

Napster: Then and Now

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With streaming platforms more popular than ever, it is interesting to look back at where this culture of instant entertainment began and how it evolved to where it is now. One of the more obvious places to start is with the popularity of music sharing software developed by Shawn Fanning, co-founder of Napster. In the fall of 1999 this file-sharing technology took off in popularity as soon as college students peppered across the United States caught wise to its existence, and it has been the center of ethical debate ever since (Retroreport, 2014). What are the moral implications of what Napster stood for then, and what changed in their business model in the time since?

The original Napster software was set up as a file-sharing program that people could use to upload and download music files for free. The concept is simple enough, and it was well received by college students and other young people on a budget. However, while consumers were reveling at the massive (and free) music library at their fingertips, creators were feeling cheated out of profits and enraged at what they viewed as unethical business practices. This sentiment felt by musicians led to eventual consequences, including Napster notoriously being sued by metal mega-band Metallica. In July 2000 Lars Ulrich told the Senate Judiciary Committee that “Napster hijacked [Metallica’s] music without asking. They never sought our permission” (Hernandez, 2012).

To examine the ethical implications of each side on a Kantian basis, there are two views we could take from Napster’s business platform:

1. Napster could be viewed as having a philanthropic agenda to make artistic material available at minimal cost to impoverished consumers (Fryer, 2015, p. 103). *Or,*

2. Napster was ultimately hoping to make money from helping people access free music, with money being the motivating factor.

According to Kant, either side of this argument will arrive at the same conclusion. The formula of universal law dictates that individuals should ‘*Act only on that maxim through which you can at the same time will that it should become universal law*’ (Fryer, 2015, p. 101). The company maxim could be seen as “We will help people get free music with no compensation to the artist”, and the flaw in that maxim should be apparent. If the entire population were allowed to consume all their music for free, they would bankrupt the industry from which they are consuming. When the music is gone, both the consumer and the creator are deprived of the entertainment they have grown to rely on. The only entity that profits at the end of this cycle is Napster. Therefore, it can be concluded from a Kantian standpoint that Napster’s business model was unethical.

So, where is Napster today, you ask? Well, they have moved away from a free file-sharing business model, for starters. Their new mission statement is lengthy, but the final sentence sums up where the company is now nicely: “Napster combines the iconic history of one of the most recognizable music brands in the world with the vast experience and technological platform developed by Rhapsody International Inc.” (“About”, n.d.). And yes- they are charging consumers and compensating artists. Working much like other popular streaming platforms, Napster offers a premium subscription service to access music in 34 countries. Original co-founders Shawn Fanning and Sean Parker are not a part of the company anymore.

Napster has also shown ethical responsibility in their day-to-day running of the company. Their website lists the company’s core values as *Think Big. Collaborate. Look Outside. Take Action. Be Bold.* (“About”, n.d.) The Napster vision statement is employee-centered: “Napster

wants to ensure the health and welfare of our employees and their dependents by providing comprehensive medical, dental and vision coverage” (“About”, n.d.). The company also offers music benefits, a flexible work environment, work-life-balance, and retirement plans with company match. Their maxim concerning employees seems to be “We will take care of our employees”, and that is an ideology that we would all benefit from becoming a universally accepted value.

Conclusively, Napster’s original business model would be labeled by Kant as ethically unsound and morally questionable. Reasonable thinking dictates that the business was unsustainable and would have had far-reaching negative implications if its values had been universally accepted by society. Not only was changing the company’s business model and culture necessary, but it was also the *right thing to do*. No matter how sad it is to think of impoverished people not having access to art such as music, the sentiment does not out-weigh the reasoning behind prohibiting free file-sharing.

References

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