Internet’s own Criminal

# The struggle between morality and legality and how it doomed Mr. Swartz

The case Of Mr. Swartz is a sad example of how legality never guarantees morality, and that despite this it is still our duty as citizens to respect the law and combat it within legal means. In the infant years of the United States, Slavery was a widespread and generally accepted practice. Legal across all states, thousands of slaves were forced into labor against their will and subjected for their entire lives. Just because something is legal does not mean it is legal, and slavery is an embarrassing example of this we must never forget. Despite slavery being abolished years ago, immorality is still legalized in many ways in this country such as with the research papers Mr. Swartz tried to demonetize for the public good. There is no doubt that the research and legal papers Mr. Swartz downloaded should have been publicly accessible without a paywall, however the hosts of these papers still maintained a legal ownership of those documents. It was moral of Mr. Swartz to try to make these documents accessible, but not legal. As a result Mr. Swartz was indicted correctly however did not at all get what he “deserved”.

What is the best way to combat what is wrong in the world? Passively and legally whining on the internet, or actively fighting injustice where you find it? While Mr. Swartz choose the latter, the correct answer is somewhere in between. I suspect very few people disagree with Mr. Swartz’ reasoning for illegally downloaded those documents but everybody agrees that it was illegal. To make matters worse, the reasoning for illegal actions hold little value in court and do little to help in his cause if (and when) he gets caught. In order to properly fight injustice he should have stuck to what he did best; creating online websites and forums that spread information on injustice. He gained considerable followership during the SOPA debates and could have used that to push other activism forays as well.

The strongest arguments that Swartz did nothing wrong are that 1. The video did not capture evidence of his stealing data beyond a reasonable doubt 2. He shouldn’t be charged on the basics of preventing further theft because much of his online political activism was group focused or written by his girlfriend 3. The real crime was taking what should have been public property and hoarding it behind a paywall. I will go through each of these points and show how these would be ineffective in court.

1. While the video did not perfectly capture him performing illegal actions, it did establish his interaction with the laptop and narrow down the suspect list. He was later detained and searched, on his possession was a hard drive with the illegal documents stored inside. His involvement with the crime is irrefutable.
2. A large part of the motivation for indicting Mr. Swartz was his political activism and potential for further illegal action. This activism would help paint his character in court as someone worth prosecuting but wouldn’t be intended for actual legal evidence anyways.
3. This is true, but that doesn’t make what he did legal. He still broke the law and Is punishable in court for it. I suggest next time he either tries being a little more secretive or continue garnering public support online like how he did with his other projects.