

SECOND PART OF THE SECOND PART, QUESTION 100

On Simony (In Six Articles)

We must now consider simony, under which head there are six points of inquiry:

- (1) What is simony?
- (2) Whether it is lawful to accept money for the sacraments?
- (3) Whether it is lawful to accept money for spiritual actions?
- (4) Whether it is lawful to sell things connected with spirituals?
- (5) Whether real remuneration alone makes a man guilty of simony, or also oral remuneration or remuneration by service?
- (6) Of the punishment of simony.

Whether simony is an intentional will to buy or sell something spiritual or connected with a spiritual thing? IIa IIae q. 100 a. 1

Objection 1. It would seem that simony is not “an express will to buy or sell something spiritual or connected with a spiritual thing.” Simony is heresy, since it is written (I, qu. i*): “The impious heresy of Macedonius and of those who with him impugned the Holy Ghost, is more endurable than that of those who are guilty of simony: since the former in their ravings maintained that the Holy Spirit of Father and Son is a creature and the slave of God, whereas the latter make the same Holy Spirit to be their own slave. For every master sells what he has just as he wills, whether it be his slave or any other of his possessions.” But unbelief, like faith, is an act not of the will but of the intellect, as shown above (q. 10, a. 2). Therefore simony should not be defined as an act of the will.

Objection 2. Further, to sin intentionally is to sin through malice, and this is to sin against the Holy Ghost. Therefore, if simony is an intentional will to sin, it would seem that it is always a sin against the Holy Ghost.

Objection 3. Further, nothing is more spiritual than the kingdom of heaven. But it is lawful to buy the kingdom of heaven: for Gregory says in a homily (v, in Ev.): “The kingdom of heaven is worth as much as you possess.” Therefore simony does not consist in a will to buy something spiritual.

Objection 4. Further, simony takes its name from Simon the magician, of whom we read (Acts 8:18,19) that “he offered the apostles money” that he might buy a spiritual power, in order, to wit, “that on whomsoever he imposed his hand they might receive the Holy Ghost.” But we do not read that he wished to sell anything. Therefore simony is not the will to sell a spiritual thing.

Objection 5. Further, there are many other voluntary commutations besides buying and selling, such as exchange and transaction†. Therefore it would seem that simony is defined insufficiently.

Objection 6. Further, anything connected with spiritual things is itself spiritual. Therefore it is superfluous to add “or connected with spiritual things.”

Objection 7. Further, according to some, the Pope cannot commit simony: yet he can buy or sell something spiritual. Therefore simony is not the will to buy or sell something spiritual or connected with a spiritual thing.

On the contrary, Gregory VII says (Regist.‡): “None of the faithful is ignorant that buying or selling altars, tithes, or the Holy Ghost is the heresy of simony.”

I answer that, As stated above (Ia IIae, q. 18, a. 2) an act is evil generically when it bears on undue matter. Now a spiritual thing is undue matter for buying and selling for three reasons. First, because a spiritual thing cannot be appraised at any earthly price, even as it is said concerning wisdom (Prov. 3:15), “she is more precious than all riches, and all things that are desired, are not to be compared with her”: and for this reason Peter, in condemning the wickedness of Simon in its very source, said (Acts 8:20): “Keep thy money to thyself to perish with thee, because thou hast thought that the gift of God may be purchased with money.”

Secondly, because a thing cannot be due matter for sale if the vendor is not the owner thereof, as appears from the authority quoted (obj. 1). Now ecclesiastical superiors are not owners, but dispensers of spiritual things, according to 1 Cor. 4:1, “Let a man so account of us as of the ministers of Christ, and the dispensers of the ministers of God.”

Thirdly, because sale is opposed to the source of spiritual things, since they flow from the gratuitous will of God. Wherefore Our Lord said (Mat. 10:8): “Freely have you received, freely give.”

Therefore by buying or selling a spiritual thing, a man treats God and divine things with irreverence, and consequently commits a sin of irreligion.

Reply to Objection 1. Just as religion consists in a

* Can. Eos qui per pecunias. † A kind of legal compromise—Oxford Dictionary ‡ Caus. I, qu. i, can. Presbyter, qu. iii, can. Altare

kind of protestation of faith, without, sometimes, faith being in one's heart, so too the vices opposed to religion include a certain protestation of unbelief without, sometimes, unbelief being in the mind. Accordingly simony is said to be a "heresy," as regards the outward protestation, since by selling a gift of the Holy Ghost a man declares, in a way, that he is the owner of a spiritual gift; and this is heretical. It must, however, be observed that Simon Magus, besides wishing the apostles to sell him a grace of the Holy Ghost for money, said that the world was not created by God, but by some heavenly power, as Isidore states (Etym. viii, 5): and so for this reason simoniacs are reckoned with other heretics, as appears from Augustine's book on heretics.

