



Written by [Bob Adelman](#) on January 16, 2013

Aaron Swartz, Internet Freedom Activist, Dead at 26

Twenty-six-year-old Aaron Swartz, a  software prodigy and an Internet freedom activist, [was found dead](#) in his New York City apartment on Friday from an apparent suicide by hanging.

Swartz (pictured) had a brilliant mind and an activist's spirit that led him to create numerous breakthroughs in technology that allow Internet users to enjoy a more robust experience. At age 14 Swartz helped develop the protocol for [RSS](#) - "Rich Site Summary" or informally called "Really Simple Syndication" — which nearly every Internet user unknowingly uses when he accesses news sources and audio and video sites which are updated frequently.

At age 18 he entered Stanford University but dropped out after the first year and instead directed his energies and prodigious talent towards founding the software company [Infogami](#) which merged into Reddit in November 2005. He cashed out after Reddit was purchased by Conde Nast Publications, owners of *Wired* magazine, in January 2007. He continued working on Internet projects and first became noted for his activism when, in 2008, he downloaded about one-fifth of the database from [PACER](#), the enormous collection of U.S. federal court documents known as Public Access to Court Electronic Records, to make those files available for free to the public.

Swartz worked closely with Carl Malamud, the founder of [Public.Resource.Org](#), who contended that the PACER files should be available for free because, first of all, they weren't subject to copyright law and second, PACER charged a fee for the privilege even though the records were in the public domain. Swartz wrote his own program and, using a computer at the 7th U.S. Circuit Court of Appeals library in Chicago, proceeded to download approximately 18 million documents and send them over to Malamud's website. Swartz later learned, after filing a Freedom of Information request, that the Federal Bureau of Investigation (FBI) had looked into his actions but had dropped the investigation after a couple of months.

But he remained determined to promote the freedom of the Internet as he saw it. He supported the [Open Access Movement](#), where scholars could gain unrestricted access to peer-reviewed journals for free. He wrote,

The world's entire scientific and cultural heritage, published over centuries in books and journals, is increasingly being digitized and locked up by a handful of private corporations...

There are those [of us] struggling to change this. The Open Access Movement has fought valiantly to ensure that scientists do not sign their copyrights away but instead ensure their work is published on the Internet, under terms that allow anyone to access it.

Swartz founded [Demand Progress](#), an Internet-activist group which specialized in developing and promoting online petitions to oppose Internet censorship. It cut its teeth by successfully turning back efforts by Senator Patrick Leahy (D-Vt.) in September 2010 to pass his [Combating Online Infringement and Counterfeits Act](#) (COICA) and later efforts by Leahy to pass his [PROTECT IP Act](#) (PIPA) and a similar attempt in the House, the [Stop Online Piracy Act](#) (SOPA).

In May 2012 Swartz spoke at the F2C:Freedom to Connect 2012 rally in Washington, D.C., where he celebrated the victory over PIPA and SOPA in which his Demand Progress (with over one million



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members) had taken a leading role, but warned,

There's a battle going on right now, a battle to define everything that happens on the internet in terms of traditional things that the law understands...

[Under SOPA], new technology, instead of bringing us greater freedom, would have snuffed out fundamental rights we'd always taken for granted...

And it will happen again; sure, it will have another name, and maybe a different excuse, and probably do its damage in a different way, but make no mistake, the enemies of the freedom to connect have not disappeared. The fire in those politician's eyes has not been put out. There are a lot of people, a lot of powerful people, who want to clamp down on the Internet.

Swartz earlier had put his commitment to "freedom to connect" into action. In late 2010 he took his laptop computer into a closet in one of the labs at the Massachusetts Institute of Technology (MIT), where he had become acquainted with and appreciated by numerous staff members, and proceeded to hack into the gigantic [JSTOR](#) — short for Journal Storage — files and downloaded nearly the entire collection of its millions of academic journals to make them available for others for free. Once the theft was discovered, officials from JSTOR decided against filing charges against Swartz as long as he returned the files.

However, federal authorities, headed up by U.S. Attorney for Massachusetts Carmen Ortiz, filed charges against Swartz in July 2011 for wire fraud, computer fraud, unlawfully obtaining information from a protected computer, and recklessly damaging a protected computer, all under the aegis of the 1986 [Computer Fraud and Abuse Act](#), updated by the Patriot Act. It was an early opportunity to see just how far she could push the limits of the newly revised and expanded law.

Swartz was released on \$100,000 bail after which JSTOR said it would not pursue litigation against him while MIT demurred, refusing to comment on the case. If Swartz had been convicted on all 13 counts brought by Ortiz, he was potentially facing 35 years in jail and a \$1 million fine.

Ortiz asserted that "stealing is stealing, whether you use a computer command or a crowbar, and whether you take documents, data or dollars." Legal scholar Orin Kerr, writing at the legal blog *Volokh Conspiracy*, concurred:

The charges against Swartz were based on a fair reading of the law ... Once the decision to charge ... had been made, the charges brought were pretty much what any good federal prosecutor would have charged.

Demand Progress had a different view. In its statement it claimed that Ortiz was "trying to put someone in jail for allegedly checking too many books out of the library." And Alex Stamos, one of Swartz's legal defense team, posted his defense strategy online the day after Swartz's death, and concluded,

I know a criminal hack when I see it, and Aaron's downloading of journal articles from an unlocked closet is not an offense worth 35 years in jail.

Swartz's impact on the Internet and the freedom fight was remarkable considering his youth. Mourners like Jan Zupping, who calls himself an "internet freedom fighter," blogged: Let his life be an inspiration to us all to keep fighting, to keep building a better world, where free expression and open standards become the norm for everyone.



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