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Aaron Swartz: A Web rebel's Americanness

By: Timothy B. Lee – January 14th, 2013

Paul Graham, the angel investor who has mentored generations of Silicon Valley whiz kids, wrote a 2004 essay about hackers and the role they've played driving technology forward. "Hackers are unruly," he wrote. "That is the essence of hacking. And it is also the essence of Americanness."

Those three sentences are a perfect description of one of Graham's mentees in particular: Aaron Swartz.

I only met Swartz once, at a dinner at Harvard Law School. In a room full of suits, Swartz was the only one wearing a "Google App Engine" T-shirt. This penchant for defying social conventions would be a defining feature of his life. For a little more than a decade, it propelled him through a series of spectacular accomplishments. But it also got him in trouble with zealous federal prosecutors. Facing a criminal trial that could put him in prison for decades, the 26-year-old Swartz took his own life Friday.

Swartz became a co-author of the RSS specification, now a widely used method for subscribing to Web content, at age 14. While still in high school, he met famed copyright scholar Larry Lessig and helped him build the technical underpinnings of the now-ubiquitous Creative Commons license. He dropped out of Stanford after a year and, with Graham's backing, became an early member of the team that built the social news site Reddit. It was sold to Condé Nast in 2006, making Swartz financially independent a few days before his 20th birthday.

Instead of taking up the life of a playboy or starting another company, Swartz threw himself into political activism. He had an astonishingly broad range of interests, but he was most passionate about Internet freedom and public access to information.

He founded an activist organization called Demand Progress in September 2010 to oppose the legislation that became the Stop Online Piracy Act. Throughout 2011, Swartz and his colleagues at Demand Progress laid the groundwork for the historic January 2012 Internet protest that killed the censorial copyright legislation.

Swartz believed that the current system of academic publishing, in which established journals charge libraries high fees for access to scholarly research, unfairly excluded those outside the academic community. The authors of the articles rarely get a dime from these fees. Rather, they fund a publishing apparatus that the Internet is rapidly rendering obsolete.

Impatient with the slow pace of change, Swartz took matters into his own hands in 2010. He logged onto the network of the Massachusetts Institute of Technology, which has a

subscription to the academic database JSTOR, and used an automated program to rapidly download articles. When MIT cut off access to its wireless network, Swartz sneaked into an MIT network closet and plugged his laptop directly into the campus network to continue his download spree.

This last stunt led to his indictment on federal computer hacking charges. All told, the charges against him could have led to decades of prison time. Swartz's trial was scheduled to start in the spring.

Swartz wasn't blameless, but his actions were those of an overzealous activist, not a hardened criminal. Swartz returned the articles he had downloaded to JSTOR, and the nonprofit asked the government to drop the case. Unfortunately, Carmen Ortiz, the federal prosecutor in charge of his case, pressed on with felony charges.

In a Saturday blog post, Lessig reported that the costs of his defense were close to depleting Swartz's financial resources. According to Lessig, Swartz was "unable to appeal openly to us for the financial help he needed to fund his defense, at least without risking the ire of a district court judge."

In his essay about hackers, Graham argued that Silicon Valley's spectacular record of innovation is connected to the insubordinate attitude of people like Swartz. He noted that before they started Apple, Steve Jobs and Steve Wozniak liked to experiment with "blue boxes," devices that could trick the phone system of the 1970s into allowing free longdistance calls.

I worry that the prosecution of Swartz is a sign that our system is becoming less tolerant of people with a disrespectful attitude toward those in authority. A generation ago, we hailed Pentagon Papers leaker Daniel Ellsberg as a hero. Today, our government throws the book at whistleblowers for leaking much less consequential information.

Revolutionary ideas and technologies don't come from people with a reverence for following the rules; they come from insubordinate idealists like Jobs, Wozniak and Swartz. In the long run, we'll all suffer if we get in the habit of locking them up and throwing away the key.