

# Introduction: Napster at 25

David Arditi

*University of Texas at Arlington*

In 1999, I was in high school, cruising around in my car with a CD case that held around 100 CDs. That case held my entire music collection, which I acquired through purchases and gifts. The only places I could buy music were at shows, my local record store (Echos in Williamsburg, VA), or through Columbia House (a service that sent you free CDs each month for signing up). Gifting was a key element. My first two CDs were gifts from my sister. First, she gave me the Red Hot Chili Peppers' *Blood Sugar Sex Magik* when she got bored with it. I'm not quite sure how she got bored with it; I still listen to it regularly to this day. Second, for my birthday in 1995, she gave me Alanis Morissette's *Jagged Little Pill* as my first new CD. As a 16-year-old, I was proud of my music collection—but longed for more music.

At the time, finding music on the Internet was laborious and ineffective. Internet radio provided low-quality access to music but contained the pitfalls of all radio in its lack of choice. MP3.com was a great site that allowed users to buy independent music. With your purchase, you could download mp3s and they would ship CDs with mp3s to you. In my opinion, MP3.com provided radical potential in its circumvention of major labels and its ability to provide alternative distribution, but it was limited in options. To this day, I still have some albums purchased through MP3.com in my music rotation. However, finding what you wanted online and downloading at an adequate speed was a challenge in the late 1990s.

A little later, in 1999, a friend told me about Napster (founded on June 1, 1999). This easy-to-use software application opened the world of music to me. Using peer-to-peer (p2p) networking, Napster allowed users to search for files on anyone's computer (in their shared folder) connected to the network. People could share most types of files, but the most popular were mp3s (Garofalo 2003; McCourt and Burkart 2003; Sterne 2012). All of a sudden, the world of music was available with a few clicks of a mouse, from independent artists to major artists and new music to old music. Where record stores contained limited catalogs of music, Napster felt limitless.

But Napster's importance goes far beyond the distribution of music. Shawn Fanning, a student at Northeastern University at the time (see Breen, this volume), founded Napster by expanding on internet relay chat (IRC) technology to facilitate the transfer of files. Napster became the first peer-to-peer file-sharing technology to be available widely. By facilitating the transfer of files on a free platform, Napster and Fanning embodied the Internet ethos where "information wants to be free" (Ashworth, 2023; Levy, 2014). It was this ethos described by Richard Barbrook and Andy Cameron as the "Californian Ideology" (1996), an ideology that was never put into action as the free Internet became a giant shopping mall funded by venture capital investors at the turn of the century.

Napster made everyone take account of the idea that, yes, information can be free. However, the Recording Industry Association of America (RIAA), major record labels, and Metallica (see Patch and Szrot, this issue), among others, fought Napster and, later, every p2p file-sharing platform developed. They filed lawsuits against file-sharing services, and when that wasn't sufficient, they sued music fans. In 2007, I wrote my master's thesis contending that what the RIAA did was criminalize independent music (Arditi 2007). According to the data I found, there was as much concern among the RIAA and major record labels that music fans could find music online that was not controlled by the major labels. This means that not only was major label music available, but also music by potential competitors.

Reflecting on Napster 25 years after its founding, one thing is clear: it changed the way we listen to music. First, the RIAA pushed music fans to download music from iTunes (Arditi 2012, 2014, 2020). This was a change in mediation (see Mueller, this issue) that led to the “celestial jukebox” (Burkart 2013; Burkart and McCourt 2006). Music went from \$15 CDs to free downloads to \$0.99 downloads. Second, the music industry coalesced behind a subscription model. With subscriptions, music consumption becomes constant and consistent in what I call “unending consumption” (Arditi 2021). For example, the average music consumer spent \$45 per year most years, even when the music industry was supposedly in decline (Arditi 2020). But the subscription model means subscribers now pay about \$120 per year for access to music (Arditi 2018), a 300% increase, which doesn’t include the revenue from the so-called vinyl revival (Aswad 2022; Palm 2019). The seductive drive to subscriptions stemmed from the celestial jukebox’s solution to scarcity (see Behrendtz and Knowles, this issue) by appearing to make all music available for a fee. Coincidentally, Dr. Dre sued Napster (Kane 2000), alongside Metallica, only to go on to develop Beats Music, a streaming company that would later become Apple Music (Arditi 2018).

