

# The Ethics of the Coronavirus Vaccines

In the midst of a global pandemic that has taken millions of lives and destroyed livelihoods across the world, the possibility of the availability of safe and effective vaccines offers an escape route that will save lives and allow the world to return to something resembling normality. For Catholics, the question of ethical vaccines, knowing that industry and researchers use cell-lines derived from aborted babies, is not new but one of increasing importance in the face of challenges humanity has faced in the past year. The calculus involved in weighing up remote cooperation with the evil of abortion and the exigences of the common good has been greatly altered by a global pandemic, with growing emotional pressure to accept, without caveat, vaccines derived or developed from illicit cell-lines. The risk to this is that it will erode the ability and responsibility to collectively and individually demand ethically acceptable vaccines giving the green light to big pharma to continue to use those cell-lines that have been developed through cooperation with abortion. The following is an attempt to look at this

## Irish Bishops' Statement

In light of the recent statement by the Irish Bishops' Conference, and other similar episcopal groups around the world, it is important to look in more depth at the question of the ethical acceptability of vaccines developed from cell lines derived from aborted foetuses.

The Irish bishops' statement echoes the position of the Pontifical Academy for Life of 2017. Updating a 2005 statement. The Bishops state:

*"We are encouraging Catholics to support a programme of vaccination, not only for their own good, but for the protection of life and the health of those who are vulnerable and for the common good of humanity.*

*Questions have arisen that human foetal cell-lines, which have their origins in abortions carried out in the past, are used in the development and production of some of the vaccines for COVID-19.*

*If a more ethically acceptable alternative is not readily available to them, it is morally permissible for Catholics to accept a vaccine which involves the use of foetal cell-lines, especially if the potential risk to life or health is significant, as in the case of a pandemic. Refusal to accept a vaccine could contribute to significant loss of life in the community and especially among those who are most vulnerable. This reality must inform any judgement of conscience.*

*We reaffirm the consistent teaching of the Church that abortion is always gravely immoral. The Church has always made a distinction, however, between formal (deliberate) involvement in an immoral act and material involvement, which may be incidental and remote. The decision of those who decide to accept vaccines which have had some link with foetal cell-lines in the past does not imply any consent on their part to abortion.*

*We note that many of the vaccines currently being developed do not depend for their design or production on foetal cell lines."*

The statement by the Bishops address a number of important issues that are of concern to Catholics who wish to adhere to Church teaching and continue to promote a culture of life, while also avoiding taking unethical decisions. The important issues under consideration are:

- 1- The wrongness of abortion and the consistency of Church teachings.
- 2- The ethics of vaccines developed from cell lines derived from aborted babies.
- 3- The place of conscience in making moral decisions.
- 4- The requirement of the common good, particularly in a pandemic.
- 5- The source of the vaccines proposed for Covid-19

While all these issues are touched upon, they are not elaborated in depth, and a number of other considerations, such as the safety of the proposed vaccines and how that is to be considered, and the nature and urgency of the Covid-19 pandemic, were not covered in the statement but also of consideration.

While the statement has been interpreted – both by those who consider the vaccines under development to be ethical and those who are not convinced – to be an endorsement of the planned government vaccine roll-out, and a call to Catholics to participate, a careful reading of the words used, indicate that this is not necessarily so, and based on a series of assumptions within the statement. The Irish Times ran with the headline: “‘Morally permissible’ for Catholics to accept Covid-19 vaccine which uses aborted foetal cells.” If anything, the Bishops’ statement is extremely carefully worded on a number of levels to avoid over-commitment in an area of uncertainty.

Firstly, the Bishops encourage Catholics to take part in a vaccination programme for the common good. They are careful in being definitive in referring to this particular programme and the vaccines that will be used in Ireland as this is, as of yet, unclear, but endorse the principal of participating for the common good.

