

During the days of the Dies committee when Donner was a lawyer on the staff of the CIO and represented some of their members against who there were charges he borrowed some of my Dies files - and never returned them.

Mr. Frank Donner
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South Norwalk, Conn. 06854

Rt. 12, Frederick, Md. 21701
5/22/78

Dear Frank,

A copy of your Civil Liberties Review commentary on Lane's Code Name Tere has just reached me. I read the beginning with considerable respect, only to reach the end and find that in your casting of notes you could not purge your own eye.

You list Books About the King Assassination and you limit yourself to the sycophantic. This is not because you were unaware of the only one that is not in accord with the official explanation. In reading Lane's you read what he ripped off and then corrupted, my work as his source.

The record of the ACLU in general and liberal types in particular is no credit to the beliefs espoused. When I approached the ACLU for FOIA help in 1966 I never got a response. Then, when from nothing the ACLU had done EOIA was alive and well and when the subject of assassinations husted up lol there was the ACLU to file suits for no other than Lane. And what suits! For what was readily available and had been published.

Your sermon from this mount debased the intellect and abandons respectable legal concepts. Whether or not any crime is a conspiracy is a question of fact, not of the opinion of well-paid whores. If you want the FBI's records relating to how it inspired and/or intended to inspire and nurture - even arrange - the books you praise, just ask.

If any of the assassinations was beyond the capability of a single person then you well know that there was a conspiracy. So you avoid any evidence and stake your integrity on the Bishops and McMillans and Franks of literary whoredom. In this you are totally contemptuous of evidence. You make no single reference to ~~it~~.it.

You never heard of a corpus delicti? You can write as you have without a single reference to the Ray habeas corpus, the precedent (under Marria v Nelson) established in it? You know nothing of two weeks of evidentiary hearing in October 1974 and the evidence adduced and subjected to cross examination?

The thought may not please you but I assure you that this unbecoming, unnecessary and irrelevant addition to an otherwise excellent job is precisely the kind of think the spook/police-state mind plotted endlessly to accomplish. My files bulge with the virtually identical schemings of the CIA and the FBI.

What in the world drives decent people like you to such self-defamation, to such debasement of the mind? Are you hung up over Johnson's tixx wiliness in putting the hat on Warren? On your own abdications in times of crisis?

Lane's book is even worse than you say. But I lament the fact that your own writing comes straight from the files of the FBI, almost exactly in the words of Cartha DeLoach, T.E. Bishop and many others, including the Founding Director himself.

In looking for your address I found my letter of 9/10/75. (Shortly after that I was hospitalized with acute thrombophlebitis in both legs and thighs. The damage is irreversible and has been followed by arterial impairment.) I find that I offered to be of help to you and that I suggested ways in which what I was doing could be helped. I offered to meet with you and to introduce you to the lawyer who was then handling my FOIA cases. He also handled the Ray evidentiary hearing. I find also that you knew how to reach me. So in addition to knowing about my work on the King assassination and in true ACLU tradition suppressing it in your review you also knew how you could have learned more about what was relevant in your writing. Instead you were dishonest and fell in step with the J. Edgar Hoover's of our society. I'm sorry,

Harold Weisberg

Reviews

WHY ISN'T THE TRUTH BAD ENOUGH?

Frank Donner

CODE NAME "ZORRO":
THE MURDER OF MARTIN
LUTHER KING, JR.
Mark Lane and Dick Gregory
Englewood Cliffs, N.J.: Prentice Hall, Inc., 1977
313 pages, \$9.95

This offering by the prominent assassinologist Mark Lane and comedian-activist Dick Gregory explores the 1968 murder in Memphis of Dr. Martin Luther King, Jr. Gregory, who was King's friend, contributes eight well-written, enlightening chapters about King and his Southern Christian Leadership Conference (SCLC) associates. Lane's contribution—dealing with the murder itself—is a medley of distortions and weird inferences whirling around the axis of a self-preening investigation. The book's very title is a hype: Lane has blithely converted the code word "Zorro," a characterization of Martin Luther King, Jr. used by FBI field agents in their well-known harassments of

