

Decision Based on Credibility of Testimony

The *Yomiuri Shimbun*, a leading newspaper in Japan, reported on March 22: “Chief Judge Shimoda accepted as credible the testimonies of local police who claimed that Chief Administrator Abe had been involved in a dispute with prostitutes; he dismissed Chief Administrator Abe’s testimony as untrustworthy due to its inconsistency.” This refers to the judge’s ruling that Mrs. Clow’s testimony was corroborated by the consistent accounts of three police officers, including that of Ronald Sprinkle, and that the high priest’s testimony was faulty.

In addition, the judge stated, “After assessing four statements by Mr. Abe, we cannot trust his statements.” In particular, the judge questioned why High Priest Nikken, after publicly declaring that he never set foot outside his hotel on the night in question, did an about-face early in the trial and admitted that he had, after all, stepped out.

The Seattle Incident Trial Concludes

The Seattle Incident trial, also known as the Clow Incident trial, concluded on March 21 with the Tokyo District Court declaring that the Soka Gakkai and SGI President Ikeda had not committed libel. The *Sankei Shimbun*, a leading newspaper in Japan, reported on March 22 that **“in this ruling, based on testimonies by a local Soka Gakkai leader [Mrs. Hiroe Clow] who was at the site when Chief Administrator Abe was visiting Seattle in 1963, Chief Judge Fumio Shimoda acknowledged that Chief Administrator Abe did get involved in a dispute with prostitutes over payment for services and was questioned by police.”** Chief Judge Shimoda thus rejected the defamation suit filed against the Soka Gakkai by Nichiren Shoshu and its head temple Taisei-ji over coverage in Soka Gakkai publications of Mrs. Clow’s recollection of the high priest’s dispute with Seattle prostitutes and President Ikeda’s mention of the incident in speeches in 1992.

Although Nichiren Shoshu immediately announced it would appeal the decision, reformist priests who have left Nichiren Shoshu wondered how High Priest Nikken would be able to continue to lead the priesthood, considering his August 1994 statement at a Hokkeko leaders meeting that “if what Clow says is true, I will quit immediately. If that kind of thing is true, I can't be high priest.”

How did the trial begin?

The genesis of this trial was in June 1992, when the Soka Gakkai first published Mrs. Clow's story of being called by Seattle police in the early morning hours of March 20, 1963, to a downtown site where High Priest Nikken Abe, then the Nichiren Shoshu Study Department leader, had been in an argument with prostitutes. Mrs. Clow, an SGI-USA (then NSA) leader who was assigned to assist Mr. Abe in the first-ever Gohonzon conferrals in that city, convinced the police to release him. Mrs. Clow never revealed the incident before 1992 and did so then only because High Priest Nikken had excommunicated the SGI in 1991.

She had wanted to avoid bringing any embarrassment to the priesthood and to the Soka Gakkai, which had sought to protect the priesthood. But after the excommunication, she felt that High Priest Nikken's true nature was being revealed in his attitude toward the SGI. She wanted the world to know what she knew—that High Priest Nikken was no “Daishonin of modern times,” as he was described in the June 1991 issue of *Dai-Nichiren*, the official monthly journal of the priesthood.

After Mrs. Clow's account was published, High Priest Nikken publicly and in print called her a liar. In September 1992, she filed a libel suit against him in the Los Angeles Superior Court. It was eventually dismissed on jurisdictional grounds, never reaching the trial stage.

Then, in December 1993, Nichiren Shoshu decided to sue the Soka Gakkai and President Ikeda for libel over the publication of Mrs. Clow's account of the incident, leading to the trial that ended on March 21, 2000.

What are the highlights of the decision?

The judge's decision clearly acknowledged that the Seattle Incident did take place. In a summary of his ruling, Chief Judge Shimoda wrote: “According to the evidence submitted in this case, the above-mentioned articles [published by the Soka Gakkai] refer to facts that are deemed to be in the public interest, and were written with the sole purpose of serving the public interest, and the above-mentioned incident caused by Mr. Nikken Abe is recognized to be true. Therefore reports in the above-mentioned articles etc. do not contravene the law. No defendant is responsible for any illegal act.” The judge ruled:

- ❖ That the Seattle Incident did indeed have bearing on whether High Priest Nikken was qualified to be high priest. Because High Priest Nikken and other priests stated that they would resign if the incident were proven true, the Soka Gakkai's reporting served the public interest.
- ❖ That from the evidence and testimony presented, the high priest did ask a prostitute if he could take nude pictures of her, did have sexual relations with her, did become involved in a disagreement over payment and was detained by the police as a result.
- ❖ That the testimony of Mrs. Clow was consistent throughout, containing no contradictions or changes.
- ❖ That all damages (approximately \$19 million) and a published apology sought by the plaintiffs (Nichiren Shoshu, *et al.*) are denied.
- ❖ That the plaintiffs must pay for all trial-related costs.
- ❖ That, regarding an additional suit filed by Nichiren Shoshu and Taisei-ji in January 1995, which was tried concurrently with the Seattle Incident suit, the Soka Gakkai did not commit libel by publishing reports concerning the existence of a U.S. Federal Government record of Mr. Abe's detention by police during the Seattle Incident. The judge concluded that these reports, too, were published in the public interest.