THE UNIVERSAL LIBRARY: AN "EDEN OF EVERYTHING"?
John Updike on Authorship and the Universal Book
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LETTERS TO THE EDITOR

In Along Publishers Row (Spring Bulletin 2006) you mention Maurice Sendak’s 1970 book, In the Night Kitchen, in which a naked boy appears. As I remember, there were several naked boys, and librarians painted shorts on them. Some of the censored copies became collectors’ items.

Clyde Robert Bulla
Warrensburg, MO

I read Nicholas Weinstock’s profile of Ronna Wineberg’s quest for fame if not fortune in “Opening Lines” with some disappointment that the plain speaking I’d expect in the Bulletin was not forthcoming. Ronna Wineberg’s experience is typical of the many writers inclined to literary fiction, first achieving competence in the short story, hopes for a novel, and the discovery and participation in the literary contests that seem to proliferate like mushrooms after rain in Oregon.

But there is a step beyond where Ms. Wineberg has arrived; the recognition that such contests ultimately do great harm to the larger literary community, rarely if ever offer writers an important venue for their work, and almost certainly leave most writers poorer.

The fact is that most journals that sponsor contests also publish material that comes in over the transom, and that the total amount of the awards is far less than the sum of the fees collected. If you were to find yourself in a casino where the “vig-orish” [house percentage] was 50 percent, you’d head for the door, but contests draw several hundreds of hopefuls with fees of $20 to $50, and usually give awards of $1,000 or less. Do the math. These contests are not a service to struggling writers or a service to literature; they are subsi-

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ALONG PUBLISHERS ROW

BY CAMPBELL GEESLIN

"Publishers say there is no harder sell in the world of books these days than literary fiction," wrote Edward Wyatt in The New York Times. "Even critically acclaimed literary novels often have a short life in hardcover . . . ."

So publishers have begun to offer books by some authors as paperback originals. Morgan Entrekin, publisher of Grove/Atlantic, said, "In the last four or five years, it’s gotten hard to publish fiction by lesser-known authors, and even by some better-known authors. When you’re taking back 50 to 70 percent of the hardcover copies you shipped, the stores—rightfully so—are not willing to take another chance."

HarperCollins, Simon & Schuster and Random House have also begun to go this route. Jane von Mehren, publisher of trade paperbacks at Random House, told The Times, “It’s been more of an evolution than a big jump. Getting somebody to spend $22 on a book by an author who they’ve never heard of is hard, but getting them to spend $13.95 on a paperback is much easier.”

Authors and agents understandably resist this trend. Not only do authors forfeit the prestige of a hardcover publication, they also forfeit the higher royalties that come with it, along with the chance for a second run with a paperback.

CASE CLOSED: A High Court judge in London ruled that Dan Brown did not steal the idea for The Da Vinci Code from The Holy Blood and the Holy Grail, an earlier book by Michael Baigent, Richard Leigh and Henry Lincoln. The judge said that Holy Blood “does not have a central theme as contended by the claimants: it was an artificial creation for the purposes of the litigation working back from The Da Vinci Code.”


The judge rejected the plaintiffs’ request to appeal

Continued on page 22
Overheard

"The main drawback of this vision is a big one. So far, the universal library lacks books. Despite the best efforts of bloggers and the creators of the Wikipedia, most of the world's expertise still resides in books."

—Kevin Kelly, "Scan This Book!" New York Times Magazine May 14, 2006

About the Cover

Elwood H. Smith is an award-winning illustrator whose work has appeared on the covers of Newsweek, Forbes and U.S. News & World Report and in the New York Times, Washington Post, Wall Street Journal and Time. He has also illustrated many children's books and spends all his spare time creating animation projects.
From the President

BY ROY BLOUNT JR.

In USA Today recently I saw a reference to “John Milton, the English poet (Paradise Lost).” This bit of nervous explanation appeared in a review of a book by Roger Kahn, the American sportswriter (The Boys of Summer), who, according to the review, used to stick quotations from Milton into his baseball stories. I used to slip literary touches into baseball stories myself; for instance, “Don (Bird Thou Never) Wert.” These days, if you expect to register with any viable demographic, you’ve got to cite Milton’s credits, like on the back of a video box: “From the play by English dramatist William Shakespeare (Hamlet), with Laurence Olivier (Clash of the Titans) . . .”

Is there anything to be done about that? Maybe we as authors ought to make more of an effort to behave as if people knew who we were. On our deathbeds, for instance. Now that I’m a president as well as an author, I feel it’s doubly incumbent upon me to go out with something better than “Wait a minute!”

I ought to write something out and memorize it. You know good and well that Henry James, the transatlantic novelist (Turn of the Screw), worked up his last words ahead of time, if in fact those words were, as the story goes, “So this is it at last, the distinguished thing.”

So far, a resounding exit line evades me. When the time comes, I may well cast about for a cheerful note and come up with something unsuitable—“You know what just hit me? Looks like I’ll never get a DWI!”

I may flub the moment by straining to be unduly gracious, to make up for being less than dully so in my life up to that point. “Oh, and please remember me to the lady in the drive-through-deposit window, she’s always been nice. Actually, she may not have been the same one all the time, but . . . .” That would be a shame, to trail off in the middle of a sentence.

Maybe I’ll quote somebody else. Roger Miller, the Oklahoma singer-songwriter (“King of the Road”): “If I had my whole life to live over, I wouldn’t have time.” Or ring a change on James: “So here I am at last, an extinguished thing!” “What did he say? ‘Extinguished thing’? Yuck. Let’s not tell anybody he said that.”

By then there may be no such thing as a lady in the drive-through-deposit window. And if we let things slide the way they have been sliding lately, there may be no such thing as an author.

Everything anybody writes will be electronic and mushed together in some manner of huge Wiki-up on the web. You’ll finish your “book” and hit a button and immediately your “text” will be at the mercy of every son of a bitch with a laptop. Pardon my language—I’m alluding to William Faulkner, the American novelist (The Sound and the Fury), who resigned as postmaster of Oxford, Mississippi, because he didn’t want to be “at the mercy of every son of a bitch with a three-cent stamp.”

Pretty soon no one will be able to make anything of that anecdote, because there will be no such thing as a stamp. Things didn’t change so fast in Milton’s day.

You might say, well, no wonder Milton has to be identified at such length: He never wrote anything that became a movie or TV program. But was that Milton’s fault? It’s too late now for Jack Nicholson to play the young Satan, but you’d think Milton’s Hell would make Mel Gibson’s directorial eyes light up:

Where all life dies, death lives, and
Nature breeds,
Perverse, all monstrous, all prodigious things,
Abominable, inutterable, and worse
Than fables yet have feigned, or fear conceived,
Gorgons and Hydras, and Chimeras dire.

Oh, man. We’re not authoring like that anymore. Maybe because we know there’s no movie in it, it’s too rich for any visual medium’s blood. And who among us has the chops to do justice to material like that in a bookstore reading, much less in a drive-time radio interview? Milton himself was a stand-up guy, and then

Continued on page 43
The Authors Guild Interview:
DAVID UNGER
BY ISABEL HOWE

David Unger is the United States representative to the Guadalajara International Book Fair—Feria Internacional del Libro (FIL)—the preeminent fair for Spanish-language book professionals in the hemisphere, which will hold its 20th gathering November 25–December 3 in Guadalajara, Mexico. Unger, a Guatemalan-born writer and translator, is the author of the novel Life in the Damn Tropics. His short stories have been published in literary journals here and abroad. He has just finished his second novel, In My Eyes, You Are Beautiful.

Q: How did the Guadalajara International Book Fair get started?

UNGER: The fair was started in 1987 by Margarita Sierra and Maricarmen Canales, who were attached to the University of Guadalajara, which still sponsors the fair. Guadalajara is not in anyone’s imagination a publishing mecca; at that time it may have had a couple of publishers if that. Mexico City probably had, at the time, about 120 publishers. It was kind of a quixotic attempt by these two women to have a book fair. But they did all the right things. They got support from their university. Margarita flew up to New York and met with Bernie Rath, the then director of the American Booksellers Association, who put on ABA, which became BookExpo America; she got letters of introduction so that she could meet different publishers; she also went to the Frankfurt Book Fair and got letters of introduction. They legitimized themselves, and they ended up having their first fair in 1987 in Guadalajara, in a new exhibition area.

At that time, it was mostly a national fair, with Mexican publishers and a smattering of different publishers from Argentina and Colombia, and a number of buyers of Spanish books from the U.S. In Mexico City there was a book fair, but it was mostly a fair that sold books to the general public and had some readings. There was no professional aspect. There were fairs in Buenos Aires and Bogotá and São Paulo, in Brazil. At that time, none of the fairs had even a regional interest. They were just national fairs that met the needs of a very restricted but literate population, generally in capital cities.

Q: One of the original goals, then, was to make it an international event?

UNGER: Exactly. The first fair had certain logistical problems. Almost all the Mexican publishers said, “This is a terrific idea.” Then Margarita and Maricarmen started developing different programs that would make the fair a professional book fair.

In terms of the Spanish book market, what you have to understand is that Spain is really the powerhouse. They have a lot of money to publish books, partly because their publishing industry is still subsidized by the national government. The real tension [at the fair] was between Latin America and Spain. Guadalajara invited the Spaniards to take part in this event, and there was a lot of tension at that time, because Buenos Aires had its fair, Guadalajara had its fair, and no one wants to cede ground to another fair. You
can work collaboratively, but you don’t want to lose your central definition. Guadalajara proposed the idea of SILAR—a Spanish acronym for the rotating Latin American book salon—that took place in a different Latin American city each year and which encouraged book professionals to attend. This lasted six years. The Spaniards have a fair every year, but it’s a very weak fair—the model would be BookExpo America, where publishers showcase their spring and fall lists and try to drum up interest. It remains strictly a national event, not an international one.

Q: Are you referring to the Madrid Book Fair?

UNGER: Yes, it’s called LIBER. One of the problems of LIBER is that one year it’s held in Madrid and the following year it’s held in Barcelona. One thing we realized with Guadalajara is that you need to have your fair in the same city—basically the Frankfurt model. In Spain, LIBER wasn’t that successful but they realized that, because of the growing number of Latinos in the United States, they could not only sell their titles into Latin America, which they do very successfully, but could also sell into the United States.

Guadalajara has certain advantages that Buenos Aires, Bogotá and Caracas don’t have, and that’s its geographical position. It’s an hour and a half, two hours from Houston and Dallas, two hours from L.A., two and a half hours from Atlanta: It’s well positioned to become the meeting point for North-South relations. What made Guadalajara into a strong fair was that the Spaniards realized that they could not capture the Spanish book market from Europe. About 15 years ago, the Spaniards tried to start a fair in Houston called FILUSA. Everyone was scared, because they thought that Spain was going to take over everything. But it was a total disaster. Then they embraced Guadalajara. If you go to Guadalajara, you’ll notice that it’s about 50 or 60 percent a national fair, with Mexican publishers. That includes certain publishers that are actually Spanish-owned, like Santillana, Planeta, Urano and certain imprints of Random House. But another 30 percent is made up of Spanish publishers, and that’s very, very important because, for them, Guadalajara is now their fair.

Q: Given these numbers and the way that the fair has grown over 20 years, how successful—or interested—has it been in attracting mainstream U.S. publishers?

UNGER: I was hired in 1993 because I said, you know what, you can have a lot of Americans coming down

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The Ascent of Literatura Latina

As the Latino population in the United States passes the 40 million mark, representing about 14 percent of the nation’s population, publishers and booksellers are sitting up and taking note. More than 16,000 books were published in Spanish in the U.S. in 2005—up from 5,030 in 2000—and retail sales are booming, according to buyers for Barnes & Noble, Borders and other retailers, as well as distributors who buy for outlets such as Wal-Mart and Target. As recently as 2002, the Spanish language market was dominated by library sales, but retail sales now outstrip them.

New Spanish-language imprints are cropping up under publishers of all sizes, while a rekindled interest in translation is allowing English-language bestsellers to reach new readers. In 2004 the Association of American Publishers declared May “Latino Books Month” and publishers’ confidence in the Latino market shows no sign of slowing.

A number of publishers are reaching out to the Latino market in both Spanish and English. Atria, a Simon & Schuster imprint, publishes books in English written by Latino authors, as well as books in Spanish “when the market requires” it, according to Judith Rosen in an article in Critics, the Spanish-language cousin to Publishers Weekly. They and other publishers also endeavor to make Spanish translations available in bookstores around the same time or even in advance of the release of their English-language counterparts. Spanish-speaking residents “want to read the same things their neighbors have in English,” explains Rosen. Writers like Gabriel García Márquez, Laura Esquivel and Pablo Neruda, beloved for years by readers in the U.S. and elsewhere, remain popular with Spanish-language readers, but they by no means dominate the field, as shown by recent bestseller lists (page 8).

—Isabel Howe
there. I don’t want to take credit for it, but I’ll say that it was a sign of the times. Around ’92 and ’93 there were distributors from the United States who came to Guadalajara to purchase books in Spanish, and then resell them to libraries. Not to bookstores, but to libraries. The Spanish-language library book market is huge. We partnered with ALA (the American Library Association) and have had a relationship with them since 1996. We offer U.S. librarians three nights in a hotel and ALA pitches in a hundred dollars toward the airfare. We bring anywhere between 150 and 250 U.S. librarians to Guadalajara. Some of them spend a large part of their annual budget in Guadalajara. In aggregate, these librarians have the purchasing power of approximately two and a half million dollars. That’s very significant.

Between 700 and 750 book professionals from the United States go to Guadalajara each year, including 70 or 80 distributors. We also have a program to bring approximately 30 translators to the fair, most of them members of the American Literary Translators Association. They come to Guadalajara, meet with editors, agents and writers, and deals are cemented. We also have a rights center, which has grown from 25 tables in 2004 to 42 tables in 2006. A total of 106 literary agents or publisher agents have people involved in the selling of distribution rights there.

And then there are publishers that have their own booths, including a lot of publishers that you may not have heard of, like Rosen Publishing, that produce books for the school and library market in both Spanish and English. Last year, we gave our publisher award to Morgan Entrekin, the publisher of Grove/Atlantic, and Toni Morrison was the featured writer. We’re trying to build bridges between the U.S. book market and the Latin American and Spanish book markets.

Q: Do you think book professionals from the U.S. who go to the fair are interested in bringing books and authors back to the U.S., or are they simply interested in entering foreign, Spanish-speaking markets?

UNGER: The U.S. sells rights everywhere in the world—except in China, where all we seem to do is buy. At a fair like Frankfurt, the U.S. sells rights and buys very little. Translation makes up maybe 3 percent of all books published in the U.S. In a place like Italy or France, you’re talking about anywhere from 25 to 35 percent of the books. So we attract U.S. agents, but they’re mostly interested in selling rights. Agents that we get from Spain are interested in looking for and discovering new writers. All the major literary agents from Spain come to Guadalajara and at almost every fair each agency signs up one or two new writers.

The U.S. involvement in Guadalajara is very complex and very big. We have bookstores that come down to buy Spanish-language books, we have the librarians, we have editors poking around to see what’s happening. But mostly U.S. editors rely on what agents offer to them. It’s difficult to get a lot of U.S. editors to go down there and scout out the next great writer.

Q: In recent years the publishing industry in the U.S. has seen a boom in the number of books written by Latino authors—authors living in the U.S. writing in English—and, simultaneously, there are more and more books published in the U.S. in Spanish. What is the connection between the increase in books being published in Spanish and the increase in books published by Latino writers in English? And will these trends continue?

UNGER: Demographically, there are approximately 40 million legal Latinos in this country. People involved in trying to sell the idea that there’s a huge book market in Spanish use that number very loosely. Those of us who are involved in the real world know that the
number of people actually buying and reading books is significantly smaller. What ends up helping the sale of Spanish-language books in this country, I think, are the libraries, because libraries purchase a lot of books in Spanish. Latinos who are in this country don’t have disposable income to actually buy books, so they end up frequenting libraries, and I think that’s really quite wonderful. Libraries in this country that are building up their Spanish-language collections are very, very significant.

Barnes & Noble has a lot of bookstores in major cities with Latino populations. They have, let’s say, 10 shelves of books in Spanish and those books are primarily for very educated Latinos or Latin Americans who are living in this country—like Argentines, Colombians, Puerto Ricans, Dominicans—and would be likely to step into a Barnes & Noble. There are a lot of Spanish-language bookstores in New York, like Libreria y Cañon, that Latinos would actually go to.