Reply to Objection 2. As stated above (q. 58, a. 4), justice, with all its parts, and consequently all the opposite vices, is in the will as its subject. Hence simony is fittingly defined from its relation to the will. This act is furthermore described as "express," in order to signify that it proceeds from choice, which takes the principal part in virtue and vice. Nor does everyone sin against the Holy Ghost that sins from choice, but only he who chooses sin through contempt of those things whereby man is wont to be withdrawn from sin, as stated above (q. 14, a. 1).

Reply to Objection 3. The kingdom of heaven is said to be bought when a man gives what he has for God's sake. But this is to employ the term "buying" in a wide sense, and as synonymous with merit: nor does it reach to the perfect signification of buying, both because neither "the sufferings of this time," nor any gift or deed of ours, "are worthy to be compared with the glory to come, that shall be revealed in us" (Rom. 8:18), and because merit consists chiefly, not in an outward gift, action or passion, but in an inward affection.

Reply to Objection 4. Simon the magician wished to buy a spiritual power in order that afterwards he might sell it. For it is written (I, qu. iii*), that "Simon

the magician wished to buy the gift of the Holy Ghost, in order that he might make money by selling the signs to be wrought by him." Hence those who sell spiritual things are likened in intention to Simon the magician: while those who wish to buy them are likened to him in act. Those who sell them imitate, in act, Giezi the disciple of Eliseus, of whom we read (4 Kings 5:20-24) that he received money from the leper who was healed: wherefore the sellers of spiritual things may be called not only "simoniacs" but also "giezites."

Reply to Objection 5. The terms "buying" and "selling" cover all kinds of non-gratuitous contracts. Wherefore it is impossible for the exchange or agency of prebends or ecclesiastical benefices to be made by authority of the parties concerned without danger of committing simony, as laid down by law[†]. Nevertheless the superior, in virtue of his office, can cause these exchanges to be made for useful or necessary reasons.

Reply to Objection 6. Even as the soul lives by itself, while the body lives through being united to the soul; so, too, certain things are spiritual by themselves, such as the sacraments and the like, while others are called spiritual, through adhering to those others. Hence (I, qu. iii, cap. Siquis objecerit) it is stated that "spiritual things do not progress without corporal things, even as the soul has no bodily life without the body."

Reply to Objection 7. The Pope can be guilty of the vice of simony, like any other man, since the higher a man's position the more grievous is his sin. For although the possessions of the Church belong to him as dispenser in chief, they are not his as master and owner. Therefore, were he to accept money from the income of any church in exchange for a spiritual thing, he would not escape being guilty of the vice of simony. In like manner he might commit simony by accepting from a layman moneys not belonging to the goods of the Church.

Whether it is always unlawful to give money for the sacraments?

Ila IIae q. 100 a. 2

Objection 1. It would seem that it is not always unlawful to give money for the sacraments. Baptism is the door of the sacraments, as we shall state in the IIIa, q. 68, a. 6; IIIa, q. 73, a. 3. But seemingly it is lawful in certain cases to give money for Baptism, for instance if a priest were unwilling to baptize a dying child without being paid. Therefore it is not always unlawful to buy or sell the sacraments.

Objection 2. Further, the greatest of the sacraments is the Eucharist, which is consecrated in the Mass. But some priests receive a prebend or money for singing masses. Much more therefore is it lawful to buy or sell the other sacraments.

Objection 3. Further, the sacrament of Penance is a necessary sacrament consisting chiefly in the absolu-

tion. But some persons demand money when absolving from excommunication. Therefore it is not always unlawful to buy or sell a sacrament.

Objection 4. Further, custom makes that which otherwise were sinful to be not sinful; thus Augustine says (Contra Faust. xxii, 47) that "it was no crime to have several wives, so long as it was the custom." Now it is the custom in some places to give something in the consecration of bishops, blessings of abbots, ordinations of the clergy, in exchange for the chrism, holy oil, and so forth. Therefore it would seem that it is not unlawful.

Objection 5. Further, it happens sometimes that someone maliciously hinders a person from obtaining a bishopric or some like dignity. But it is lawful for a man to make good his grievance. Therefore it is lawful,

* Can. Salvator † Cap. Quaesitum, de rerum Permutat.; cap. Super, de Transact.

seemingly, in such a case to give money for a bishopric or a like ecclesiastical dignity.

