

FIGHT THE POWER

PEARL JAM



WHO'S WINNING?

1994 was the year Pearl Jam said 'no' to playing Woodstock, then picked a fight with the USA concert promoting establishment. They then took their battle to the USA Congress. Are the demons they're fighting imaginary or real?

In the wonderful world of American entertainment it's a fair assumption that if you're big, you get your own way; and who's bigger than Pearl Jam in rock 'n' roll today? But Pearl Jam found some formidable opponents when they started to define their terms for a summer tour of American outdoor venues. In fact they had to stay at home, leaving the stadium circus to the Old Boys Club: the Eagles, the Rolling Stones, Neil Diamond and Pink Floyd.

It's bizarre that a simple matter of how much the ticket selling agency Ticketmaster could charge as a booking fee lead to a USA Government Congressional hearing, initiated by Pearl Jam, on the fairness of the computer booking service.

What did Pearl Jam want? The band sought a low ticket price of \$18, plus a booking not exceeding 10% of that figure (ie. \$1.80), keeping the total purchase price at \$19.80. The band also sought to limit the percentage of profit due to the venue on Pearl Jam merchandise sold at a gig.

When Ticketmaster would not agree, Pearl Jam figured: 'We're big enough to go direct to the venues.' Their plans were thwarted when they found nearly every venue in the country had an exclusive contract with Ticketmaster. These large venues could not, or would not, sell their own tickets divorced from the Ticketmaster system.

There was then talk of a 'fields' tour — Pearl Jam and Smashing Pumpkins staging their own touring Woodstock — but the field scenario is a minefield. If people just had to see at a gig,

that'd be cool, but people gotta pee, etc.

Smashing Pumpkins signed up for the system-friendly Lollapalooza (in some cities Lollapalooza sells out via Ticketmaster prior to the line-up being announced!), and Pearl Jam were left contemplating portaloo possibilities on their own.

In May, Pearl Jam's manager, Kelly Curtis, postponed the summer tour, citing Kurt Cobain's death ("which threw everyone for a loop"), and to take time to find alternative means to tour.

With no tour dates in the foreseeable future, and the album *Vitalogy* in the can, Eddie Vedder and long time partner Beth Liebling travelled to Rome in June, and were married.

That same month, in USA industry magazine *Billboard*, Pearl Jam's manager restated that the band will remain "committed to touring with cheap tickets". The magazine dryly added: 'In order to achieve these terms, the band may have to re-invent the concert business.'

Pearl Jam then formally accused Ticketmaster of blackballing them and acting as a monopoly, by going to the American Congress with an anti-trust suit. In July, Jeff Ament and Stone Gossard went to Washington.

"This thing has been building up for a long time and, deep down, it's really not about money," says guitarist Stone Gossard. "It's about music. It's about fairness. It's about a band who believes good intentions can translate into sound business practices, and a giant corporation that's completely out of touch."

The band's statement claimed Ticketmaster

sought 'to cement control over the distribution of tickets'.

When Aerosmith manager, Tim Collins, testified at the hearings, he highlighted a practice that was inflating the service fee, an activity of Ticketmaster that Pearl Jam's lawyers called "kickbacks". Collins said when he tried to lower the service charge on Aerosmith tickets, Ticketmaster actually suggested increasing the charge by one dollar, with half of the money going directly to Aerosmith.

Ticketmaster took legal action to stop Pearl Jam's lawyers describing this practice as "kickbacks", after the term appeared in their memo to the USA Justice Department. Ticketmaster's lawyers claimed that use of "kickbacks" suggested illegality, claiming the payment made from the service fee to promoters or venues was a legitimate means to secure exclusive contracts with them.

At the hearings Ticketmaster boss Fred Rosen claimed the company's profit margin was only 10 cents on the average service charge of \$3.15 per ticket. A spokesman for Ticketmaster, Larry Solters, told *Billboard* — "For Pearl Jam to determine what another company can charge is unbelievable. He claimed that the company's offer to distribute tickets for \$2.50 per-ticket was turned down by the band. The *New York Times* claimed the two parties came within 20 cents of settling their differences.

With the band unable to tour, tension lead to the departure of drummer Dave Abbruzzese. The drummer reportedly left after Eddie Vedder

insisted he could not work with another band. When asked about the tension within the band, Kelly Curtis answered: "I don't want to talk about it."

When the band played an October charity event in San Francisco, they used former Red Hot Chili Peppers' drummer Jack Irons, but he is not a permanent replacement as he has his own band, Eleven. There was talk of Dave Grohl from Nirvana joining, but Grohl has joined the Tom Petty and the Heartbreakers tour.

With doors closed in the USA it's no wonder Pearl Jam are heading down to Australasia and the Far East to tour early 1995. Although it's the outdoor concert season, band management have insisted on staying indoors in New Zealand, doing two shows at the Supertop, Auckland, March 24 and 25. It appears that Eddie Vedder does not wish to play to a crowd of the size present at an outdoor show.

A source associated with Pearl Jam claims Vedder is obsessed with tour strategy and changing the rock industry's rules. "It's part of his character and makeup. He doesn't like being on the road that much, so he puts up these hurdles and gets psyched up about jumping over them."

Trying to explain the band's hyper-sensitive attitudes, their manager says, "they were the kids standing in line for concert tickets not so long ago."

In part Pearl Jam are reflecting the common anti-corporate ideas championed by alternative heroes Fugazi, who manufacture and distribute their own records and also promote low-cost