

# Did bishop slander by citing 'spirit of Satan'?\_111003

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WASHINGTON (RNS)—An Iowa judge will decide if the phrase “spirit of Satan” is basis for a slander suit after the U.S. Supreme Court declined to intervene in a dispute at a rural Iowa church.

On Oct. 20, the nation's highest court rejected a petition by the United Methodist Church in Iowa to dismiss the case. That move sends the 2-year-old case back to a judge in rural Butler County, Iowa, for trial.

On its face, the case is a simple defamation suit, but church-state watchers say it could hold important precedent on how much a secular court can or should involve itself in internal church matters.

“If the separation of church and state is to mean anything at all, it must mean that the government must not be able to reach its arms inside the doors of the church and regulate its internal activities,” said Hiram Sasser, a staff attorney at the Liberty Legal Institute in Plano, which is monitoring the case.

The case involves a 1999 letter written by a local church official about

problems at a United Methodist church in Shell Rock, Iowa, population 1,298. Appealing for an end to divisions, District Superintendent Gerald Swinton noted that the “spirit of Satan” was at work in the congregation.

“Folks, when is enough enough? When will you stop the blaming, negative and unhappy persons among you from tearing down the spirit of Jesus Christ among you?” Swinton wrote.

The person at the center of the controversy, parishioner Jane Kliebenstein, said she was defamed by the letter because it falsely attacked her “integrity and moral character.” She and her husband sued for “fair and reasonable” damages.

A lower court threw out the case, saying it had no jurisdiction in the life of the church. The Iowa Supreme Court, however, said because the letter had been circulated publicly, the church's protection had been “weakened.”

“We conclude ... that the phrase 'spirit of Satan' has meaning in a secular as well as sectarian context,” that results in an “unflattering secular meaning,” the seven-member court ruled last June.

Kliebenstein, 62, said she was “pleased” that her case is going forward but declined to talk about the specifics of the case. “It's been a difficult period, but I definitely believe in God,” she said.

Kliebenstein, a member for 36 years, was active in women's groups and sat on church committees, but the church's current pastor, Realff Ottesen, said she never was an active part in the “worship life of the church.”

Still, the decision was made to curtail Kliebenstein's “direct influence” in the church's affairs. Several members left in protest. Since then, Ottesen said the suit has been mostly a non-issue in the 216-member church.

“The lawsuit is not a subject of great discussion,” said Ottesen, who arrived

in 2000. “It does not affect our daily life or our missional life. We're doing our thing.”

The case is expected to be heard next fall. The difficult part will be trying to determine the legal threshold of truth or falsity for a defamation case involving Satan, and whether Swinton wrote the letter maliciously.

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