

Case Analysis 1: A More Ethical Way to Implement Google Street View

In the Googlization of Everything, Siva Vaidhyanathan describes how Google Street View was launched worldwide without much notice to people and without enough respect for personal privacy. Street View cars took detailed 360-degree photographs of neighborhoods, homes, and people, often without warning or permission. Although Google promised that people's faces and identifying information, such as license plate numbers, would be blurred to protect their privacy and obscure identifying features, this was not always effective. Google's blurring features were oftentimes slow or inaccurate, and in many cases, personal details like bare kids, license plates, or people in private settings ended up online for days or more before being taken down if the photo's subject even noticed the photo in the first place. This flawed process placed the burden of protection on the user instead of the company. Using the works of Luciano Floridi and James Grimmelman, I will assess how Google's approach undermined respect and fairness and what an improved ethical process would have looked like. *Throughout this case analysis, I will argue that using a contractarian ethical approach shows us that Google should have created Street View with stronger default privacy protections, made in the interest of fairness and safety on the premise that any person could be one of society's more vulnerable or least technologically privileged people.*

Floridi's Concept of Informational Privacy & Contractarian Ethics

Luciano Floridi's informational privacy concept changes how we commonly think about privacy. It differs from simply hiding things in physical spaces and instead focuses on one's control over their informational identity. That identity is made up of many data points that reflect the way one lives in an "infosphere." For Floridi, privacy isn't only what we keep hidden but also who we are allowed to be based on how our private information is shaped. Our personal data is a component of our dignity and our identity. Any unwarranted access, exposure, or manipulation of such data is a severe ethical concern.

Floridi condemns the notion that individuals do not require privacy if they have "nothing to hide." According to him, this line of thought overlooks the significance of privacy's link to personal autonomy, context, and control. Information that is seemingly innocuous in a given setting may become sensitive when taken out of that setting and combined with other information in vast databases. Therefore, Floridi feels that ethical use of data must allow users to have control over the way their own private information is portrayed and interpreted within the broader infosphere.

In the case of Google Street View, Floridi's principles recognize many ethical concerns. First, Google took and published photos of people's homes, streets, and even their occasional private moments without their knowledge or permission. Despite its promise to automatically blur faces

and license plates, Google's process often failed, making it possible for people to be recognized in sensitive or embarrassing situations. Moreover, wrote Floridi, even an "obscured" photo can be used to build a digital profile if merged with location, setting, or other information.

Furthermore, the delay in removal requests, along with the view that individuals were tasked with identifying these breaches of privacy, compromised their control over their own data. In Floridi's eyes, Google's approach reduced individuals to products by harvesting and distributing their information for commercial profit, rather than respecting their autonomy.

Floridi would most likely argue that being ethical would require not only a more effective method for concealing information, but also a framework in which individuals can consent to the release of their information and have well-defined avenues to opt out, empowering individuals to manage how they are represented online rather than waiting to remedy issues after the fact. Now, examining this through the contractarian lens, the moral picture gets more distinct. Behind Rawls' veil of ignorance, nobody would wish to exist in a world where they might be displayed online without their consent, unable to manage their own information. Individuals would rightly fear that they might be photographed in front of their house during an intimate moment or displayed in a deceptive manner without awareness of it or the ability to readily respond. A fair social contract would ensure strong default protections for everyone, not a situation in which the tech-savvy or hyper-vigilant alone can protect themselves.

Contractarianism favors equality under the laws that regulate society. If one were designing the rules unaware of their context (rich or poor, tech-savvy or not, urban or rural), they would likely want a system in which people can opt in (or at least opt out easily), are notified when they are being recorded, and do not have to police themselves for privacy concerns. This implies the desire for an equitable method of distributing risks and protections for information, not one in which large companies make all the decisions without input. Thus, using Floridi's theory and the contractarian ethical tool, we can say that an ethically better use of Google Street View would have included at least: (1) notifying people in advance of Street View routes, (2) allowing residents a right to object or ask for areas to be excluded, (3) enhancing blurring technology by default, and (4) making the removal process easy and transparent, even for those without access to technology.