In *A&M Records, Inc. v Napster, Inc.*, major record labels won by forcing the closure of Napster’s p2p file-sharing platform (Scharf 2011). Closing the original Napster stalled the development of new file-sharing platforms, but it also stifled the creation of new technologies. New scientific discoveries and technologies build from previous scientific and technological developments. When technologies become locked down and controlled by corporations, it limits future creations (Benkler 2006; Gillespie 2007). The architecture of Napster allowed others to tinker with it, which means more people using Napster fostered new ideas that could one day reimagine the way we use the Internet (See Cornelius-Bell, this issue). Corporate oligopolies tend to limit new technologies because they protect intellectual property rights at the expense of the public.

Napster was built on an open-access, open-source ethos ingrained in *Fast Capitalism*. It is with this in mind that we celebrate and commemorate the 25<sup>th</sup> anniversary of Napster.

## References

- Arditi, David. 2007. *Criminalizing Independent Music: The Recording Industry Association of America's Advancement of Dominant Ideology*. VDM Verlag.
- Arditi, David. 2012. "The State of Music: Cultural, Political and Economic Transformations in the Music Industry." Dissertation, George Mason University, Fairfax, VA.
- Arditi, David. 2014. "iTunes: Breaking Barriers and Building Walls." *Popular Music and Society* 37(4):408–24.
- Arditi, David. 2018. "Digital Subscriptions: The Unending Consumption of Music in the Digital Era." *Popular Music and Society* 41(3):302–18. doi: 10.1080/03007766.2016.1264101.
- Arditi, David. 2020. *iTake-Over: The Recording Industry in the Streaming Era*. 2nd edition. Lanham, MD: Lexington Books.
- Arditi, David. 2021. *Streaming Culture: Subscription Platforms and the Unending Consumption of Culture*. New Milford, CT: Emerald Publishing Limited.
- Ashworth, Boone. 2023. "The Whole of the 'Whole Earth Catalog' Is Now Online." *Wired*, October 13.
- Aswad, Jem. 2022. "Vinyl Sales Soar — and Even CDs Rebound — as U.S. Recorded Music Industry Posts \$15 Billion Year-End Revenue." *Variety*, March 9.
- Barbrook, Richard, and Andy Cameron. 1996. "The Californian Ideology." *Science as Culture* 6:44–72.
- Benkler, Yochai. 2006. *The Wealth of Networks: How Social Production Transforms Markets and Freedom*. New Haven [Conn.]: Yale University Press.
- Burkart, Patrick. 2013. "Music in the Cloud and the Digital Sublime." *Popular Music and Society* 37(4):393–407. doi: 10.1080/03007766.2013.810853.
- Burkart, Patrick, and Tom McCourt. 2006. *Digital Music Wars: Ownership and Control of the Celestial Jukebox*. New York: Rowman & Littlefield Publishers.
- Garofalo, Reebee. 2003. "I Want My MP3: Who Owns Internet Music?" Pp. 30–45 in *Policing pop, Sound matters*, edited by R. Garofalo and M. Cloonan. Philadelphia: Temple University Press.
- Gillespie, Tarleton. 2007. *Wired Shut: Copyright and the Shape of Digital Culture*. Cambridge, Mass.: MIT Press.
- Kane, Margaret. 2000. "Dr. Dre Sues Napster -- and Users?" ZDNET, April 25.
- Levy, Steven. 2014. "Hackers at 30: 'Hackers' and 'Information Wants to Be Free.'" *Wired*, November 21.
- McCourt, Tom, and Patrick Burkart. 2003. "When Creators, Corporations and Consumers Collide: Napster and the Development of On-Line Music Distribution." *Media, Culture & Society* 25(3):333–50. doi: 10.1177/0163443703025003003.
- Palm, Michael. 2019. "The New Old: Vinyl Records after the Internet." Pp. 149–62 in *The Dialectic of Digital Culture*, edited by D. Arditi and J. Miller. Lanham, MD: Lexington Books.
- Scharf, Nick. 2011. "Napster's Long Shadow: Copyright and Peer-to-Peer Technology1." *Journal of Intellectual Property Law & Practice* 6(11):806–12. doi: 10.1093/jiplp/jpr137.
- Sterne, Jonathan. 2012. *MP3: The Meaning of a Format*. Durham, NC: Duke University Press.