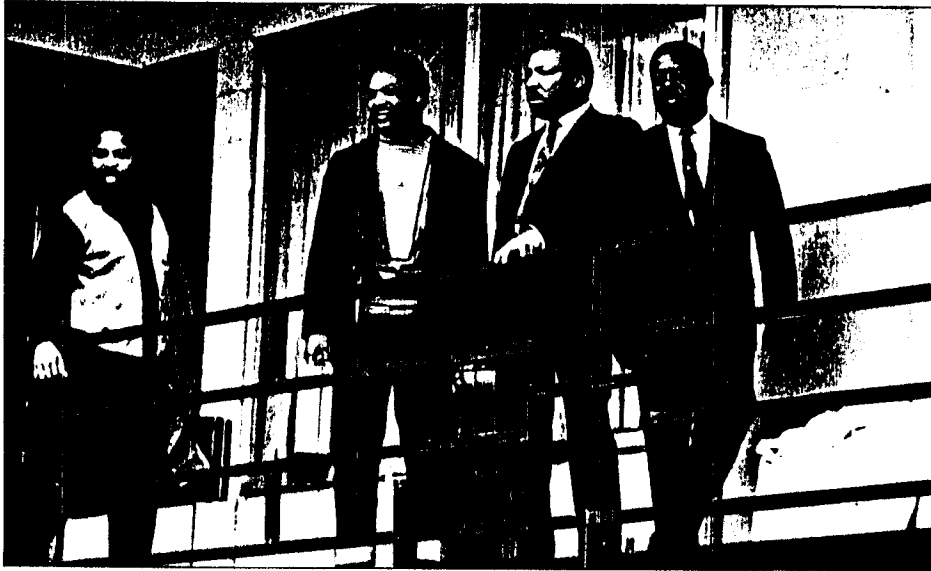
King, into an assassination plot with a formally adopted code name.

That FBI Director J. Edgar Hoover pursued King in a vicious vendetta, that the bureau went to extraordinary lengths to do him injury, no longer needs to be argued. As the Church Committee revealed, the director himself approved an attempt to disrupt King's marriage by mailing to Coretta King a tape recording of his allegedly compromising hotel-room utterances along with a letter inviting the black leader to commit suicide. As early as January 1964, FBI intelligence chief William C. Sullivan submitted a proposal to "knock King off his pedestal." And in March 1968, exactly one month before King's murder, the bureau launched an aggressive program intended, among other objectives, to "prevent the rise of a black messiah"—specifically to replace King with a civil rights leader more acceptable to the FBI. But hostility, even when implemented in cruel and stupid ways, can not substitute for evidence.

Lane argues that after disorders broke out in Memphis on March 28th, 1968, in connection with the King-led demonstration supporting

Frank Donner, a frequent contributor to *CLR*, is a civil liberties lawyer of long standing. His award-winning articles on government secrecy and surveillance have appeared in *The Nation*, *Harper's*, *Playboy*, and *The New York Review of Books*. He is currently completing a study of domestic political surveillance to be published by Knopf, and, along with the staff of *The Civil Liberties Review*, compiling a study of urban police "red squads" which will appear in a future issue of *CLR*.

The reviewer is indebted to Laughlin McDonald, director of the ACLU Foundation's Southern Regional Office, for research assistance in preparing this review.



Wick World

The day before his assassination, Dr. Martin Luther King, Jr. was photographed on the balcony of the Lorraine Motel, standing at approximately the same spot where he was killed.

striking sanitation workers, the FBI launched a plot to lure King back to Memphis from his Atlanta base where he had returned after the demonstration. The FBI thus set him up for his murder—committed by still unknown accomplices in some unexplained way—of which James Earl Ray was subsequently unjustly convicted. In Lane's scenario, the plot was triggered by FBI informers and provocateurs, who along with agents of the local police, were instructed to engage in violence.

In Act II a bureau memorandum plays the principal role. Written by the agency's Crime Records Division on March 28, the day of the demonstration, this document approved a press release for blind dissemination to "cooperative news media" pointing to the violence in Memphis in an attempt to discredit King's pledge that the Poor People's Campaign, planned for April 20th, would be nonviolent.