In terms of Latino writing, I think that’s really a

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<td><em>Ama de verdad, vive de verdad</em> (Real Life, Real Love)</td>
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<td>2. Salinas, María Elena</td>
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<td><em>Yo soy la hija de mi padre</em> (I Am My Father’s Daughter)*</td>
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<td>3. Osteen, Joel</td>
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<td><em>Su mejor vida ahora</em> (Your Best Life Now)</td>
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<td>4. Eisenberg, Arlene, et. al.</td>
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<td><em>Qué se puede esperar cuando se está esperando</em> (What to Expect When You’re Expecting)</td>
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<td>5. Warren, Rick</td>
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<td><em>Una vida con propósito</em> (The Purpose Driven Life)</td>
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<td>6. Kiyosaki, Robert</td>
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<td><em>Papá rico, papá pobre</em> (Rich Dad, Poor Dad)</td>
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<td>7. Nazario, Sonia</td>
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<td>8. Carnegie, Dale</td>
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<td><em>Cómo lidiar con los ex</em> (How to Deal with Your Ex)</td>
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<td>10. Hay, Louise</td>
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<td><em>Usted puede sanar su vida</em> (You Can Heal Your Life)</td>
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<td><em>El código Da Vinci</em> (The Da Vinci Code)</td>
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<td>2. Brown, Dan</td>
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<td><em>Ángeles y demonios</em> (Angels and Demons)</td>
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<td>3. García Márquez, Gabriel</td>
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<td><em>100 años de soledad</em> (One Hundred Years of Solitude)</td>
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<td>4. García Márquez, Gabriel</td>
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<td><em>Memoria de mis putas tristes</em> (Memory of My Melancholy Whores)</td>
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<td>5. Coelho, Paulo</td>
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<td><em>El alquimista</em> (The Alchemist)</td>
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<td>6. Esquivel, Laura</td>
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<td><em>Malinche</em></td>
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<td>7. Brown, Dan</td>
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<td><em>La conspiración</em> (Deception Point)</td>
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<td>8. Esquivel, Laura</td>
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<td><em>Como agua para chocolate</em> (Like Water for Chocolate)</td>
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<td>9. Golden, Arthur</td>
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<td><em>Memorias de una Geisha</em> (Memoirs of a Geisha)</td>
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<td>10. Coelho, Paulo</td>
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<td><em>Once minutos</em> (Eleven Minutes)</td>
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[May 2006]
Barbería to Librería: Oscar Hijuelos on the Remarkable Journey of Ruebén Martínez

Ruebén Martínez, barbershop owner turned bookseller, was honored with The Authors Guild Award for Distinguished Service to the Literary Community at the Authors Guild Foundation’s 14th Annual Benefit in April. Authors Guild Council member Oscar Hijuelos presented the award. We excerpt Mr. Hijuelos’s remarks here.

Having been privileged to spend last evening with our honoree, Ruebén Martínez, I was immediately reminded of a close family relation who, during my childhood, had always preached to me about the importance of literacy and the written word, as a means of stepping up in life. This is something that Mr. Martínez not only believes in, but has made his mission.

For folks who come from educated families, the very notion of a young person being raised in a bookless world, without the benefit of parents who read, may seem like an abstraction, but the fact remains that for a great many children from poor immigrant families, whose first language is not English, such advice can make a great difference. Such people are the first teachers many a child will have, the first caring voices they hear. Mr. Martínez is such a man, for during the past few decades, in his capacity as a bookseller and impassioned advocate for literacy among the Spanish-speaking community in California, he has been spreading the word that literature and education are not only good for the soul, but are indispensable to social progress.

How this happened is one of those happy mysteries. Mr. Martínez, the son of copper miners with roots in Chihuahua, Mexico, grew up poor as poor can be in Arizona. From an early age, forsaking the mines, he found his own route. He is most famous for having run a barbershop in Santa Ana, California—to quote him, “Mexicans and Filipinos are the best haircutters”—a shop that he stocked with Spanish-language novels and lent out to customers. Soon enough, the barbershop became a bookstore. Before that he had been a field hand and a U.S. Steel worker, among other things, which is to say, he had paid his dues, and knew well the difficulties of hard and low-paying labor.

Although at one point he ran a barbershop on Rodeo Drive—coiffing many a famous head of hair, among them that of the actor Anthony Quinn, who happened to be born in Chihuahua—he never forgot his roots or the way he had been encouraged to read. And so, beginning modestly with a single shop, Mr. Martínez became the man to whom the community went to for advice about which books they should buy for their children. (Over the years, he also taught the illiterate how to read in their native language.) His enthusiasm for literature, his personal charisma, and absolute devotion to his ideals led to such success that he now operates three Martínez bookshops, librerías, in California, a cultural figure much beloved by Latino readers and writers alike.

Along the way, he has managed to run two New York City marathons; he has 10 grandchildren, one great-grand child; an occasional television program for the Univision network in California (in which he promotes reading for children); has cofounded the Latino Book and Family Festival; lectured in Oxford and the Sorbonne; and garnered a well deserved MacArthur Fellowship. As a bookseller and proponent of the idea that literature is a gift to be passed on to all, he has not only helped to promote literacy in the Latino community, but, through his stores, has provided the kind of forum for Latino writers that, for many years, was nearly unheard of. Above all, in his promotion of literacy among the Spanish community, he has brightened the future of both Spanish- and English-language literature.

This is something that we of the Authors Guild especially applaud. As a writer of Cuban antecedents, I am deeply grateful for his good works. As a representative of the Authors Guild, I think I am speaking for us all in wishing him continuing success. And so, on behalf of the Foundation, I am honored to present Ruebén Martínez The Authors Guild Award for Distinguished Service to the Literary Community. I do so with our collective admiration and appreciation.
Global Chilling:
Funding Evil Author Fails to Block Judgment

In a case that seems likely to encourage “libel tourism” and have a chilling effect on investigative journalism, a federal court in New York has dismissed an author’s suit to declare an English court’s libel judgment against her unenforceable in the United States. The Authors Guild joined a number of publishers, online retailers, and free-speech advocacy organizations in an amicus curiae brief on behalf of the journalist, Rachel Ehrenfeld.

Ehrenfeld is the author of Funding Evil: How Terrorism Is Financed and How to Stop It, a book in which Saudi businessman Khalid Salim a Bin Mahfouz is portrayed as financially supporting terrorism through various sham charities. Bin Mahfouz has faced similar accusations in the past, and has threatened or filed libel suits against his accusers on many occasions in England. On a number of those occasions he has succeeded in obtaining judgments, settlements and/or retractions from authors. Bin Mahfouz has no substantial ties to England, and only a handful of copies of Ehrenfeld’s book were sold there (about 23 at last count, sold through online vendors).

British libel law is notoriously unfriendly to defendants, placing the burden on writers to prove the truth of their accusations. Ehrenfeld chose not to dispute the suit in Britain, and lost the case by default in May. She subsequently went to federal court in the U.S. for a declaratory judgment, which would have clarified that the English decision was unenforceable in the U.S. under the protections of the First Amendment. The court, ironically, dismissed Ehrenfeld’s suit on the grounds that Bin Mahfouz did not have substantial ties to New York, and that the court thus lacked personal jurisdiction over him. The sale of 23 copies of the book in England was enough for British courts to take jurisdiction over the case, yet Bin Mahfouz’s many hostile communications with Ehrenfeld and the accessibility in New York of a website he runs (www.binmahfouz.info) were insufficient for the U.S. court to find jurisdiction.

In the absence of a declaratory judgment, Ehrenfeld faces the financial risk that any attempt to enforce the British judgment would entail, even if she ultimately prevails under the protections of U.S. law. More important, this lingering issue will have a chilling effect on Ehrenfeld and others investigating Bin Mahfouz, and on investigative reporting in general. The decision will only encourage public figures who are the subject of unwanted attention by investigative journalists to “forum shop” for countries like England and other British Commonwealth nations whose libel laws offer few protections for free expression. Online bookselling, by making any book available worldwide, has effectively globalized those countries’ problematic libel laws.

—David Curle

How Green Is Your Bookshelf?

Stealing a bit of thunder from the Green Press Initiative’s scheduled announcement of the Book Industry Treatise on Responsible Paper Use at BookExpo America in May, Random House announced its intention to have as much as 30 percent of its new and backlist titles printed on recycled paper by 2010. Less than 3 percent of the company’s current paper stock is recycled.

According to The New York Times, Random House “currently buys 110,000 tons of uncoated paper to publish books each year. When it reaches its target of purchasing 33,000 tons of recycled-content paper by 2010, it believes that will be equivalent to saving more than 550,000 trees a year and removing 8,000 cars from the nation’s roads, because of the resulting reduction in greenhouse gas emissions.”

Three days after Random House’s announcement, the Green Press Initiative unveiled its long-anticipated “Book Industry Treatise on Responsible Paper Use,” which lays out industry-wide goals aimed at increasing use of recycled fibers from 5 percent currently to 30 percent by 2011—thereby conserving “524 million pounds of greenhouse gases, 2.1 billion gallons of water, 264 million pounds of solid waste, and 4.9 million trees each year (as calculated by Environmental Defense, 2004).”

Another early subscriber to the initiative is Chelsea Green Publishing, which plans to affix a “Worth It” logo (above) to all its books as a reminder to readers of the price of going green.
New Federal Shield Law Pending in Congress

BY DAVID CURLE

A bipartisan group of U.S. senators has proposed a revised version of a federal shield law that has won the approval of a wide range of news organizations—with some reservations. The law would grant reporters protection from being required to reveal their sources for stories in most situations. Thirty-one states have shield laws and most of the remaining states have some form of protection for reporters in their case law, but there is currently no statutory federal protection and no uniform standard governing federal courts. Recent well-publicized cases, such as the 2005 jailing of New York Times reporter Judith Miller, have led to increasing calls for a shield law at the federal level.

The Free Flow of Information Act of 2006 (S.2831) would prevent federal courts from compelling journalists to identify their sources or reveal confidential materials gathered under an agreement of confidentiality unless certain conditions are met. Those conditions include: 1) that the parties seeking the information must have exhausted all other sources; 2) that nondisclosure would be contrary to the public interest; and 3) that there are reasonable grounds to believe the information is critical to the investigation of a crime or the pursuit of a civil action.

There are also broader exceptions in cases where journalists are eyewitnesses to crimes, where the information is necessary to prevent death or substantial bodily harm, or where disclosure of the information is necessary in order to prevent harm to national security. The bill was sponsored by Senator Richard Lugar (R-IN) and cosponsored by Senators Arlen Specter (R-PA), Christopher Dodd (D-CT), Lindsey Graham (R-SC) and Charles Schumer (D-NY).

Several news organizations, including the Reporters Committee for Freedom of the Press and the Newspaper Association of America, have expressed reservations about the bill because the protections it proposes are not absolute, but they endorse it as a first step. Other organizations supporting the bill include the Society of Professional Journalists, the Media Law Resource Center, and several major newspaper chains and broadcast media companies. When courts and prosecutors demand to know the sources for anonymously sourced information, it’s often because the parties that released the information are presumed to have broken laws in doing so. Shield laws make it clear that the party who broke the law in leaking information to the press should be the target of the government investigation, and that the act of reporting the leak is not itself an offense.

Shield laws also prevent prosecutors from using the media to do the government’s work in cases where the government cannot identify a source of information, unless there is a compelling public interest. Supporters of the bill argue that, without this kind of protection, reporters’ ability to obtain information from sources upon a guarantee of confidentiality will be severely limited, and both investigative reporting and inside-the-government whistle-blowing activities will be hindered.

In practice, as the Judith Miller case shows, reporters are increasingly subject to prosecution for sheltering sources, and a longstanding tacit agreement between the press and federal prosecutors not to force reporters to reveal sources seems to have eroded. At the same time, critics of shield laws believe the media have become too dependent on anonymous sources, with sloppy reporting and security risks as a result. Aware of that criticism, drafters of the new bill based its exceptions on the Justice Department’s own prosecutorial guidelines. The proposed shield law would not necessarily prevent courts from compelling disclosure in situations like the Judith Miller case, but would at least create a uniform federal standard that would be applied by courts and prosecutors nationwide. The current bill has a better chance of passage than earlier versions, and would elevate reporters’ protections from what had been merely prosecutorial custom and practice to a firmer footing in federal law.

We’re Moving (Again)

On August 21, the Guild will move from our temporary offices into our new, more permanent home. Feel free to ink it in—we have a 10-year lease. Our new address and unchanged phone number and e-mail address:

Authors Guild
51 E. 32nd Street, 7th Floor
New York, NY 10016
(212) 563-5904; staff@authorsguild.org
CONTRACTS Q&A
When Publishers Go Belly-Up

By Mark L. Levine

Q. Is the bankruptcy clause in most publishing contracts really helpful?
A. Not very, but you would be ill-advised to remove it.

When a publisher is in bankruptcy, both the company and people dealing with it are prohibited from taking many actions without court approval. Among these is enforcement of the typical clause in publishing and certain other contracts that says the contract terminates when the publisher is in bankruptcy.

Getting court approval to terminate an author’s book contract is often difficult. If the bankruptcy is the type where the publisher seeks to reorganize so it can continue in business (and filed for bankruptcy primarily to stave off creditors), the company will often successfully argue that it needs those contracts to continue functioning after it emerges from bankruptcy. Where the bankruptcy is the kind in which the publisher goes out of business, the contracts are considered assets that can be sold to other companies with the proceeds distributed to creditors in partial payment of what they are owed.

Although authors who are owed royalties are also creditors, they are considered unsecured creditors because the publisher never granted them any “security” (i.e., collateral) on which they could foreclose if their royalties were not paid (just the way a bank can foreclose on your house if you don’t pay your mortgage). Under bankruptcy law, secured creditors—generally banks that lent the publisher money and got collateral to secure the publisher’s obligation to repay them—are entitled to have their loans repaid before unsecured creditors get repaid (with limited exceptions not relevant here).

Even if you had some of the publisher’s assets as collateral (and we know what publishers would say to almost any author who requested that provision, even if the only collateral sought was the publishing contract itself), that grant of collateral might help you get past-due royalties repaid but probably would not enable you to get your publishing rights back. This is because the publisher’s obligation to return the contract would be cancelled if those past-due amounts were paid (by the publisher or another creditor). Further, any foreclosure on the contract likely wouldn’t occur until after (often lengthy) bankruptcy proceedings and approval from both the court and specified percentages of the publisher’s other creditors.

It is nonetheless worthwhile to have the typical clause in your contract (and no publisher seriously argues that it should not be there) because, without it, the court would have little basis to grant a motion by you to terminate your contract when the publisher is in bankruptcy. Even with the clause, both the company and other creditors can argue against your motion.

The best chance that authors have of trying to avoid this situation when a publisher goes into bankruptcy is to include a provision like the following in their contracts:

“If Publisher shall fail to make any payment or deliver any royalty statement required by this Agreement by the date provided therefor herein and if, after x days [30 is plenty] written notice by Author to Publisher, (i) said payment has not been made or (ii) such royalty statement has not been delivered (together with all amounts shown thereon as payable, if any), as applicable, then this Agreement and all rights granted by Author to Publisher hereunder will automatically terminate (without any further action required by Author or Publisher) at the end of said [30th] day.”

Although this provision won’t get you your rights back if the publisher files for bankruptcy before the end of the time period specified, it should work if the filing occurs after that date. Because publishers in financial distress and delinquent in paying royalties are often among those that file for bankruptcy, this provision can be useful exactly when it is most needed. (Limiting the provision just to non-payment of royalties would make it relatively ineffective because royalty statements are the best and quickest way to prove you are owed royalties. Including non-delivery of royalty statements in the provision might also help authors not owed royalties regain their publishing rights.)

The suggested provision is also one that publishers can generally agree with—if the requirement for notice by the author to the publisher is included—because the duty to deliver royalty statements and pay royalties is completely within the publisher’s control and the no-
tice requirement eliminates the danger that the contract could be terminated inadvertently because of an error by the publisher’s accounting staff or the post office.

Note that the clause saying that the contract automatically terminates should be qualified—either by a parenthetical or a separate sentence at the provision’s end—to say that the termination will not affect things such as the author’s right to receive monies then owed, royalties on books sold previously or afterwards, subsidiary rights payments not yet received or the authors’ right to purchase film and bound books as if the Work were out of print. This is generally done by cross-reference to the relevant sections.

The answers provided in this column are general in nature only and may not include exceptions to a general rule or take into account related facts which may result in a different answer. You should consult a lawyer for information about a particular situation.

Future columns will endeavor to answer a variety of questions with relatively brief answers. Please send questions to QandAColumn@authorsguild.org. Special thanks are due Janice Grubin, Tim Casey and Dan Morse of Gardner Carton & Douglas LLP and Gayle Ehrlich of Sullivan & Worcester for their assistance with certain aspects of this column.

