

QUESTION 99

Irreligion: Sacrilege

Next we have to consider the vices involving irreligion by which irreverence or disrespect (*irreverentia*) is shown to sacred things: first, sacrilege (*sacrilegium*) (question 99) and, second, simony (*simonia*) (question 100).

And on the first topic there are four questions: (1) What is sacrilege? (2) Is sacrilege a specific sin (*speciale peccatum*)? (3) What are the species of sacrilege? (4) What is the punishment for sacrilege?

Article 1

Is sacrilege the violation of a sacred thing?

It seems that sacrilege is not the violation of a sacred thing (*non sit sacrae rei violatio*):

Objection 1: *Decretals* 17, q. 4 says, “They commit [the sin of] sacrilege who disagree with the ruler’s judgment and doubt whether those whom the ruler has chosen are worthy of honor.” But this does not seem to involve anything sacred. Therefore, sacrilege does not imply the violation of a sacred thing.

Objection 2: In the same place it is added that if anyone permits Jews to exercise public offices, “excommunication is to be carried out as if for a sacrilege.” But public offices do not seem to involve anything sacred. Therefore, it seems that sacrilege does not imply the violation of a sacred thing.

Objection 3: God’s power is greater than man’s power. But sacred things receive their holiness from God (*res sacrae a Deo sanctitatem obtinent*). Therefore, they cannot be violated by any man. And so sacrilege does not seem to be the violation of a sacred thing.

But contrary to this: In *Etymologia* Isidore says, “‘Sacrilegious man’ (*sacrilegus*) is taken from the fact that he selects, i.e., steals, sacred things (*sacra legit*).”

I respond: As is clear from what has been said (*ST* 1-2, q. 101, a. 4), something is called sacred from the fact that it is ordered toward divine worship. Now just as from the fact that something is ordered toward a good end, it receives the character of goodness, so, too, from the fact that something is put aside for the worship of God, it is made divine in a certain sense, and so the reverence that is directed toward God is due to it. And so everything that involves irreverence with respect to sacred things involves an affront (*iniuria*) to God and has the character of sacrilege.

Reply to objection 1: According to the Philosopher in *Ethics* 1, the common good of a nation is something divine. And so in antiquity the rulers of the republic were called divine in the sense of ministers of divine providence—this according to Wisdom 6:5 (“For even though you are ministers of that King, you have not judged rightly”). And so by a certain extension of the name, that which pertains to reverence for the ruler, viz., disputing, concerning his judgment, whether it is necessary to follow it, is called a sacrilege according to a certain similarity.

Reply to objection 2: The Christian people are sanctified by faith and by the sacraments of Christ—this according to 1 Corinthians 6:11 (“... but you are washed, you are sanctified). And so 1 Peter 2:9 says, “But you are a chosen generation, a kingly priesthood, a holy nation, a purchased people.” And so what brings injury to the Christian people, viz., that they should be governed by non-believers, involves irreverence with respect to something sacred. Hence, it is reasonable to call it a sacrilege.

Reply to objection 3: ‘Violation’ is here being taken in a broad sense for any sort of irreverence or disrespect (*exhonoratio*). Now as *Ethics* 1 points out, just as honor exists in the individual who gives honor, but not in the one who is honored, so, too, irreverence exists in the individual who behaves irreverently, even if he does nothing to harm the one to whom he shows irreverence. Therefore, he violates the sacred thing as much as lies within him, even if that thing is not violated.

Article 2

Is sacrilege a specific sin?

It seems that sacrilege is not a specific sin (*sacrilegium not sit peciale peccatum*):

Objection 1: *Decretals* 17, q. 4 says, “The ones who commit sacrilege are those who, whether they do it unknowingly or through negligence, violate and offend against the sanctity of the law.” But this is done by *every* sin, since, as Augustine puts it in *Contra Faustum* 22, “A sin is a word or deed or desire contrary to the law of God.” Therefore, sacrilege is a general sin.

Objection 2: No specific sin is contained under diverse genera of sins. But sacrilege is contained under diverse genera of sins, e.g., under *homicide* if one kills a priest; or under *lust*, if one violates a consecrated virgin or if one violates any woman in a sacred place; or under *theft*, if one has stolen a sacred thing. Therefore, sacrilege is not a specific sin.

Objection 3: As the Philosopher says about specific injustice in *Ethics* 5, every specific sin is distinct from other sins. But sacrilege does not seem to exist without other sins; instead, as has been noted, it is sometimes connected with theft, sometimes with homicide, etc. Therefore, it is not a specific sin.