Grimmelmann's Product Safety Approach & Contractarian Ethics

James Grimmelmann, in his "Privacy as Product Safety," discusses issues of privacy not as user mistakes but as corporate and design responsibility. Companies like Google have the tendency to place privacy protection in the hands of users even though they have no control or knowledge regarding how their information is being collected and shared. Grimmelmann compares privacy problems to product safety problems: when a chair breaks when one sits on it, we don't fault the

sitter, we fault the manufacturer. Likewise, when a privacy device fails to protect someone's private information, the company that created it is the one that's at fault.

Grimmelmann believes that privacy protections must be designed into technology from the start, not as an afterthought or as something that the users must implement themselves. This is a call for "privacy by design," which means that the product is built in such a manner that it is expected to anticipate and prevent foreseeable harms to its users. He stresses that products and services need to be safe to use even by flawed or ignorant users, in the same way cars should include seatbelts and airbags even if drivers are reckless. Applying this idea to Google Street View reveals major ethical concerns. While Google did take some privacy precautions by blurring faces and license plates, for example, these precautions were often unreliable, and people and things remained identifiable. Furthermore, the system required that users find their photos and petition it to be removed, something Grimmelmann would say is an obstacle no reasonable privacy "product" should put in people's way. From his perspective, Google designed a system that wasn't secure to use: it did not protect individuals adequately from being shown in public, and it did not warn them ahead of time. Instead of designing the system with adequate safeguards in place and giving people clear information and options, Google assumed that the public should be notified, understand how the system operated, and sort out privacy issues afterward. This is not just problematic, it is morally irresponsible.

Here's where contractarian ethics carries this critique forward. Behind the veil of ignorance, you would not know if you would be someone who is equipped to navigate Google's privacy settings, or someone who is not privileged enough to know your face or license plate was exposed. You could be a private person, an abuse victim, or someone who has actual safety concerns. A just society must keep its most vulnerable safe by default, not just those who have the knowledge and time to look after themselves online. People taking a contractarian approach would want companies to be responsible for safety because we do not anticipate that products will harm us. In this case, Google would have designed Street View with user protection as a primary feature, not as an afterthought. That includes not only making blurring more precise and quicker, but actively minimizing harm, perhaps by limiting zoom level near private residences, making preemptive opt-out easy, or coordinating with communities in advance of capturing footage of people's homes and neighborhoods.

Grimmelmann's idea that privacy should be a default aspect of secure systems comes quite naturally to contractarian notions of justice and consent. No social contract would fairly place the burden on people to guard their own privacy against multibillion-dollar enterprises. If society were starting from scratch with good rules, Google would never be in a position to reveal people's neighborhoods and identities in the first place and then withdraw them afterward when people objected, they would have to protect people from exposure in the first place. Using Grimmelmann's work and a contractarian point of view, Google's launch of Street View was not

ethical. The better course of action would have been to make privacy a key design consideration, and not just a customer service problem. Google should have respected the safety and freedom of everyone, especially those who were unaware and unable to protect themselves, by building stronger protections and implementing due care into the design of Street View from the beginning.

Conclusion

Examining the launch of Google Street View in light of Floridi's concept of informational privacy, Grimmelmann's conception of privacy as product safety, and the contractarian ethical tool, it is evident that the launch was ethically questionable. Both authors emphasize the importance of developing technology with the dignity, safety, and freedom of the user in mind. Floridi claims our personal data is a core part of who we are, and taking away control from individuals is harmful to who they are. Grimmelmann claims making people responsible for controlling their own privacy, especially when they did not agree to be part of the product, is an ethical design flaw. Contractarianism provides yet another solid layer to this assessment. Behind the veil of ignorance, people would not want to live in a society in which one's face or home could be revealed without their consent and only removed from the eyes of the public if by chance they happened to observe and take action. A just society would require default protections that benefit everybody and not merely the aware and privileged. Others would say that new ideas always outpace rules, and that Google did not foresee all the implications. But good design is not perfection, it is foreseeing possible harm and reducing it. In this case, Google did not value privacy first and they valued convenience over fairness. A more ethical approach to the use of Street View would have safeguarded people's data, respected users as citizens and not commodities, and followed the visions of an equitable and open online society.

References

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