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CENSORSHIP WATCH

Uncut Da Vinci Code Shown in Thailand. A successful appeal of an order from a censorship panel in Thailand means that Thais will be able to see the unexpurgated version of *The Da Vinci Code*, the film version of Dan Brown’s bestseller. Christian groups in that country had objected to the central premise of the film—that Jesus Christ and Mary Magdalene married and had children—and mounted protests against it. The panel had earlier ordered that the last 10 minutes of the film would have to be cut from screenings in Thailand. The distributor’s announced refusal to comply with that demand meant that the film would not have been shown in Thailand. A six-to-five vote of the panel did away with that threat. The panel also stipulated that the distributor would have to include disclaimers at the beginning and end of the film making it clear that the movie is fictional.

Saudi King Orders Newspapers to Stop Publishing Photos of Women. King Abdullah of Saudi Arabia has requested that newspaper editors in that country stop publishing photographs of women. Some say that the request should be interpreted as a royal order to discontinue the practice entirely, not just a mere suggestion. In recent months, photographs of women have been used to illustrate articles concerning women’s issues. The women in the photographs are covered in compliance with Muslim tradition. Nevertheless, King Abdullah expressed fears that pictures of women in the newspapers would lead young Saudi men astray.

Teenager’s Choice of Auden Poem Triggers the Censor Reflex. When 14-year-old Jacob Behymer-Smith decided he wanted to recite W. H. Auden’s “The More Loving One” in a contest sponsored by the National Endowment for the Arts and The Poetry Foundation, called Poetry Out Loud, officials at his charter school, the Coral Academy of Science in Reno, Nev., banned his choice and told him to pick another. Apparently, it did not matter that Behymer-Smith had already recited the poem in the earlier school-wide and district-wide rounds of the competition. Once Behymer-Smith reached the state-wide level of competition, school officials ordered him to select a substitute for the Auden poem. Coral’s dean of students objected to the “inappropriate language” of the poem, which consists of one “damn” and one “hell.” Thanks to a restraining order issued by the Nevada federal court, Behymer-Smith was able to read the poem as planned. His performance, which also featured “Ballad of Birmingham” by Dudley Randall and “Song of the Powers” by David Mason, won second place in the Nevada state finals. Behymer-Smith was awarded $500; his school was awarded $1,000 to be used to buy poetry books and support literacy programs.
License Plate Wars

ACLU v. Philip Bredesen
U.S. Court of Appeals, Sixth Circuit

A Tennessee statute allows residents to purchase automobile license plates featuring the slogan "Choose Life," but does not make plates featuring a pro-choice message available for sale. Recently, the Sixth Circuit Court of Appeals decided that the statute does not violate the First Amendment, concluding that "[g]overnment can express public policy views by enlisting private volunteers to disseminate its message, and there is no principle under which the First Amendment can be read to prohibit government from doing so because the views are particularly controversial or politically divisive." The United States Supreme Court may decide to hear the case next year.

The dispute arose over Tennessee's practice of issuing specialty license plates. Like other states, Tennessee empowers its legislature to authorize the issuance of specialized plates honoring and supporting certain agencies, charities, organizations and groups involved in activities that affect Tennessee. Each proposed specialty license plate must be authorized in a separate piece of legislation, and a plate won't be issued until at least 1,000 advance orders have been received. The specialized plates cost $35 more than a non-specialty plate, and so far, approximately 150 different specialized plates have been issued by Tennessee, on behalf of organizations such as the Boy Scouts and the Sons of Confederate Veterans.

The organization that lobbied for the "Choose Life" plate was New Life Resources, an anti-abortion group. The Tennessee legislature approved the plate, which was designed in consultation with New Life Resources, in 2003. While approval was still being considered, Planned Parenthood of Middle and East Tennessee lobbied to tack on an amendment that would authorize a specialty plate bearing the motto "Pro-Choice." Although Planned Parenthood produced the requisite 1,000 pre-orders, a majority of the legislature would not vote to support the amendment. The American Civil Liberties Union of Tennessee sued the state of Tennessee on the grounds that the law authorizing the "Choose Life" license plate was unconstitutional under the First Amendment. A district court held in the ACLU's favor, and New Life appealed.

The case hinged on whether the specialty license plate program creates a forum for speech, which must be viewpoint-neutral. In its majority opinion, the court determined that the "Choose Life" license plate amounts to government speech expressing a government point of view that was simply disseminated by private volunteers (Tennessee drivers). It held that the willingness of drivers to display this public message on their automobiles does not give rise to a forum for expression requiring the government to be viewpoint-neutral. In a dissenting opinion, Circuit Judge Boyce F. Martin argued that the program was essentially created as a forum to facilitate private speech and not as a vehicle to promote a governmental message.

The court acknowledged that the Fourth Circuit Court of Appeals found South Carolina's issuance of a nearly identical "Choose Life" license plate to be a mixture of public and private speech requiring the state to be viewpoint-neutral. This split of opinion between federal courts makes it more likely that the Supreme Court will agree to hear the case in order to resolve the conflict.

—Anita Fore
Director of Legal Services

The Dead Are Fair Game

U.S. Court of Appeals, Second Circuit

In October 2003, Dorling Kindersley ("DK") published Grateful Dead: The Illustrated Trip, a 480-page coffee table book about the famous rock band. The work included approximately 2,000 chronologically organized images accompanied by text explanations of notable dates throughout the Grateful Dead's touring history. While many photo permissions were secured by DK prior to publication, seven copyrighted images featured on Grateful Dead concert posters and tickets, originally published by legendary concert promoter Bill Graham, were reproduced without permission. DK had attempted to negotiate licenses with plaintiff Bill Graham Archives ("BGA"), but the licensing deals fell through and a proper fee could not be agreed upon prior to publication. BGA filed a copyright infringement action in U.S. District Court after DK refused to meet BGA's post-publication license fee demands. The district court found that DK's use con-
A Bookless World?  
Part I  
The End of Authorship  

By JOHN UPDIKE

Booksellers, you are the salt of the book world. You are on the front line where, while the author cowers in his opium den, you encounter—or “interface with,” as we say now—the rare and mysterious Americans who are willing to plunk down $25 for a book. Bookstores are lonely forts, spilling light onto the sidewalk. They civilize their neighborhoods. At my mother’s side I used to visit the two stores in downtown Reading, Pa., a city then of 100,000, and I still recall their names and locations—the Book Mart, at Sixth Street and Court, and the Berkshire News, on Fifth Street, in front of the trolley stop that would take us home to Shillington.

When I went away to college, I marveled at the wealth of bookstores around Harvard Square. In addition to the Coop and various outlets where impeccable students like myself could buy tattered volumes polluted by someone else’s underlinings and marginalia, there were bookstores that catered to the Cambridge bourgeoisie, the professoriate, and those elite students with money and reading time to spare. The Grolier, specializing in modern poetry, occupied a choice niche on Plympton Street, and over on Boylston there was the Mandrake, a more spacious sanctuary for books of rare, pellucid and modernist water. In the Mandrake—presided over by a soft-voiced short man, with brushed-back graying hair—there were English books, Faber & Faber and Victor Gollancz, books with purely typographical jackets and cloth-covered boards warping from the damp of their trans-Atlantic passage, and art books, too glossy and expensive even to glance into, and of course New Directions books, modest in format and delicious in their unread content.

After Harvard, I went to Oxford for a year, and browsed for dazed hours in the rambling treasury, on the street called the Broad, of Blackwell’s—shelves of Everyman’s and Oxford Classics, and the complete works, jacketed in baby-blue paper, of Thomas Aquinas, in Latin and English! Then I came to New York, when Fifth Avenue still seemed lined with bookstores—the baronial Scribner’s, with the central staircase and the scrolled ironwork of its balconies, and the Doubleday’s a few blocks on, with an ascending spiral staircase visible through plate glass.

Now I live in a village-like corner of a small New England city that holds, mirabile dictu, an independent bookstore, one of the few surviving in the long coastal stretch between Marblehead and Newburyport. But I live, it seems, in a fool’s paradise. Last month, The New York Times Magazine published a lengthy article that gleefully envisioned the end of the bookseller, and indeed of the writer. Written by Kevin Kelly, identified as the “senior maverick” at Wired magazine, the article describes a glorious digitalizing of all written knowledge. Google’s plan, announced in December 2004, to scan the contents of five major research libraries and make them searchable, according to Kelly, has resurrected the dream of the universal

Copyright John Updike 2006. This essay, which first appeared in the New York Times Book Review on June 25, is adapted from Mr. Updike’s address to booksellers at this year’s Book Expo America. Mr. Updike’s most recent novel is Terrorist.
library. “The explosive rise of the Web, going from nothing to everything in one decade,” he writes, “has encouraged us to believe in the impossible again. Might the long-heralded great library of all knowledge really be within our grasp?”

Unlike the libraries of old, Kelly continues, “this library would be truly democratic, offering every book to every person.” The anarchic nature of the true democracy emerges bit by bit. “Once digitized, books can be unraveled into single pages or be reduced further, into snippets of a page,” Kelly writes. “These snippets will be remixed into reordered books and virtual bookshelves. Just as the music audience now juggles and reorders songs into new albums (or ‘playlists,’ as they are called in iTunes), the universal library will encourage the creation of virtual ‘booksheves’—a collection of texts, some as short as a paragraph, others as long as entire books, that form a library shelf’s worth of specialized information. And as with music playlists, once created, these ‘booksheves’ will be published and swapped in the public commons. Indeed, some authors will begin to write books to be read as snippets or to be remixed as pages.”

The economic repercussions of this paradise of freely flowing snippets are touched on with a beguiling offhandedness, as a matter of course, a matter of an inexorable Marxist unfolding. As the current economic model disappears, Kelly writes, the “basis of wealth” shifts to “relationships, links, connection and sharing.” Instead of selling copies of their work, writers and artists can make a living selling “performances, access to the creator, personalization, add-on information, the scarcity of attention (via ads), sponsorship, periodic subscriptions—in short, all the many values that cannot be copied. The cheap copy becomes the ‘discovery tool’ that markets these other intangible valubles.”

This is, as I read it, a pretty grisly scenario. “Performances, access to the creator, personalization,” whatever that is—does this not throw us back to the pre-literate societies, where only the present, live person can make an impression and offer, as it were, value? Have not writers, since the onset of the Gutenberg revolution, imagined that they already were, in their written and printed texts, giving an “access to the creator” more pointed, more shapely, more loaded with aesthetic and informational value than an un-mediated, unpolished personal conversation? Has the electronic revolution pushed us so far down the path of celebrity as a summum bonum that an author’s works, be they one volume or 50, serve primarily as his or her ticket to the lecture platform, or, since even that is somewhat hierarchical and aloof, a series of one-on-one orgies of personal access?

In my first 15 or 20 years of authorship, I was al-

most never asked to give a speech or an interview. The written work was supposed to speak for itself, and to sell itself, sometimes even without the author’s photograph on the back flap. As the author is gradually retired from his old responsibilities of vicarious confrontation and provocation, he has grown in importance as a kind of walking, talking advertisement for the book—a much more pleasant and flattering duty, it may be, than composing the book in solitude. Authors, if I understand present trends, will soon be like surrogate birth mothers, rented wombs in which a seed implanted by high-powered consultants is allowed to ripen and, after nine months, be dropped squalling into the marketplace.

In imagining a huge, virtually infinite wordstream accessed by search engines and populated by teeming, promiscuous word snippets stripped of credited authorship, are we not depriving the written word of its old-fashioned function of, through such inventions as the written alphabet and the printing press, communication from one person to another—of, in short, accountability and intimacy? Yes, there is a ton of information on the Web, but much of it is egregiously inaccurate, unedited, unattributed and juvenile. The electronic marvels that abound around us serve, surprisingly, to inflame what is most informally and non-critically human about us—our computer screens stare back at us with a kind of giant, instant “Aw, shucks,” disarming in its modesty, disquieting in its difference.

The printed, bound and paid-for book was—still is, for the moment—more exacting, more demanding, of its producer and consumer both. It is the site of an encounter, in silence, of two minds, one following in the other’s steps but invited to imagine, to argue, to concur on a level of reflection beyond that of personal encounter, with all its merely social conventions, its merciful padding of blather and mutual forgiveness. Book readers and writers are approaching the condition of holdouts, surly hermits who refuse to come out and play in the electronic sunshine of the post-Gutenberg village. “When books are digitized,” Kelly ominously promises, “reading becomes a community activity. . . . The universal library becomes one very, very, very large single text; the world’s only book.”

Books traditionally have edges: Some are rough-cut, some are smooth-cut, and a few, at least at my extravgant publishing house, are even top-stained. In the electronic anhill, where are the edges? The book revolution, which, from the Renaissance on, taught men and women to cherish and cultivate their individuality, threatens to end in a sparkling cloud of snippets.

So, booksellers, defend your lonely forts. Keep your edges dry. Your edges are our edges. For some of us, books are intrinsic to our sense of personal identity.
A Bookless World? 
Part II

“Mr. Search” Heralds 
Arrival of a Golden Age 
for Copyright

BY NICK TAYLOR

Former Guild President Nick Taylor gave the 19th annual Horace S. Manges Lecture at the Columbia University Law School April 4. Horace S. Manges was a 1919 graduate of Columbia Law School, a trial lawyer, founder, officer and trustee of the Copyright Society of the U.S.A., and a key figure in the development of copyright legislation.

Let us begin with a prospect that I find horrifying. Books as we know them are not long for this world.

During my four years as president of the Authors Guild, which ended a little over a month ago, I thought we authors could be comforted by some observable facts about the book itself. It is a piece of technology that, had it not been around since Gutenberg and instead had been invented only yesterday, would be hailed as almost perfect. Think of it. This centuries-old technology—ink on paper bound by glue and stitching—it’s durable, portable, reasonably weather-resistant. It is, in terms the digerati can respect, an excellent user interface. Plus, it looks good in the home. Full bookshelves convey strong messages about education, taste and affluence.

It is specifically because the book is its own interface that authors and publishers have largely avoided the levels of piracy the music and movie industries have suffered. The need of those industries’ consumers for listening and viewing devices to gain access to content, and the departure of that content from the substantial realm to the digital—from records and videotapes to CDs and DVDs and now to files that can be freely exchanged among devices—speaks to the future of publishing, and to copyright in the context of publishing.

I know, from listening carefully to the opinions expressed by members of the board of the Authors Guild, and from talking with many, many authors, that we want to avoid at all costs the kinds of heavy-handed enforcement our colleagues in music and movies have found it necessary to resort to.

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Twelve years ago, in what is probably the most widely circulated article ever to send the techies off to storm the barricades of copyright, John Perry Barlow, who wrote lyrics for the Grateful Dead, argued that allowing fans to tape the band’s concerts, while it may have reduced the sales of their recorded music, made their concerts enormously popular. They were always sellouts, and therefore they kept making money. Of course, it’s hard to compare an author to a touring rock band. I can’t think of a single author who could spur the sales of tie-dyed T-shirts. And not that many can keep the turnstiles spinning long enough to fill a lecture hall with paid admissions, let alone a concert auditorium. One who could was Charles Dickens, who used a lecture tour in the United States to argue for the enforcement of copyright at a time when American publishers routinely ripped off the works of English authors.”

***

Last fall, not long after the Authors Guild sued Google for copyright infringement in its library scanning program, an author approached me at a cocktail party. His name is Warren Adler, and he wrote The War of the Roses, among many other excellent novels. What you’re
making doing books unexposed vice president sure and perhaps to wither it its claim that says, protected must stop Authors Guild's lawsuit mission," That significant public store of Google to be the way. PubLic the way. from their ihe way. Google's argument was the only way. Actually, only one of the others began. The importance of not being invisible, of being able to be found, was just one of the arguments made against our Google suit. The libraries with which Google has contracted said that making such a great store of knowledge so instantly available is such a significant public good that authors should not stand in the way. Actually, only one of the libraries said this. That was the University of Michigan's, where the program began. As you probably know, the others are Harvard, Stanford and Oxford universities, and the New York Public Library. Oxford and the New York Public Library have said they will limit the scanning from their stacks to works in the public domain.

The public good. The imperatives of progress. Those are the nuts of the case made by the Lawrence Lessigs, the computer-focused media, and the swarms of copyright libertarians who talk about storming the citadels of information, running the gatekeepers through with pikes and tossing their bodies in the moat, and freeing the imprisoned bits to float through the electronic world like dust motes until they're sucked onto somebody's computer screen and from there sprinkled into term papers and essays and other work that may or may not credit their original creators. Otherwise, they say, the rivers of creativity will cease to flow. And they must be right. How else to account for the fact that a mere 150,000 books were published last year?

Look around you. You don't have to look any further than this great university. Is there any shortage of creativity? Can it possibly be true that the wells of inspiration are so shallow that they have to be fed with the uncompensated works of creators who apparently resorted to miracles or conjury to do what they did under the rules that are now being attacked? Creators who found it possible to get and often pay for permissions that copyright required? Creators who managed under the dictates of fair use to create new and transformative works? Please.