Objection 6. Further, marriage is a sacrament. But sometimes money is given for marriage. Therefore it is lawful to sell a sacrament.

On the contrary, It is written (I, qu. i*): “Whosoever shall consecrate anyone for money, let him be cut off from the priesthood.”

I answer that, The sacraments of the New Law are of all things most spiritual, inasmuch as they are the cause of spiritual grace, on which no price can be set, and which is essentially incompatible with a non-gratuitous giving. Now the sacraments are dispensed through the ministers of the Church, whom the people are bound to support, according to the words of the Apostle (1 Cor. 9:13), “Know you not, that they who work in the holy place, eat the things that are of the holy place; and they that serve the altar, partake with the altar?”

Accordingly we must answer that to receive money for the spiritual grace of the sacraments, is the sin of simony, which cannot be excused by any custom whatever, since “custom does not prevail over natural or divine law”†. Now by money we are to understand anything that has a pecuniary value, as the Philosopher states (Ethic. iv, 1). On the other hand, to receive anything for the support of those who administer the sacraments, in accordance with the statutes of the Church and approved customs, is not simony, nor is it a sin. For it is received not as a price of goods, but as a payment for their need. Hence a gloss of Augustine on 1 Tim. 5:17, “Let the priests that rule well,” says: “They should look to the people for a supply to their need, but to the Lord for the reward of their ministry.”

Reply to Objection 1. In a case of necessity anyone may baptize. And since nowise ought one to sin, if the priest be unwilling to baptize without being paid, one must act as though there were no priest available for the baptism. Hence the person who is in charge of the child can, in such a case, lawfully baptize it, or cause it to be baptized by anyone else. He could, however, lawfully buy the water from the priest, because it is merely a bodily element. But if it were an adult in danger of death that wished to be baptized, and the priest were unwilling to baptize him without being paid, he ought, if possible, to be baptized by someone else. And if he is

unable to have recourse to another, he must by no means pay a price for Baptism, and should rather die without being baptized, because for him the baptism of desire would supply the lack of the sacrament.

Reply to Objection 2. The priest receives money, not as the price for consecrating the Eucharist, or for singing the Mass (for this would be simoniacal), but as payment for his livelihood, as stated above.

Reply to Objection 3. The money exacted of the person absolved is not the price of his absolution (for this would be simoniacal), but a punishment of a past crime for which he was excommunicated.

Reply to Objection 4. As stated above, “custom does not prevail over natural or divine law” whereby simony is forbidden. Wherefore the custom, if such there be, of demanding anything as the price of a spiritual thing, with the intention of buying or selling it, is manifestly simoniacal, especially when the demand is made of a person unwilling to pay. But if the demand be made in payment of a stipend recognized by custom it is not simoniacal, provided there be no intention of buying or selling, but only of doing what is customary, and especially if the demand be acceded to voluntarily. In all these cases, however, one must beware of anything having an appearance of simony or avarice, according to the saying of the Apostle (1 Thess. 5:22), “From all appearance of evil restrain yourselves.”

Reply to Objection 5. It would be simoniacal to buy off the opposition of one’s rivals, before acquiring the right to a bishopric or any dignity or prebend, by election, appointment or presentation, since this would be to use money as a means of obtaining a spiritual thing. But it is lawful to use money as a means of removing unjust opposition, after one has already acquired that right.

Reply to Objection 6. Some‡ say that it is lawful to give money for Matrimony because no grace is conferred thereby. But this is not altogether true, as we shall state in the Third Part of the work§. Wherefore we must reply that Matrimony is not only a sacrament of the Church, but also an office of nature. Consequently it is lawful to give money for Matrimony considered as an office of nature, but unlawful if it be considered as a sacrament of the Church. Hence, according to the law¶, it is forbidden to demand anything for the Nuptial Blessing.

Whether it is lawful to give and receive money for spiritual actions?

Ia IIae q. 100 a. 3

Objection 1. It seems that it is lawful to give and receive money for spiritual actions. The use of prophecy is a spiritual action. But something used to be given of old for the use of prophecy, as appears from 1 Kings 9:7,8, and 3 Kings 14:3. Therefore it would seem that it is lawful to give and receive money for a spiritual ac-

tion.