Additionally, the Bishops note that *‘many of the vaccines currently being developed do not depend for their design or production on foetal cell lines’*, which is true, but again is non-specific as there are a wider range of vaccines being developed than many are aware of. They do not engage in endorsing specific vaccines – which in itself is telling, and prudent.

The bishops state, reflecting the 2005 Academy for Life statement ("Moral reflections about vaccines prepared from cells of aborted human fetuses") that *‘ If a more ethically acceptable alternative is not readily available to them, it is morally permissible for Catholics to accept a vaccine which involves the use of foetal cell-lines’* however they immediately diverge from the teaching of the Pontifical Academy in the remainder of the sentence *‘especially if the potential risk to life or health is significant, as in the case of a pandemic’*. Neither the 2005 nor updated 2017 statement mention a pandemic as a specific reason but refer to ‘the safety of others’, ‘vulnerable subjects such as pregnant women’ and ‘the health situation of the general population’. The Academy statements were referring in particular to vaccination programmes such as those addressing Rubella, MMR and others.

The Bishops' statement does not take up the recommendation of the Academy from 2017 which essentially dismissed any concerns regarding the ethical use of vaccines developed from cell-lines derived from aborted fetuses, stating that these were so remote that "the cell lines currently used are very distant from the original abortions and no longer imply that bond of moral cooperation indispensable for an ethically negative evaluation of their use." It is unclear what period of time or medical distance is considered to assure sufficient remoteness to be no longer of concern, however this period seems to have passed sometime between 2005 and 2017 given the updated position of the Pontifical Academy.

It is probably worth noting that the Pontifical Academy has no role in making magisterial pronouncements on behalf of the Church and is an advisory body of Religious and Lay as well as non-Catholics. It is very likely that the Bishops were aligning their statement with the portions of the 2008 Congregation for the Doctrine of the Faith promulgation '*Dignitas Personae*' which is more authoritative and does not make any pronouncement on sufficient remoteness for the issue to be of **no** ethical concern. In fact, *Dignitas Personae* warns against over-emphasising independence that some use to separate the original act from those that make use of its benefits – ie vaccine manufacturers at the end of the scale.

*"In this regard, the criterion of independence as it has been formulated by some ethics committees is not sufficient. According to this criterion, the use of "biological material" of illicit origin would be ethically permissible provided there is a clear separation between those who, on the one hand, produce, freeze and cause the death of embryos and, on the other, the researchers involved in scientific experimentation. The criterion of independence is not sufficient to avoid a contradiction in the attitude of the person who says that he does not approve of the injustice perpetrated by others, but at the same time accepts for his own work the "biological material" which the others have obtained by means of that injustice."*

Thus, it is unclear how the Pontifical Academy were able to make such a broad affirmation on the use of unethically derived cell-lines. *Dignitas Personae* reiterates the differing degrees of responsibility but never cedes to the idea that the actions can be sufficiently remote to be of no ethical concern

*"Of course, within this general picture there exist differing degrees of responsibility. Grave reasons may be morally proportionate to justify the use of such "biological material". Thus, for example, danger to the health of children could permit parents to use a vaccine which was developed using cell lines of illicit origin, while keeping in mind that everyone has the duty to make known their disagreement and to ask that their healthcare system make other types of vaccines available. Moreover, in organizations where cell lines of illicit origin are being utilized, the responsibility of those who make the decision to use them is not the same as that of those who have no voice in such a decision."*

It is for this reason that the Irish Bishops continue to emphasise that making a decision on whether to take a Covid-19 vaccine remains an issue of conscience, weighing up the gravity of the risk to the health of vulnerable individuals, against the ethical questions related to the vaccines that may have a connection to cell-lines derived from aborted babies. This reflects the statement from the Bishops in the UK:

*“Each Catholic needs to educate his or her conscience on this matter in the light of the above principles. Research towards and use of an ethically sourced vaccine is the goal which we desire. If this is not achievable and widely available for all people, the Church recognises that there may be ‘grave reasons’ for using a vaccine which is developed from cell-lines associated with the unethical exploitation of the human remains of an aborted child in the past.*