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The physicality, or the individual objectness, of the printed page began to break down in the 1960s, with the development and spread of commercial photocopying. If we writers had been sufficiently alert to the probability of widespread copyright violations by reproduction that vastly exceeded the boundaries of fair use—of wholesale copying for "course packs" and the like—we perhaps would be enjoying the fruits of a more muscular version of copyright enforcement than we currently enjoy in the United States. In the United Kingdom, for example, sampling of the photocopying done at school libraries and other institutions provides enough information to allow the payment of titlespecific royalties. Some of those royalties come to the Authors Registry, funded largely by the Authors Guild, and American authors have received almost $4 million over the past 10 years.

Most Western European countries also pay library lending royalties. This is another logical extension of the compensation envisioned by copyright, but it has failed to gain traction in this country. It's not because authors haven't tried. The Authors Guild put on a vigorous lobbying campaign when the issue was hot back in the 1980s. Unfortunately, we didn't know Jack Abramoff, and we didn't have the big casino bucks to spread around.
Photocopying, of course, still involves making one physical object from another. Perhaps that is why there is never an outcry from copy shop patrons—who essentially download their copies from their original source—about the pennies per page they have to pay. But now it’s the stuff inside the book—its content—that’s the commodity, and that commodity is completely removed from physicality in most of its permutations. And with that, the consensus on value and payment has shattered. It’s possible to imagine a future much like the distant past, in which the only people who own books are wealthy and have a lot of space. For the rest of the population e-books will provide both words and pictures.

Those of us who love books love them for many reasons, and many of those reasons have to do with books as objects—the way they feel and smell, their design, the often brilliant art of the dust jackets. There’s the contentment of tactile progress as we turn the pages, and the progressive satisfaction of the bookmark moving through the book from front to back. These sensations are not available to e-book users, and many of us were happy that the early e-books were not embraced by readers. We authors deluded ourselves that the early failures of the e-book were a vote for continuing the status quo; that people were saying, “No, thank you. We like our books the old way.”

And some of us always will. But the final chapter hasn’t been written on the e-book. Within the past couple of months, I’ve seen e-book prototypes that provide a pretty good facsimile of the real experience. They still need to improve their resolution, and like any new gadget they’ll cost too much at first. But they have certain advantages. You can change the font size, for example, if you forget your reading glasses. I could see using e-books instead of carrying an extra suitcase for the hardcovers and paperbacks my wife and I always take on vacation because we think we’re going to have time to read them all.

So I think that despite the halting progress of the e-book, the day will come when it’s the rule, not the exception. There will still be real books for collectors and purists. For everybody else, bookshelves will gradually become irrelevant.

What does any of this have to do with the prospects for copyright? The e-book is just one example of our progress, if one can call it that, to a bookless world. This deconstruction of the book, its removal from one-objectness to a stew of bits, allows the book’s contents to be constituted and reconstituted in different ways. Google’s library scanning program, which it now calls Book Search, is an obvious example of this. Google allows the books it has scanned to be searched for what it calls “snippets.” Let us call them “tidbits,” or “morsels,” because the idea is that if they are tempting enough, they may persuade the searcher to follow a link to an online bookstore to buy the book in which the morsel appears. This is the exposure that is supposed to be the trade-off for authors meekly acceding to Google’s confiscation of their content, notwithstanding that it is that content that draws searchers to Google, allows Google to sell ads, and thereby adds value to the Google franchise.

Now the argument against Google’s seeking out the authors and actually licensing the content that they’ve decided is theirs to take is that it would be a swamp, a nightmare, and any number of other meta-

“...I’ve seen e-book prototypes that provide a pretty good facsimile of the real experience. ... I could see using e-books instead of carrying an extra suitcase for the hardcovers and paperbacks my wife and I always take on vacation because we think we’re going to have time to read them all.”

phors for something that is difficult, but not actually impossible, to do. If Google has in its vast files an archive of which computers—which of our computers—entered which search terms, an archive that by the way is rife with potential for embarrassment and blackmail along with the terror-watch and law enforcement possibilities that has Homeland Security and the FBI all aquiver, how can it not be possible to find and license content owners? Google should be able to use its technical brilliance to find authors, license their works, and pay them for their intellectual and creative labor.

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Let’s avoid making this about Google or anybody else. I like Google. I use it every day. So I don’t want to pick on them. Let’s create a hypothetical search engine to demonstrate how search and copyright can work for each other and benefit people who need to find things. We’ll call it Mr. Search. Mr. Search would be able to accumulate a library of books in and out of copyright.
through contracts with libraries, as its competitor Google has done. And Mr. Search would offer the same morsels or tidbits to view. But it could go much further, because Mr. Search has a secret ingredient—permission!

Permission does miraculous things to Mr. Search. Bulks it up miraculously, overnight. Think of Mr. Search as Google’s library project on steroids. Suddenly, Mr. Search is no longer serving up mere morsels. Instead of dribbling ground balls back to the pitcher, Mr. Search is swatting towering home runs. Mr. Search now serves up pages, chapters, even entire books. Mr. Search’s power knows no limits. It is equally at ease

on large campuses and small, in the libraries of big cities and remote villages. Better still, Mr. Search’s power is legal. It lies entirely within the rules.”

an ASCAP-like agency to grant permission and to pay and handle tax reporting to rightsholders. We can also give this agency a name. Let’s call it LARRY, for Legal Authors Rights Receipts, with a Y added on for emphasis. Yes!

Let’s say there would be four types of sublicenses under such an arrangement. The revenues from each would be divided in some proportion between Mr. Search and the rightsholders. LARRY would apportion payment among rightsholders based on usage, information Mr. Search would have readily available.

LARRY is generous, so perhaps anyone could view a morsel for free under this arrangement. Mr. Search would charge for ads along the search paths as search engines do currently, sharing some of that revenue with rightsholders through LARRY. Therefore, the dream is realized. The wide world of books would be available for search by anyone who had access to a computer and an Internet connection, and the obligations of copyright would be fulfilled.

For the most popular books as revealed by a search history, assuming they were out of print, Mr. Search could even make them available on a print-on-demand basis.

Rightsholders would naturally have options under such an arrangement. The standard license would permit all the sublicensing I’ve described above. But they could choose to permit no uses at all, morsel views only, or permit the full range of services. They could change their minds and permit fewer or more uses, but only once a year, by informing the ASCAP-like LARRY.

This would make book content more widely available than ever before, and in a way that would reward the creators of that content. But to make sure it was not available beyond the scope intended, Mr. Search would be responsible for making the database secure against hackers, and for securing backup tapes. Mr. Search would report security breaches, and regular security audits would be performed.

Publishers, belatedly, have already begun to see the possibilities of just such deconstructions of content from their traditional containers. So have Google and the other Internet goliaths like Amazon. Searches of books that provide views of several pages have been available for some time as a promotional tool, but now for the first time both Google and a spearhead of publishers are unbundling books and trying to find new payment paradigms. Google has been signing up publishers to offer online access of entire books. Publishers control the pricing, Google takes a share, and will pay publishers from ad revenue, but with reporting that will allow them to round out their royalty reports to authors. Google has described this as “the first of many new digital business models that it hopes to enable” in
order to provide options for publishers to “monetize their book content” in “incremental ways” online.

Meanwhile, publishers are wondering if they actually need Google or other online booksellers for this kind of distribution. Just last week, Simon & Schuster announced that its executive in charge of electronic initiatives now headed a division called Simon & Schuster Digital. The company’s CEO was quoted as saying the division was “currently hard at work developing a digital archive and rights management system for all S&S titles. This archive will be critical to maintaining control over our intellectual property in our future electronic publishing endeavors, whatever shape they may eventually take.” Simon & Schuster was following the lead of HarperCollins, which announced its digital archive project several months ago. Random House announced an online e-book licensing scheme last fall. Amazon.com has two such programs in the works. Even mighty Google, cutting-edge champion of the right to take without asking, has hatched its own online pay-per-view scheme.

That, in a nutshell, is the beauty of the future of copyright and why there is the potential for a Golden Age. New payment models are proliferating, and they recognize the role of content creators and rightsholders. Whether authors and publishers can find accommodation on how to divide the revenue is another story. The history of writers and publishers is filled with disagreements, but in the current environment those amount to family spats. On both sides of the editor’s desk, we agree on the need to experiment, and to create new forms for our content that match the many new ways in which it is consumed.

There are still those, of course, who disagree with strict copyright enforcement no matter what. These are the copyright libertarians I referred to earlier. To them, adequate digital rights management simply maintains the “permissions society” that they decry. They urge creators to choose to make their content available under a variety of less restrictive terms. And many creators have chosen to do so. They may have bought into the open content argument as a matter of philosophy or politics. Maybe they don’t have large stakes in their material, or perhaps they see dispersal as advertising for their concerts or lectures or book signings. Maybe they have trust funds. But most authors want and need to get paid for their work. We reject the implication that creativity is supposed to occur outside the context of money to support it. We also reject the accusation that we’re standing in the way of progress.

It is absurd to argue that the only route to progress is to bow to everything that technology allows. One of traditional copyright’s opponents has gotten a lot of mileage out of a story about a pair of North Carolina chicken farmers. These farmers had a problem. Their farm was near a military airport, and their chickens were all a-cackle over big, noisy, heavy bombers taking off and landing right over their heads. They were frightened, sick, and dying. The farmers had the temerity to assert the air rights over their farm on behalf of their chickens, to prevent the takeoffs and landings. The case, U.S. versus Causby, worked its way to the Supreme Court, which made a Solomonic ruling. The air space required for air travel was a commons available to all citizens, but the farmers had rights, too, essentially the common law right to the beneficial use of their property. Since this was taken away, the court ruled in favor of the farmers.

By giving this story a copyright spin, I suppose our opponent was trying to get at the idea that when technology creates a commons, people who claim their rights in the face of it are foolish and benighted and standing in the way of the world getting on with its business. But clearly the story makes a different point. People who live near airports the world over can thank those two clod-kicking, chicken-plucking farmers from my home state of North Carolina for the fact that they can sleep at night. Jet engines are quieter than they used to be. Flight paths are diverted from residential neighborhoods. Because the law recognizes that for progress to be just, the many advantages of new technologies—even transformative ones—must be balanced with the common law and the beneficial use of what the law has deemed to be their property.

In the context of copyright, the chicken farmers are the authors and other creators who have poured their hearts and souls into their work. The future is so rich with possibility. The new permutations of content offer the promise of a Golden Age of copyright, but we must continue to guard against the prospects for copyright’s endangerment. ✦
Along Publishers Row

Continued from page 2

the verdict, ordering them to pay 85 percent of the legal costs, likely to run into several million dollars. The judge, Peter Smith, got into the spirit of things and concealed a secret coded message in his ruling. It took several lawyers in a London firm two days to figure it out.

OUCH: In reviewing the movie version of The Da Vinci Code for The New York Times, A. O. Scott described the book as “Dan Brown’s best-selling primer on how not to write an English sentence.”

QUOTED: Frederick Brown is the author of a new biography, Flaubert, about the author of Madame Bovary. Flaubert is quoted: “Happy are those who don’t doubt themselves and whose pens fly across the page. I myself hesitate, falter, I become angry and fearful, my drive diminishes as my taste improves, and I brood more over an ill-suited word than I rejoice over a well-proportioned paragraph.”

Those words came from a letter the author wrote to his mistress, Louise Colet.

HER RUSH: Annie Proulx, a Pulitzer Prize-winning author of The Shipping News and Brokeback Mountain, wrote an essay about writing for The New Yorker.

She began: “For me, the strongest influences are the varied landscapes and bare ground of the hinterlands, rough weather and rural people living lives in the pincers of damaging isolation, ingrained localisms, and the economic decisions made by distant urban powers. The rush, for me, comes from the effort to put these lives on paper, and through them examine the society that draws the lines. A ruined house in the grasslands leaning away from the wind excites a profound sense of story in me, as does the morning sun flying up like a yellow parrot, or driving over face-powder caliche roads.”

She concludes: “When I write, I try to make landscapes rise from the page, to appear in the camera lens of the reader’s mind. The reader is also an absent presence, but one that’s leaning a sharp and influential elbow on my shoulder.”

CAUGHTBug: Tom Perkins, 74, described by The New York Times as “a lion of the venture capital world,” is the author of a novel entitled Sex and the Single Zillionaire. He’s also a former husband of novelist Danielle Steel, who encouraged him to get into her business.

Perkins, whose net worth is described as “mega millions,” wrote the 288-page novel in early 2004 at his country home in England. He said it took him only 100 hours over 30 days. He calls the book a “soufflé,” not “meat and potatoes.”

According to a psychologist, successful venture capitalists often have a desire to create a legacy beyond wealth. “They’re all looking for influence beyond being a glorified banker.” Will writing a romance novel buy that?

MORE COWBOYS: Larry McMurtry is at work on a prequel to his Lonesome Dove miniseries for CBS-TV. The new series is based on his 2000 novel, Comanche Moon.

DECLINE: R. R. Bowker, a publishing scorekeeper, estimated that 9 percent fewer books were published in 2005.

Small-to-medium publishers cut their output by 10 percent and medium-to-large publishers cut their output by 15 percent. The big houses reduced their output by only 4 percent.

Jim Harris of Iowa City’s Prairie Lights bookstore told PW: “I don’t care about the larger houses. What concerns me is that the medium and smaller houses are getting hit the hardest.”

Tina Jornon of the American Association of Publishers said that net sales increased 9.9 percent from 2004 to 2005. The estimated total was $25.1 billion.

So fewer books didn’t mean that publishers lost money. The largest increase in sales in the trade category came from juvenile hardbacks, which rose 19.6 percent from 2002 to 2005.

OH: King Dork, a first novel by Frank Portman, is a high school comedy-mystery. According to PW, it is “a tale involving dead people, naked people, fake people, teen sex, weird sex, drugs, ESP, Satanism, books, blood, bubble gum, guitars, monks, faith, love and more.”

PROLIFIC: Paul Auster of Brooklyn is the author of 10 novels, several books of poetry, autobiographies, essays and three film scripts. His books, along with those of Jack Kerouac, William S. Burroughs and Charles Bukowski, are favorites of shoplifters, so they often are kept under the counter. One bookstore manager commented on NPR that Auster’s The New York Trilogy was the most frequently filched, including one incident where 20 copies were taken at one time.

In a Columbia College alumni magazine profile, Auster was firm about the distinction between fiction and nonfiction. He said, “People simply can’t understand that there’s such a thing as imagination. It comes up again and again. People read a novel and think ‘Oh, that’s the person’s life.’ The greatest novelists are not writing their life stories. They are taking material from their lives and transforming it into something else.”

In his book Hand to Mouth, Auster wrote, “Becoming a writer is
not a ‘career decision,’ like becoming a doctor or a policeman. You don’t choose it so much as get chosen, and once you accept the fact that you’re not fit for anything else, you have to be prepared to walk a long, hard road for the rest of your days.”

ON VIEW: Eudora Welty’s home at 1119 Pinehurst in Jacksonville, Miss., has been opened to the public. The Eudora Welty Foundation was in charge of the refurbishing. Her papers and books litter the sofa and tables and her pots are on the stove in the kitchen.

PROMOTING: Alice Low of Sleepy Hollow, N.Y., is the author of almost 30 books for children. She recently underwent hip-replacement surgery and found that her doctor collects signed editions of books by his patients. She gave him two.

Then when rehabilitation began, a nurse brought her two copies of Greek Gods and Heroes to sign. That book was published in 1965 and has been in print ever since. One of the copies of Greek Gods belonged to the nurse’s daughter. The other belonged to the library at the daughter’s school. The school’s copy had been used so much that it was sent out for repairs, but Low said, “How wonderful for an author to see that her book was so worn that it needed to be rebound.” Other nurses with small children brought in more Alice Low titles to be autographed.

Low says that the experience “has turned out to be a new way to sell books, although I can’t exactly recommend it.”

SALES PITCH: The Texas Institute of Letters refers to itself as TIL. An item in a recent newsletter said: “The TIL office received an epistle from Joe Bob Briggs, admonishing us for not purchasing his new book—Profoundly Erotic: Sexy Movies That Changed History. He is saving copies for all TIL members, which you can order from www.joebobbriggs.com. He says his friendship with all of us depends on this.”

NEW IMPRINT: Cindy Spiegel and Julie Grau have named their new imprint at Random House Spiegel and Grau. Their first book will be Suze Orman’s Women + Money, due out in March of next year.

