

CROSS CURRENTS

Out of the blue, the proprietors of the Permanent Press received a phone call from William Novak, coauthor of *Jacocca*. Novak introduced himself, said he had just read Tom Friedmann's *Damaged Goods* and made an offer the press could not refuse. Subsequently, 35 influential people, suggested by Novak, received review copies and a letter. It happens that Novak, when he was editing *Response*, had first read the novel in manuscript late one night in 1971. "A few minutes after midnight I grabbed the phone," Novak wrote in his letter. "I didn't like the idea of waking Friedmann up, but I was so excited by his novel I couldn't wait to tell him. And now, 14 years later, long after I lost touch with Tom Friedmann and his unpublished novel, *Damaged Goods* has just arrived in the mail and to my delight, I am just as pleased with it now as I was then. And because the Permanent Press is not Random House or Doubleday, which means that this novel may not get the attention it deserves, I have asked the publisher to send you a copy. . . . If you share my high opinion of it, I hope you'll pass on your copy, talk about the book and, above all, do your best to get it reviewed."

Other unsolicited praise from an author, however, has resulted in a bit of frustration. On the front page of the Christmas books issue of London's *Sunday Times Review*, Saul Bellow wrote: "I was deeply impressed with Primo Levi's *The Periodic Table* (published in America by Schocken), and sincerely hope it will be widely read. One likes to spread the good word among people who know what a book should be." "As yet," added the *Times* editor, "it has no British publisher."

Erskine Caldwell and Norman Mailer were elected to the 50-member American Academy of Arts and Letters. Caldwell inherits the chair held by Lillian Hellman and Mailer that of Tennessee Williams.

After 117 years, *The World Almanac and Book of Facts* made the *New York Times* bestseller list in the category of Advice, How-To and Miscellaneous. The 1985 edition has 1,760,104 copies in print.

When Richard Wentz, the owner of the Little Professor Book Center in Wilmington, N.C., successfully challenged the city's blue laws that prohibited bookstores from opening on Sundays (*PW*, Dec. 7, 1984), he thought his troubles were over. But late last month he was frisked, handcuffed and taken to jail (where he spent an hour and where he had trouble dialing his lawyer in handcuffs) because he did not appear for trial on his blue-law violation. Seems the powers that be had neglected to tell the police that the blue laws had been abolished and the case against Wentz dismissed.

At the Morrow December sales conference, John Irving read passages from *The Cider House Rules* for the sales staff and guests from Baker & Taylor and Book-of-the-Month Club. A reception followed at which wine, cheese—and cider—were served.

Eudora Welty is the recipient of the fifth annual Common Wealth Award for distinguished service in literature. The award, a direct grant of \$23,500, was announced by the Modern Language Association.

Ex-Agent Faces Court Order in Libel Suit

A federal judge has issued an order in the \$120 million libel suit brought by a former CIA agent against publisher Lawrence Hill that could discourage similar suits against those who write and publish books critical of the intelligence establishment.

The book in question is *Death in Washington*. Former agent David Atlee Phillips brought two libel suits, since consolidated, in 1981 against the West-

port, Conn., publisher and the authors, Donald Freed and Fred Landis.

Death in Washington charges that Phillips orchestrated a coverup of the fact that Chilean diplomat Orlando Letelier, who was killed by a bomb explosion in his car in Washington, D.C., in 1976, was assassinated by agents of the ruling junta in Chile that the CIA had helped to install and that Phillips worked to obstruct the FBI and police investigations of the assassination.

During the interrogatory period of the four-year-old suit, according to

Melvin Wulf of the New York firm of Beldock Levine & Hoffman, lawyer for the authors, "160 critical questions" designed to establish relevant facts about the case were submitted to Phillips. Because Phillips had signed an agreement on joining the CIA not to reveal classified information, he refused to reply to the interrogatories, claiming the privilege against self-incrimination since violating his secrecy oath would be a crime.

In addition, Wulf said, attorneys for the U. S. government were present during the taking of depositions and they instructed Phillips not to answer on the grounds that responding would be a breach of national security.

Judge Thomas Penfield Jackson, of the U.S. District Court for the District of Columbia, on November 20 denied the motion by the authors and publisher to dismiss the case. But he granted the "motion to compel" Phillips to answer certain questions. In view of Phillips's "failure, whether through unwillingness or inability" to comply with the order, Judge Jackson ruled that the following five facts would be taken as established and that the jury in the case, which is expected to be tried in several months, would be so instructed:

"1. That plaintiff had relationships with journalists during his career with the Central Intelligence Agency, and during his CIA service he specialized in propaganda and the planting of false information in the media;

"2. That, during plaintiff's CIA career, there were regular contacts between the CIA and DINA, the Chilean secret police agency;

"3. That plaintiff knew and worked with DINA personnel during his CIA service;

"4. That, during plaintiff's CIA career, the CIA had a working relationship with DINA personnel; and

"5. That plaintiff had both a motive for assisting, and the means to do so, in the concealment of any complicity of DINA personnel in the murder of the Chilean diplomat, Orlando Letelier, in September 1976."

In a release announcing Judge Jackson's order, publisher Lawrence Hill said: "This ruling seems to strike at the underpinnings of Phillips's libel case. It now remains to be seen whether or not Phillips will continue to press the case."

Phillips's attorney, James J. Bierbower of Washington, D.C., declined to say whether his client would press the case. "I think I'd better stay out of this because I am always concerned when one side starts sending out press releases to drum up publicity," Bierbower said. He would say only that "The lawsuit has been pressed ever since it was filed."

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