

Memphis jury finds that a conspiracy led to Martin Luther King Jr.'s assassination

By Helen Halyard
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On December 8 a jury in Memphis, Tennessee returned a verdict that civil rights leader Martin Luther King, Jr. was the victim of an assassination conspiracy and did not die at the hands of a lone gunman.

The verdict followed a three-week trial of a wrongful death lawsuit which the King family filed last year against former Memphis cafe owner Loyd Jowers. According to the suit, Jowers was part of a plot to murder the civil rights leader. King was shot and killed at the Lorraine Motel on April 4, 1968.

In a 1993 television interview with ABC News, Jowers, now 73, reported that mobsters offered him \$100,000 to have King killed. Since the interview Jowers has changed his story several times. He was unable to testify at the trial due to illness. His attorney, Lewis Garrison, told the jurors they could reasonably conclude King was the victim of a conspiracy in which his client was involved, but that his role was minor.

At the end of the trial a number of jurors commented that they were convinced by the evidence that there was a conspiracy. Summing up the sentiment of the jurors, one remarked, "We all thought it was a kind of cut and dried case and that there were a lot of people involved."

The major news media paid scant attention to the trial and portrayed the verdict as having little significance. Reports on the outcome of the trial appearing in the *New York Times*, for example, have been dismissive of theories of a broad conspiracy involving government agencies.

A column by Nathan Lewin in the December 11 issue of the *Times*, entitled "Putting History On Trial," denounced civil trials as a means of judging history. Lewin, now a Washington attorney, was deputy assistant attorney general in the civil rights division of the Justice Department at the time of King's

assassination.

While Lewin and others in the political establishment flatly reject conspiracy theories in the King assassination, a majority of the American population are inclined to believe that more than one gunman was involved, and many give credence to allegations of complicity on the part of government agencies.

Attorney William Pepper, former lawyer of James Earl Ray, who was sentenced to prison as the lone gunman in the King murder, has investigated the circumstances behind the assassination for the past 20 years. In 1995 he published the book *Orders to Kill*, which alleges involvement by the Mafia, the FBI, the CIA and the military in the assassination.

Whether or not one accepts Pepper's theories, to rule out *a priori* some form of conspiracy, including one involving elements within the state apparatus, is, at the very least, no more objective than the various conspiracy theories that have been advanced. An investigation into the killing by the House Select Committee on Assassinations in 1978 concluded that while Ray was the gunman, there was a 95 percent probability that others were involved.

The assassination of Martin Luther King, Jr. took place in the midst of mass social protests and urban upheavals involving working people, youth and students who opposed racial discrimination, poverty and America's involvement in the Vietnam war. Shortly before King was killed he publicly denounced the war and began to address social issues, such as poverty, that went beyond the pervasive discrimination that confronted African Americans. He was in Memphis in 1968 to lead a march of 1,300 sanitation workers on strike for better working conditions, wages and benefits.

James Earl Ray was picked up in London several

months after King's assassination and returned to the United States. He confessed to the crime in March 1969 and received a 99-year sentence. He recanted his confession three days after he made it, and for the next 29 years fought to rescind his guilty plea. State and federal courts upheld the plea on eight separate occasions. Ray met with Martin Luther King, Jr.'s son Dexter in a prison hospital shortly before he died of liver disease in 1998 and told the son of the civil rights leader that he was not responsible for his father's death.

After Ray's death William Pepper joined forces with the King family to file the wrongful death suit. Since Jowers had stated that he hired a man to do the killing, the liability charges were filed against him.

In the course of the trial 70 witnesses were presented by the defense. Among them were members of King's family; the brother of James Earl Ray; Walter Fauntroy, formerly a member of the House Select Committee on Assassinations; and New York-based attorney and media expert William Schapp.

Much of the testimony focused on the extent of operations carried out by the FBI against King and those involved in civil rights struggles. On August 25, 1967, FBI chief J. Edgar Hoover approved a major counterintelligence program, Cointelpro, to disrupt and discredit left-wing organizations, civil rights demonstrators and anti-war protesters. Hoover directed operations against King in an effort to discredit his leadership and break up the movement.

Convinced that King was a communist, Hoover described him as "the most dangerous man in America, and a moral degenerate," and was obsessed with following King's activities. Dozens of internal FBI memoranda document the surveillance and harassment of King. In one incident King's alleged "sexual escapades" were used in an attempt to blackmail him. Shortly before the assassination Hoover distributed an internal memo to the FBI calling for King's "removal from the national scene."

At the trial Fauntroy testified that while he believed Ray was the shooter, he felt that Ray did not act alone. Fauntroy expressed dissatisfaction with the investigation carried out by the House Select Committee, noting that it was denied access to FBI files on the King murder and was unaware that US Army operatives had King under surveillance at the time of his death.

Following the issuance of the House Select Committee's final report in 1979, Committee Chairman Louis Stokes and Chief Counsel G. Robert Blakey ordered that all of the backup records, documents, unpublished transcripts and investigative data be locked up for the next 50 years.

Jurors saw the videotaped deposition of Jack Terrel, formerly of the US military, who testified that he had a conversation with a military operations specialist who told him that he was assigned to a triangular shoot team that had a special mission in Memphis around the time of King's death. Terrel stated that the specialist was never told about the specifics of the mission, and that the team was pulled out of Memphis at the last minute.

Attorney William Schaap explained how the media has been used historically by the government to disseminate information, or, more precisely, misinformation. According to Schapp, the FBI under Hoover's direction infiltrated newspapers around the world and persuaded them in the 1960s to run stories that discredited King. Schaap commented on the lack of media attention to the wrongful death suit, saying, "It's amazing how much psychological power the dissemination of false information has after 30 years."

Following the verdict the King family told a press conference that they were satisfied with its results. The youngest son, Dexter King, remarked, "This is what we have always wanted. This is history."

Deputy Attorney General Eric Holder told the press that the Memphis verdict would have no impact on an ongoing Justice Department review of the King assassination. The Justice Department, which initiated a review of the case last year at the request of King's widow Coretta Scott King, is expected to issue its report shortly. According to Holder it is very unlikely that criminal charges will be brought or that the government will alter its position James Earl Ray was the lone gunman and that there was no governmental conspiracy involved in the King assassination.

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