

'Sweet Home Chicago' leaves sour taste for some

Chicago Tribune

May 30, 2002

By Steve Knopper

The man who owns "Sweet Home Chicago" had nothing to do with writing it.

He is no relation to the late Robert Johnson, the mythical Mississippi Delta bluesman who, the story goes, sold his soul to the devil before recording the anthem of hope and opportunity in 1936. But while Johnson died a pauper, "Sweet Home Chicago" has helped make Stephen LaVere very rich.

"There isn't a blues band in the world that doesn't play it," LaVere says. "It's like 'When the Saints Go Marching In' to the blues crowd."

Written about escaping the racially oppressive South in the '30s, "Sweet Home Chicago" has snaked its rhyming way into "The Blues Brothers" movie and soundtrack, prominent placement at the 1996 Democratic National Convention and, over and over for eternity, at blues nightclubs around Chicagoland. The blues standard is guaranteed to show up at least a half-dozen times at the Chicago Blues Festival this weekend.

What few people know is that whenever "Sweet Home Chicago" makes money -- usually from movies, commercials and big-selling recorded versions -- half goes to LaVere, a Glendale, Calif., businessman. Johnson died in 1938, after someone apparently slipped strychnine into his whiskey, leaving a murky legacy of heirs and relatives. LaVere entered the picture in 1973, persuading the singer's elderly half-sister Carrie Thompson to sign a contract ceding him 50 percent of the profits from Johnson's music.

Although Thompson has passed away, LaVere continues to earn his 50 percent (another Johnson relative earns the other half). The most popular title in Johnson's catalog, according to LaVere's song-licensing people, is probably "Cross Road Blues," which Cream turned into the rock hit "Crossroads" in the '60s. But "Sweet Home" is a close second. Chicago's Convention and Tourism Bureau recently bought it for a promotional video; Pizza Hut has licensed it for a radio ad campaign; rock bands Fleetwood Mac and Foghat and bluesman Freddie King, among at least 500 others, have recorded versions of the song.

But in the blues world, LaVere, a clean-cut man with short white hair and wide, round eyes, is a magnet for criticism. Many say he lucked out, as a young Memphis record distributor and booking agent, in finding Johnson's last surviving relative and in persuading Thompson to sign the extraordinary profit-sharing contract. In his 1997 autobiography, Chicago bluesman David "Honeyboy" Edwards, Johnson's old traveling buddy, rips people who are "making money off his music, trying to get everything they can."

Edwards doesn't name names, but Michael Frank, head of the blues singer's Chicago-based label, Earwig Records, calls LaVere "very ruthless."

Because of that, many artists try to find ways not to pay LaVere the royalties he demands for "Sweet Home Chicago." Edwards covered the song on an early-'90s Earwig album; at first Frank refused to pay, but capitulated when LaVere threatened to sue.

Blues historians agree that Johnson wrote "Cross Road Blues," among others, but the origins of "Sweet Home Chicago" are far murkier. Although Johnson's haunted style was unique -- it became the foundation of rock 'n' roll, or at least certain Rolling Stones records -- he cribbed songwriting techniques from several Mississippi sources. Scrapper Blackwell's "Kokomo Blues" and Kokomo Arnold's "Old Original Kokomo Blues," both eerily similar to Johnson's original right down to their "baby don't you want to go" choruses, were recorded years before Johnson first entered a studio.

Because of this songwriting ambiguity, Bruce Iglauer, president of the Chicago blues label Alligator Records, refused to pay LaVere for the use of "Sweet Home Chicago" on an Alligator all-star CD nine years ago. "I told him I would fight him about this," says Iglauer, who has paid LaVere for use of another Johnson song. "This song is so obviously completely derivative of two other songs [by Blackwell and Arnold]."

There is no evidence, it should be noted, that Johnson ever visited Chicago during his 27 years of life. He occasionally traveled, loosely following the African-American exodus from Mississippi to cities such as St. Louis and Detroit, historians say. But his "Sweet Home Chicago" is a vague sort of travelogue, in which he even makes repeated references to "the land of California."

Some blues historians note that those "California" lines never appear in yet another version, by the late Chicago pianist Roosevelt Sykes. In fact, the Blues Brothers' 1980 recording follows Sykes' version, substituting "back to the same old place" for the more confusing "back to the land of California." Adam Gussow, harpist for the blues duo Satan & Adam, argues that it's clear that the original version is the one that makes no reference to California, and must have been written by Sykes. Gussow, a visiting Vassar College professor of English, says LaVere should receive no royalties for this version.

Naturally, LaVere holds to the position that the song belongs to Johnson -- which is to say, it belongs to LaVere's company, Delta Haze Corp. But while LaVere aggressively pursues royalties for all of Johnson's songs, and has gone to court over the use of Johnson's music, he has never actually filed suit over "Sweet Home Chicago." The entrepreneur's critics speculate the songwriting ambiguity over the versions by Johnson, Sykes, Blackwell and Arnold may contribute to a lack of confidence on LaVere's part about prevailing in litigation.

Yet LaVere, who says he doesn't pursue every case through the courts because "it's not cost-effective," says he has no personal doubts about who penned the song.

"Everybody recognizes 'Sweet Home Chicago' is Robert Johnson's song," he says, arguing that Sykes' version, for example, appeared after Johnson's. "Robert Johnson holds a special place in people's hearts. If they want to pay Robert Johnson, they'll do the right thing."

To be fair, the 50-50 deal worked out pretty well for Johnson's half-sister. LaVere has aggressively marketed Johnson's music, meticulously copyrighting his songs and co-producing Columbia's platinum-selling 1990 box set "The Complete Recordings." As a result, LaVere and Johnson's heirs have split an after-tax profit of more than \$2.6 million. Today, half the money goes to retired Crystal Springs, Miss., truck driver Claud Johnson, who proved in court two years ago that he's the late bluesman's out-of-wedlock son. The other half, of course, goes to LaVere, who lives part time in Glendale, Calif., and part-time in a huge house in Johnson's hometown, Greenwood, Miss.

Despite the complaints of Earwig's Frank and the pointed challenges of Alligator's Iglauer, many who have worked with LaVere accept his ownership of "Sweet Home Chicago" without question. Joyce Kagan Charmatz, president of the anti-littering group Keep Chicago Beautiful Inc., negotiated with him over the rights to change "Sweet Home Chicago" into "Clean Home Chicago" for a late-'80s ad campaign. She calls him "an extraordinarily reasonable human being," saying he reduced the price to a level her non-profit group could afford.

Whether the song should continue to be played so much is another story.

To some blues fans, listening to "Sweet Home Chicago" yet again at a local club or festival is like hearing a Southern rock band crank up Lynyrd Skynyrd's "Freebird" for the zillionth time. They wonder: Why not play Jimmy Rogers' "Chicago Bound" instead?

"As far as song construction goes, ['Sweet Home Chicago'] is well-written -- especially when you realize it was written by committee in a weird way. You can't beat the chorus," says roots rocker Dave Alvin. "It's definitely overplayed. If Al Green's going to sing it, I'd love to hear Al Green sing it. Or George Jones. But there's certain songs that you just don't want to touch."

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