Objection 2. Further, prayer, preaching, divine praise, are most spiritual actions. Now money is given to holy persons in order to obtain the assistance of their prayers, according to Lk. 16:9, “Make unto you friends of the mammon of iniquity.” To preachers also, who

* Can. Qui per pecunias † Cap. Cum tanto, de Consuetud.; cf. Ia IIae, q. 97, a. 3 ‡ Innocent IV on Cap. Cum in Ecclesia, de Simonia § Suppl., q. 42, a. 3 ¶ Cap. Cum in Ecclesia, de Simonia

sow spiritual things, temporal things are due according to the Apostle (1 Cor. 9:14). Moreover, something is given to those who celebrate the divine praises in the ecclesiastical office, and make processions: and sometimes an annual income is assigned to them. Therefore it is lawful to receive something for spiritual actions.

Objection 3. Further, science is no less spiritual than power. Now it is lawful to receive money for the use of science: thus a lawyer may sell his just advocacy, a physician his advice for health, and a master the exercise of his teaching. Therefore in like manner it would seem lawful for a prelate to receive something for the use of his spiritual power, for instance, for correction, dispensation, and so forth.

Objection 4. Further, religion is the state of spiritual perfection. Now in certain monasteries something is demanded from those who are received there. Therefore it is lawful to demand something for spiritual things.

On the contrary, It is stated (I, qu. 1*): “It is absolutely forbidden to make a charge for what is acquired by the consolation of invisible grace, whether by demanding a price or by seeking any kind of return whatever.” Now all these spiritual things are acquired through an invisible grace. Therefore it is not lawful to charge a price or return for them.

Answer that, Just as the sacraments are called spiritual, because they confer a spiritual grace, so, too, certain other things are called spiritual, because they flow from spiritual grace and dispose thereto. And yet these things are obtainable through the ministry of men, according to 1 Cor. 9:7, “Who serveth as a soldier at any time at his own charges? Who feedeth the flock, and eateth not of the milk of the flock?” Hence it is simoniacal to sell or buy that which is spiritual in such like actions; but to receive or give something for the support of those who minister spiritual things in accordance with the statutes of the Church and approved customs is lawful, yet in such wise that there be no intention of buying or selling, and that no pressure be brought to bear on those who are unwilling to give, by withholding spiritual things that ought to be administered, for then there would be an appearance of simony. But after the spiritual things have been freely bestowed, then the statutory and customary offerings and other dues may be exacted from those who are unwilling but able to pay, if the superior authorize this to be done.

Reply to Objection 1. As Jerome says in his commentary on Mic. 3:9, certain gifts were freely offered to the good prophets, for their livelihood, but not as a price for the exercise of their gift of prophecy. Wicked prophets, however, abused this exercise by demanding payment for it.

Reply to Objection 2. Those who give alms to the poor in order to obtain from them the assistance of their prayers do not give with the intent of buying their prayers; but by their gratuitous beneficence inspire the poor with the mind to pray for them freely and out

of charity. Temporal things are due to the preacher as means for his support, not as a price of the words he preaches. Hence a gloss on 1 Tim. 5:11, “Let the priests that rule well,” says: “Their need allows them to receive the wherewithal to live, charity demands that this should be given to them: yet the Gospel is not for sale, nor is a livelihood the object of preaching: for if they sell it for this purpose, they sell a great thing for a contemptible price.” In like manner temporal things are given to those who praise God by celebrating the divine office whether for the living or for the dead, not as a price but as a means of livelihood; and the same purpose is fulfilled when alms are received for making processions in funerals. Yet it is simoniacal to do such things by contract, or with the intention of buying or selling. Hence it would be an unlawful ordinance if it were decreed in any church that no procession would take place at a funeral unless a certain sum of money were paid, because such an ordinance would preclude the free granting of pious offices to any person. The ordinance would be more in keeping with the law, if it were decreed that this honor would be accorded to all who gave a certain alms, because this would not preclude its being granted to others. Moreover, the former ordinance has the appearance of an exaction, whereas the latter bears a likeness to a gratuitous remuneration.

Reply to Objection 3. A person to whom a spiritual power is entrusted is bound by virtue of his office to exercise the power entrusted to him in dispensing spiritual things. Moreover, he receives a statutory payment from the funds of the Church as a means of livelihood. Therefore, if he were to accept anything for the exercise of his spiritual power, this would imply, not a hiring of his labor (which he is bound to give, as a duty arising out of the office he has accepted), but a sale of the very use of a spiritual grace. For this reason it is unlawful for him to receive anything for any dispensing whatever, or for allowing someone else to take his duty, or for correcting his subjects, or for omitting to correct them. On the other hand it is lawful for him to receive “procurations,” when he visits his subjects, not as a price for correcting them, but as a means of livelihood. He that is possessed of science, without having taken upon himself the obligation of using it for the benefit of others can lawfully receive a price for his learning or advice, since this is not a sale of truth or science, but a hiring of labor. If, on the other hand, he be so bound by virtue of his office, this would amount to a sale of the truth, and consequently he would sin grievously. For instance, those who in certain churches are appointed to instruct the clerics of that church and other poor persons, and are in receipt of an ecclesiastical benefice for so doing, are not allowed to receive anything in return, either for teaching, or for celebrating or omitting any feasts.