*“The prudent judgement of conscience will depend on responsibilities to others, as well as personal health and protection of human life. **Whilst many may in good conscience judge that they will accept such a vaccine, some may in good conscience judge that they will not.** If the choice is made not to receive this vaccination, then the person must make other provision to mitigate the risk of harm to the life or health of others and to his or her own life and health.”*

It is also why it continues to be necessary, as the Bishops state, “Catholics should continue to advocate for the availability of ethically-developed vaccines. In that way they bear witness that biomedical research should always be conducted in a manner which is consistent with respect for life and for human dignity.” If the Bishops were to follow the 2017 statement of the Academy for Life, there would be little reason for doing this as the statement undermines engagement on this issue from an ethical perspective, and an economic one.

## **CDF Updated Guidance**

However, since the Bishops’ statement, the Congregation for the Doctrine of the Faith has released a statement, approved by Pope Francis, that aligns closely with the Academy document of 2017, where they “consider the moral aspects of the use of the vaccines against Covid-19 that have been developed from cell lines derived from tissues obtained from two fetuses that were not spontaneously aborted.”

Important here is to note that the guidance is considering two specific instances of abortion and the cell-lines derived from them. The CDF states quite emphatically “when ethically irreproachable Covid-19 vaccines are not available ... *it is morally acceptable to receive Covid-19 vaccines that have used cell lines from aborted fetuses in their research and production process.*” (Italics in original).

They further elaborate that “It must therefore be considered that, in such a case, all vaccinations recognized as clinically safe and effective can be used in good conscience with the **certain knowledge** that the use of such vaccines does not constitute **formal cooperation** with the abortion from which the cells used in production of the vaccines derive.”

The statement is cushioned with additional words that confirm the “the licit use of such vaccines does not and should not in any way imply that there is a moral endorsement of the use of cell lines proceeding from aborted fetuses” and that industry ought to develop ethical vaccines that do not create problems of conscience. It is unclear why there ought to be problems of conscience if it is already stated that it is morally acceptable to receive the vaccines.

## **What the Pope said**

When the Pope speaks officially 'ex cathedra' from the See of Peter on faith and morals, he is speaking infallibly but in TV interviews his personal (and ethical) views do not carry the same certainty.

His interjection into the debate on covid-19 vaccines was certainly not meant to be infallible but his words carry significant weight nonetheless. According to the transcript of an interview on Italian television station TG5, he says that "It's an ethical choice, because you are playing with health, life, but you are also playing with the lives of others ... One must do it." According to the transcript, the Pope added, "I don't understand why some say, 'No, vaccines are dangerous.' If it is presented by doctors as a thing that can go well, that has no special dangers, why not take it?" He has also been reported as saying "I believe that morally everyone must take the vaccine ... It is the moral choice because it is about your life but also the lives of others."

In some ways, this is the natural position that follows from the brief Congregation for the Doctrine of the Faith (CDF) note on the morality of Covid-19 vaccines, that "it is morally acceptable to receive Covid-19 vaccines that have used cell lines from aborted fetuses in their research and production process." Assuming the vaccine is perfectly safe, perfectly efficient and perfectly ethical, then there are seemingly no objections to taking the vaccine as it can only bring positive benefits to the health and life of individuals and contributes to the common good of returning society to its normal functioning.

But, of course the vaccines are not perfect in any manner. There are concerns that have been largely white-washed in relation to the licitness of the cell-lines used in production or testing. And given the speed at which the vaccines were developed, naturally there is much that is not yet understood. Allied to this is the potential damage that is done to the argument touched on by the CDF as a parallel obligation to seek and demand perfectly ethical alternatives from manufacturers and healthcare providers.