Lane has superimposed his thesis—a bureau plot to engineer King's return to Mem-

phis—on facts which hardly support it. The March 28th memo was simply part of an ongoing attack begun by the Crime Records Division in January when the Washington Spring Project, as the Poor People's Campaign was then called, was announced. Columnists and editorial writers, quite independently, had already expressed fears about the projected Washington encampment. When the March 28th violence in Memphis erupted, it was hardly necessary for the bureau to point to it as a portent of future violence. The inference that the bureau flushed out a hidden connection between the two events is supported by nothing more than a single phrase—"dress rehearsal"—which appeared in both a Memphis newspaper and the FBI's blind press item.

In any event, the notion that press reports, whether inspired by the bureau or not, induced a reluctant King to return to Memphis is absurd. A stream of wire service stories beginning on the afternoon of March 28th, immediately after the demonstration, reported that King and the SCLC leadership decided without external nudging that a second march,

this time peaceful, was a tactical necessity to neutralize criticism of the April action in Washington.

According to Lane, the bureau's plot thickened with a March 29th Crime Records Division follow-up item attacking King for having taken refuge on the previous day in the white-owned Rivermont Hotel instead of the Lorraine Motel, owned and patronized exclusively by blacks. Here the theory is that King would have stayed in a hotel other than the Lorraine when he returned to Memphis on April 3rd had he not been shamed by the bureau story. Once again, the argument shrieks, "*post hoc, post hoc.*" And here the proof of the "*hoc*"—the dissemination of the bureau's story—is even flimsier. Lane cites an undated Memphis paper to prove his point, and he offers up the hearsay observation of local reporters about King's "posh" quarters at the Rivermont. One of the reporters is said to recall that King had previously stayed at the Rivermont Hotel and never at the Lorraine.

Lane snorts at the conclusion of a Church Committee staffer that Dr. King "always stayed at the Lorraine" when he visited Memphis because the conclusion was based on the assertion of the FBI and "one other person." But this mysterious "one other person" is none other than Rev. Bernard Lee, King's closest aide, now Executive Vice President of SCLC. And, in a January 1976 interview then Congressman, now UN Ambassador, Andrew Young, insisted that the bureau's claimed Pied Piper role in placing King's party at the Lorraine was a "false lead." Young should have known—he set up the King headquarters at the Lorraine following the decision made by the SCLC in Atlanta to return to Memphis the week following the March 28th disorders. Young explained that the Lorraine was a "natural" choice, in line with the King party's unvarying practice of lodging in black-owned hotels. King had not chosen the Rivermont; he was escorted by the police to the downtown hostelry when the violence broke out on the 28th.

But there is more: King stayed at the Lorraine on March 18th when he visited Memphis, a fact suppressed by investigative reporter Lane. Instead of cobbling charges from the recollections of third parties, why didn't Lane take the trouble to consult hotel registers? He reprints a speech by Senator Robert Byrd of dubious relevance in an appendix to this book as though it were a find more precious than the Dead Sea Scrolls, but not a scrap of documentation in support of his rickety case appears.

If Lane fails to persuade the reader of the veracity of his charges, however, he has no difficulty whatsoever in convincing himself. He concludes: "The FBI memoranda [i.e. the March 28th and 29th documents] had accomplished their tasks. Dr. King had returned to Memphis to lead a nonviolent march . . . he was compelled to do so, at least partially, due to the FBI memorandum of March 28 and the wide circulation given to that memorandum, at first in Memphis, and then throughout the country." While still gagging, the reader is offered a chaser: "The FBI had prevailed. [Over whom? Over what?] Dr. King was to return not just to Memphis but to the Lorraine Motel." Never has so little been used to prove so much. But, on with the hunt.

The core of Lane's case involves a black Memphis police detective named Ed Redditt, who, according to Lane, was removed from his "security" post at Fire Station No. 2 overlooking the Lorraine Motel two hours before the assassination. The purpose of this move, Lane charges, was to eliminate a potential witness to the planned assassination and, more importantly, to facilitate the assassin's escape. This sinister purpose is underlined by the fact that Redditt was relieved on orders from Frank Holloman, Director of the Memphis Police and Fire Departments. And who was Frank Holloman? Hold on to your hats: He had been a bureau agent for about 25 years.

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Holloman's order relieving Redditt is considered such devastating evidence in support of Lane's thesis that Lane introduces the Memphis detective in promotional press conferences as Exhibit A.