Reply to Objection 4. It is unlawful to exact or receive anything as price for entering a monastery: but, in the case of small monasteries, that are unable to sup-

* Can. Quidquid invisibilis

port so many persons, it is lawful, while entrance to the monastery is free, to accept something for the support of those who are about to be received into the monastery, if its revenues are insufficient. In like manner it is lawful to be easier in admitting to a monastery a person who has proved his regard for that monastery by the generos-

ity of his alms: just as, on the other hand, it is lawful to incite a person's regard for a monastery by means of temporal benefits, in order that he may thereby be induced to enter the monastery; although it is unlawful to agree to give or receive something for entrance into a monastery (I, qu. ii, cap. Quam pio).

Whether it is lawful to receive money for things annexed to spiritual things?

IIa IIae q. 100 a. 4

Objection 1. It would seem lawful to receive money for things annexed to spiritual things. Seemingly all temporal things are annexed to spiritual things, since temporal things ought to be sought for the sake of spiritual things. If, therefore, it is unlawful to sell what is annexed to spiritual things, it will be unlawful to sell anything temporal, and this is clearly false.

Objection 2. Further, nothing would seem to be more annexed to spiritual things than consecrated vessels. Yet it is lawful to sell a chalice for the ransom of prisoners, according to Ambrose (De Offic. ii, 28). Therefore it is lawful to sell things annexed to spiritual things.

Objection 3. Further, things annexed to spiritual things include right of burial, right of patronage, and, according to ancient writers, right of the first-born (because before the Lord the first-born exercised the priestly office), and the right to receive tithes. Now Abraham bought from Ephron a double cave for a burying-place (Gn. 23:8, sqq.), and Jacob bought from Esau the right of the first-born (Gn. 25:31, sqq.). Again the right of patronage is transferred with the property sold, and is granted "in fee." Tithes are granted to certain soldiers, and can be redeemed. Prelates also at times retain for themselves the revenues of prebends of which they have the presentation, although a prebend is something annexed to a spiritual thing. Therefore it is lawful to sell things annexed to spiritual things.

On the contrary, Pope Paschal* says (cf. I, qu. iii, cap. Si quis objecerit): "Whoever sells one of two such things, that the one is unproductive without the other, leaves neither unsold. Wherefore let no person sell a church, or a prebend, or anything ecclesiastical."

I answer that, A thing may be annexed to spiritual things in two ways. First, as being dependent on spiritual things. Thus to have to spiritual things, because it is not competent save to those who hold a clerical office. Hence such things can by no means exist apart from spiritual things. Consequently it is altogether unlawful to sell such things, because the sale thereof implies the sale of things spiritual. Other things are annexed to spiritual things through being directed thereto, for instance the right of patronage, which is directed to the presentation of clerics to ecclesiastical benefices; and sacred vessels, which are directed to the use of the sacraments. Wherefore such things as these do not presuppose spiritual things, but precede them in the order of time. Hence

in a way they can be sold, but not as annexed to spiritual things.

Reply to Objection 1. All things temporal are annexed to spiritual things, as to their end, wherefore it is lawful to sell temporal things, but their relation to spiritual things cannot be the matter of a lawful sale.

Reply to Objection 2. Sacred vessels also are annexed to spiritual things as to their end, wherefore their consecration cannot be sold. Yet their material can be sold for the needs of the Church or of the poor provided they first be broken, after prayer has been said over them, since when once broken, they are considered to be no longer sacred vessels but mere metal: so that if like vessels were to be made out of the same material they would have to be consecrated again.

