

Case Analysis: Privacy

In Siva Vaidhyanathan's *Googleization of Everything*, there were mentions of many opinions on Google Street View. Some of them are against Google Street View and most are for it. Many responders stated that they found Google Street View quite useful and could use the product in numerous ways, ranging from scoping out for developmental purposes to remembering the name of a location they had forgotten. Vaidhyanathan mentions that the technologically proficient and aware suffer little harm and benefit greatly from such a tool while the not so proficient are much more vulnerable. In the story, Christopher Graham stated that it is unacceptable to roll out a product (Google Street View) that renders personal information public, with the intention to repair any problem as they arise. In this Case Analysis I will argue that the consequentialist tool shows us that Google should have evaluated all potential/significant outcomes of Google Street View while also making the product more ethical by taking all accounts into consideration while also making the product compatible and convenient with all.

In Floridi's "Privacy: Informational Friction", there were a few central concepts that he went over and explained. A couple to mention were Informational Friction and Anonymity. Floridi used these central concepts to explain how privacy has changed throughout time and how these concepts play a significant role in that change. These concepts all have definitions and can easily be understood in relation to how they relate to the case.

Informational friction can be described as the forces that oppose the flow of information. In other words, it simply correlates to barriers between getting information and/or the difficulty associated with obtaining information. Informational friction can be altered in many ways depending on the situation at hand. It can span from having to ask someone face to face for information which would be considered as increased informational friction and then on the other end, as used by Floridi, something such as thin walls or sharing a room with someone would be decreased informational friction. In all, lower levels of informational frictions equate to less privacy as your information becomes more accessible. The second central idea used by Floridi was anonymity which can simply be described as the unavailability of personal information whether it be due to the difficulty in collecting or correlating the information to someone. To better explain anonymity, think of a small town... In small towns everyone knows each other as well as what's going on in each other's lives so in this case there is little to no anonymity. In contrast, in an urban area or big city, there is much more anonymity, so this results in more privacy as well as more informational friction.

Now that we know what Informational friction and anonymity are, we can begin to use them to analyze the case. To summarize the case, it is generally about privacy, but it is focused on the Google product Google Street View. The product was described in a light and dark way as there were accounts of many people finding the product beneficial and some that didn't

agree with the product as they felt that there was a lack of privacy. In relation to the case, Floridi's concepts of Informational friction and anonymity can certainly be applied. From what we know about the way that Floridi described Informational friction we can say that it did. Anytime that personal information becomes accessible through the internet and can be obtained with the push of a button the level of informational friction decreases. With, the rollout of Google Street View did just that by making certain information available to those who are looking for it of course. Before Google Street View, it could be argued that obtaining information related to what can be seen on Google Street View was indeed much harder but with such a tool it became a lot easier. In terms of anonymity, this one is clear. Google Street View obviously infringes upon the anonymity of civilians which in turn reduces informational friction and furthermore, privacy. An example would be if someone with a recognizable car, physical features, etc. was captured on Google Street View.

The consequentialist tool is good for this case as it relates to the way Google was thinking when it created and released this product. Google most likely believed that although it is wrong to infringe upon the privacy of civilians, the tool is extremely beneficial so therefore it is the right thing to do. I also feel that there was a "greater good" mindset as they thought the good would outweigh the bad and more people would find it beneficial than not as well as thinking that anything bad could easily be fixed after the matter. Google could've rolled the product out in a more ethical way by simply taking a broader approach in relation to privacy. Consumers obviously range in age, beliefs, knowledge, etc. so what would've been more ethical is making the product more accessible to those of all knowledge levels and fitting to everyone's beliefs in terms of both sides of the privacy. I say both sides because there are two types of people, the people who don't care and the people who do so the ethical way of doing things would be to meet in the middle and at least attempt to accommodate both sides instead of making the product tailored to one side and making the other side speak up if they wanted things to be fixed or altered. The consequentialist tool also shows us that Google did not take into consideration what consequences such a product would/could come with as they rolled the product out and chose to deal with whatever consequences arose when they were brought to light. I feel that it is inevitable to prevent the product from decreasing informational friction, but anonymity could've very well been protected by doing something as simple as blurring out all visible civilians.

Along with Floridi's "Privacy: Informational Friction" there was another reading that we were required to read by James Grimmelman called "Privacy as Product Safety". In this reading, Grimmelman practically explains how Facebook provides privacy to its users, but it is often that they do not take advantage of the privacy settings and/or features provided therefore leading to a sense of having no privacy. Grimmelman also believes that while Facebook has these privacy settings available to protect the information of users, there is more that can and should be done. Grimmelman believes that Facebook should refrain from spreading users' information in a way that they are unaware of. In the reading, Grimmelman suggests that products like Facebook follow product safety laws such as sellers being held liable even when consumers are at fault, disclaimers not being a substitute for a safe product, sellers, and being liable for generic design defects as well as manufacturing defects. Grimmelman

followed up with a summary that regulation, tort liability, consumer education, and conscientious design should play a role in making software safe for users' privacy. This concept can be applied to the case of Google Street View because just like Facebook it is software.

Obviously, the two have their differences as one is a social media platform and the other is a tool but nonetheless, both should indeed be held to the same standards as anything else that serves as a product. Doing so would force makers to put emphasis on consumers' privacy when developing such apps. If Google was required to follow such laws, I believe they would've rolled the product out in a more ethical way. To begin with, they would've thought more about the consequences and worked to prevent them before they happened instead of waiting until they happened to fix them. It would also be more ethical for Google to continuously regulate the tool to ensure that nothing bad occurs instead of letting it be reported to them. In addition, consumer education is the most important as this can go a long way for consumers as it provides a sense of trust and transparency. Grimmelmann stated that users don't take advantage of the privacy settings and I believe that this is simply due to lack of knowledge which is why consumer education is important. If Google educated its consumers, I feel that a good bit of their problems would go away.

Grimmelmann's reading shows a consequentialist standpoint from Facebook as well. Now while Facebook did provide privacy settings to users so that they would have full control of their privacy, they also didn't necessarily inform or educate users on how to take advantage of said settings, so they ended up sharing the content and information of others without them knowing or going against their intended boundaries. Again, as stated earlier, Facebook knows that infringing upon the privacy of others is wrong but to them, the trade-off is they offer a social media platform that consumers love so much so it is therefore the right thing to do in their minds. This is then where tort liability would come in handy because they would then not be able to act in such a consequentialist manner. The right thing for both Facebook and Google to do would've been to merely educate the users and make them aware of what is going on and what they can do about it.

Overall, I firmly believe that Google could have taken a more ethical approach by being more transparent and this could've been done in the way stated by Grimmelmann, they consist of continuous regulation, tort liability, consumer education, and conscientious design. Operating in a consequentialist matter can easily be said to be the root of evil behind the problems associated with both Facebook and Google Street View. In terms of consequentialism, simply doing the right thing no matter what the consequences were would've been much more ethical. In objection to my position, one could argue that people simply do not care about privacy that much so it makes sense for one to think in a "greater good" mindset but what I would say to that is that if it were your privacy being infringed upon and you knew, how would you feel? In addition, it is not so much about what's best for the masses but more about what's right. The best way to combat this would be to meet in the middle and have everyone play their part in ensuring the privacy of consumers which begins with the producers and ends with consumers. In the end, this is a matter that requires cooperation from both sides.

