

## Wife's Lonely Vigil for Imprisoned Husband

David McNeill

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*By David McNeill*

Once a fortnight, Hoshino Akiko sets out on the 800-km roundtrip from her home in Tokyo to Kyushu to see her husband in Tokushima Prison.

Akiko has been making the same journey for almost 16 years and has never missed one of these precious 30-minute visits. That's a lot of time alone on trains and buses to think about the odd life she has chosen, but she says she has never regretted her decision to marry the incarcerated Hoshino Fumiaki in 1986.

"My mum and dad spent two years trying to talk me out of it," she laughs. "But I had my mind made up."

Parents disagreeing with their children's choice of marriage partners is hardly unusual, but then this only child wanted to get hitched to a man convicted of a brutal killing who has been in prison every day of his life since 1975. Akiko has never even touched her husband, let alone shared a life or a bed with him. But she lives in hope that he will be proved innocent and freed.

For now, it seems unlikely. Fumiaki is in one of Japan's most secure prisons, permitted to see only his wife, lawyer, younger brother and, once a year, his 83-year-old mother who makes the trip from Hokkaido. No photos have been taken of him since the early 1970s, so we can only imagine how the bespectacled, earnest-looking student staring out of B&W photos has matured into a 58-year-old man.

Fumiaki's life changed forever on Nov. 14,

1971, during a Shibuya demonstration against the reversion of Okinawa to Japan. As a member of one of the dozens of factions that had splintered out of popular opposition to U.S. bases in Okinawa and the wider Vietnam War, Fumiaki and his colleagues became involved in scuffles and running battles with the police. One officer was beaten and set alight with a Molotov cocktail and died the following day.

After he was arrested in August 1975, prosecutors assembled a case against Fumiaki based on his own confession and the testimony of six witnesses to the policeman's killing. He subsequently retracted his testimony, as did five of the witnesses, alleging that the police had forced them into making false statements. Despite these retractions, however, and numerous inconsistencies and the absence of any physical evidence, Fumiaki was sentenced to 20 years imprisonment in 1979. At a second trial in 1983, the sentence was changed to life imprisonment.

Fumiaki's lawyer, Suzuki Tatsuo, believes the case was fatally compromised by the "complete lack of credibility of the only evidence" - the testimony of eyewitnesses. "Some of the other perpetrators were released after serving much shorter sentences and are now living ordinary lives, despite giving, then retracting, these statements in court."

As the hearings, trials and appeals dragged on, years of detention in isolation cells took their toll, and Fumiaki suffered a nervous breakdown. When Akiko first clamped eyes on him from the public gallery of a Tokyo court in 1984, he was a lot different from his photos: thin and covered in eczema.

"But he spoke with such feeling about how he had made the decision to become an antiwar activist after seeing photos of Hiroshima and Nagasaki bomb victims. I was looking for someone who thought the same way as me, so I started to write to him. We became close and I decided to marry him."

Since making that decision, she has endured the endless campaigning and legal battles to get Fumiaki released, ending in failure with the 2000 Tokyo High Court dismissal of his appeal for retrial. With no release in sight and her biological clock ticking away, Akiko asked Tokushima Prison in 2002 for permission to have a baby with her husband. Because Japanese prisons do not offer conjugal rights for prisoners, the request meant in-vitro fertilization. The Justice Ministry said they had "never heard" of such a thing and said no.

The rejection of the Hoshino's final chance for a child caps over a quarter of a century of harsh treatment at the hands of the prison system, including years of solitary confinement and punishment that Amnesty International has condemned as "cruel, inhuman and degrading." In 1996, for instance, Fumiaki was given a 20-day sentence in a cell where he was forced to sit all day without moving, followed by four months in solitary confinement, for the crime of washing his foot without permission.

"Apart from the cruel treatment, we are concerned about this case for a number of reasons," says Teranaka Makoto, Secretary General of Amnesty International Japan. "First, there is the unusual length of his sentence, which makes Hoshino one of the longest-serving prisoners in Japan. And it is also quite likely that the prosecution is using this case to advertise that they are quite hard on crimes by political factions."

Akiko-san agrees. "It's a type of warning to others who would think of violently challenging the system," she says, adding "He has been punished enough."

She says she will keep fighting for her husband's release with the help of the thousands of people who support him. In his years of struggle, the left-wing firebrand has picked up some unusual supporters, including a number of well-known writers and some former gangster inmates. "Tokushima Prison is freezing in the winter so Fumiaki led a protest for more blankets, which they got. The Yakuza prisoners really appreciated it and when they got out they started to send him things to make life in prison easier."

After 29 years, Hoshino is not fussy. "Anyone who can help," says his wife.

### Timeline

1946, April 26: Hoshino born in Sapporo, Hokkaido.

1966 Entered Takasaki University of Economics.

1971 Nov 14: In clashes between demonstrators and riot police in Shibuya, a policeman suffers burns and dies the following day.

1975 Aug 6: Hoshino arrested. At the subsequent trial, 5 out of 6 witnesses retract their depositions, testifying that the police had forced them into signing false statements saying they saw Hoshino beating a policeman. The remaining witness refused to testify in court.

1978 Hoshino suffers a breakdown in prison.

1979, Feb 13: Prosecutor Hattori Mitsuo demands death penalty.

1979 Aug 21: Tokyo District Court, first trial, Judge Ishimaru sentences Hoshino to 20 years imprisonment for "murder by willful negligence."

1981 July Hoshino transferred to Tokyo Detention House.

1983 July 13 Tokyo High Court, second trial, Judge Kusaba sentences Hoshino to indefinite imprisonment. The court judges that Hoshino had decided/definite murderous intent.

1986 Sept 16 Hoshino marries.

1987 July 17 The Supreme Court dismisses Hoshino's final appeal.

1987 Oct 30 Hoshino is transferred to Tokushima Prison.

1996 Aug: Hoshino is punished for 20 days for washing his foot after accidentally stamping on a cockroach. Amnesty International East Asia Team starts investigation on political prisoners in Japan

2000 Feb 22 Tokyo High Court dismisses Hoshino's appeal for retrial.

2000 Feb 24 Hoshino files an objection.

2002 Hoshino Akiko requests permission to have a baby with her husband. Request denied.

2004 Oct. Hoshino enters 30th year in prison.

Thanks to the Campaign to Release Hoshino for the above timeline.

*David McNeill wrote this article for Japan Focus. David McNeill is a Tokyo-based journalist and teacher, and a coordinator of Japan Focus. Posted at Japan Focus on November 30, 2004.*