

# Does Anyone Care Who Killed Malcolm X?

By David J. Garrow

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**M**alcolm X was shot to death 28 years ago today at the Audubon Ballroom in upper Manhattan. Five men from the Nation of Islam's Temple No. 25 in Newark made up the assassination squad. The only one arrested at the scene was 23-year-old Talmadge Hayer, who was shot in the leg by one of Malcolm's bodyguards. The other four fled and were never pursued for the murder.

Overlooked in the publicity avalanche that accompanied Spike Lee's film "Malcolm X" was the significant contribution that a companion book written by Mr. Lee (with Ralph Wiley) made toward a historical resolution of Malcolm's death.

"By Any Means Necessary: The Trials and Tribulations of the Making of Malcolm X" notably expands on Peter Goldman's 1979 book, "The Death and Life of Malcolm X," to show that Malcolm's assassination was in retaliation for his defection from the Nation of Islam and more specifically for his accurate and explosive accusation that the Nation's leader, Elijah Muhammad, had fathered a number of out-of-wedlock children.

Mr. Lee persuasively contends that the order for Malcolm's killing was passed from Chicago to New York to Newark. Additionally, he identifies by name four other New Jersey men whom he says were "connected with the assassination."

Talmadge Hayer was convicted of taking part in Malcolm's murder after a 1966 trial. He confessed his complicity in an unsuccessful effort to win acquittals for two New York Nation of Islam members, Norman 3X Butler and Thomas 15X Johnson, whom prosecutors had also charged with the crime.

All three men were convicted and imprisoned. Then in the winter of 1977-1978, Mr. Hayer signed two affidavits naming others as his real co-conspirators. The affidavits described in extensive detail the planning and logistics of the killing, including an account of the conspirators' trips to case the Audubon Ballroom and the exact positioning of the gunmen on the day of the shooting.

**M**r. Hayer's statements led to an unsuccessful effort to vacate the convictions of Mr. Butler, now Muhammad Abdul Aziz, and Mr. Johnson, now Khalil Islam. Though both men have since been paroled, officially they remain convicted assassins, even though virtually all serious students of Malcolm's killing agree they had no part in it. Mr. Hayer, now Mujahid Abdul Halim, is in a work-release program.

Eventual release under the Freedom of Information Act of the thousands of pages of F.B.I. documents from extensive electronic surveillance of Elijah Muhammad and his circle will allow for a fuller account

David J. Garrow, whose "Bearing the Cross" won a Pulitzer Prize, is author of the forthcoming "Liberty and Sexuality: The Right to Privacy and the Making of Roe v. Wade, 1923-1973."

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of the origins of the conspiracy.

Spike Lee's book includes his chilling 1991 interview with Captain Joseph, now Yusuf Shah, who in 1965 was the No. 2 Nation of Islam officer in New York. Mr. Lee reports that Mr. Shah defiantly refuses to deny his complicity in the assassination and an earlier fire-bombing of Malcolm's home in Queens.

Mr. Lee provides a clear outline of how Malcolm's murder can be solved, and although some key figures from the Nation of Islam's Newark temple are now dead, Mr. Lee indicates that some members of the assassination squad remain alive. Even if law-enforcement authorities never reopen the case, Mr. Lee shows that a resolution of Malcolm's killing is very much within reach.

That the incidental work of a film maker represents the only significant contribution in over a decade toward solving Malcolm's murder is an instructive indication of just how widespread the journalistic and scholarly lack of interest has been.

Several researchers have sought to discover how much law enforcement agencies knew about the Nation's murderous intent toward Malcolm and how remiss these organizations may have been in failing to prevent an eminently predictable killing. Evidence suggests that the F.B.I. and the New York Police Department's intelligence unit, the Bureau of Special Services, knew or should have known that Malcolm's days were numbered.

Some writers imagine that the F.B.I., in active complicity with some elements of the Nation of Islam, directly encouraged or condoned the assassination. Far more believable is that the F.B.I. and New York Police Department viewed Malcolm as no

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Open up the  
police files  
on the  
assassination.

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great potential loss to American society and were unperturbed about repeated warnings of an attack.

Malcolm's assassination deserves thorough historical attention, irrespective of whether or not the legal question of his death ever returns to the courts. In particular, New York City authorities can make a crucial contribution by ordering the full release of the Police Department files on Malcolm's murder.

But many people who profess to have been Malcolm's friends have shown little interest in pursuing the case. The Nation's one-time reputation for retributive violence may be too great a deterrent to asking questions that otherwise might have been answered long ago. Spike Lee merits considerable respect for addressing issues that almost everyone has long avoided.

In time Malcolm's assassination undoubtedly will receive the careful study it deserves. The importance of his life demands as much, and the tragic — and perhaps avoidable — termination of his remarkable potential requires no less. □