Even though the Pope was speaking off the cuff, his asserting that he believes morally everyone must take the vaccine questions the rights (and responsibilities) of conscience. This position is slightly ironic given that in *Amoris Laetitia* he said that the Catholic Church was called "to form consciences, not to replace them."

The Pope and the CDF promote the use and acceptance of Covid-19 vaccines, irrespective of the cell-lines they are derived from. Somewhere between 2005 when the Pontifical Academy for Life first advised on the ethical use of vaccines derived from these cell-lines and 2020, the primacy of conscience to be fully formed when making a decision weighing up the morality of where they came from against the health and common good has been dropped. Somehow, the remoteness from the original abortion where the cell-lines were sourced has advanced sufficiently over fifteen years.

## Conscience

However, what is missing is any developed guidance from the Irish Bishops on how to make this decision of conscience and this is an element of pastoral responsibility. In particular, this is increasingly necessary due to the already low understanding of Catholic teaching, an increasingly

subjective understating of conscience and its proper formation, as well as the obvious endorsement of abortion by a large portion of the Irish population and the assumption, even among Catholics, that abortion itself is morally permissible as evidenced in the 2108 referendum, as well as the social and media pressure to accept the vaccine 'for the common good'. It is unlikely that many are aware that the 2005 Academy statement makes it clear that "there is a **grave** responsibility to use alternative vaccines and to make a conscientious objection with regard to those which have moral problems."

This is particularly important, as many Catholics may feel, from reading the Bishops' statement, and hearing from the Pope, that they should take the vaccine, and that the Bishops are instructing them to. Their conscience may be telling them that they shouldn't but feel that they have to be obedient to the Bishops. This may force some to disobey their conscience. There may be others who are unaware of the seriousness of the injustice at play, and want, for their own safety and that of their loved ones, as well as a sense of responsibility, to take the vaccine, but may not have formed their conscience sufficiently – or at all – to weigh up the decisions that they have to take.

And while many eminently Orthodox commentators and theologians seem to have arrived with the opinion that it is ethical to take vaccines derived from these particular cell-lines, others are also landing on the logical corollary. If there is no ethical reason not to take the vaccine, then because of the common good imperative, then there is almost an obligation to take the vaccine, assuming the safety of the vaccine is assured.

Of course, the following question then arises: if there is an obligation to take the vaccine, is it a sin not to take the vaccine? There are some serious questions that arise depending on whether or not the use of conscience remains a relevant consideration, which is very much linked to whether there remain ethical concerns related to the vaccines – questions not just for the mortal realm but beyond also.

## Church Morality

In *Veritatis Splendor*, Pope John Paul II refers to the role of conscience in understanding and assessing the moral requirements. These provide the backdrop to the elaborations of proximate, mediate, passive, formal and material cooperation, that are important in the challenging issue of choosing whether to take and promote particular vaccines. *Veritatis Splendor* provides the grounding to understand how these formulations are arrived at, working from the basics of moral obligations to the deeper considerations.

Arriving a very strong point:

"[I]t is always possible that man, as the result of coercion or other circumstances, can be hindered from doing certain good actions; but he can never be hindered from not doing certain actions, especially if he is **prepared to die rather than to do evil.**"

This can be hard to accept in the modern age. In making choices of what to do or how to act where an act is not forbidden, it requires prudence, understanding and practical judgement. This also

“In the case of the positive moral precepts, prudence always has the task of verifying that they apply in a specific situation, for example, in view of other duties which may be more important or urgent.”

It is in these tasks that conscience is called to help us:

“The judgment of conscience is a practical judgment, a judgment which makes known what man must do or not do, or which assesses an act already performed by him. It is a judgment which applies to a concrete situation the rational conviction that one must love and do good and avoid evil.”

But conscience is not infallible, and can be misformed, completely out of the control of the acting person:

“in the judgments of our conscience the possibility of error is always present. Conscience is not an *infallible judge*; it can make mistakes. However, error of conscience can be the result of an *invincible ignorance*, an ignorance of which the subject is not aware and which he is unable to overcome by himself.”

