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The Case of Mark Lane: Judging by Enemies

THIS BEGINS WITH an outdoor rally on the campus of a college and a vague remembrance of the man himself being there. The buildings were stone-faced and dripping ivy and you would think you were in the country, maybe New England, only off in the distance you could hear the rumble of the subway and the faint roar of street traffic and above that the strong, insistent voice of the speaker. This was a rally for Mark Lane, our hero. You have to understand. In those days we judged men by their enemies.

This was the old Mark Lane. This was before he became the lawyer for Lee Harvey Oswald's mother and before he lambasted the Warren Commission and before he became the lawyer for James Earl Ray and then, briefly, for Ray's brother. It was before—way before—he went down to Guyana for his client, the Rev. Jim Jones, saved some lives, including his own, and surfaced, once again, saying things that made your heart stop from shock. Mark Lane says he knew of the suicide rehearsals. Check that, Mark Lane said later he did not know. This is quintessential Mark Lane.

Back at the time of the campus rally, though, Mark Lane was a good guy, a member of the New York State legislature. He had all the proper enemies—Tammany Hall, Nelson Rockefeller, the Republican and Democratic leaderships of the state legislature. As politicians go, he was a hot ticket and then he simply dropped out of sight. Somebody put out a contract on him. He got his character assassinated, if you can put it that way. Anyway you want to put it, they did a job on Mark Lane.

COHEN, From B1

What they did was circulate pictures of a man having sex—perverted sex. They, whoever "they" may be, said it was Lane, although the pictures were so blurry there was no way to tell. Lane has always said it was not him. To an extent, it doesn't matter, because the people who got the pictures were told it was Lane and many of them believed it was Lane and for years afterward, when you asked someone what happened to Mark Lane they would tell you about the pictures and maybe slip you a look. It was gamey stuff and, whether for that reason or for other reasons, Lane floundered in politics. When next he surfaced, he was the lawyer for Lee Harvey Oswald's mother, and then, a bit later, the full-time no holds-barred critic of the Warren Commission.

When Lane went national, touring the country with his one-man show denouncing the Warren Commission's methodology and conclusions, so too, did the pictures. What had once been a little local effort at filthy politics suddenly got elevated. The pictures and some other personal documents allegedly relating to Lane were provided to key members of the Warren Commission. Sources familiar with how this was done say both the FBI

and the White House cooperated in this effort. The pictures also were supplied to members of the press and certain publications.

Now the interesting thing is that this was done to discredit Lane, who at the time was alleging a conspiracy between, among others, the White House, key members of Congress, the FBI, the CIA, the Dallas police, the media and, probably, the mafia. The mafia is always included in these things. Lane, of course, was referring to the Kennedy assassination and not to himself. Had he talked about himself, he would have been right. Just the sort of conspiracy he concocted did exist when it came to himself.

At the time, not one newspaper, for instance, reported this attempt by the government to discredit a critic by smearing him. Not one politician called either the FBI or the White House publicly to task and not one member of the Warren Commission yelled bloody murder at what the government was doing to a private citizen. Just for the

sake of perspective, it should be remembered that about the same sort of thing was then being done to Martin Luther King. Your government is an equal opportunity garbage peddler.

All of this, obviously, was a disgraceful violation of Lane's rights, but having said that you also have to say that what is so much worse in Lane's case is that the government legitimized him. It gave credence to what he had always been saying and it enabled him to portray himself as a victim. It attested to his bona fides, enhanced his credibility. What the government did was give Lane the modern day equivalent of the old dueling scar. It was better than an appearance before HUAC. You cannot question his standing.

On the political left, this sort of thing is worth its weight in gold, the thinking being that any enemy of the government has got to be all right. It's the old business of judging a man by his enemies and it led in the Lane case to a suspension of critical faculties, a sort of open door policy for him when everyone should have been screaming bloody murder. It's the sort of thing we thought years ago at that rally for Lane. It's a kind of reverse McCarthyism.

Innocence by association.