Reply to Objection 3. We have no authority for supposing that the double cave which Abraham bought for a burial place was consecrated for that purpose: wherefore Abraham could lawfully buy that site to be used for burial, in order to turn it into a sepulchre: even so it would be lawful now to buy an ordinary field as a site for a cemetery or even a church. Nevertheless because even among the Gentiles burial places are looked upon as religious, if Ephron intended to accept the price as payment for a burial place, he sinned in selling, though Abraham did not sin in buying, because he intended merely to buy an ordinary plot of ground. Even now, it is lawful in a case of necessity to sell or buy land on which there has previously been a church, as we have also said with regard to sacred vessels (Reply obj. 2). Or again, Abraham is to be excused because he thus freed himself of a grievance. For although Ephron offered him the burial place for nothing, Abraham deemed that he could not accept it gratis without prejudice to himself.

The right of the first-born was due to Jacob by reason of God's choice, according to Malach. 1:2,3, "I have loved Jacob, but have hated Esau." Wherefore Esau sinned by selling his birthright, yet Jacob sinned not in buying, because he is understood to have freed himself of his grievance.

The right of patronage cannot be the matter of a direct sale, nor can it be granted "in fee," but is transferred with the property sold or granted.

The spiritual right of receiving tithes is not granted to layfolk, but merely the temporal commodities which are granted in the name of tithe, as stated above (q. 87,

* Paschal II

a. 3).

With regard to the granting of benefices it must, however, be observed, that it is not unlawful for a bishop, before presenting a person to a benefice, to decide, for some reason, to retain part of the revenues of the benefice in question, and to spend it on some pious

object. But, on the other hand, if he were to require part of the revenues of that benefice to be given to him by the beneficiary, it would be the same as though he demanded payment from him, and he would not escape the guilt of simony.

Whether it is lawful to grant spiritual things in return for an equivalent of service, or for an oral remuneration? IIa IIae q. 100 a. 5

Objection 1. It would seem that it is lawful to grant spiritual things in return for an equivalent of service, or an oral remuneration. Gregory says (Regist. iii, ep. 18): “It is right that those who serve the interests of the Church should be rewarded.” Now an equivalent of service denotes serving the interests of the Church. Therefore it seems lawful to confer ecclesiastical benefices for services received.

Objection 2. Further, to confer an ecclesiastical benefice for service received seems to indicate a carnal intention, no less than to do so on account of kinship. Yet the latter seemingly is not simoniacal since it implies no buying or selling. Therefore neither is the former simoniacal.

Objection 3. Further, that which is done only at another’s request would seem to be done gratis: so that apparently it does not involve simony, which consists in buying or selling. Now oral remuneration denotes the conferring of an ecclesiastical benefice at some person’s request. Therefore this is not simoniacal.

Objection 4. Further, hypocrites perform spiritual deeds in order that they may receive human praise, which seems to imply oral remuneration: and yet hypocrites are not said to be guilty of simony. Therefore oral remuneration does not entail simony.

On the contrary, Pope Urban* says: “Whoever grants or acquires ecclesiastical things, not for the purpose for which they were instituted but for his own profit, in consideration of an oral remuneration or of an equivalent in service rendered or money received, is guilty of simony.”

I answer that, As stated above (a. 2), the term “money” denotes “anything that can have a pecuniary value.” Now it is evident that a man’s service is directed to some kind of usefulness, which has a pecuniary value, wherefore servants are hired for a money wage. Therefore to grant a spiritual thing for a service rendered or to be rendered is the same as to grant it for the money, received or promised, at which that service could be valued. If likewise, to grant a person’s request for the bestowal of a temporary favor is directed to some kind of usefulness which has a pecuniary value. Wherefore just as a man contracts the guilt of simony by accepting money or any eternal thing which comes under the head of “real remuneration,” so too does he contract it, by receiving “oral remuneration” or an “equivalent in

service rendered.”

Reply to Objection 1. If a cleric renders a prelate a lawful service, directed to spiritual things (e.g. to the good of the Church, or benefit of her ministers), he becomes worthy of an ecclesiastical benefice by reason of the devotion that led him to render the service, as he would by reason of any other good deed. Hence this is not a case of remuneration for service rendered, such as Gregory has in mind. But if the service be unlawful, or directed to carnal things (e.g. a service rendered to the prelate for the profit of his kindred, or the increase of his patrimony, or the like), it will be a case of remuneration for service rendered, and this will be simony.

Reply to Objection 2. The bestowal of a spiritual thing gratis on a person by reason of kinship or of any carnal affection is unlawful and carnal, but not simoniacal: since nothing is received in return, wherefore it does not imply a contract of buying and selling, on which simony is based. But to present a person to an ecclesiastical benefice with the understanding or intention that he provide for one’s kindred from the revenue is manifest simony.