This can be particularly relevant in times of national crisis where exaggerated hysteria and groupthink can become an obstacle to ensuring a properly formed conscience. The responsibility of the Church in this regard is made very clear by the Pope:

“The Church puts herself always and only at the service of conscience, helping it to avoid being tossed to and fro by every wind of doctrine proposed by human deceit (cf. Eph 4:14), and helping it not to swerve from the truth about the good of man, but rather, especially in more difficult questions, to attain the truth with certainty and to abide in it.”

The Church leaders have a pastoral responsibility to provide guidance and support the faithful to develop their conscience, and to be able to discern between the different types of moral acts, avoiding forms of consequentialism and weighing of possible benefits when there are objective wrongs under consideration.

The result of these considerations is that: “Even though intentions may sometimes be good, and circumstances frequently difficult, [civil authorities and particular] individuals never have authority to violate the fundamental and inalienable rights of the human person. In the end, only a morality which acknowledges certain norms as valid always and for everyone, with no exception, can guarantee the ethical foundation of social coexistence, both on the national and international levels.”

Of course, none of this gives us the answers about how to evaluate the challenge of vaccines developed from remote but illicit sources. What it does, however, is set the scene for understanding the requirements of Catholic morality.

There primacy of conscience is important however, as Pope John Paul II notes, there is the problem of the correct formation of conscience. There is much written about the subject and perhaps no one has attempted to explain this issue in some depth in recent years more than Cardinal Ratzinger, prior

to becoming Pope. His short book, *On Conscience*, brings together much of these thoughts and was written with a view to the challenges of biotechnology in the modern world.

The challenging calculus on the subject of vaccines, and the technological nuances in relation to the use of cell-lines, their modifications and their role in vaccines production, render weighing up the different aspects difficult without even consensus among theologians or Religious. But it is important to understand that conscience is not always king and ensuring the conscience is properly informed and not just dogmatically entrenched is important.

“No one may act against his convictions, as St. Paul had already said (Rom 14:23). But the fact that the conviction a person has come to certainly binds in the moment of acting does not signify a canonization of subjectivity. It is never wrong to follow the convictions one has arrived at—in fact, one must do so. But it can very well be wrong to have come to such askew convictions in the first place, by having stifled the protest of the anamnesis of being.”

It is for these reasons that a full understanding of what conscience actually is – rather than the modern-day supposition of it is the selective will or preference – is important for all who wish to make the best choices where confusion can reign. In relation to vaccines, this can be particularly important – for those who wish to take the vaccine to protect their own health and the common good, but also for those who do not wish to take the vaccine because they cannot countenance any connection to abortion, however distant.

## Teaching on life

While the Church teaching on abortion is well known by most, it is useful to highlight exactly how serious the Church views the deliberate taking of innocent life. As Bishop Schneider pointed out in his thoughts on the moral appropriateness of certain vaccines and in response to the position taken by various Episcopal conferences, we have to “reject abortion in all cases as a grave moral evil that cries out to heaven for vengeance (see Catechism of the Catholic Church n. 2268, n. 2270)”. This very challenging statement from the Catechism, that abortion is such a grave moral evil that cries to heaven for vengeance, places it on a different level from many other evils – with the imputation that any cooperation, whether formal, material, mediate etc – also being of graver concern. Analogies to other historical wrongdoings fall short with this consideration and create false comparisons.

Pope John Paul II, again in *Evangelium Vitae* in 1995 emphasised the illicit nature of abortion. “I declare that direct abortion, that is, abortion willed as an end or as a means, always constitutes a grave moral disorder, since it is the deliberate killing of an innocent human being.”