DO-IT-YOURSELF: Software named BookSmart is available. With it you can publish your own book with a “slurper” tool that downloads and reformats the contents of a web log into a book that can be purchased online. It’s available free at www.blurb.com. The maker told The New York Times that BookSmart also provides design templates for cookbook, photo books, portfolios and volumes dedicated to pets and babies.

Prices for printed versions start at $30 for an 8-by-10-inch full-color hardcover volume with dust jacket and up to 40 pages. A book of 80 pages is $3 more. Authors can also set up online bookstores through Blurb’s website.

HAPPY: Fern Michael’s current bestseller is Pretty Woman. She told PW, “When people ask me what I do, I say, ‘I scribble and tell stories.’ It’s a great way to make a living. The Dutch have a saying, ‘If you can’t whistle on your way to work, you don’t belong in that job.’ I whistle all day long.”

Deborah Eisenberg’s fifth book of short stories is Twilight of the Superheroes. She has never written a novel, and she told The New York Times that good short stories are “vertical novels, sort of layered, ephemeral, mysterious, condensed in the way of poetry.”

She added, “I like the ellipses, the synaptic jumps of short stories. The reader has to participate very actively in the experience.” It took Eisenberg eight years to write the six stories in Superheroes. She said, “I’m a very spoiled writer. I need to be indolent, to waste a lot of paper. I’m inefficient.”

ON THE BEACH: The third title in Ann Brashares’s best-selling Sisterhood series, Girls in Pants, came out in June. PW said that Random House is promoting the book with advertisements at beach events, on beach telephone kiosks and on lifeguard towers.

QUESTION: “Is it better to get a memorably negative review in The Times Book Review . . . or is it better to get no review at all?” That’s the question that was asked after novelist and radio comedian Garrison Keillor wrote a scathing review of Bernard-Henri Levy’s American Vertigo: Traveling America in the Footsteps of Tocqueville.

Levy told the Times, “I’ve always thought controversy is the best thing that can happen—well, one of the best things. Everybody talks to me about it,” he said, adding that the harsh review has brought him waves of support and sympathy. Levy has published 30 books, but this was his first bestseller in the U.S. “I’ve felt so at home in America,” he said. “Now I feel even more at home.”

PROTEST: Nick Hornby, J. M. Coetzee, Mike Leigh, Nadine Gordimer, Will Self and Ian McEwan requested that the organizer of the London Book Fair, a subsidiary of Reed Elsevier, the British-Dutch publishing giant, drop its international arms fairs. The writers’ letter to The Times Literary Supplement said: “We are appalled that our trade should be commercially connected to one which exacerbates insecurity and repression, and which props up regimes inimical to free expression.”

THE MONEY MAKERS: PW produced its annual list of the best-selling books of 2005. The top five
selling books of 2005. The top five fiction sellers were The Broker by John Grisham, The Da Vinci Code by Dan Brown, Mary, Mary by James Patterson, At First Sight by Nicholas Sparks and Predator by Patricia Cornwell.

The top nonfiction sellers were Natural Cures They Don’t Want You to Know About by Kevin Trudeau, Your Best Life Now by Joel Osteen, The Purpose-Driven Life by Rick Warren, You: The Owner’s Manual by Michael F. Roizen and 1776 by David McCullough.

COMPARISON: In an interview with The New York Times, the actor John Malkovich said, “It’s absolutely awful that The Sound and the Fury’s first printing was 5,000 copies, and any Barbara Cartland novel is trillions, but so what? That’s absolutely the way the world is, and you know what? People had better get used to it. And sometimes really talented people are discovered, and sometimes they’re not.”

WITH PICTURES: Tana Hoban, an American author of 110 or more books for children, illustrated with her photographs, died earlier this year in Paris (see Deaths, p. 32). She was quoted in The New York Times obituary: “My books are about everyday things that are so ordinary that one tends to overlook them. I try to rediscover these things and share them with children. But there is more to each picture than a first look reveals. I always try to include something new, something to reach for.”

EXPLANATION: Alexander McCall Smith’s Blue Shoes and Happiness made its debut as No. 2 on the bestseller list. The author, promoting his books on the road, is often asked by women how he can write so accurately in women’s voices. PW says that he replies by stepping out from behind the podium in a kilt.

The Scotsman says, “You may have noted I wear a skirt.”

FILM FIRST: Staton Rabin of Irvington, N.Y., is the author of a young-adult novel, Betsy and the Emperor. Rabin told The New York Times that she wrote the book’s first four chapters in the early 1980s as a film treatment—an approach she advocates as a way of breaking into the film business.

The book, about the exiled Napoleon’s friendship with a 14-year-old girl on the island of St. Helena, has been translated into a dozen languages. The film version, in production this summer, is entitled The Monster of Longwood and stars Al Pacino as the French ruler.

GUIDE: David Hodgson, 33, is the author of 55 books. One of them, Grand Theft Auto: San Andreas, has sold 748,000 copies. You never heard of him? Hodgson’s books are strategy guides for video games.

Hodgson, who lives in Portland, Ore., wouldn’t tell The New York Times how much he is paid, but the publishers say they generally pay authors of game guides $3,000 to $12,000 a book.

At the year’s biggest meeting of video game companies, Hodgson’s publisher put him in a booth to sign his guides. Hodgson said, “The most amusing thing is, some people will ask for a copy of the book and ask me not to sign it.” Hodgson added, “I’m not a proper author. I’m the redhead stepchild of authors.”

CONTENT: Malcolm Gladwell offered PW an explanation of why his nonfiction book The Tipping Point has 1.6 million copies in print and has been a bestseller for more than a year.

He said, “I like to think of it as an intellectual adventure story. It draws from psychology and sociology and epidemiology, and uses examples from the world of business and education and fashion and media.”

SWITCH: Sarah Dunant is the author of a New York Times best-selling historical novel, In the Company of the Courtisans. She is best known in England for a series of thrillers that features a character named Hannah Wolfe, a private detective.

The switch to the historical genre appears to be going well. Dunant told an interviewer, “The skills I learned from thrillers—how to construct a compelling story, how to hold the reader, how to play with them, how to not let you want to put the book down—all these have not deserted me. They have, I hope, simply been used on a bigger canvas.”

RETURN: Dick Francis, 85, has written his 39th novel, Under Orders. The author of mystery tales about horse racing had been silent for six years after the death of his wife. The AP quoted him as saying, “My family has talked me back into the literary saddle.”

TIP: David Mitchell is the author of a new novel, Black Swan Green. He was quoted in The New York Times Book Review: “Ideas are well and good, but without characters to hang them on, fiction falls limp.”

BIG BUCKS: Alan Greenspan, the former chairman of the Federal Reserve, will be paid $8.5 million for his memoir. According to a chart in The New York Times, only Bill Clinton has received a bigger advance—$10 million. Pope John Paul II and Ronald Reagan each received $8.5 million for their memoirs. Nearly 600,000 copies will have to be sold to recover the cost of that advance.

There will be a ghostwriter, but Greenspan said, “I plan to do the first draft and the last draft.”

On the Times op-ed page, humorist Rick Moranis wrote “Chapter I of the Alan Greenspan
memoirs" entitled _A Calculated Life_. It began, "It was the best of times but it might also have quite possibly led to the worst of times." The rest of the essay is made up of trivial comments about his clothes and his car, and it ends with, "But I digress."

TRIO: PW says this summer will see the publication of three novels about Siamese twins. In _Half Life_ by _Shelley Jackson_, Nora and Blanche Olney are joined at the collarbone. In _The Girls_, by _Lori Lansens_, Rose and Ruby Darlen are joined at the head. In _Ludmila’s Broken English_ by _DCB Pierre_, Blair and Bunny Heath (males) are joined at the trunk.

At least one of these fictional pairs is separated.

LIFE INTO FICTION: _Janna Malamud Smith_ has written a memoir, _My Father Is a Book_. Her father was the writer _Bernard Malamud_, described by _The New York Times_ as "the most private of men." In her memoir, Smith says that his books were deeply autobiographical.

Asked why it took her 20 years to write her book, Smith said, "I needed that privacy to figure out who I was. I needed to learn how to write before I wrote about him. I needed some distance." When she was young, Smith said, she was upset about finding herself in her father’s fiction. "I was really, really angry about it. To have your family life turned into fiction, everything in the service of fiction and not in the service of family."

The article ends with this quote: "He wanted privacy. One of the functions of writing is to transmute shame. What you present, when you present it, it’s your choice. Writing was a way to cloak his shame."

FRUSTRATED: _Julia Alvarez_ has written four best-selling novels, five children’s books, three collections of poetry and a collection of essays.

In April, Alvarez visited 20 cities in 45 days to promote _Saving the World_, a historical novel. She told PW: "What I find frustrating [about book tours] is that you’re constantly talking about writing but not doing any writing. It’s like tying a dancer to a chair and playing her favorite music."

COMPARISON: _Jerome Charyn_ is the author of 40 books. His 41st is _Savage Shorthand_, about Russian writer _Isaac Babel_. In it, Charyn compares Babel and _Ernest Hemingway_:

"Reading [Babel’s] _Red Cavalry_ and [Hemingway’s] _In Our Time_ is like looking at the world through barbed wire while the wire is moving out from under you. We catch the jarr ed edge of things, the rip and tear of memory. The language both men use—a savage shorthand—doesn’t glamorize; it’s about the closing off that comes from shock, little time bombs as crisp as articles of war... A writer, Babel would say, was like ‘a soldier on recon naissance.”

DEALERS: Almost from the day in March of 2005, when _Louis J. Eppolito_ and _Stephen Caracappa_—the "Mafia Cops"—were arrested, literary agents have been busy. At least five books about the case are in the works.

They are being written by Eppolito’s estranged son, _Louis Jr._; by a former Las Vegas call girl who once tried to write a screenplay with Eppolito; by a crime reporter for _The Daily News_; and by columnist _Jimmy Breslin_. _The New York Times_ reported that Breslin showed up one day during the trial joking about the difference between a federal agent and a literary agent.

SHORTCUT: _James Patterson’s_ _The 5th Horseman_ is a bestseller with 1.1 million copies in print. His trademark brief chapters of two or three pages happened by accident.

He told _Time_ magazine: "I was writing a book called _Midnight Club_ [1989], and I’d done about 100 pages, and I was planning to really flesh them out. And I read the 100 pages, and I said, ‘There’s something interesting here.’ And that’s when I went to leaving a lot of stuff out."

CRANKING AWAY: _Hard Truth_ is _Nevada Barr_’s 13th mystery starring Anna Pigeon. The author said in an online interview that each novel has taken about the same amount of time to research and write because she works with a one-year contract. This schedule is "stressful," she said, but it helps her productivity.

GOING SLOWER: _Max Evans_ of Albuquerque has written 27 books. He is No. 11 on the Western Writers of America’s list of the best western authors of the 20th century. _The Rounders_ and _The Hi-Low Country_ were made into movies. A character named Bluefeather Fellini appears in several of his westerns.

At 81, Evans is still writing and has two new books in the works. He told _The New York Times_ that when he was younger, "I would write until I couldn’t see anymore; now I can only last four or five hours. When you age as a writer, you do slow down. Your brain shrinks, despite what science tells you. But the core gets knowledge. All you have to do is realize that. I’m slower, but it doesn’t bother me because I know where I’m going."

SUPPORTER: _Catherine Anderson_ is the author of a paperback bestseller, _Summer Breeze_. She told PW how she got started: "I went to my husband and asked if he’d get mad if I quit college. I didn’t want to keep books. I wanted to write them! I just knew he’d be furious. Instead he bought my first electric typewriter. A couple of years later, he sprang for a word processor. He never berated me for dropping out of school, and
now he laughingly says the money he spent on writing equipment was the best investment he ever made.”

Then she added, “With a man like that in my life, how could I become anything but a romance writer?”

FOR TEENS: Naomi Wolf, author of The Treehouse: Eccentric Wisdom from My Father on How to Live, Love and See, wrote an essay for The New York Times Book Review on a dozen best-selling novels for teen girls. She started out by saying, “These books look cute.” And then went on to cite the contents. Of one, Wolf wrote, “This is not the frank sexual exploration found in a Judy Blume novel, but teenage sexuality via Juicy Couture, blase and entirely commodified.” The teenage heroine has sex in a Bergdorf’s dressing room with a boyfriend energized by Viagra.

Of another series that has sold more than a million copies, Wolf wrote, “The problem is a value system in which meanness rules, parents check out, conformity is everything and stressed-out adult values are presumed to be meaningful to teenagers.”

In another, girls wear underwear to school with the words “kiss it” on the rear. Wolf’s conclusion: “Sex and shopping take their places on a barren stage, as though, even for teenagers, these are the only dramas left.”

NO LINK: The New Yorker editor David Remnick has published 15 years of his magazine essays in a book entitled Reporting. PW asked him what’s the connection between his subjects—Russia, Israel, boxing.

He replied: “None. I’ll tell you, though, the essays are autobiographical in the sense that that’s where life and editors and circumstances have thrust me. My background is as a newspaper reporter for The Washington Post, and when I was a rookie sports reporter, the only sport available to me was this dying thing called boxing. My ethnic background takes in both Russia and Israel.”

BIG NUMBERS: Mary Pope Osborne’s series, Magic Tree House, began in 1992. It has grown to 34 volumes, and PW said each new title has sold better than the preceding one. More than 40 million copies of the series have been sold.

Number 35, Night of the New Magicians, came out in March, and the author did a seven-city tour to promote it.

OBSESSION: On his 10th birthday, James L. Swanson’s grandmother gave him a framed print of a Deringer pistol with the caption: “Gun that Killed Lincoln.” Swanson is a constitutional law expert at a conservative foundation in Washington, D.C.

He satisfied his fixation, inspired by the photo of the gun, by writing Manhunt: The 12-Day Chase for Lincoln’s Killer. According to The New York Times, the book sold for $500,000 and has become a best-seller. Film rights have been optioned.

Swanson said, “I wrote the book for myself. So I am thrilled that people are responding.” The research and writing took three years. He all but imprisoned himself in his house and listened only to Civil War-era music as he studied the newspapers of that period.

Swanson said he was still intrigued with Lincoln’s funeral and the aftermath. “Maybe I’ll do some sort of follow-up,” he said. “I don’t think I could get away from this story if I wanted to. It’s been in me since I was 10 years old. I don’t really want to get away.”

RESEARCH: “The starting point for me is always the character,” Allegra Goodman told The New York Times, but her latest novel, Intuition, required a lot of research. She started researching five years ago when she got permission to hang around a science laboratory in Cambridge, “an afternoon here and there over a few months.” She took notes, describing equipment, drawing pictures of a mouse’s cage and where the water bottle was and that the food smelled like “slightly fermented granola just going bad.”

She said, “I wanted to take the reader there, to give the reader that concrete sense of process, of people working.”

Goodman mapped out each chapter with detailed outlines that looked much like a script for a play. She clocked her husband swimming back and forth across Walden Pond (where her fictional characters had a picnic) so she could get the timing right.

As for her characters: “I am not interested in adultery. That’s been done.” She said she had been interested in writing about moral ambiguity. Was one of her fictional scientists cheating? “What I was interested in was not the mechanics but the motives.”

COMPULSIVE: Yannick Murphy’s third book is Here They Come. She told PW: “I think great prose comes when the writer says, ‘I’m not going to use regular language, and you, reader, will become awakened because I stayed up all night writing this, because I just couldn’t stop.’”

POOR POETS: In an essay entitled “On Poetry” in The New York Times Book Review, David Orr wrote: “Modern poetry is long on Lucite but short on cash. As Philip Larkin once put it, a good poet has no trouble amassing ‘medals and prizes and honorary this-and-that’s’ but if you turned around and said, Right, if I’m so good, give me an index-linked permanent income equal to what I can get for being an undisputed university administrator—well reason would remount its
Larkin was British, but his remark applies just as well to American poetry, which often has been practiced by the amply trust-funded (Stein, Lowell, Bishop, Merrill), with occasional participation from the upper-middle class, and only rare appearances by poor folks (James Wright).

THAT WORD: Marilyn Johnson’s book, The Dead Beat, is in praise of the obituaries in newspapers. PW asked her: “Do you find it strange that, in this modern world, you still have to write ‘passed away’?”

Johnson replied: “I think it’s hilarious. Especially in the small-town papers and in the South, they’re wonderfully creative.” She said that an obit in The Houston Chronicle avoided the D word by saying that the departed “accidentally went to Jesus.” Explained Johnson, “Well, ‘died’ is such a bummer of a word.”

NEW DEAL: Perseus’s CDS Books imprint is headed by Roger Cooper. CDS offers authors no advances in exchange for higher royalties on their books and a commitment on marketing and publicity.

