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Case Analysis on Privacy

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This case analysis will be about a more ethical way to implement Google Street View. Since it first launched in the United States in 2007, Google Street View has been the subject of much controversy every time Google made the service available in a new location, with the main concern from the public being that it's an invasion of privacy. The article, "The Googlization of Everything" by Siva Vaidhynanathan, covers the launch of Google Street View and how it was initially perceived in many countries, as well as how their privacy laws and customs effected the launch, and in some cases, caused Google to make changes or re-shoot different areas. One of the biggest issues that people had with Google Street View is that by default, users would have to actively contact Google to have images be taken down or blurred, a process that would require hours or days to achieve. Now, it's important to mention that faces are blurred on Street View, however as Vsidhynanathan points out, it's still possible to identify someone even without clearly seeing their face, in fact, there have been times that I've been able to identify myself on Street View, despite the blurred faces. Using reasoning tools for both Utilitarianism and Kantianism, I will explain how a service like Google Street View can be just as effective and have improved privacy simply through more blurring.

The are four basic types of privacy as discussed in chapter five of Luciano Floridi's "Privacy: Informational Friction" and those four privacies are; physical privacy, metal privacy,

decisional privacy, and informational privacy. The main type of privacy that I will be looking in to is physical privacy, however as Floridi points out, all four types of privacy are intertwined and therefor discussing one type will typically have connections to the other three.

The first type of privacy that I will be looking at is probably the one gets thought about them most in regard to services like Google Street View, and that is physical privacy. This is probably the most obvious worry for people who have concerns about Street View. It allows almost anyone to easily view people houses, property, cars, and even themselves, and in doing so it lowers the amount of information friction, meaning that the information is more accessible and takes less time to reach the rest of the world. This breach in physical privacy makes it easy to look at Street View and say its wrong, however, when looking at the issue from a utilitarian perspective, it almost justifies the mild breach in privacy and makes Street View look a little better. A utilitarian view states that an action is either right or wrong based on whether that action increases the about of good in the world relative to the amount of suffering, and vice-versa. So, if I take a utilitarian perspective on the physical privacy issue, is Street View really that bad? Surprisingly, it's not very bad at all, granted it's hard to measure how much good/bad something this add to the world, and when it comes down to it its all based on personal perspectives. However, one can use a utilitarian view to help lower the amount of suffering resulting from Google Street View and at the same time increase the informational friction for some of the physical privacy that people want protected, which would overall increase the amount of good coming from Google Street View. To do this would also be relatively simple, as I mentioned in the introduction paragraph, I think that the easiest solution to the issues around Street View can be solved by blurring more of the images. Googles algorithm that they use for

blurring faces and license plates is already sophisticated enough that its able to determine if its pictured a face or plate well enough that someone could identify that person from their face alone or read the license plate. However, people are able to be identified by things other than their face, for example, people can be identified by what their wearing, how tall they are, or if their muscular, that combined with location makes if fairly easy for anyone with basic knowledge about the subject to figure out who they are. What is suggest is simply blurring the entire person, it would be fairly easy for Google to do, as their algorithm already edifies faces, and it would increase the informational friction for what is the biggest concern many people have about Street View, therefor decreasing the about of "suffering" that results from the service. It's important to mention that this would be something I mostly recommend for more low density, residential areas, as blurring every pedestrian in a place like New York City would really impact the utility of Street View, but that ties into another thing that Floridi touches on, and that is expected privacy. In a city there is very little expected privacy, there's already phones and cameras everywhere, and much of the "privacy" comes from simply ignoring each other, so something like Google Street View doesn't have much of an effect on informational friction for physical privacy. That's why I would recommend this increase in blurring mostly for low density residential areas, where there is a reasonable expectation of privacy even when outside.

Another article that can be useful to look at when discussing Google Street Views privacy issues is, "Privacy as Product Safety" by James Grimmelmann, who wrote the story as part of the Widener Law Journal in 2010. In this article Grimmelmann discusses privacy as a safety product in relation to services like Facebook and Google Buzz, he talks about how service like

those two mentioned should have features to help protect the users and that those features should be doing everything possible to make it easy for the users. He goes on to say that “a second implicit point in the basic duty of sellers is to make their products safe is that disclaimers are not a substitute for a safe product,” essentially meaning that with or without disclaimers, a product should be safe, and if it isn’t, the manufacturer or provider is liable. He follows this up by saying that manufacturers are also responsible for design defects, which in some cases simply means making a very unintuitive product.

Now, when relating what Grimmelmann wrote about privacy as a safety product to the current question about how to improve Google Street View, its first important to once again look at the current privacy measures being take, but this time instead of simply viewing it as privacy, we’ll look at it more like a safety measure. Like I mentioned before, there are three main points in Google Street View about privacy, the first is that faces are blurred, the second is that license plates are blurred, and the third is that users can ask Google to blur or take down images that they don’t want visible. Like I mentioned before, blurring faces on its own isn’t very safe, as most people can be identified very easily by other characteristic. Blurring license plates is about as safe as it can be regarding cars, as by looking at it from a utilitarian view, blurring more than the plate would affect the overall performance of Street View. The last privacy measure though is much worse, as, to ensure privacy, and therefor safety, the user must actively contact Google to have images removed or blurred. And as Grimmelmann pointed out with both Facebook and Google Buzz, the providers of this services should be making their products safe as well as easy to use, and while to process of reporting an image to get blurred is easy,

there have been many cases like the ones that Viadhyanathan points out where it takes many day for the images to actually get blurred.

To apply an ethical tool to help improve this issue with blurring, I've chosen the Kantian tool. Kantianism decides if an action is right or wrong based on the reasoning behind that action, and not the outcome. And looking at my solution for Google Street View from a Kantian perspective helps show how a more aggressive blurring strategy would improve the service. For most people, the biggest issue with Street View is that there's a chance that it pictures them in a place where there may be some expected level of privacy, a front yard in a residential area or porch for example. And it is true, if they can be identified by their face, Google will blur it, however many people may not even want to be able to be seen at all on Street View, so they might submit a request to have their entire figure blurred. Assuming that the request is fulfilled, someone with a Kantian view might argue that the blurring was done for the wrong reason. And if we combine the Kantian prospective with what Grimmelmann said about privacy as a safety product, it makes more sense to have a more aggressive blurring policy by default. Because, while the image is being blurred to protect privacy, its being done because the user asked, which a Kantian as well as Grimmelmann would say is wrong, due to the fact it's something that Google can easily do on their own to protect their users, but instead requires that users be the ones that must be proactive to protect themselves.

Overall Google Street View will always be perceived as an invasion of privacy by many people. What I have proposed by using a more aggressive blurring strategy would attempt to help keep people from being identified easily on Street View while still maintaining the services

functionality. A Utilitarian school of thought along with what Floridi mentions about informational friction and expected privacy, points out how this more complete blurring strategy would limit the potential harm of street view by increasing the informational friction in places where there's some level of expected privacy, thus increasing the amount of good from Street View by decreasing the amount of suffering caused by it. And when applying a Kantian view to the issue along with Grimmelmann's points about privacy as a safety product, we can see how the increase in blurring by default to be protecting privacy for the right, proactive reasons, instead of at the request of users who may not want to be seen on Street View.

In the end there will always be someone who has an issue with Street View. I understand that some people may not have any problem with Street View, and yet others might want it to be taken down entirely. What I've talked about in the case analysis is simply a way that Google can improve Street View, by using the reasoning tools that I've learned about, and do it in a way that would increase privacy while helping protect people for the right reasons.

Sources

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