

Dudley, B. J. *Instability and Political Order: Politics and Crisis in Nigeria*. Ibadan, Nigeria: Ibadan University Press, 1973. One of the most discerning studies of efforts toward democracy in Nigeria. Uses social science theories to analyze the roots of political crisis in Nigeria at both micro and macro levels. Creatively analyzes the Nigerian First Republic and the origins of military involvement in politics.

Osaghae, Eghosa E. *Crippled Giant: Nigeria Since Independence*. Ibadan, Nigeria: John Archers, 2002. An interpretive historical account of events in Nigeria, including military rule, the June 12, 1993, annulment of presidential election results, the murder of Chief Abiola, and the return to democratic rule on May 29, 1999.

Oshun, Olawale. *Clapping with One Hand: June 12 and the Crisis of State Nation*. London: Josel, 1999. Chronicles the events that led to May 29, 1999, from the annulment of the June 12, 1993, presidential elections to the killing of Chief Abiola.

SEE ALSO: June, 1981: Organization of African Unity Adopts the African Charter on Human and Peoples' Rights; Dec. 31, 1983: Nigerian Military Topples President Shagari; Aug., 1991: African Countries Begin to Revive Democratization; Nov. 10, 1995: Nigeria Hangs Saro-Wiwa and Other Rights Advocates; July 10, 1999: Six African Nations Sign the Lusaka Peace Accord; July 11, 2000: Organization of African Unity Moves to Establish the African Union.

June 1, 1999

NAPSTER IS RELEASED

The wildly popular Napster, a free program that enabled users to browse through each others' digital music collections and to download songs, came under fire by record labels and artists who believed that the service violated copyright law.

LOCALE: Boston and Hull, Massachusetts

CATEGORIES: Music; communications and media

KEY FIGURES

Shawn Fanning (b. 1980), creator of Napster

John Fanning (b. 1966), Shawn's uncle and Napster's initial majority owner

Sean Parker (b. 1979), cocreator of Napster

Jordan Ritter (b. 1978), cocreator of Napster

Lars Ulrich (b. 1963), drummer for Metallica and vocal Napster opponent

SUMMARY OF EVENT

In the 1990's, as the technology surrounding the Internet and the World Wide Web became more sophisticated and accessible, the possibilities of the digital exchange of music expanded. The MP3 format, first devised in 1987, could compress a song into a small digital file with little noticeable decline in sound quality. As the Internet became more popular, many people in the music and technology industries were keenly aware of the potential not only for shopping for music online but also for downloading MP3 files from online sources. However, the mainstream recording industry—the five major record

labels, EMI, Sony, BMG, Universal, and Warner Bros.—were slow to seize this opportunity, and many early online music sites and programs, such as MP3.com and LiquidAudio.com, were difficult to use and had only limited success.

Meanwhile, a freshman at Northeastern College in Boston, Massachusetts, named Shawn Fanning had designed software that made it easy for people to search for and acquire music online. He received help from friends he met on online chat rooms, including Jordan Ritter, a programmer working in nearby Chestnut Hill, and Sean Parker, a young Internet businessman from Virginia. Fanning's project also attracted the attention of his uncle, businessman John Fanning. By the beginning of 1999, Shawn had dropped out of college in order to fully devote his attention to the program, which he called Napster, for the nickname he acquired in high school for his frizzy hair. John became the head of Napster, Inc.

Released on June 1, 1999, Napster was an easy-to-use, peer-to-peer (P2P) file-sharing software program, meaning that it allowed users to share music files with each other. Anyone who downloaded the software could then search through the MP3 collections of other Napster users and download their songs. Often, the user merely had to enter a song title or artist name to find what he or she was looking for. The software rapidly grew popular with tech-savvy music fans, and colleges discovered that their computer servers were at their breaking point because the servers were overloaded with MP3 transfers.

Napster received a great deal of attention from the media and, soon enough, the music industry. Users paid no money to use the program and no royalties to the copyright holders of the music. Moreover, the program was launched at a time when high-speed Internet lines and compact disc (CD) burner drives on computers were becoming more affordable. People could use the program to download music for free and then burn it onto a blank CD, eliminating the need to purchase the music. Therefore, the recording industry believed that Napster and its users were stealing music. On December 7, 1999, the Recording Industry Association of America (RIAA), representing the five major labels, filed suit against Napster.

The more controversy Napster garnered, the more popular it became. The battle between the company and the music industry brought to light the fissures among the industry, the artists, and the listeners. Many Napster supporters contended that the service provided a much larger variety of music than most mainstream channels on the radio and Music Television (MTV) offered and in fact enabled users to sample unknown music that they would

then seek out by purchasing an artist's CD. Many listeners had also grown tired of paying high prices for CDs. For these people, Napster seemed an ideal solution.

