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# Why Konami Should Leave The Fan Legacy: Metal Gear Solid Alone



([http://www.gamersftw.co.uk/author/lm\\_watson/](http://www.gamersftw.co.uk/author/lm_watson/))

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Copyright is one of those nasty things that we always realize is there, but never really comprehend until it comes back to bite us in the ass. Observe the legacy of Disney: a company that capitalizes on a legacy of fairy tales and has extensively copyrighted their efforts to ensure that no one else would be able to make tales in the same universe until some obscene distance into the future. Of course, copyright is somewhat necessary to ensure that a company that has sufficient creative control over a specific intellectual property so that it can be done justice under the intended creative control. It is a fine line between storyteller and dictator: who exactly gets to create what about which particular universe? Who, exactly, is responsible for that kind of legacy?

With this in mind, it is an interesting case when fan made efforts come to the forefront, particularly when a big profile name gives them a thumbs up. Such is the case of the latest effort from the same team that was behind the canceled *Metal Gear Solid: Shadow Moses* (<http://www.gamespot.com/articles/metal-gear-solid-fans-making-vr-app-featuring-davi/1100-6438602/>) project designed for Unreal Engine 4. It seems that the team have shifted from recreation to homage, instead creating a living museum of the best of *Metal Gear Solid's* legacy, constructed using art work from fans of the franchise. This all seems innocent enough, especially since one considers that David Hayter, the original voice of Solid Snake, will be lending his support and voice to the project, and that the project will be 100% free of charge. Ultimately, the new project, called *The Fan Legacy: Metal Gear Solid*, is said to be a gift from the fans, "to share our affection for the seminal franchise".

All of this seems relatively harmless: after all, the only things this team seems to be guilty of doing is loving the *Metal Gear Solid* franchise too much. This is particularly pertinent when one considers that the team was completely public about their creation of the project from the jump. Lead developer Airam Hernandez made it abundantly clear that the thing he was seeking to replicate was not his to recreate per say, and that Konami had not given him rights to continue. A month after their initial pitch, the game was canceled due to "reasons beyond their control". It is not a huge stretch of the imagination to suggest that Konami sent cease and desist letters, especially when a representative of Konami was approached regarding the new project and proceeded to state "no comment" to any support of the project.

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It would be ridiculous to think that a big company like Konami would allow a small team of passionate fans to allow one of their games to be recreated with next-gen graphics and be released for free to people with the same passion. Don't be absurd: Konami could well have had their own plans to recreate *Metal Gear Solid* in next-gen technology and sell it out for a damn near \$60 a pop. Whether that is ethical or not is a debate for another time, but the take on the matter is that it is theirs to do with what they please. Under the direction of Hideo Kojima – which Konami are understandably loathe to admit – Konami have created a legacy of excellence in *Metal Gear Solid*, and it would be silly to suggest that they would allow a project of the magnitude of *Metal Gear Solid: Shadow Moses* to simply coast into the public sphere with nary a dime to be had.

With this being said, is it a bigger leap to take the same stance with this new project? Let's look at it from the same perspective: a project seeking to make a new game in the likeness of a pre-existing IP owned by another company, with a decent amount of promise behind it and a member of the original team – David Hayter for *The Fan Legacy* and *Metal Gear Solid* lead songwriter Rika Marunaka for *Shadow Moses*, respectively – backing its creation. Where *Shadow Moses* sought to recreate history, The Fan Project seems intent on preserving it: from the looks of the trailer, it seems more like a digital art gallery than game, taking the efforts of those passionate about the universe and seeing it realized in a museum dedicated to one of the best video game franchises ever made.

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With that being said, I can already see Konami beginning to crack down on this project to, and it is not explicitly because of monetary reasons. Yes, this new project is also being made exclusively out of love and is not asking a cent out of those that are eager to play it. However, it is a question surrounding the preservation of history. No one wants the history and legacy of their creation to be outside of their control, and were a creator to give it up, it would have to be under the most bitter and heartbreaking of circumstances – see George Lucas and the Star Wars fiasco for the logical extreme of such creative bickering. Konami would be well within their rights to cordon off this creation, much like they did with the *Shadow Moses* project.. *Metal Gear Solid*, and its legacy, is not for the fans to decide, as surprising as it is for me to say. Konami owns the series, plain and simple. What they do with the franchise, whether we like it or not, is not for us to dictate.

Does this mean that Konami should drop the hammer on this project? Absolutely not. With any kind of interactive medium there is a fan that will seek to recreate it in one way or another, be it to practice their own game making skills in order to make games of their own, by modding existing games and improving them, or paying homage to the games that were formative to their developing hobby. To deny this interaction is to shut down a core part of the community that allows games to flourish. Some game would be nothing without the cult following that they received, and it is these followings that allow passion for our medium to flourish and grow. What harm would it be, in the eyes of those that would support this project, to deny the fans in expressing the love and support that they have for the *Metal Gear Solid* franchise, even after the fiasco surround its creator, Hideo Kojima?

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At the end of the day, it is a nature of the maintaining of a legacy. Konami is in a position where they are the governing party in this exchange, which is where my initial statements regarding copyright and fair use finally become relevant. It is always within one's best interest to curate a product that you can expand upon and reap the rewards from. To deny fans of these products from creating work of their own that expands and enhances the world that has been created, if only in the most insignificant of ways, is to deny the expression of the people you sell your product to. The culture of video games is a creative force that expands well outside of the financial and creative jurisdictions of the creators, and it would be irresponsible and damaging to shut down any and all attempts to create something that seeks to pay tribute to these original creations, especially with something as beloved as *Metal Gear Solid*.

Alas, let us assume for the sake of the argument that Konami were to shut this project down. *Metal Gear Solid* ends, as it had planned to, with the release of *Metal Gear Solid V: The Phantom Pain*, which is a hell of a send off. Nothing more is made, and the series is left as it is. Admirable; no one wants to tarnish a legacy with extraneous content, unless of course extra money was to be made. But someone comes to Konami and wants to expand on their universe with a creative force outside of their own. What then? Every universe has the opportunity to expand beyond the realms of its creators, even encompassing concepts that the creators never considered. Do we allow Konami to keep its vault closed, denying others to expand upon the history that they have so carefully curated? Or does Konami lower the walls for people to expand upon the extensive universe *Metal Gear Solid* has crafted over the years? Only one of these is creatively liberating, and allows those with ideas to let them flourish, while the other is content to seal their Disney vault away from hands that wish to create something new.

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