

By [WILLIAM GRIMES](#)

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Brooks Thomas, who led Harper & Row Publishers during a period of turmoil and consolidation in the publishing industry and who was its chief executive when it was acquired by [Rupert Murdoch](#)'s [News Corporation](#) in 1987, died Friday in San Diego. He was 78 and lived in Manhattan; Essex, Conn.; and Vail, Colo.

The cause was complications of a brain injury after a fall several weeks ago, Sari Roboff, a friend, said.

Mr. Thomas, a lawyer, joined Harper & Row in 1968 and at one point, in 1986 and 1987, held the titles of president, chief executive and chairman. It was a chaotic time for independent publishers, as large multinational companies went on acquisition sprees, swallowing up smaller publishers, and many independent firms became units of media giants.

Such was the case with Harper & Row, a nearly 200-year-old company that once published [Mark Twain](#). After acquiring J. B. Lippincott and other properties, it became the object of a bidding war begun by a shareholder. Harcourt Brace Jovanovich entered its own bid, but Mr. Murdoch took the prize with an offer of \$300 million.

In the executive shuffle that followed, Mr. Thomas found himself out of a job.

Benjamin Brooks Thomas was born on Nov. 28, 1931, in Philadelphia. He earned a bachelor's degree from Yale in 1953. After receiving his law degree from Yale in 1956, he enlisted in the [United States Navy](#), where he served as an air intelligence officer aboard the aircraft carrier Essex.

In 1960 he joined the Manhattan law firm Winthrop, Stimson, Putnam & Roberts, which he left in 1968 to become secretary and general counsel at Harper & Row, a client. "I felt if I stayed in a law firm I'd spend my life knowing more and more about less and less," he later said.

His first marriage ended in divorce. He is survived by his wife, Kiono Tucciarone.

At Harper & Row, Mr. Thomas rose rapidly through the ranks, becoming a vice president after a year, chief operating officer in 1977, president in 1979 and chief executive in 1981.

In 1978, when The Minneapolis Star and Tribune announced that it planned to sell its one-third stake in Harper & Row, Mr. Thomas devised a plan to keep the company independent. He dissolved Harper & Row's pension plan, used the money to buy back the Minneapolis shares and gave the stock to employees as their pension benefits for the next five years. It was a lucrative deal for employees that became even better when the company was sold to the News Corporation.

In 1979, Mr. Thomas took an aggressive legal stand against The Nation when it published excerpts from President [Gerald R. Ford](#)'s forthcoming memoir, "A Time to Heal," from Harper & Row. Mr. Thomas filed suit against the magazine, and the case reached the [Supreme Court](#).

"The Nation claims it was publishing news, but there is an interface between what is news and what is protected material," Mr. Thomas said when the suit was filed. "We want to see that adjudicated. We believe that even a public person like Gerald Ford has rights."

In 1985 the court ruled, 6 to 3, against The Nation, stating that its 300-word excerpt from the memoir violated fair use as intended in copyright law, despite Ford's status as a public figure and the public interest in his pardon of President [Richard M. Nixon](#), the subject of The Nation's article.

After leaving Harper & Row, Mr. Thomas devoted himself to several charities, notably Outward Bound, the educational organization that promotes self-discovery in the outdoors. He became a trustee of Outward Bound U.S.A. in 1980, serving as its chairman from 1984 to 1987. He was a trustee of Outward Bound International from 1997 to 2003, and in 2000 he became a trustee of Outward Bound's Expeditionary Learning Schools.

At his death, he was on his way to San Francisco to attend an Outward Bound board meeting.

He was also active in Young Audiences, a national organization that provides arts programs to schools, and chairman of the Vail Valley Institute, which holds seminars on public issues.