Napster attempted to portray itself in David-versus-Goliath terms, as a young upstart company that, in enabling people to access a wider variety of music, had succeeded where the technologically out-of-date music industry had failed. The company made Shawn Fanning—a fresh-faced teenager usually seen wearing a T-shirt, baseball cap, and jeans—its public face. Some musicians and groups, such as Courtney Love, Public Enemy, and Moby, pledged support for Napster, claiming that the music industry was a fundamentally corrupt entity that never properly treated artists and took too much of the profits for itself. Others, such as rappers Eminem and Dr. Dre, took issue; the latter filed suit against Napster.

The heavy metal band Metallica, particularly drummer Lars Ulrich, also came out against Napster. The band filed suit against Napster on April 13, 2000, for copyright violation. Ulrich spoke out frequently in the media,



In front of Napster headquarters in Redwood City, California, Napster chief executive officer Hank Barry (right) and cofounder Shawn Fanning address the media after a judge issued a stay allowing the service to stay online, at least temporarily. (AP/Wide World Photos)

decrying Napster. On May 3, Ulrich and Metallica's lawyer Howard King came to the Napster offices with the usernames of every user who had downloaded a Metallica song, demanding that Napster suspend the users from using the service. Napster complied with their demand. Although they had successfully challenged Napster, the band's popularity and credibility suffered in the eyes of many music fans who felt that the band had betrayed their fan base. Some people pointed out that when the band was just getting started, they had allowed fans to trade tapes of their live shows. When Ulrich made his appearance at Napster's headquarters, he was greeted by Napster fans brandishing signs decrying him and his band as sellouts.

Some artists saw the issue in more ambiguous terms. Don Henley of the Eagles and Robert Fripp of King Crimson—while both opposed to piracy—expressed their belief that the record industry's behavior, more concerned with profits than either artists or listeners, had created an environment that enabled a program like Napster to flourish.

On June 12, 2001, the RIAA and the labels filed a preliminary injunction to shut down Napster. Eventually, the combination of legal troubles, internal strife, lack of steady cash flow, and the rise of competing file-sharing services all took their toll on the company. After a series of injunctions and appeals, on March 5, 2001, a revised injunction was issued by U.S. district judge Marilyn Hall Patel declaring that Napster enabled its users to commit piracy. Napster was ordered to remove copyrighted material from its servers.

SIGNIFICANCE

On July 1, 2001, Napster shut down. Eventually, the company filed for Chapter 11 bankruptcy on June 3, 2002, and the Napster brand, technology, and Web site were sold to Roxio, Inc. in November. Napster would eventually relaunch as a legitimate company that allowed users to download music for a monthly fee. However, by this time it was just one of a number of sites offering music files, some legally (iTunes, eMusic), others more covertly (Morpheus, Kazaa).

Napster changed the music industry by making widespread, downloadable music a viable reality. Subsequent advances in downloadable music services, notably Apple's widely popular iTunes, arguably would not have been as successful had Napster not caught on.

Some have claimed that the popularity of Napster was the catalyst for the music industry's sales slump that lasted into the early twenty-first century. The industry tried to combat piracy more aggressively. CD cases featured FBI warnings against piracy, and record labels began using digital watermarking technology that enabled them to track people who illegally uploaded music on the Internet. In 2003, the RIAA began suing individuals who used file-sharing programs to illegally download music. These efforts, however, could not completely rein in illegal file-sharing, nor did they improve the industry's reputation among many music fans.

—Michael Pelusi

FURTHER READING

Alderman, John. *Sonic Boom: Napster, MP3, and the New Pioneers of Music*. Cambridge, Mass.: Perseus Books, 2001. Provides a thorough look at the history of online music technology and the Napster phenomenon.

Menn, Joseph. *All the Rave: The Rise and Fall of Shawn Fanning's Napster*. New York: Crown, 2003. An in-depth look at Napster that focuses on the turmoil that plagued the company throughout most of its existence, as well as the court battles with the music industry.

Merriden, Trevor. *Irresistible Forces: The Business Legacy of Napster and the Growth of the Underground Internet*. Oxford, England: Capstone, 2001. Tracks the history of Napster and music on the Internet in general and considers Napster's effect on the music industry.

SEE ALSO: May, 1975: Sony Introduces the Betamax; Oct. 19, 1976: Expanded Copyright Law Reflects New Technology; Mar. 28, 1991: U.S. Courts Restrict Rights to Photocopy Anthologies; Oct. 27, 1998: Reform of the Copyright Act.