SELF-TAUGHT: Steve Berry’s The Templar Legacy is a hardback bestseller. He told PW that when he began writing in 1990, he completed eight manuscripts before he sold his first book. He said, “Each manuscript was a learning experience and, as I wrote, I was studying the craft. My education was largely one of trial and error.” Legacy has more than 275,000 copies in print.

COAUTHORS: Jennifer Crusie has written 16 novels. Bob Mayer has written 32 techno-thrillers. They met at a writer’s conference in September 2004 and began hatching a plot for a novel, Don’t Look Down. Crusie explained to Mayer: “In my books, people have sex and get married.” Mayer said, “In my books, people have sex and die.”

Crusie lives in a small town in Ohio. Mayer lives on a barrier island off the coast of South Carolina. The writing was done by e-mail. Crusie wrote the dialogue for the book’s female movie director, and Mayer wrote the words that a Green Beret stuntman speaks.


Dr. A.S.W. Rosenbach and his brother Philip were book and art dealers. Their homes were turned into a museum in 1954. They have a lock of Charles Dickens’s hair, the original manuscript of James Joyce’s Ulysses, notes by Bram Stoker for Dracula and more than 10,000 illustrations and manuscripts by Maurice Sendak.

Among letters written in 1865 by Charles Dodgson (aka Lewis Carroll) are several to his editor. Shortly before Alice’s Adventures in Wonderland was published, Dodgson wrote: “You have not yet answered my two questions:—(1) When will the book be really out? (2) What newspapers etc, do you propose to send copies to?”

Four months later, Dodgson wrote, “I had hoped for a larger sale of the book, but perhaps unreasonably. Is it likely to sell at all at Easter? You do not seem to be advertising it with that in view.”

Things never change, do they?

MURDER TIMES TWO: Joe McGinniss, a journalist and author of 10 books, was working on a true-crime book about Robert Kissel, a financier in Hong Kong, who was murdered by his wife after he was sedated by a drug-laced milkshake. Then in April, Kissel’s brother Andrew, a money manager about to go to prison as a convicted swindler of millions, was found dead of multiple stab wounds in a rented mansion in Greenwich, Conn.

McGinniss, who lives in Amherst, Mass., told The New York Times, “It became a very different story. A brother who had been a very minor character in my book now meets the same fate. Clearly this gives it a dimension beyond the average family tragedy.”

The author’s publisher is more eager than ever for the book. David Rosenthal, his publisher at Simon & Schuster, said, “It is turning into a true American saga of murder, money and milkshakes.” But McGinniss said, “This is not a piece of luck for me. This is a horrible thing.”

POSTSCRIPT: Alloy Entertainment was described in The New York Times as “a behind-the-scenes creator of some of the hottest books in young-adult publishing.” Editors at Alloy write proposals for publishers and create plot lines and characters before handing them over to a writer (or a string of writers). Alloy owns or shares the copyright with the authors and then divides the advances and any royalties with them.

In Memoriam

R. Jackson Armstrong-Ingram
Rose Blue
Frederick Busch
Otis Carney
John Deedy
Gin Ellis
Sally Fox
Tana Hoban
John Morressy
Doris Muscatine
Toni Trent Parker
Ann Lorraine Thompson
Vivian L. Thompson
Alloy shared the copyright on *How Opal Mehta Got Kissed, Got Wild, and Got a Life* with Kaavya Viswanathan, the Harvard undergraduate who was involved in a recent plagiarism scandal.

Cindy Eagan, editorial director at Little, Brown Books for Young Readers, and Viswanathan’s editors explained how a packaged book is put together. She said, “In a way it’s kind of like working on a television show. We all work together in shaping each novel.”

DUEL: Alice Quinn, poetry editor of The New Yorker, edited *Edgar Allan Poe & the Juke-Box: Uncollected Poems, Drafts and Fragments* by Elizabeth Bishop. Only about 90 of Bishop’s poems were published during her lifetime. The new book includes 120 pieces of Bishop’s unpublished work.

Helen Vendler, a critic, argued in *The New Republic*: “Had Bishop been asked whether her repudiated poems, and some drafts and fragments, should be published after her death, she would have replied, I believe, with a horrified ‘No.’”

In *The New York Times* account of the dustup, a parenthetical remark by Vendler is quoted: “I am told that poets now, fearing an Alice Quinn in their future, are incinerating their drafts.”

REVISITING THE BIBLE: An ancient text turns up with a new version of the Judas story, and so the Bible scholars have a new excuse to produce more books.


Ehrman told *The New York Times*, “It would have been no more difficult for God to preserve the words of Scripture than it would have been for him to inspire them in the first place... The fact that we don’t have the words surely must show, I reasoned, that he did not preserve them for us. And if he didn’t perform that miracle, there seemed to be no reason to think that he performed the earlier miracle of inspiring those words.”

**STORY MAN:** George Saunders’s third collection of short stories is *In Persuasion Nation*. He teaches at Syracuse University. He told *The New York Times Magazine*, “When you read a short story, you come out a little more aware and a little more in love with the world around you. What I want is to have the reader come out just 6 percent more awake to the world.”

Asked if he would ever try writing a novel, Saunders said, “I just did. It’s very innovative. It is only 25 pages long.”

HELP!: J. K. Rowling, at work on the seventh and last volume in her Harry Potter series, complained on her website that it took her 45 minutes to find “some normal, lined paper.” She lives in Edinburgh and writes her books in longhand. “And there’s a university here!” She was quoted in *The New York Times*. “What do students use? Don’t tell me laptops; it make me feel like something out of the 18th century.”

**INSPIRATION:** Craig Ferguson, comedian and comic host of CBS-TV’s Late Late Show, finished directing and starring in a movie he had also written, *I’ll Be There*. There had been so much meddling from the producers that he sat down and began scribbling on a notepad.


Ferguson told the Times that he has had offers to make the novel into a movie, but he won’t do it. “It’s a book,” he said. “It’s mine. And it’s done.”

BACK THEN: Alice Denham has written a memoir, *Sleeping with Bad Boys: Literary New York in the 50’s & 60’s*, due out in September. She described her book: “A Playboy Playmate with a master’s degree aspires to become a novelist before liberation when male writers are gods and women décor. *Bad Boys* delves gleefully into Norman and Adele Mailer, Joe Heller, Hugh Hefner, Phil Roth, Marlon, Gore, Willie Gaddis and David Markson, and reveals [that] Katherine Anne Porter [was] mentor on her [Denham’s] first novel... In the 50’s everybody wanted to write the Great American Novel.”

ANOTHER STORM?: *The Perfect Storm* put Sebastian Junger up there among the top best-selling authors. His latest book, *A Death in Belmont*, stirred controversy even before it was published in April. The New York Times said that the book “asks whether the man convicted of [a crime that took place in Junger’s hometown, Belmont, Mass., in 1963], a laborer named Roy Smith, was, in fact, innocent, and whether Albert DeSalvo, the man who confessed to being the Boston Strangler, could have committed the crime instead.”

The daughter of the victim mounted a campaign to discredit Junger’s book. Leah Goldberg Scheuerman, whose mother, Bessie Goldberg, was strangled on the day
Smith came to clean the house, said, “When the book is scrutinized, people will find it invalid. This book is full of lies and omissions.” Smith died in 1976, after the governor commuted his guilty sentence.

DeSalvo, who died in 1973, worked for the Junger family during 1962 and 1963. Junger told the Times, “I literally wake up every day thinking something different about all of these issues. Smith did it. Smith didn’t do it. DeSalvo never hurt a flea. DeSalvo is a serial murderer. There is no fixed point in my mind. I wish there were.”

BLEAK BURNS: Charles Dickens’s house in Broadstairs, England, was damaged by fire. Now known as Bleak House, after Dickens’s novel, it once was a Dickens museum but was sold recently to a private owner.

The AP said that while living there in 1851, Dickens wrote: “Half awake and half asleep, this ideal morning, in our sunny windows... sky, sea, beach and village, lie as still before us as if they were sitting for the picture.”

HOT TOPICS: This spring, four books on the Boston mob, three books on climate change, two books on baseball’s Barry Bonds, two on yellow fever and two historical novels about Cortes’s Aztec lover were published. The New York Times noted that “birds travel in flocks, fish in schools. Sometimes books arrive in cohorts, too, testing the attention spans of booksellers, reviewers and, most of all, readers.”

The Times concluded that “in book publishing, the source of convergence is not always clear.”

Does it hurt sales? A publisher said, “I don’t think somebody is going to trot home with four books on global warming. Then again, if there weren’t that many books, they may not get the shelf position in the stores that they are getting.”

OUT LOUD: “Spoken Interludes” is the title of a reading series at a bar and grill in Harrison, N.Y. The New York Times said that the idea was imported from California. The programs include a buffet dinner at six followed by readings at 7:30 by writers. After that, the audience can talk with the authors who sign copies of their books.

Among the authors who participated in April were Mary Gordon (Pearl), Hilma Wolitzer (The Doctor’s Daughter), DeLaune Michel (Aftermath of Dreaming) and Chris Moore (A Dirty Job).

NEW IMPRINT: Rebekah Whitlock, 26, is in charge of Naked Ink, a new imprint from Thomas Nelson, described in The New York Times as “the Christian publisher.” Whitlock plans to publish five books a year, and she started in April with The Hot Mom’s Handbook: Moms Have More Fun! by Jessica Denay.

The next title will be in August: The Hippie Guide to Climbing the Corporate Ladder & Other Mountains: How JanSport Makes It Happen by Skip Yowell, cofounder of JanSport, a backpack maker.

Whitlock said that she hoped Naked Ink’s books would appeal to readers looking for “authenticity, community, discovery” and to people interested in film, music and other forms of pop culture.

PROMOTER: Barnes & Noble is the world’s largest bookseller. It has 799 retail locations and about 40,000 employees. The man in charge is Stephen Riggio, subject of an interview in the business pages of The New York Times.

Riggio was asked: “Is this a good time to be selling books?” and he said, “Reports of the book industry’s demise have been greatly exaggerated over the last twenty years. And they’ve been unsupported by any sound research. The fact is the industry has never had a single year of sales decline. It’s a stable business, and it’s resilient in the face of competition for people’s time from TV, Internet and video games.

“It’s a good time to be in the book business.”

Later, it was reported that the company’s first-quarter profit rose less than one percent. Riggio blamed the lack of a blockbuster bestseller during February and March.

FRATIRE: New books by young men were singled out by The New York Times Sunday Styles section because they “collectively represent the once-elusive male counterpart to so-called chick lit.” The reporter, Warren St. John, suggested the books be referred to as “fratire.”

Tucker Max, 30, has been promoting I Hope They Serve Beer in Hell, “a collection of supposedly autobiographical stories that typically involve Mr. Max getting extremely drunk, hooking up with strangers and, as often as not, making a fool of himself.”

Maddox (real name: George Ouzounian) presold more than 7,000 copies of The Alphabet of Manliness, due out in June. The 28-year-old blogger had 143,000 addresses on his e-mail list from visitors to his site. “I’m saying things people think about but don’t say,” he told the Times.

Frank Kelly Rich, author of The Modern Drunkard, said, “The publishing houses filtered out anything politically incorrect or offensive. It took the Internet to show them what was popular and now they’re going after it. Before that, they would just guess.”

Dutton has published The College Humor Guide to College that offers tips on making drug paraphernalia and “sleeping with your professors.” In December, Broadway Books will offer Look at My Striped Shirt: Confessions of the People You Love to Hate, by the writers of ThePhatPhree.com, a dude humor site.
Get out of the way, chicks.

GREAT EXPECTATIONS: Charles Frazier's first novel, Cold Mountain, was a major success. It won the National Book Award for fiction. The hardcover spent 61 weeks on the bestseller list and 33 weeks on the paperback list. It was made into a movie with Nicole Kidman and Jude Law.

His second novel, Thirteen Moons, is scheduled to go on sale October 3. His advance from Random House was more than $8 million. The first print run will be 750,000 copies. Second novels are often found wanting, but the publisher told The New York Times, "This book is going to be the literary book of the year."

AUDIOBOOK: Playaway's MP3 device, about the size of a pack of cigarettes, comes loaded with one unabridged audiobook. There is a headphone and a triple-A battery. The book, such as The Da Vinci Code for example, is the only one it will play, but you can listen to it as often as you want. The machines are available at bookshops, retail stores and online for $35 to $50.

The New York Times said, "Owners of iPods may smirk at a one-book-only device, but Playaway may be the simplest and quickest way to get from the store to Chapter 1."

MEMOIR: The article looked as if it were about men's fashions with the text devoted to "America's nastiest author," Gay Talese, who published A Writer's Life in April. The reporter was The New York Times' Charles McGrath, former editor of the Times Book Review. (One of McGrath's better lines: "He [Talese] makes Tom Wolfe look like someone who collects Mark Twain outfits from a thrift shop.")

Talese is described as "a painfully slow worker—a tinkerer and reviser, an obsessive typer and retyper. He keeps track of his progress, or lack of it, with memos and exhortations to himself that he posts on white foam panels on the wall, and the ones documenting his work on A Writer's Life, which took him almost 14 years to complete, are a road map of detours, false starts and dead ends."

McGrath wrote: "What made A Writer's Life so difficult was that it was not just one book but four or five, both a memoir and an emptying of the file cabinet."

The writer Nicholas Pileggi, Talese's first cousin, said: "Partly it's his own fault. It's craziness—a meticulousness that has nothing to do with making a living. It's his own battle with his craft . . . . This is the journey he has to take, and he's pushed the finish line so far to the horizon that the rest of us can't even see it."

SHORT: Philip Roth's new novel is Everyman. The book is 182 pages long. Roth told The New York Times, "The thing about this length that I've particularly come to like is that you can get the impact of a novel, which arises from its complexity and the thoroughness of detail, but you can also get the impact you get from a short story, because a good reader can keep the whole thing in mind. Motifs can be repeated, and they will be remembered."

The subject is illness. Among the works with a similar theme were Magic Mountain, Cancer Ward and The Death of Ivan Ilyich. Roth said, "Many great books treated adultery, but very few have treated disease. So I thought to make this man's biography his medical history—just make the medical history the narrative line—and see what happened."

Times critic Michiko Kakutani called the novel "flimsy," and wrote, "Spending time with this guy [the protagonist] is like being buttonholed at a party by a remote acquaintance who responds to a casual 'Hi, how are you?' with a half-hour whine-fest about his physical ailments, medical treatments and spiritual complaints."

ABOUT WOMEN: Janet Maslin of The New York Times wrote a review of 13 books under the title "Dizzy or Smart? What's a Girl to Be?" Maslin explained: "Dizzy doesn't necessarily mean dopy. It means rejecting a caricatured version of feminism, studiousness or ambition in favor of even more caricatured womanly wiles. And it cuts a wide swath, from housewives to high school girls, from Bergdorf's all the way to Botswana." Maslin observes that in most of these books "an upscale setting can be a book's primary selling point."

It's an odd collection: a biography (Ava Gardner by Lee Server); one from a series of novels: Blue Shoes and Happiness by Alexander McCall Smith; two nonfiction books: To Hell with All That by Caitlin Flanagan and What To Eat by Marion Nestle. The others, all novels, are mostly preoccupied with shopping, and include The Booster by Jennifer Solow, The Debutante Divorcee by Plum Sykes, Elements of Style by Wendy Wasserstein, Glamorous Disasters by Eliot Schrefer, How Opal Mehta Got Kissed, Got Wild, and Got a Life by Kaavya Viswanathan, My Latest Grievance by Elinor Lipman, The Men I Didn't Marry by Janice Kaplan and Lynn Schnurberger and Some Like It Haute by Julie K. L. Dam.

Once upon a time, the Times would have ignored almost all these books.

ILLUSTRATION: J. D. Salinger's 1961 novel, Franny and Zooey, inspired the installation of a bathroom based on the one in the book, in a Manhattan storefront window on
model for my own professional behavior—is the epitome of calm-assertive energy. She is relaxed, even-tempered, but undeniably powerful, and always in charge. People everywhere respond to her magnetic energy.”

How could Oprah resist such flattery from a genuine dog whisperer?

BRIEFS: “Think of them as novels for short attention spans,” The New York Times said. They were describing the new Harlequin romance novels for cell phones. For $2.49 a month, daily installments are downloaded to a subscriber’s phone. The segments are designed to be read in five- to 10-minute spurts between children’s soccer games or while waiting for the train.

Vocal makes the technology for the cell phone books, and that company is now working with the publishers of textbooks and academic books to make their works available.

SECRETS: Some frustrated writer is the author of the best-selling Oakdale Confidential, which reveals the secrets of the characters on a soap opera, As the World Turns. The book jacket says that “the author wishes to remain anonymous.” But The New York Times said that the ghost-writer has a blog and uses it to complain: “I knew what I was getting into . . . but a nameless, faceless writer needs some forum in which to blow off the steam of keeping their identity a secret. I doubt I’ll ever get the chance to jump up and down yelling, ‘Me, me, me, it was me, send the kudos this way!’”

