

Introduction

APPROXIMATELY 4,500 PAGES in length, the transcripts of the 1966 Malcolm X assassination trial include the full testimony for all witnesses of the defense and the prosecution, discussions (some of them private) between the judge and attorneys, and the testimony of two witnesses who spoke in secrecy to conceal their identities. This testimony, as yet unreported, has been the subject of much speculation. Attached to the transcripts are the 1979 affidavits containing the original handwritten confession of Thomas Hagan [also known as Talmadge Hayer], the only actual assassin who was convicted of the crime.

Questions about the conduct of the trial and the conclusion of the jurors have spawned many conspiracy theories about who killed Malcolm X and why. The initial purpose of the trial was to determine the guilt or innocence of three men: Thomas Hagan, Thomas Johnson, and Norman Butler. All were arrested for assassinating Malcolm X, the black nationalist leader, in front of a crowd at the Audubon Ballroom in New York City on February 21, 1965. Hagan was caught at the scene, and Johnson and Butler were arrested only minutes later. The three men were members of the Nation of Islam, the Muslim organization that had vowed revenge against Malcolm X after he had publicly broken from their group one year earlier.

During the trial, all three suspects professed their innocence, but they had weak alibis. Johnson and Butler said that they were at home during the shooting; Hagan simply maintained that he had gone to the Audubon to hear Malcolm X speak and had nothing to do with the killing. He insisted that he was an innocent victim who had been misidentified

by the crowd, but the .45 clip in his pocket and his thumbprint on a diversionary smoke bomb left little doubt as to his guilt. Butler and Johnson, however, had only the muddled testimony of a handful of eyewitnesses against them. In addition, Butler was virtually crippled by a pistol whipping he had received from the police a few weeks earlier, and the chances of his being able to murder Malcolm X and run from the ballroom undetected were slim. Johnson was seen at his house shortly after the murder, leaving the possibility, albeit slim, that he could kill Malcolm X and run home quickly to ensure his alibi.

The prosecution presented a myriad of witnesses, all with the goal of proving an almost unprovable version of events at the Audubon Ballroom. Witnesses included Betty Shabazz, Malcolm X's widow; friends and enemies of Malcolm X; and an FBI agent who testified in secret. The trial took a sudden turn as Hagan took the stand to confess his role in the assassination. Overcome with guilt and convinced that his silence was condemning his two innocent co-defendants, he took the blame and exonerated the others. He gave almost no details of the crime, beyond rough descriptions of the assassins and their positions in the ballroom. His incomplete confession was designed to exonerate the innocent but to prevent the arrest of the actual assassins.

Both the prosecution and Hagan's team of lawyers sought to discredit the testimony. While the defense still maintained his innocence, the prosecution argued that Hagan, almost certain to be convicted, confessed in order to save his guilty co-defendants by confusing their role in the assassination. It was this view that eventually prevailed, as all three defendants were found guilty of first-degree murder and sentenced to life imprisonment.

In 1979, Hagan broke down and gave the full story of the assassination in two affidavits that are included in these transcripts. He asserted that the crime was perpetrated by

five members of the Newark mosque of the Nation of Islam, and this time he named his actual co-conspirators. Although he again established the innocence of Butler and Johnson, the courts refused to consider this new evidence, and the two men were forced to serve their sentence.

The Malcolm X assassination trial is the center of the controversy over who really killed the dynamic African-American leader. The trial continues to be of scholarly importance, particularly considering the current upsurge of interest in Malcolm X. Even Hagan's revelations did little to dampen alternative assassination theories which held that Malcolm X was killed by the FBI, CIA, New York Police Department, or even by the international drug cartel.

ABOUT MALCOLM X

Born Malcolm Little in 1925 in Omaha, Nebraska, Malcolm X was a petty criminal who converted to the Black Muslim religion while in jail. He dropped his given surname after converting, claiming that the X represented his unknown African name, which had been stolen from his ancestors on their arrival in this country as slaves. Upon his release from prison in 1952, he became a prominent preacher and the main spokesman for the Nation of Islam, establishing mosques in many U.S. cities. He was an ardent critic of integration, and advocated black separatism from the government and institutions of a white-dominated society. He also advocated violence as an appropriate response to violence, which ran against the tenets of the mainstream civil rights movement led by Dr. Martin Luther King, Jr.

After a split in the Nation of Islam between Elijah Muhammad and Malcolm X caused by the latter's growing popularity and power (as well as by a caustic remark upon the assassination of President John F. Kennedy), Malcolm X founded his own Black Muslim sect (Muslim Mosque Inc.) and the Organization of Afro-American Unity (a strictly

political group) in 1964. He also traveled to Mecca and embraced true Islam and, upon his return, moved away from his earlier, more separatist ideas.

ABOUT THE RECORDS

The transcripts on the microfilm are a reproduction of the originals, which appear in five bound volumes. The records are in strict chronological order and reveal the daily proceedings of all involved in the trial. Volume breaks are provided in the roll contents that follow this introduction.

CITATION

Researchers who wish to consult the originals or cite these trial transcripts should use the following information:

The People of the State of New York v. Thomas Hagan, Thomas 15X Johnson, and Norman 3X Butler (Indictment No. 871 of 1965; Steno No. 7255)