

Soka Gakkai Attorneys Question Nikken in Libel Trial
By JEFF FARR, Associate Editor
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For the first time since Nichiren Shoshu filed a libel suit against the Soka Gakkai in December 1993, Nichiren Shoshu High Priest Nikken on Feb. 2 faced questions from Soka Gakkai attorneys. Nikken's attorneys had tried for years to keep him from appearing in court for the "Seattle Incident" trial, but a ruling last September forced him to appear, first in December for direct examination and then on Feb. 2 for cross-examination. The presiding judge has also called for further cross-examination to be held May 18.

The two-hour session on Feb. 2 focused on inconsistencies in Nikken's accounts of his conduct on March 19–20, 1963, as well as a diary from that time, which Nikken suddenly produced at the court session on Dec. 22. Nikken claims that in 1995 his wife discovered the diary, which includes an entry for his Seattle visit. This is why he changed his story from "I never set foot outside the hotel that night" to "I stepped out for a few drinks," he said.

Defense attorney Hiroshi Sato showed that two colors of ink were used in writing the Seattle entry. The entry ends with "Now I am going to sleep. It's 1:00 p.m. now." Sato asked why the ink for "Now I am going to sleep" is in black and "It's 1:00 p.m. now" is in blue. Nikken's answer was that "after I wrote, 'Now I am going to sleep,' I went to sleep for awhile and got up again — maybe because of jet lag or something — and then wrote, 'Now it's 1:00 p.m.'" (Nikken testified previously that the entry should be "1:00 a.m." and that he sometimes confuses p.m. and a.m.)

The attorney then asked how Nikken could remember such a detail about writing this entry when he testified Dec. 22 that he was shocked at the diary's discovery and that he had no recollection of keeping it. "I'm not sure on this point," Nikken replied. Sato also asked where else in the diary Nikken had added the time he went to sleep after having gone to sleep and then waking again. Nikken, after a pause, said he thought that this was the only such entry.

Nikken's account of leaving his hotel for drinks was also a topic of inquiry. When asked about the time he left his hotel, Nikken told the attorney: "It was around 7:00 or 8:00. Otherwise the bars would not have been open." Sato reminded Nikken that this would have been during the Gohonzon-conferral ceremony which Nikken had attended that evening. Nikken said that he must have forgotten the time.

Nikken testified on Dec. 22 that he had not stayed at the Olympic Hotel the night of the incident but at another hotel — the name of which he cannot remember and which he says is now demolished. (Throughout the trial Nikken's attorneys have maintained — in accord with Mrs. Clow's testimony — that Nikken stayed at the Olympic.) Sato asked for an explanation of this significant change in Nikken's story. Nikken blamed his legal team for this inconsistency, saying that "I left everything up to my attorneys. I was too busy to pay attention to such details." (Last October, Nikken fired his lead attorney, Yoshihiro Konagai, who had handled the Seattle Incident case from the beginning.)

The session ended with the judge's decision to continue the Soka Gakkai's cross-examination on May 18. Afterward, both sides called the session, the 20th in the trial, a victory. A Nichiren Shoshu notice to chief and assistant priests thanked them for chanting during the session and said that Nikken had "graciously expounded words of truth, with which he completely destroyed the Gakkai's persistent schemes." No details of the session were provided in the notice and no mention of the May continuation was made. At press time, Japanese temple publications had not reported on the cross-examination.

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SGI leaders, meanwhile, heralded the May 18 cross-examination as another opportunity to question Nikken's assertions and painted his Feb. 2 appearance as shaky at best. "Overall, his disjointed performance served only to undermine his past statements denying the truth of the incident," commented SGI Vice President Yuichiro Kitano.

Although the judge did not give his reasons for the May extension, Soka Gakkai attorneys felt that their questioning had created enough doubt about Nikken's credibility that the court wanted to hear more. "Nikken's testimony today has made it even more obvious that his previous testimony under direct examination was full of inconsistencies and loose ends," said Soka Gakkai attorney Morio Miyahara, promising that his team would reveal more of the truth in May.

The trial is likely to continue at least until year's end. At Japan's district court level, where the case is now being heard, the simplest of cases can often take three years.

This civil trial stems from SGI member Hiroe Clow's 1992 account, printed in Soka Gakkai publications, that Nikken was involved in an altercation with prostitutes after a Seattle Gohonzon-conferral ceremony in 1963. Nikken immediately denied her story, and the temple sued for libel a year later.

Testifying in 1995, Mrs. Clow said that she shared the incident to reveal the true character of this man who — while taking actions to destroy the SGI, and excommunicating all SGI members from Nichiren Shoshu in 1991 — attempted to maintain an air of saintliness. Mrs. Clow's account was corroborated, in testimony and deposition, by two police officers involved in the incident.

At the Soka Gakkai attorneys' request, Nikken on Feb. 2 repeated his well-known assertion that he would resign as high priest if Mrs. Clow's account were ever proven true, emphasizing that his determination to do so "has not changed in the least."

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