HERMIT’S HUT: Sonny Brewer, 57, has worked as a carpenter, a bookstore owner, a real estate agent, an editor, a rock musician and a vintage car salesman. His first novel is The Poet of Tolstoy Park. The story is based on hermit Henry Stuart, who lived in Fairhope, Ala., in the 1920s. Stuart was mistakenly told by a doctor that he had only a year to live when he moved to Fairhope. He built a round concrete hut and lived several more years. He usually went barefoot.

When Brewer sold the outline of the novel for $100,000, he rented the hut for $9 a month and moved in to do the writing—while barefoot.

MORNING MAN: Carlos Fuentes’s new novel is The Eagle’s Throne. The author, 77, told The New York Times, “I write from seven in the morning until 12. I know that in the time I have left, all I want to do is write. And what a joy it is to do what you want to do and not what someone is telling you to do.”

CODE OFFSPRING: This year’s BookExpo, the annual meeting of publishers and booksellers, was held in Washington, D.C., and the event’s “Cinderella,” according to The New York Times, was first-time novelist Kathleen McGowan of Los Angeles. She is the author of The Expected One, self-published until Touchstone picked it up with what the Times called a seven-figure advance. It’s due out in August.

The book was hot, perhaps, because it’s a “thriller about a descendant of Mary Magdalene and Jesus.”

JOB CHANGES, NEW TITLES*

Anna Olswanger reports that she has joined Liza Dawson Associates to represent nonfiction for both adults and young readers with a particular interest in Judaica.

Joshua Kendall, a former editor at Picador, has been named senior editor at Penguin.

Jeremie Ruby-Strauss, former senior editor at Kensington Books, now has the same title at Simon Spotlight Entertainment.

John Siciliano is editor of Penguin Classics.
Henry Ferris is executive editor at William Morrow.
Alexis Washam has been named assistant editor at Viking.
Kendra Harpster, ex-associate editor at Doubleday, is an editor at Penguin.
Stacie Bauerle is an acquisitions editor at Cumberland House.
Andrea Spooner is editorial director at Little, Brown Books for Young Readers.
Cindy Eagan is editorial director of Little, Brown Books for Young Readers teen chick-lit paperbacks.
Liza Baker is editorial director of Little, Brown Kids.
Tina Pohlman is editorial director at Harcourt’s Harvest Books imprint.
Anjali Singh is senior editor at Houghton Mifflin.
Former Putnam president Carole Baron is buying and editing books for Knopf.
Jason Pinter is an editor at Crown’s Three Rivers Press.
Hilary Breed Van Dusen is acquisitions editor at Candlewick Press.
Laurie Chittenden, former senior editor at Dutton, is executive editor at William Morrow.
Julia Chieftetz, former associate editor, has been named an editor at Random House.

*Compiled from Publishers Weekly

DEATHS

Jay Presson Allen, 84, died May 1 in Manhattan. She was the author of Spring Riot (1948) and Just Tell Me What You Want (1975). She adapted several works, including The Prime of Miss Jean Brodie, for the stage and screen.

Paul Avrich, 74, died February 16 in Manhattan. The history professor at Queens College wrote 10 books, including Anarchist Voices: An Oral History of Anarchism in America.


Richard P. Brickner, 72, died May 12 in Manhattan. He was the author of a memoir, My Second Twenty Years: An Unexpected Life (1976) and novels: The Broken Year (1962), Bringing Down the House (1971), Tickets (1981) and After She Left (1988).


Tom Ferguson, 62, died April 14 in Little Rock, Ark. The physician was author or coauthor of a dozen books, including The No-Nog, No-Guilt, Do-It-Your-Own-Way Guide to Quitting Smoking and Health Online: How to Find Health Information, Support Groups and Self-Help Communities in Cyberspace.

John Kenneth Galbraith, 97, died April 29 in Cambridge, Mass. The economist and government adviser was the author of 33 books, including The Affluent Society (1958) and A Life in Our Times (1981).


Frank Gibney, 81, died April 9 in Santa Barbara, Calif. He was the author of nearly a dozen books, including Five Gentlemen of Japan: The Portrait of a Nation’s Character (1953), Japan, the Fragile Superpower (1975) and The Pacific Century: America and Asia in a Changing World (1992).

Michael Gilbert, 93, died February 8 in Luddesdown, Kent. The mystery writer was the author of Smallbone Deceased (1950), The Curious Conspiracy and Other Crimes (2002), Roller Coaster (1983) and Into Battle (1994).

Tana Hoban, 88, died January 27 in Paris. She was the author of more than 110 books for children, including A, B, See! (1982), 26 Letters and 99 Cents (1986), Circles, Colors and Squares (1974) and More Than One (1981). The books were illustrated with her photographs.

Stanley Kunitz, 100, died May 14 in Manhattan. The Pulitzer Prize-winning poet was the author of Intellectual Things (1930), Passport to War: A Selection of Poems (1944), Father and Son (1944) and The Wild Bruid: A Poet Reflects on a Century and a Garden (2005). He also served as U.S. poet laureate.

Lawrence Lader, 86, died on May 7 in Manhattan. The activist for abortion rights was the author of Abortion II (1973).

Stanislaw Lem, 84, died March 27 in Krakow, Poland. The science-fiction writer was author of Solaris (1961), His Master’s Voice (1968), The Invincible (1964), Memoirs Found in a Bathtub (1961) and The Futurological Congress (1971).

Elizabeth Maguire, 47, died April 8 in The Bronx, N.Y. An editor and publisher, she was the author of Thinner, Blonder, Whiter (2002), a novel.


Grady McWhiney, 77, died April 18 in Abilene, Tex. The historian was author of *Cracker Culture: Celtic Ways in the Old South* (1988) and coauthor of *Attack and Die: Civil War Military Tactics and the Southern Heritage*.

Doris Muscatine, 80, died March 24 in Berkeley, Calif. She was the author of *A Cook's Tour of Rome*, *A Cook's Tour of San Francisco* and *The University of California/Sotheby Book of California Wine*.


Lyn Nofziger, 81, died March 27 in Falls Church, Va. The spokesman for Ronald Reagan was the author of four western novels and an autobiography, *Nofziger*.

Nena O'Neill, 82, died March 9 in Manhattan. She was the author, with her husband, of *Open Marriage: A New Life Style for Couples* (1972), which sold 35 million copies. They also wrote *Shifting Gears* (1974) and *The Marriage Premise* (1977).

Frederick H. Pough, 99, died April 7 in Rochester, N.Y. He was the author of *A Field Guide to Rocks and Minerals* (1953).

Bernard Siegan, 81, died March 27 in Encinitas, Calif. The law professor was the author of *Economic Liberties and the Constitution* (1980), *The Supreme Court's Constitution* (1987) and *Property Rights: From Magna Carta to the Fourteenth Amendment* (2001).

Muriel Spark, 88, died April 14 in Florence, Italy. She was the author of more than 20 novels, several collections of short stories, poetry, criticism, biography, plays and children's books. She was the author of *The Prime of Miss Jean Brodie* (1961), *The Girls of Slender Means* (1963) and *Reality and Dreams* (1997).


Julia S. Thorne, 61, died April 27 in Concord, Mass. The former wife of Senator John Kerry was the author (with Larry Rothstein) of *You Are Not Alone: Words for the Journey through Depression* (1993) and *A Change of Heart: Words of Experience and Hope for the Journey Through Divorce* (1996).

Peter Viereck, 89, died May 13 in South Hadley, Mass. The historian and Pulitzer Prize-winning poet was the author of *Metapolitics: From the Romantics to Hitler* (1941), *Conservatism Revisited: The Revolt Against Revolt* (1815–1949) (1949), *The Un-

Cutthroat magazine is offering its Jay Harjo Poetry Award and Rick Demarinis Short Story Award, to be judged by Naomi Shihab Nye and Robert Olen Butler, respectively. First prize in each genre is $1,250; second prize is $250; both will be published in Cutthroat. All finalists will be acknowledged in Poets & Writers magazine and The Writer’s Chronicle (the publication of the Association of Writers and Writing Programs) and considered for publication in Cutthroat. Call (970) 903-7914, e-mail cutthroatmag@gmail.com, or visit www.cutthroatmag.com for full submission requirements. There is a $15 fee for each submission. Deadline: October 1, 2006. Raven’s Word Writers Center, Cutthroat Literary Awards, PO Box 2414, Durango, CO 81302.

Applications are being accepted for the annual Dana Awards for novels, poetry and short fiction, as well as for portfolio of work that includes three manuscripts in one or any combination of the three categories. The awards, started in 1996 by Dr. Mary Elizabeth Parker, offer encouragement for unpublished work not previously recognized. Winners in the first three categories will receive $1,000 each; the Portfolio Award is $3,000. Include a $15 fee with poetry and short story applications, $25 with a novel submission. If submitting a portfolio, include the appropriate reading fee for each manuscript and an additional $5. Deadline: October 31, 2006. Send application to Dr. Mary Elizabeth Parker, Chair, Dana Awards, 200 Fosseway Drive, Greensboro, NC 27455. For more information, visit www.danaawards.com, call (336) 644-8028, or e-mail danaawards@pipeline.com.

The Christopher Isherwood Foundation is offering its annual Fellowships for Fiction Writing to writers who have published at least one book of fiction, including both novels and short story collections, but excluding young adult novels. The $3,000 is intended to allow fiction writers time to set aside for writing. To apply, mail three copies each of a letter of application, a CV, and a 20–30-page writing sample. Include a self-addressed stamped postcard and a self-addressed label. Applications should be sent between September 1, 2006 and October 1, 2006. For more detailed application requirements, visit www.isherwoodfoundation.org/application_form.htm or e-mail james@isherwoodfoundation.org. James White, Christopher Isherwood Foundation, 1708 21st Ave South #301, Nashville, TN 37212.

Perugia Press is offering its annual First or Second Book by a Woman Prize, which awards a cash prize of $1,000 and publication for an unpublished manuscript of poems by a woman who has had one or no books published. Applications will be accepted between August 1, 2006 and November 15, 2006 and include a $20 fee. For application instructions, visit www.perugiapress.com/contest.html or e-mail info@perugiapress.com. Susan Kan, Director, Perugia Press, PO Box 60364, Florence, MA 01062. ✪

The Authors Guild Interview

Continued from page 8

growing and maturing market. At one time it was dominated by people like Julia Alvarez, Cristina Garcia, Sandra Cisneros and Ana Castillo, mostly women who were writing about Latino experiences in the United States. Now there’s a Latino chick-lit development, which is growing and sort of mimicking the black romance novel, which Terry McMillan started. But then there are writers like Luis Alberto Urrea, a Mexican-American, whose book The Hummingbird’s Daughter recently won the Kiriyama Prize, which is given for Pacific Basin literature. The book was published by Little, Brown. A lot of major publishers have lines of Spanish books.

Q: Are there regions that are dominant in the U.S. market of Spanish-language books right now?

UNGGER: The strongest Spanish-language book market areas are Los Angeles, Chicago, Miami and New York, trailed somewhat by Houston and Denver. Mexicans dominate most of these markets, though in Los Angeles and Chicago you will find a fairly large Central American readership and in Miami Cubans and Colombians seem to dominate.

There are Spanish readers who read translations of well-known U.S. writers such as Dan Brown, Joel Osteen (Your Best Life Now), and Arthur Golden (Memoirs of a Geisha), and there are certain Latin American writers who sell extremely well in Spanish. But on the whole, I think U.S. Latinos gravitate more toward the book and the author than to writers that reflect their native identities.

There are also certain writers who have established their lineage in Spanish—Gabriel García Márquez, Isabel Allende, Carlos Fuentes, Laura Restrepo, maybe even Laura Esquivel. As for whether individual readers prefer writers from their own countries, I would say not. It really depends on the book and the author.
Q: Do U.S. book professionals understand the nuances of the Spanish-language market?

UNGER: The people involved in the Spanish-language book markets tend to be very sophisticated, very intelligent. They probably came into the business because they were Spanish language majors, had a semester abroad in Colombia or Chile or someplace. People who have been working this market for 15, 20, 25 years are deeply sensitive. What's great is that, also, a lot of the major chains, like Borders and Barnes & Noble, are hiring people who speak Spanish to be their Spanish-language book buyers. I think eight or 10 years ago that wasn't the case.

One problem is that because Spain dominates the Spanish-language book market, not Mexico, a lot of translations are made by Spanish translators. That's one of the things that I'd like to see change. I'd like to see more translations being made in Latin America and not in Spain, since Latin America is really the major market for the sale of Spanish-language books. This has also harmed a lot of the Latino writers who have had their work translated into Spanish. I wrote a novel called Life in the Damn Tropics, originally published by the Syracuse University Press. It was published in Mexico by Plaza y Janés, which is a part of Random House Mondadori. My novel, though it's written in English, takes place in Guatemala in 1981 and 1982. I'm Guatemalan by birth and it was very important for me to have a Central American translate the book because he was able to achieve certain nuances, including a wealth of ways of speaking in Central America that, to me, was very important. I didn't want my book to sound like it had been translated by someone from Madrid.

Q: What are other ways that book buyers, librarians, and publishers in the U.S. can be encouraged to purchase and publish more books in Spanish, or translations of Spanish-language authors who aren't yet known in the U.S.?

UNGER: What we do in Guadalajara is try to expose people to information so that their level of knowledge is higher. In terms of what happens in this country, I think there's a kind of untapped book-buying market of Latinos and Latin Americans, but the question is, how do you get to them? You can't get to them by having books at Barnes & Nobles and Borders because, first of all, those bookstores are not in heavily Latino communities. In New York, they tend to be in Brooklyn Heights, Union Square, the Upper West Side, areas where the chains feel they can attract a large Anglo reading and buying public. I think it's great that Random House, Simon & Schuster, HarperCollins and Little, Brown are all publishing books in Spanish for the U.S. market, and to sell back into Latin America, but you've got to know how to get those books into the hands of people who might be willing to buy them. I don't know if that means having books in bodegas, but there has to be an attempt to try to get books into the hands of people who want to read books in Spanish but don't know how to order them.

Q: The Authors Guild Foundation recently awarded its award for Distinguished Service to the Literary Community to Rueba Martínez [page 9]. His is an interesting story of using his barbershop to lend books, and eventually turning that barbershop into a bookstore.

UNGER: What Rueba Martínez does is great, because it creates a social and cultural center in the bookstore in the Hispanic community. If there was a way to get bookstores into the communities where the Latinos are and include information on immigrant rights, disability and worker's compensation, arts and crafts for the children, film, then I think there's a really huge interest in the community for things like that. But publishers are not going to do it, and the chains are not going to do it, so it really requires some sort of entrepreneurial spirit to do those kinds of things.

In New York, the centers for Latino and Latin cultural art end up being places like at the Instituto Cervantes, which I think is terrific, really terrific, but it's on 49th Street between Second and Third Avenues. Or the Americas Society on 68th Street and Park—they recently had a concert of Guatemalan music. There are 100,000 Guatemalans in this area, but they won't go to 68th and Park Avenue. They walk there and they feel everyone's looking at them. What Rueba does is really terrific, but we need more people to be doing what he does. •
stated fair use under the Copyright Act, and dismissed the case in favor of DK. BGA appealed, and on May 9, 2006, the U.S. Court of Appeals for the Second Circuit affirmed that decision.

Section 106 of the Copyright Act grants every copyright holder a bundle of exclusive rights, including the right to “reproduce the copyrighted work in copies” and “the right to prepare derivative works based on the copyrighted work.” Appropriating any of these rights without permission normally constitutes copyright infringement. However, in certain circumstances, limited portions of copyrighted works may be used without permission for purposes that include criticism, comment and news reporting—if the use is found to be a “fair use” under Section 107 of the Copyright Act. The courts use a four-factor test to determine whether a particular unauthorized use of a copyrighted work is fair use or not. They balance those factors in a case-by-case analysis.

The first factor is the purpose and character of the use, including whether the use was of a commercial nature. The court first considered whether DK’s work was “transformative,” meaning that it added something to the original work or altered the first with new expression. The key here was that the seven copyrighted works were originally created to promote the Grateful Dead and its concerts. As used in the book, these same images were meant to document certain Grateful Dead concerts as part of a chronological pictorial history. The fact that the book was a commercial venture did not undermine the finding that the work was transformative, and the court ultimately found that this factor favored DK.

The second factor is the nature of the copyrighted work. Here, the court found that the creative nature of artistic images such as the ones at issue here typically weighs in favor of the copyright holder. However, the usefulness of this factor is limited in situations where the works of art are being used for a transformative purpose. Here, the art was used to enhance the biographical information provided in the book. The court concluded that even though BGA’s images were creative works, DK’s use of the copyrighted images was to emphasize their historical rather than creative value.