But contrary to this: Sacrilege is opposed to a specific virtue, viz., religion, which as to do with revering God and divine things. Therefore, sacrilege is a specific sin.

I respond: Wherever one finds a specific sort of deformity, there has to a specific sin, since the species of each thing has to do principally with its formal character and not with its matter or subject. Now a specific sort of deformity is found in sacrilege, viz., that a sacred thing is violated through some sort of irreverence. And so sacrilege is a specific sin.

What’s more, sacrilege is opposed to [the virtue of] religion. For as Damascene explains in *De Fide Orthodoxa* 4, “When the purple cloth is made into a royal garment, it is given honor and glory, and if anyone cuts through it, he is condemned to death because he has acted against the king. So, too, if anyone violates a sacred thing, he thereby acts against reverence for God and so sins through irreligion.

Reply to objection 1: The ones who are said to commit a sin against the sanctity of the law are those who attack the law of God, e.g., heretics and blasphemers. By the fact that they do not believe God, they incur the sin of unbelief, whereas by the fact that they pervert the words of divine law, they incur the sin of sacrilege.

Reply to objection 2: Nothing prevents one specific type of sin from being found within several genera of sin insofar as diverse sins are ordered toward the end of a single sin. This is likewise evident in the case of virtues that are commanded by a single virtue. And in this way, if someone does something in any genus of sin that is contrary to the reverence due to sacred things, then he *formally* commits a sacrilege, even though, *materially* speaking, there are diverse genera of sin in such cases.

Reply to objection 3: A sacrilege is sometimes found separate from other sins, because the act does not have any deformity other than that of violating a sacred thing—as, for instance, if a judge extradites from a sacred place someone whom he could seize licitly in other places.

Article 3

Are the species of sacrilege distinguished by the [types of] sacred things?

It seems that the species of sacrilege are not distinguished by the [types of] sacred things:

Objection 1: Material diversity does not diversify species as long as the formal character remains the same. But in the violation of any sacred thing the *formal* character of the sin seems to be the same,

and it seems that the only diversity is *material*. Therefore, the species of sacrilege are not thereby diversified.

Objection 2: It does not seem possible that some things should be of the same species and yet differ in species. But homicide and theft and illicit sexual intercourse are diverse species of sin. Therefore, they cannot agree in the single species *sacrilege*. And so it seems that the species of sacrilege are distinguished by the diverse species of other sins and not by the diversity of sacred things.

Objection 3: Sacred persons are counted among the sacred things. Therefore, if one species of sacrilege were that by which a sacred person is violated, then it would follow that every sin that a sacred person committed would be a sacrilege, since the person of the sinner is violated by every sin. Therefore, the species of sacrilege are not taken from [the types] of sacred things.

But contrary to this: Acts and habits are distinguished by their objects. But as has been explained (a. 1), *sacred thing* is the object of sacrilege. Therefore, the species of sacrilege are distinguished by differences among the sacred things.

I respond: As has been explained (a. 1), the sin of sacrilege consists in someone's behaving irreverently with respect to a sacred thing. Now reverence is owed to a sacred thing by reason of its holiness (*debetur reverentia rei sacrae ratione sanctitatis*). And so it is according to the diverse kinds of holiness belonging to the sacred things to which irreverence is shown that the species of sacrilege are distinguished, and a sacrilege is more serious to the extent that the sacred thing sinned against has more holiness.

Now holiness is attributed to (a) sacred persons, i.e., persons dedicated to the worship of God, and to (b) sacred places, and to (c) certain other sacred things.

Now the holiness of a place is ordered toward the holiness of the men who give worship to God in that sacred place. For 2 Maccabees 5:19 says, "God did not choose the people for the sake of the place, but the place for the sake of the people." And so a sin of sacrilege by which one sins against a *sacred person* is more serious than a sin of sacrilege by which one sins against a *sacred place*—though there are diverse grades within both these species of sacrilege, according to the differences among persons and among sacred places.

Similarly, the third species of sacrilege, which is committed against *other sacred things*, likewise has diverse grades, according to the differences among sacred things. Among these, the highest place is held by the sacraments themselves, by which a man is sanctified and the most important of which is the sacrament of the Eucharist, which contains Christ Himself. And so a sacrilege that is committed against this sacrament is the most serious sacrilege of all. Now after the sacraments, the second place is held by the vessels consecrated for the reception of the sacraments, along with those sacred images and sacred relics in which the very persons of the saints are in some way venerated or disrespected. Next are those things that belong to the adornment of the Church and her ministers. Next are the things set aside for the sustenance of the ministers, whether movable or immovable.

