choose to reconstruct those memories through other forms of media, such as journal articles, has important cultural and ethical stakes for the present.

Although these concerns are not unique to livestreams, ephemeral media complicates how media memories are reconstructed in the present, linking livestreams to media memory work⁶⁵. Specifically, with ephemeral media, there is a greater chance that institutions can deny the cultural grassroots memories that livestreamed media enable. When institutions do remember those events, Locatelli argued that there is a threat that cultural memories can become commodified by platforms⁶⁶. Thus, how researchers present ephemeral material has cultural and ethical stakes in the present; if researchers reconstruct a memory, they must present and reconstruct livestreams in a responsible way that does not erase, misrepresent, or commodify cultural memories.

As protesters are often distorted by mass media⁶⁷, in my work, it was integral for me to ensure that I did not misrepresent protesters or reify dominant institutional narratives. To mitigate the potential for me to erase or misrepresent the memories created by livestreams, I used interviews and surveys. Moreover, I sent drafts of my dissertation to participants to ensure that I did not misrepresent memories.

However, I still tried to be cognizant of the ways that my representation could commodify protesters’ memories, and the affective and immaterial labor of streamers⁶⁸. Specifically, I was conscious of what Muñoz called the “burden of liveness,” which is “a cultural imperative within the majoritarian public sphere that denies subalterns access to larger channels of representation, while calling the minoritarian subject to the stage, performing her or his alterity as a consumable local spectacle”⁶⁹. Simply stated, although people can resist, the burden of liveness demands underrepresented creators perform in ways that are commodifiable within institutional regimes of representation. Importantly, since Muñoz’s theorization was about “subaltern” groups, the burden of liveness does not apply to hate groups and conspiracy theorists.

The burden of liveness complicates the memory work researchers do because researchers must reconstruct cultural memories in ways that are commodifiable for institutionalized disciplinary standards. The IRE 2.0 similarly points out how disciplinary standards vary and affect what kinds of evidence are acceptable⁷⁰. However, since livestreams disappear, disciplinary standards of evidence become more salient for how researchers reconstruct cultural memories, as researchers must consider if others in their field will accept evidence that is no longer available.

Existing research offers different approaches. Scholars like Steele who approach

from Memory: Body, Memory and Technology in a Globalizing World, edited by B.M. Pirani, Newcastle upon Tyne: Cambridge Scholars Publishing, 2011, 82-111.

⁶⁴ E. Locatelli, “Toward the Platformization of (Social) Media Memory: Articulating Archive, Assemblage, and Ephemerality”, *Comunicazioni sociali*, 1 (2021): 162-173. Accessed January 4, 2023. DOI: 10.26350/001200_000098.

⁶⁵ Butkowski, “Livestreaming Election Day”.

⁶⁶ Locatelli, “Toward the Platformization of (Social) Media Memory”, 9.

⁶⁷ J. Bowers *et al.*, *The Rhetoric of Agitation and Control*, Long Grove: Waveland Press, 2010, 3rd ed.

⁶⁸ Woodcock, Johnson, “Live Streamers on Twitch.tv as Social Media Influencers”.

⁶⁹ Muñoz, *Disidentifications*, 191.

⁷⁰ Markham, Buchanan “Ethical Decision-Making and Internet Research”.

ephemeral social media by immersing themselves in the communities that they study and explicitly positioning themselves as group members may qualitatively describe ephemeral social media content and use things like fieldnotes⁷¹. Due to their long-term cultural immersion and dedication to creators, these researchers are well-positioned to maintain the contextual integrity and the affective and relational components of ephemeral Instagram livestreams. However, interpretive and cultural methods are derided as “un-scientific” in some fields that adhere to strict social scientific standards of scrutiny. Thus, institutional and disciplinary imperatives shape what kinds of evidence “count” and the kinds of cultural memories that can be presented.

Others have used screenshots and images to present their research⁷², although these researchers tend to focus on institutional livestreams that are clearly public-facing, like those broadcast by news sources⁷³, for whom the burden of liveness may not apply. Others have “circumvented the digital object” by finding other repositories, such as YouTube⁷⁴, or publicly available images sourced from sites like Google images⁷⁵. This strategy usefully draws from evidence that is already institutionalized. By the same token, relying on already institutionalized images brings up questions of bias in algorithmic search processes⁷⁶, and these images may reflect high-profile creators rather than everyday creators⁷⁷. Thus, researchers might critically consider whose content is archived and surfaced in the first place.

Moreover, there is a risk that researchers may find distortions of cultural memories in archives on other platforms. For instance, I also searched YouTube. Although it is difficult to say for certain, videos that may have initially been recorded in livestreams appeared. Some of these videos were recorded by oppositional audiences and distorted narratives from interview participants. Similarly, an oppositional survey participant admitted to recording the protest groups’ livestreams. Regardless of these particular videos’ origins, the potential remains for people to record livestreams and repost them to distort creators’ narratives, thereby *misremembering* them. Thus, researchers who “circumvent the digital object” may consider how there is a risk that the video could *misremember* events.

Ultimately, much like Locatelli’s observation that institutions threaten to commodify cultural memories, the process of publishing and presenting the events of livestreams positions them within institutional structures of publication and tenure, highlighting the tensions between cultural and institutional memory. Moreover, in looking to archived content on other platforms, researchers may come across content that has been distorted to commodify it for oppositional audiences.

Consequently, researchers might ask:

- How can researchers present Instagram Livestreams to maintain the affective and relational elements that cannot be stored?
- How will researchers attend to the “burden of liveness” on Instagram Livestreams?
- What kinds of evidence from Instagram Livestreams are appropriate for the au-

⁷¹ Steele, *Digital Black Feminism*.

⁷² Butkowski, “Livestreaming Election Day”; Hammelburg, “#stemfie”.

⁷³ Butkowski, “Livestreaming Election Day”.

⁷⁴ Bainotti, Caliandro, Gandini, “From Archive Cultures to Ephemeral Content, and Back”.

⁷⁵ Hammelburg, “#stemfie”.

⁷⁶ S. Noble, *Algorithms of Oppression: How Search Engines Reinforce Racism*, New York: New York University Press, 2018.

⁷⁷ Bainotti, Caliandro, Gandini, “From Archive Cultures to Ephemeral Content, and Back”.

thor's institutional audience, and how can researchers present livestreams without commodifying them in disciplinary modes of representation?

- If researchers rely on Instagram Livestreams posted to other sites, how will they attend to the possibility that those videos may distort the livestream?

5. CONCLUSION

I have argued that, if Internet research ethics adapt to the cultural and technological norms of privacy, Instagram Livestreams require specific ethical considerations. Specifically, privacy must be considered along both spatial and temporal axes in the access and collection phase of research. Both axes complicate who researchers need informed consent from and when they can ask for that informed consent. Especially when storage involves screen-recorders, it can violate technological norms of privacy, take livestreams out of their relational and affective contexts, and involve companies' financial interests. Finally, media memory work takes on greater significance during the presentation stage of research, and researchers should be cognizant of commodifying cultural memories within disciplinary standards. Although not definitive, these ethical heuristics are starting places for researchers conducting work on Instagram Live.