The third factor is the amount and substantiality of the portion of the copyright protected work used in the new work. Here, the court found that the seven images were reproduced in their entirety, but essentially

As three of the four fair use factors clearly fell in DK’s favor, the court of appeals upheld the district court’s determination that the use of the seven copy-
righted images was fair use, and dismissed BGA's claims.

Authors should use caution in relying on this decision as definitive, however, as each case of fair use is determined on its specific fact situation. Generally, authors should attempt to negotiate a permissions arrangement, including the payment of any fee, if they use the copyrighted works of others in their own work. Fair use is not a blanket right to use another's copyright protected work without permission. Rather, it is a defense to copyright infringement that is subject to a court's application of the four factors in each case.

—Michael Gross
Staff Attorney

Letters

Continued from page 2

dies to marginal publishers and salaries for judges. Not so incidentally, the publishers who run the contests become eligible for state and national arts grants, and, if the contests are housed on a university campus, confer on the academics who run them release time from teaching because they are engaged in allegedly important work.

Sadly, a growing number of once-small presses now refuse to read manuscripts unless they are contest entries. If a New York publishing house charged a reading fee, we'd all scowl, "Fee on it," but in some literary circles, where a prize might be a $1,000 advance and publication, this is becoming standard practice—Graywolf and FC2 come to mind. Worse, such 'contests' reserve the right to name no winner, but no one has ever heard of the entry fees being refunded.

The plea that such presses cannot afford other policies will remind some of us of the days when New York publishers slammed shut the transom while pleading economic exigency. The long-term result has been the disappearance of the midlist book. The New Millennium Awards Ms. Wineberg mentions is a personal favorite for which a green postcard soliciting entry arrives in my mailbox every quarter. That's called marketing, and no one engages in long-term marketing unless the enterprise is profitable. The New Millennium Awards, which must distinguish its many-times-per-

year iterations like the Super Bowl with Roman numerals, results in no readership at all, but makes a real nifty resume line that lends credibility to grant applications, job applications, and a lovely certificate suitable for framing. Selling resume lines has very little to do with the cause of literature, but a lot to do with lit-biz.

The fame attached to winning a contest is minuscule; the readership even less. When was the last time any reader of this note beat a path down to the local bookstore because they'd read that a writer had won the Generic Quarterly's annual award for best story/essay/poem? Plain-speaking about these contests would have been a welcome service.

Perry Glasser
Haverhill, MA

Regarding the Symposium on "Google, Authors & Publishers Face Off" (Winter 2006 Bulletin): Several participants spoke of "fair use," but no one attempted to define or explain the term. Apparently that's because it is not defined by law: there are many, often conflicting opinions about what "fair use" means, and the only way one can find out is to go (or be taken) to court.

My feelings on the subject are mixed. As a writer of biographies, I've had to face the issue of how much I can quote, without someone's permission, from my subject's letters and papers. I've been advised that no more than 25 words from a single document is permissible, provided that the document is at least 10 times that long; a major New York publisher told me that his house limited "fair use" to 250 words from "all" of the subject's unpublished material. At the same time, as an author, I don't want someone to make money from "my" work without paying for it. In the Google matter, the issue seems clear: In the words of Nick Taylor, "The problem . . . is the appropriation of material [Google] doesn't own for a commercial purpose."

It would be a great asset to us all if the Authors Guild could come up with some statement of guidelines, however complex or qualified, that would express the Guild's general sense of "fair use."

Nolan Porterfield
Bowling Green, KY

The Writer's Legal Guide, An Authors Guild Desk Reference by Tad Crawford and Kay Murray, includes a long chapter on Fair Use, which we excerpted at length in the Fall 2002 AG Bulletin. We will re-run the excerpt in the Fall 2006 issue. —Ed.
The American Academy of Arts and Letters presented its annual awards in literature at a ceremony in New York on May 17. The winners included Nick Arvin, author of Articles of War, who received the Richard and Hinda Rosenthal Foundation Award for a young novelist and a $5,000 grant; Tom Bissell, who received a Rome Fellowship in Literature and a one-year residency at the American Academy in Rome; and Mary Gordon, who received the Academy Award in Literature for exceptional accomplishment in any genre and $7,500.


Author and poet Aberjhani was voted Best Poet/Spoken Word Artist in Savannah, GA, by readers of Connect Savannah, a weekly magazine. The contest was part of the 2006 Best of Savannah Readers Poll.

The Overseas Press Club awarded Thomas Bass an Honorable Mention in the Ed Cunningham Award for the best magazine reporting from abroad in 2005. Bass was honored for his article “The Spy Who Loved Us,” published in The New Yorker.

The nominees for the 2006 Hugo Awards for best science fiction works of 2005 include Michael A. Burstein, for TelePresence and “Seventy-Five Years,” in the categories of Best Novelette and Best Short Story; and Robert Charles Wilson, Best Novel, for Spin. The winners will be announced at the 64th World Science Fiction Convention in Anaheim, CA, August 23-27.

Anne Bustard received the 2005 June Franklin Naylor Award for her picture book biography, Buddy: The Story of Buddy Holly, illustrated by Kurt Cyrus. The award is given to an author and illustrator whose book for children and young adults accurately portrays the history of Texas. The book has also been nominated for the 2006-2007 Children’s Crown Gallery Award.

Pam Chun has been awarded the 2005 Ka Palapala Po’okela “Beyond Hawaii” Award for her novel, When Strange Gods Call. The award, which Chun previously won in 2003 for her first novel, The Money Dragon, recognizes excellence in literature about Hawaii published by a mainland publisher.

Douglas Florian and Takayo Noda were panelists at the Ninth Annual Spring Literary Tea for the Center for Children’s Poetry and Literature at the Graduate School of Education, Fordham University, May 10 at the Lincoln Center campus.

Tess Gerritsen was nominated for an Edgar Award in the category of Best Novel for her book Vanish.

Wayne Greenhaw is the winner of the 2006 Harper Lee Award, presented by the Alabama Southern Community College. The award was presented at the Alabama Writers Symposium, May 4–6, in Monroeville, AL.

Scribble, a novel for middle readers by Richard W. Jennings, received the William Rockhill Nelson Award for the best regional novel of the year from the Midwest Center for the Literary Arts. The award, named for the founder of the Kansas City Star, recognizes literary excellence by Kansas and Missouri authors. Scribble is the first work for middle readers to receive the award.

Jane Kirkpatrick’s first novel, A Sweetness to the Soul, published in 1995, was included in Oregon’s Literary 100: 1800–2000, sponsored by the Oregon Cultural Commission in 2005. Her 11th novel, A Land of Sheltered Promise, was a finalist in the 2006 Western Writers of America Spur awards for Best Novel of the West.

Rebecca Lawton has received the first annual Desert Writers Award from the Ellen Meloy Fund. Lawton, a geologist and author of Reading Water: Lessons from the River, will receive a $1,000 grant for her current project, Oil and Water.

Donna Lee won the Seventh Annual Gival Press Poetry Award for her manuscript On the Altar of Greece, to be published by Gival Press in fall 2006.

Leila Hadley Luce was awarded an honorary Doctor of Humane Letters from Mount Saint Mary College in Newburgh, NY, on May 20.

Megan Marshall was awarded the 2006 Mark Lynton History Prize for The Peabody Sisters: Three Women Who Ignited American Romanticism. The book is one of three J. Anthony Lukas Prize Project Awards for non-fiction, and carries a prize of $10,000.

Barbara Novack has been named Writer-in-Residence at Molloy College in Rockville Centre, NY, where she has created a Poetry Events series, featuring poets from Long Island.

Katherine Hall Page was the guest of honor at the Malice Domestic XVIII convention, held April 21–26, 2006, in Arlington, VA. Her book, The Body in the
Snowdrift, received the Agatha Award for Best Novel. Page is the only author who has been awarded Agatha Awards in three categories: Best First Novel, Best Novel, and Best Short Story. Margaret Maron, author of Rituals of the Season, was a runner-up and Carl Haasen won for Best Children/Young Adult Fiction for Flush.

Lonesome Road, a novel by Martha Bennett Stiles, was the Kentucky Educational Television Book Club selection for May 2006.

"Pecker's Revenge," the title story from Lori Van Pelt's Pecker's Revenge and Other Stories from the Frontier's Edge, won the Western Writers of America Spur Award for Best Short Fiction.

Stony Brook University honored Richard Vetere, playwright, poet, novelist, film and television writer, and actor, at a ceremony marking the dedication of the Richard Vetere Collection at the Stony Brook University Library May 2.

The Arkansas Historical Association presented its Walter L. Brown Award for Best Biography, Autobiography, or Memoir in an Arkansas Historical Journal to Melanie Wiggins for her article "Winslow, a Rustic Resort."

BOOKS BY MEMBERS


Meg Cabot: Queen of Babble; Julia Cameron: Floor Sample: A Creative Memoir; Elisa Carbone: Blood on the River: James Town 1607; Jacqueline Carey: Kushiel's Scion; Dennis Carr and Elisa Carr: Welcome to Wahoo; Alden R. Carter: Love, Football, and Other Contact Sports; Jerome Charyn: Raised by Wolves: The Turbulent Art and Times of Quentin Tarantino; Randy Sue Coburn: Owl Island; Rachel Cohn (and David Levithan): Nick and Norah's Infinite Playlist; Elisha Cooper: Bouch; Susan Cooper: Victory;


Ian Falconer: Olivia Forms a Band; David Feige: Indefensible: One Lawyer's Journey Into the Inferno of American Justice; Peggy Fielding: Giving Up Pantyhose; Carla Fine and Michael F. Myers: Touched by Suicide: Hope and Healing After Loss; Sandi Frank: Indexing: B. H. Friedman: Tripping; Laura Furman (Ed.): The O. Henry Prize Stories 2006; Alan Furst: The Foreign Correspondent;

Jack Gantos: Love Curse of the Rumbozths; Nancy Garden: Endgame;


Jane Harrington: Four Things My Geeky-Jock-of-a-Best-Friend Must Do in Europe; Cecil Harris: Breaking the Ice; Call the Yankees My Daddy; E. Lynn Harris: I Say a Little Prayer; Juanita Havik: I Heard It from Alice Zucchini: Poems About the Garden; Thomas A. Heinz: Frank Lloyd Wright Field Guide; Katherine Atwell Herbert: The Perfect Screenplay: Writing It and Selling It; Will Hobbs: Crossing the Wire; Peter Charles Hofer: Seven Fires: The Urban Infernos That Reshaped America; Jennifer L. Holm: Babymouse: Beach Babe; Cathy Holton: Revenge of the Kudzu

Authors Guild Bulletin 39 Summer 2006
Debutantes: Cheryl Willis Hudson: Construction Zone;
Chippy Irvine: Shades of Country;
Richard W. Jennings: Orwell’s Luck;
Marilyn Johnson: The Dead Beat: Lost Souls, Lucky Stiffs and the Perverse Pleasures of Obituaries; Stephen Johnson: Tour America; Sebastian Junger: A Death in Belmont;
Ashley Kahn: The House That Trane Built: The Story of Impulse Records;
William Lashner: Marked Man: Julius Lester: Time’s Memory; Wendy Cheyette Lewis: Two Is for Twins; Gloria Lintermans: The Healing Power of Grief: The Healing Power of Love; Janet Taylor Lisle: Black Duck; Peter Lourie: First Dive to Shark Dive; Hidden World of the Aztec; Lois Lowry: Gossamer; Deb Lund: All Aboard the Dinotrains; Gayle Lynds: The Last Spymaster;
David Milgrim: Time to Get Up, Time to Go; Dan Millman: The Journeys of Socrates; Claudia Mills: Trading Places; Jacquelyn Mitchard: Cage of Stars; Anna Monardo: Falling in Love with Natasha; Mark Monmonier: From Squaw Tit to Whorehouse Meadow: How Maps Name, Claim, and Inflame; Alison Moore: The Middle of Elsewhere; Lillian Morrison: Guess Again!: Riddle Poems; Donna Jo Napoli: Ugly: Fire in the Hills; Donna Jo Napoli (and Eva Furrrow): Bobby the Bold; Donna Jo Napoli (and Robert Furrrow): Sly the Sleuth and the Food Mysteries; Phyllis Reynolds Naylor: Simply Sarah: Cuckoo Feathers; Takayo Noda: Song of the Flowers; Han Nolan: A Summer of Kings;
Lee Raskin: James Dean: At Speed; Luann Rice: Sandcastles; Cynthia Riggs: Indian Pipes; Colby Rodowsky: That Fernhill Summer; Elizabeth Rosner: Blue Nude; Babette Rothschild: Help for the Helper: The Psychophysiology of Compassion Fatigue and Vicarious Trauma;
Stephanie S. Tolan: Listen!; Jerome Tuccille: Heretic: Confessions of an Ex-Catholic Rebel; Anne Tyler: Digging to America;
John Updike: Terrorist;
Rachel Vail: You, Maybe: The Profound Asymmetry of Love in High School; Victor Villasenor: The Stranger and the Red Rooster/El Forastero y el Gallo Rojo; E. J. Wagner: The Science of Sherlock Holmes; Marissa Walsh (Ed.): Not Like I’m Jealous or Anything (The Jealousy Book); Katharine Weber: Triangle; Rosemary Wells: Max’s ABC; Richard S. Wheeler: The Fire Arrow; Melanie Wiggins: Fatal Ascent: HMS Seal, 1940; Rita Williams: If the Creek Don’t Rise: My Life Out West with the Last Black Widow of the Civil War; Sean Wilsey: The Thinking Fan’s Guide to the World Cup; Jeanette Winter: Mama: a TRUE story, in which a BABY HIPPO loses his MAMA during a TSUNAMI, but finds a new home, and a new MAMA; Jill Winters: Little Ricky; Elizabeth Winthrop: Counting on Grace; William Wise: Zany Zoo;
Jane Yolen: Dinny Duck; Jane Yolen (Ed.): This Little Piggy: and Other Rhymes to Sing and Play;
Jane Breskin Zalben: Paths to Peace: People Who Changed the World; Harriet Ziefert: Bigger Than Daddy; Me! Me! ABC; Mark Richard Zubro: Everyone’s Dead But Us.
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There are a number of ways Guild members can make an estate commitment, including naming the Authors Guild or Authors Guild Foundation in your will or naming either organization as a beneficiary of your retirement plan or life insurance policy. Planned giving commitments will assure that the Guild’s vital role in advocating for fair compensation, copyright protection and free expression will be undiminished through good times and bad.

For more information on the benefits of The Authors Legacy Society and how to make an estate commitment, or simply to let us know that you have already done so, please contact Julia Berney, Director of Development, 212-594-7931, or write her at the Guild offices at 31 East 32nd Street, 7th Floor, New York, NY 10016 or jberney@authorsguild.org.
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The 8,900 members of The Authors Guild are automatically members of The Authors League of America, which forms a family with its two component organizations—The Dramatists Guild and The Authors Guild. Each corporation has its own province. The two Guilds protect and promote the professional interests of their members. Both Guilds act together through the League on matters of joint concern to over 13,000 authors and playwrights: copyright protection, taxation, legislation, freedom of expression.

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From the President
Continued from page 4

some, when it came to politics and free speech, but it's hard to imagine him doing oral or visual justice to lines like that. When he studied at Christ's College, his demeanor was such that other students sneered at him as "the Lady of Christ's." When he went on a tour it was to see Europe, not to let people in Cleveland see him.

Excuse me. My screen started urgently flashing the signal that a new e-mail had come in. I stopped writing to see whether, just by chance, this might be some small bit of inspiration arriving. But no. It was a message from Amazon.com urging me to take advantage of a bargain in Stride-Rite shoes.

Milton didn't have those distractions. While I was deleting that solicitation (and in the process somehow activating that damned little spinning-pizza thing—I hate that thing), Milton would have been setting a line and a half of heroic pentameter, in stone. But even if he had had e-mail, I'll bet he wouldn't have jumped to check it out every five minutes. And if he were with us today, and the person sitting next to him on a 6:45 flight to Memphis were to ask him what sort of things he wrote, I like to think Milton's answer would be, "Miltonic." ✪
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What is your primary reason for joining? ☐ Support and advocacy efforts ☐ Legal services ☐ Health insurance
☐ Site-builder and other Web services ☐ Other __________________________

Writers may qualify on the basis of being book authors or freelance journalists. Book authors must have been published by an established American publisher. A writer who has a contract with an established publisher for a work not yet published may join as an associate member. A contract with a vanity press does not qualify a writer for membership in the Guild. Freelance journalists must have published three works, fiction or nonfiction, in a periodical of general circulation within the last eighteen months.

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