The Church condemned abortion as early as the 2nd century CE: a document called the *Didache*, written in the 2nd century (some time after 100 CE), states: "You shall not kill the embryo by abortion and shall not cause the newborn to perish". Since the sixteenth century, causing or having an abortion led to automatic excommunication. This is stated in the Code of Canon Law (1983): "A person who actually procures an abortion incurs automatic excommunication" (Canon 1398).



In particular, without mentioning vaccines, the Catechism points toward the immorality of exploitation of embryos as disposable biological material. "It is immoral to produce human embryos intended for exploitation as disposable biological material."

In his 1995 encyclical, *Evangelium Vitae*, that Pope John Paul II articulated with great depth the Church theological and philosophical understanding of the evil of abortion. He also elaborates on the confluence of powers that have aligned to attempt to create a relativisation of abortion – business, government, technology, media – all of whom have a strong interest in the sale and use of vaccines, however derived.

*"In order to facilitate the spread of abortion, enormous sums of money have been invested and continue to be invested in the production of pharmaceutical products which make it possible to kill the foetus in the mother's womb without recourse to medical assistance. On this point, scientific research itself seems to be almost exclusively preoccupied with developing products which are ever more simple and effective in suppressing life and which at the same time are capable of removing abortion from any kind of control or social responsibility."*

He also began to explore the morality of experimentation on embryos and their exploitation in medical science.

*"This evaluation of the morality of abortion is to be applied also to the recent forms of intervention on human embryos which, although carried out for purposes legitimate in themselves, inevitably involve the killing of those embryos. This is the case with experimentation on embryos, which is becoming increasingly widespread in the field of biomedical research and is legally permitted in some countries. Although 'one must uphold as licit procedures carried out on the human embryo which respect the life and integrity of the embryo and do not involve disproportionate risks for it, but rather are directed to its healing, the improvement of its condition of health, or its individual survival', it must nonetheless be stated that the use of human embryos or fetuses as an object of experimentation constitutes a crime against their dignity as human beings who have a right to the same respect owed to a child once born, just as to every person."*

This reflects the teaching elaborated in *Donum Vitae* on the respect due to the remains of the unborn

*"to use human embryos or foetuses as the object or instrument of experimentation constitutes a crime against their dignity as human beings having a right to the same respect that is due to the child already born and to every human person."*

*Dignitas Personae* elaborated further on this, pointing out the dignity owed to the remains of an aborted foetus as much as for any other human being:

*"These forms of experimentation always constitute a grave moral disorder. A different situation is created when researchers use 'biological material' of illicit origin which has been produced apart from their research center or which has been obtained commercially."*

It is from here that we are in a position to examine the problems with vaccines produced from material derived from aborted babies elaborated by the Pontifical Academy for Life in 2005 and then in the successor to *Donum Vitae* in 2008, *Dignitas Personae*.

## Teaching on vaccines

The *National Catholic Bioethics Centre* sums up the Church approach to addressing the challenges posed by vaccines developed from abortion-derived cell-lines. There is little value in attempting to re-write what has already been summed up succinctly by others.

*“The teaching authority of the Church rarely intervenes in cases involving cooperation because the issues can be complex and detailed. Nevertheless, given the importance of this issue, the Church has issued authoritative and advisory guidance on three occasions since 2005. This guidance, read in the context of other important teachings of the Church, provides a resource that people can employ to avoid moral evil and to witness to the gospel of life. Guidance from the Church *Dignitas Personae* (2008), an instruction from the Congregation for the Doctrine of the Faith (CDF), contains the most authoritative magisterial teaching on this topic. The CDF first notes a key consideration beyond the immorality of abortion itself, namely that the bodies of human embryos and fetuses must be treated with respect after death and not exploited as mere biological material. Next, *Dignitas Personae* points out the duty for scientists to remove themselves from areas of research and development using abortion-derived cell lines even if they were themselves not involved in any abortions or in obtaining human tissue. Finally, the CDF addresses people who need medicines already developed with the use of these cell lines of illicit origin. *Dignitas Personae* notes that, given these serious needs, “danger to the health of children could permit parents to use a vaccine which was developed using cell lines of illicit origin, while keeping in mind that everyone has the duty to make known their disagreement and to ask that their healthcare system make other types of vaccines available.”*