The Redditt business is a banquet of Lavery. One would never learn from Lane's slanted account that the black detective was a member not of a security unit charged with King's protection, but of the Memphis Internal Security Division on a surveillance assignment. The difference between these modes of police work are not obscure. Security involves an ongoing relationship of trust and cooperation between the security officer and the subject. Surveillance is adversarial, typically involving a concealed scrutiny of the target, his visitors and associates.

As anyone familiar with these practices knows, security is frequently a cover for surveillance. ["Don't get excited," the officer says, "I am only here to protect you."] This is not to say that a surveilling police officer would ignore law violations committed in his presence, but such violations would have to be sufficiently serious to warrant sacrificing his cover and possibly jeopardizing his own safety. Redditt was scorned and resented by all segments of the black community as a "snitch." Early in the sanitationmen's strike, his presence, disguised in working clothes, was resentfully noted at a strikers' meeting. Indeed, he was asked to leave a public meeting of the strikers on the evening of April 3rd, immediately prior to the assassination. And when King arrived at the airport on the morning of April 3rd, Redditt's life was threatened by a member of the greeting party because of his spy role. A second, more generalized threat came from another King supporter later in the day in the courtyard of the Lorraine Motel.

Holloman told Redditt that he was pulling him off the detail at the fire station because of a report that Redditt's life had been threatened. Lane, of course, insists that this was a pretext, but given the strong feeling about Redditt, it seems plausible. However, Lane deserves credit for consistency: He again disdains to support his thesis with evidence. Nor does he bother to deal with a number of troubling difficulties. For example, if Redditt was so vital a link in King's security, why did the putative bureau instrument of the plot, Holloman, assign him to the fire station in the first place and then invite suspicion by removing him at the last minute?

Redditt worked with a partner—standard police practice—Officer W. B. Richmond, also black. If Redditt was removed as part of a cover-up rather than out of concern for his physical safety, why was Richmond permitted to remain at the same post?

Indeed, it was Richmond who telephoned Memphis Police headquarters from the fire station when the fatal shot was fired. And, as if this were not sufficient, what is to be made of the fact that the Lorraine Motel area was monitored quite intensively by numerous police vehicles, both tactical police units under security assignments and conventional two-man law enforcement units. If Holloman removed the stationary surveillance in an assassination plot, why did he neglect the moving units?

But, dear reader, don't leave me now. Lane has still another card to play. The plot to strip King of security, he suggests, also explains the transfer of two firemen on the night of April 3rd, the only blacks posted to Fire Station No. 2. Here there is no question that a manpower

justification for transferring the firemen was a pretext. Both firemen were sympathetic to King and the strikers, and one of them had been present at the Masonic Temple meeting on April 3rd which Redditt was asked to leave. Lane prefers to believe that they were transferred to further "strip away" King's security. But, a far more plausible explanation, which Lane does not even bother to explore, is that their presence was an embarrassment, a threat to the "security"—the genuine article and not Lane's invented version—of Redditt and Richmond. The two surveillants had rigged up a scotch-taped mask over a glass firehouse station door to shield them from external detection with a small opening for binocular observation of the King party. After taking such cover precautions, it would make no sense to expose them from the inside to the view of the two King supporters.

Lane crowns his case for FBI complicity with such epiphanies as the rejoicing of an Atlanta field agent over the news of the assassination and an interview with Chief Holloman which yields little more enlightenment than the fact that Lane and a friend induced Holloman to speak into their tape recorder. We are also told that the very FBI group—the "Get King Squad"—assigned to destroy King was charged with investigating the assassination. As Lane ought to know, this is false: The Memphis field office—not Atlanta where the "Get King Squad" was based—ran the investigation. In the end, Lane's polemic bias, echoing in so many ways the FBI's own persistent abuse of fact and logic in pursuit of subversion, is not only repellent but counterproductive. Far from inviting further inquiry into his charges, his treatment only discredits the accuser. Lane's remaining chapters on the murder itself scrimmage angrily with history, common sense and the conclusions of writers and investigators who insist that Ray alone was responsible for the murder (a listing of some relevant works on this topic follows this review).