Whoever sins against any of the things just listed incurs the crime of sacrilege.

Reply to objection 1: It is not the case that the same character of holiness (*eadem ratio sanctitatis*) exists in all the things listed above. And so the differences among the sacred things are formal and not just material.

Reply to objection 2: Nothing prevents two things from belonging to the same species in one respect and to diverse species in some other respect (*nihil prohibet duo secundum aliquid esse unius species et secundum aliud diversarum*); for instance, Socrates and Plato agree in their species of [the genus] *animal*, but differ in their species of [the genus] *colored* if one of them is white and the other is black. Similarly, it is likewise possible for two sins to differ in species with respect to their *material acts*, but to agree in species with respect to the single *formal* character *sacrilege*—as, for instance, if someone violates a nun either by beating her or by having sexual intercourse with her.

Reply to objection 3: Every sin that a sacred person commits is, to be sure, *materially*

(*materialiter*) and, as it were, *incidentally* (*per accidens*) a sacrilege. Hence, Jerome says, “Idle speech on the lips of a priest is sacrilege or blasphemy.” However, *formally* and *properly* speaking, the only sin committed by a sacred person that is a sacrilege is one in which the action is directly opposed to his holiness—as, for instance, if a virgin consecrated to God commits fornication. And the same line of reasoning holds in other cases as well.

Article 4

Should the punishment for a sacrilege be a fine?

It seems that the punishment for a sacrilege should not be a fine (*poena sacrilegii non debeat esse pecuniaria*):

Objection 1: A fine is not normally imposed for a criminal offense (*poena pecuniaria non solet imponi pro culpa criminali*). But sacrilege is a criminal offense; hence, according to civil laws it is punished by a capital sentence (*capitali sententia punitur*). Therefore, sacrilege should not be punished by a financial punishment.

Objection 2: The same sin should not be punished by two punishments—this according to Nahum 1:9 (“There shall not arise a double affliction”). But the punishment for sacrilege is excommunication—major excommunication if violence is inflicted on a sacred person or if someone burns down or destroys a church, minor excommunication in the case of other sacrileges. Therefore, sacrilege should not be punished by a fine.

Objection 3: In 1 Thessalonians 2:5, “... nor have we at any time taken an occasion for avarice.” But it seems to involve an occasion for avarice that a fine should be required for the violation of a sacred thing. Therefore, it does not seem that such a punishment is appropriate for sacrilege.

But contrary to this: *Decretals* 17, q. 4 says, “If someone who is contumacious or overbearing extracts a fugitive servant by force from the confines of a church, he shall pay nine hundred gold coins (*nongentos solidos componat*).” And later on in the same place it says, “Anyone who is found guilty of sacrilege shall pay thirty pounds of tried purest silver.”

I respond: There are two things that have to be taken into consideration when inflicting punishments.

The first is *equal balance* (*aequalitas*), in order that the punishment might be just—so that, namely, as Wisdom 11:17 says, “A man shall be tormented in the same way by which he sins.” And in this sense a fitting punishment for sacrilege, which inflicts injury on something sacred, is excommunication, through which one is kept at a distance from what is sacred.

But, second, *usefulness* is taken into consideration. For certain punishments are inflicted as medicine, so that, fearing them, a man might desist from sinning. Now someone sacrilegious, who does not revere what is sacred, does not seem to be sufficiently deterred from sinning by being deprived of sacred things, since he does not care about them. And so, according to human laws, capital punishment is applied. But according to the sentence of the Church, which does not inflict bodily death, fines are used, in order that men might be deterred from committing sacrileges at least by temporal punishments.

Reply to objection 1: The Church does not inflict bodily death, but instead inflicts excommunication in its place.

Reply to objection 2: It is necessary for two punishments to be used when someone is not sufficiently deterred from sinning by one punishment. And so, it was necessary, over and beyond the punishment of excommunication, to inflict some sort of temporal punishment in order to coerce men who disdain spiritual things.

Reply to objection 3: If a fine were demanded without reasonable cause, this would seem to

involve an occasion for avarice. But when the fine is demanded for a man's correction, it has a clear usefulness. And so it does not involve an occasion for avarice.