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George Harrison and The Guilty Subconscious

The ever famous rock and roll band, The Beatles, gained popularity through their simplistic, yet uniquely catchy tunes through all of their songs. George Harrison, one of the guitarists for the internationally recognized band, was the second band member to leave following their eventual breakup. Drained from the countless sessions The Beatles had completed, and after finishing and recording what later became known as **Let It Be** in May of 1970, Harrison found "his own songs were being overlooked in favour of half-finished ideas submitted by the songwriting duo" (O'Gorman, 2023), leaving the band shortly after John Lennon, although Paul McCartney was publicly coined as the "first bandmate to quit The Beatles".

Fast forward to February 23, 1976. In a United States Courthouse in Manhattan, New York, a public spectacle of a trial takes place in the case of George Harrison versus Bright Tunes Music, a small New York-based publisher, who heard Harrison's new hit song on the radio, "My Sweet Lord". Uncannily, Bright Tunes heard this song, specifically the chorus, and declared it "identical to a chestnut in their dusty catalog, 'He's So Fine'" (Hutchinson, 2015), written by Ronnie Mack and performed by The Chiffons. This near-replica hit created a snowball effect with coining the term "subconscious plagiarism", the verdict that the jury slapped Harrison with in February in 1981, five years after the initial trial. Despite the initial attempt made by both

Harrison and his manager, Allen Klein, "to buy Bright Tunes' entire catalog" (Hutchinson, 2015), the publisher pushed back, demanding copyright surrender from Harrison. The result of this long trial was in the form of \$1,599,987 to be paid by Harrison to Bright Tunes for copyright infringement. Harrison later recalls about the trial, "I've never had any money from the song, [...] It's always been in escrow. As far as I'm concerned, the effect the song has had far exceeds any bitching between copyright people and their greed and jealousy" (Hutchinson, 2015).

Having listened to both Harrison's subconsciously written song, "My Sweet Lord", and the original piece, "He's So Fine", I cannot help but notice the obvious symmetrical tones during the chorus, which also happens to be the major evidence that the plaintiff had analyzed during the trial. With both songs in question, the three notes that made up both chorus lines that match their respective titles, Motif A ("My Sweet Lord") and Motif B ("He's So Fine") were analyzed by not only Harrison, but by expert musicologists who were brought in for their talent. The motifs this trial is talking about, is a combination of three notes that are relatively close in pitch; a starting note that is dropped down by a third and resolved with a pitch that drops down a whole step. The quality in both songs were too similar to be ignored, with both Harrison and Ronnie Mack's original piece using the lead singer's vocals alone, and both recordings were clear enough without any interference, only making Bright Tunes' case easier to resolve. The intensity is also similar, even if Harrison's pitch throughout his song is lower compared to the performance by The Chiffons, can be depicted by their dynamics being typical of a recorded song in a studio setting.

I think that despite the efforts of both George Harrison and his representation, I would have to agree with Judge Richard Owen, the judge who presided over the trial. In his words, "Did Harrison deliberately use the music of 'He's So Fine'? I do not believe he did so

deliberately. Nevertheless, it is clear that 'My Sweet Lord' is the very same song as 'He's So Fine' with different words, and Harrison had access to 'He's So Fine'. This is, under the law, infringement of copyright and is no less so even though subconsciously accomplished" (George Harrison's \$1.6 Million Mistake, 00:06:20 - 00:06:42).

Works Cited

“Harrison’s \$1.6 Million Mistake”. *YouTube*, uploaded by FabFourArchivist, 20 Sept. 2019,
https://www.youtube.com/watch?v=ksZDMx6-cJY&ab_channel=FabFourArchivist.

Hutchinson, Lydia. “George Harrison’s “My Sweet Lord” Copyright Case.” *Performing Songwriter*, 10 Feb. 2015,
<https://performingsongwriter.com/george-harrison-my-sweet-lord/>.

O’Gorman, Martin. “Why did The Beatles break up? The true story of who left the band first.”
Radio X, 20 Aug. 2023,
<https://www.radiox.co.uk/artists/beatles/why-did-the-beatles-break-up-the-true-story-of-who-left-the-band-first/>.