Reply to Objection 3. Oral remuneration denotes either praise that pertains to human favor, which has its price, or a request whereby man’s favor is obtained or the contrary avoided. Hence if one intend this chiefly one commits simony. Now to grant a request made for an unworthy person implies, seemingly, that this is one’s chief intention wherefore the deed itself is simoniacal. But if the request be made for a worthy person, the deed itself is not simoniacal, because it is based on a worthy cause, on account of which a spiritual thing is granted to the person for whom the request is made. Nevertheless there may be simony in the intention, if one look, not to the worthiness of the person, but to human favor. If, however, a person asks for himself, that he may obtain the cure of souls, his very presumption renders him unworthy, and so his request is made for an unworthy person. But, if one be in need, one may lawfully seek for oneself an ecclesiastical benefice without the cure of souls.

Reply to Objection 4. A hypocrite does not give a spiritual thing for the sake of praise, he only makes a show of it, and under false pretenses stealthily purloins rather than buys human praise: so that seemingly the hypocrite is not guilty of simony.

* Urban II, Ep. xvii ad Lucium

Objection 1. It would seem that those who are guilty of simony are not fittingly punished by being deprived of what they have acquired by simony. Simony is committed by acquiring spiritual things in return for a remuneration. Now certain spiritual things cannot be lost when once acquired, such as all characters that are imprinted by a consecration. Therefore it is not a fitting punishment for a person to be deprived of what he has acquired simoniacally.

Objection 2. Further, it sometimes happens that one who has obtained the episcopate by simony commands a subject of his to receive orders from him: and apparently the subject should obey, so long as the Church tolerates him. Yet no one ought to receive from him that has not the power to give. Therefore a bishop does not lose his episcopal power, if he has acquired it by simony.

Objection 3. Further, no one should be punished for what was done without his knowledge and consent, since punishment is due for sin which is voluntary, as was shown above (Ia Ilae, q. 74, Aa. 1,2; Ia Ilae, q. 77, a. 7). Now it happens sometimes that a person acquires something spiritual, which others have procured for him without his knowledge and consent. Therefore he should not be punished by being deprived of what has been bestowed on him.

Objection 4. Further, no one should profit by his own sin. Yet, if a person who has acquired an ecclesiastical benefice by simony, were to restore what he has received, this would sometimes turn to the profit of those who had a share in his simony; for instance, when a prelate and his entire chapter have consented to the simony. Therefore that which has been acquired by simony ought not always to be restored.

Objection 5. Further, sometimes a person obtains admission to a monastery by simony, and there takes the solemn vow of profession. But no one should be freed from the obligation of a vow on account of a fault he has committed. Therefore he should not be expelled from the monastic state which he has acquired by simony.

Objection 6. Further, in this world external punishment is not inflicted for the internal movements of the heart, whereof God alone is the judge. Now simony is committed in the mere intention or will, wherefore it is defined in reference to the will, as stated above (a. 1, ad 2). Therefore a person should not always be deprived of what he has acquired by simony.

Objection 7. Further, to be promoted to greater dignity is much less than to retain that which one has already received. Now sometimes those who are guilty of simony are, by dispensation, promoted to greater dignity. Therefore they should not always be deprived of what they have received.

On the contrary, It is written (I, qu. i, cap. Si quis Episcopus): “He that has been ordained shall profit nothing from his ordination or promotion that he has acquired by the bargain, but shall forfeit the dignity or cure that he has acquired with his money.”

I answer that, No one can lawfully retain that which he has acquired against the owner’s will. For instance, if a steward were to give some of his lord’s property to a person, against his lord’s will and orders, the recipient could not lawfully retain what he received. Now Our Lord, Whose stewards and ministers are the prelates of churches, ordered spiritual things to be given gratis, according to Mat. 10:8, “Freely have you received, freely give.” Wherefore whosoever acquires spiritual things in return for a remuneration cannot lawfully retain them. Moreover, those who are guilty of simony, by either selling or buying spiritual things, as well as those who act as go-between, are sentenced to other punishments, namely, infamy and deposition, if they be clerics, and excommunication if they be laymen, as stated qu. i, cap. Si quis Episcopus*.

Reply to Objection 1. He that has received a sacred Order simoniacally, receives the character of the Order on account of the efficacy of the sacrament: but he does not receive the grace nor the exercise of the Order, because he has received the character by stealth as it were, and against the will of the Supreme Lord. Wherefore he is suspended, by virtue of the law, both as regards himself, namely, that he should not busy himself about exercising his Order, and as regards others, namely, that no one may communicate with him in the exercise of his Order, whether his sin be public or secret. Nor may he reclaim the money which he basely gave, although the other party unjustly retains it.

