

Pope Nicholas's speech about simony and papal election, 1059

Draft translation by Charles West, September 2019

Source: MGH Concilia VIII, pp. 382-3 (JL 4431a)

The Lord Pope Nicholas, presiding over the synod in the Constantinian basilica, said:

“We decree that there should be no mercy for the simoniacs to protect their indignity, and we condemn them according to the sanctions of the canons and the decrees of the holy fathers, and we declare with apostolic authority that they should be deposed. About those who were ordained by simoniacs not for money but freely, since this question has now been debated for a very long time, we remove every knot of doubt, so that we permit no one henceforth to hesitate over this decree.

Since the poisonous calamity of the simoniac heresy has until now grown up to such an extent that hardly any church can be found that is not corrupted in some part by this disease, we permit those who have been freely ordained already by simoniacs to remain in their orders, according not to the censure of justice but to the perspective of mercy, unless perhaps some fault from their life stands against them according to the canons. There is such a multitude of these people that since we are not able to enforce the rigour of canonical vigour upon them, it is necessary that we incline our spirit for the moment to the zeal of pious condescension. We do this on condition, however, that by the authority of the Apostles Peter and Paul we absolutely forbid that any of our successors should ever take this permission of ours as a rule for themselves or anyone else, since the authority of the ancient fathers did not promulgate this by command or concession, but the great necessity of the time extorted it from us by permission.

As for the rest, if anyone in future allows himself to be consecrated by someone whom he does not doubt is a simoniac, let both the consecrator and the consecratee suffer the same sentence of condemnation, and let both, once deposed, do penance and remain without their status.

In addition, we decree by apostolic authority what we declared in our other meetings, that if anyone is raised to the Apostolic Seat by money or human favour or popular or military riot, without the agreement, canonical election and blessing of the cardinals and then of the following orders of religious clerics, then he should be treated not as a pope or as apostolic, but as an apostate. It is permitted to the cardinal bishops and to religious and godfearing clerics and laymen to repel an invader from the apostolic see with anathemas and human aid and zeal, and to place there someone they judge worthy. And if they are unable to do this within the City, then by our apostolic authority let them gather in whichever place outside the City is pleasing to them, and let them choose whoever they see is more worthy and more useful to the Apostolic See. And let them concede to him the authority of ruling and managing the property and utility of the Holy Roman Church, according to whatever seems best to him according to the nature of the times, as if he was fully enthroned.”