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Reporters and writers who have almost uniformly reached the conclusion that Ray acted alone, have been, I believe, a frustrated lot. They all launched their investigations and research in quest of a conspiracy. In our time, the expose, the dramatic demonstration that things are not what they seem but manipulated to conceal reality, has a ready market. The assumption, even the expectation, of a hidden conspiracy, has strongly influenced our perception of crimes against public figures. Moreover, as David Brion Davis and others have persuasively argued, the obsession with conspiracy is deeply rooted in our political culture. But for all this encouraging climate and the rewards which it promises, credible evidence for a conspiracy, at least insofar as King's assassination is concerned, is simply nonexistent.

Our conspiracy mania is destructive in another respect as well. The lone assassin, however conclusive the evidence of guilt, becomes mythicized as the victim or the tool of a larger force. We demand to know who, or who else, really did it, crowding out the more challenging question, why? A period of distrust of government like the present strengthens the conspiracy response to the point where an official investigative conclusion or a judicial verdict is perceived as proof of coverup complicity in the crime. Even a guilty plea, as in Ray's case, manages to become fuel for the conspiracy flames.

One would hardly guess from Lane's myth-protective treatment of the King assassination that James Earl Ray's inner life was a sty of bigotry—produced not by social interaction with blacks but by a far more bestial mode derived from our *Volkskultur*. A core obsession with racism festered and ultimately poisoned Ray's entire being in the prisons where he spent most of his adult life. Ray's racism is reflected in his admiration for the Nazi movement and hopes for its resurgence. His passionate hatred of blacks crested in his repeated threats while in jail during the mid-1960s to

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kill Dr. King when he got out of jail and to escape to Rhodesia. And add one last strand to this fabric of pathology: a hunger for fame. Lane prefers to traduce those who point to such explanations, to assault them and their sources with a horrifying verbal thuggery as concealed agents of the conspiracy, living proof of its power.

"Impartiality," wrote the historian Salvemini, "is a dream. Honesty is a duty." Investigative reporting is plagued by the risk that the reporter, however well-intentioned, may overprotect a biased source. And this risk is especially great when the source is not merely a witness but a participant who uses a disclosure as bait to enlist the reporter in his exculpation. Watergate richly illustrates this game. But Lane pushes it a step farther: Far from being deceived, he is an accomplice.

One can only hope that Lane's dishonesty will not discourage the pending congressional investigation of the King assassination. We need to set to rest the "who" doubts but even more importantly, to retrace the roads in our common life that Ray travelled which ended in assassination. Such a probe must focus on the security issue and inquire whether King received the sort of protection from the Mem-

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Answers To Think Tank

3. Adlai Stevenson
9. Jacques Barzun
10. William Jennings Bryan
1. Plato
6. William O. Douglas
11. George Meany
4. Bertrand Russell
8. John Stuart Mill
5. Ronald Reagan
12. Albert Einstein
6. William F. Buckley, Jr.
2. William Wadsworth Longfellow

phis police warranted by the circumstances.

Inevitably such an investigation must explore the politicization of urban police peacekeeping functions in the 1960s and specifically the way in which surveillance replaced security. In the end, King's need for police protection fell victim to hostility on the one side and distrust on the other. And, is it too much to hope—I fear that it is—that the probers will lay bare *all* the King related material in the bureau files [much of it has been withheld] so that Americans may be informed more broadly about the most infamous activity ever undertaken by a federal policy agency in this country? Perhaps after such an airing, Americans will be shamed into insistence on some name more appropriate for the FBI headquarters than the J. Edgar Hoover building. ●

Books About the King Assassination

Bishop, Jim. *The Days of Martin Luther King, Jr.* G. P. Putnam's Sons, New York, 1971.

Frank, Gerold. *An American Death.* Doubleday & Company, New York, 1972.

Huie, William Bradford. *He Slew the Dreamer.* Delacorte Press, New York, 1968, republished with additional material as *Did The FBI Kill Martin Luther King?* Thomas Nelson, Inc., Nashville, 1977.

McMillan, George. *The Making of an Assassin.* Little Brown & Co., 1976.

Seigenthaler, John. *A Search for Justice.* Aurora Publ., Nashville, 1971.

Though in many respects superficial and disappointingly limited, a useful source is "Report of the Department of Justice Task Force to Review the Martin Luther King, Jr., Security and Assassination Investigations," January, 1977.