Again, a man who is guilty of simony, through having conferred Orders simoniacally, or through having simoniacally granted or received a benefice, or through having been a go-between in a simoniacal transaction, if he has done so publicly, is suspended by virtue of the law, as regards both himself and others; but if he has acted in secret he is suspended by virtue of the law, as regards himself alone, and not as regards others.

Reply to Objection 2. One ought not to receive Orders from a bishop one knows to have been promoted simoniacally, either on account of his command or for fear of his excommunication: and such as receive Orders from him do not receive the exercise of their Orders, even though they are ignorant of his being guilty of simony; and they need to receive a dispensation. Some, however, maintain that one ought to receive Orders in obedience to his command unless one can prove him to be guilty of simony, but that one ought not to exercise the Order without a dispensation. But this is an unreasonable statement, because no one should obey a man

* Qu. iii, can. Si quis praebendas

to the extent of communicating with him in an unlawful action. Now he that is, by virtue of the law, suspended as regards both himself and others, confers Orders unlawfully: wherefore no one should communicate with him, by receiving Orders from him for any cause whatever. If, however, one be not certain on the point, one ought not to give credence to another's sin, and so one ought with a good conscience to receive Orders from him. And if the bishop has been guilty of simony otherwise than by a simoniacal promotion, and the fact be a secret, one can receive Orders from him because he is not suspended as regards others, but only as regards himself, as stated above (ad 1).

Reply to Objection 3. To be deprived of what one has received is not only the punishment of a sin, but is also sometimes the effect of acquiring unjustly, as when one buys a thing of a person who cannot sell it. Wherefore if a man, knowingly and spontaneously, receives Orders or an ecclesiastical benefice simoniacally, not only is he deprived of what he has received, by forfeiting the exercise of his order, and resigning the benefice and the fruits acquired therefrom, but also in addition to this he is punished by being marked with infamy. Moreover, he is bound to restore not only the fruit actually acquired, but also such as could have been acquired by a careful possessor (which, however, is to be understood of the net fruits, allowance being made for expenses incurred on account of the fruits), excepting those fruits that have been expended for the good of the Church.

On the other hand, if a man's promotion be procured simoniacally by others, without his knowledge and consent, he forfeits the exercise of his Order, and is bound to resign the benefice obtained together with fruits still extant; but he is not bound to restore the fruits which he has consumed, since he possessed them in good faith. Exception must be made in the case when his promotion has been deceitfully procured by an enemy of his; or when he expressly opposes the transaction, for then he is not bound to resign, unless subsequently he agree to the transaction, by paying what was promised.

Reply to Objection 4. Money, property, or fruits simoniacally received, must be restored to the Church that has incurred loss by their transfer, notwithstanding

the fact that the prelate or a member of the chapter of that church was at fault, since others ought not to be the losers by his sin: in suchwise, however, that, as far as possible, the guilty parties be not the gainers. But if the prelate and the entire chapter be at fault, restitution must be made, with the consent of superior authority, either to the poor or to some other church.

Reply to Objection 5. If there are any persons who have been simoniacally admitted into a monastery, they must quit: and if the simony was committed with their knowledge since the holding of the General Council*, they must be expelled from their monastery without hope of return, and do perpetual penance under a stricter rule, or in some house of the same order, if a stricter one be not found. If, however, this took place before the Council, they must be placed in other houses of the same order. If this cannot be done, they must be received into monasteries of the same order, by way of compensation, lest they wander about the world, but they must not be admitted to their former rank, and must be assigned a lower place.

On the other hand, if they were received simoniacally, without their knowledge, whether before or after the Council, then after quitting they may be received again, their rank being changed as stated.

Reply to Objection 6. In God's sight the mere will makes a man guilty of simony; but as regards the external ecclesiastical punishment he is not punished as a simoniac, by being obliged to resign, but is bound to repent of his evil intention.

Reply to Objection 7. The Pope alone can grant a dispensation to one who has knowingly received a benefice (simoniacally). In other cases the bishop also can dispense, provided the beneficiary first of all renounce what he has received simoniacally, so that he will receive either the lesser dispensation allowing him to communicate with the laity, or a greater dispensation, allowing him after doing penance to retain his order in some other Church; or again a greater dispensation, allowing him to remain in the same Church, but in minor orders; or a full dispensation allowing him to exercise even the major orders in the same Church, but not to accept a prelacy.

* Fourth Lateran Council, A.D. 1215, held by Innocent III