*“In 2005 the Pontifical Academy for Life (PAV) issued advisory guidance in the form of Moral Reflections at the request of the CDF. The substance of these reflections was confirmed in a 2007 letter from the prefect of the CDF to the president of the United States Conference of Catholic Bishops. The PAV noted that end users of vaccines, such as doctors and parents, were only remotely and passively involved in relation to voluntary abortions. However, public authorities, health systems, and those involved in marketing and distributing vaccines derived from aborted fetal cell lines were more intensively involved and hence more responsible. The PAV also described a grave responsibility to advocate for and to use alternative vaccines to end this unethical situation as soon as possible. Moreover, the PAV recognized that it could be right, under certain conditions, to refuse to use such vaccines. Taken together, this guidance makes clear that it was wrong for those responsible to create abortion-derived cell lines. Nevertheless, serious reasons may permit people to use vaccines produced with abortion-derived cell lines to protect their own lives and health and those of others if no effective alternative vaccines are available. Beyond stating what is and what is not morally permissible, this guidance outlines additional duties to advocate for and to use alternatives whenever possible and also recognizes that, in some cases, people may decide in good conscience to forgo any vaccines connected with the use of abortion-derived cell lines.”*

The NCBC also mention the 2017 Pontifical Academy for Life statement,

*“In 2017 the Pontifical Academy for Life (PAV), an advisory body to the Holy See, issued a joint statement with two Italian organizations. This statement highlighted the urgent need for people to accept vaccines to protect the health of others who would benefit from herd immunity. The PAV further argued that clinically recommended vaccinations could be used with a clear conscience because the use of vaccines does not entail morally relevant cooperation with voluntary abortion.”*

This statement from the PAV seemed an anomaly in the guidance available until the Congregation for the Doctrine of the Faith released an updated note on the Covid-19 vaccines on December 21<sup>st</sup> 2020. The CDF states quite emphatically “when ethically irreproachable Covid-19 vaccines are not available ... *it is morally acceptable to receive Covid-19 vaccines that have used cell lines from aborted fetuses in their research and production process.*” (Italics in original). They further elaborate that “It must therefore be considered that, in such a case, all vaccinations recognized as clinically safe and effective can be used in good conscience with the **certain knowledge** that the use of such vaccines does not constitute **formal cooperation** with the abortion from which the cells used in production of the vaccines derive.” Thus, the CDF note mirrors the 2017 PAV advice quite closely.

Between 2005/8 and 2017/20, the cell lines have transformed from being problematic to being uncontroversial and it is not clear how or why this occurred. Whether an unstated threshold of time passing had been crossed to create sufficient distance in time (40 years is morally relevant and 50 years is not?) or whether there had been additional remoteness in the physical processes that crossed a threshold remains unclear, or whether somehow either of these meant the degrees of distance from wrongdoing and cooperation with wrongdoing had become great enough to render the use of the vaccines morally unquestionable. This anomaly remains unanswered.

## The current situation

There are a number of vaccines that are made in descendent cells of aborted fetuses. Abortion is a grave crime against innocent human life. Descendent cells are the medium in which these vaccines are prepared. Two of the earliest and best-known cell lines, WI-38 and MRC-5, were begun using cells taken from one or more fetuses aborted years ago. Since that time the cell lines have grown independently. It is important to note that descendent cells are not the cells of the aborted child. They never, themselves, formed a part of the victim's body. Cell lines such as WI-38, MRC-5, HEK-293, PER C6, WI-26 VA4, and Walvax-2 are derived from tissue from aborted fetuses. Any product grown in these or other cell lines derived from abortions, therefore, has a distant association with abortion. The cells in these lines have gone through multiple divisions before they are used in vaccine manufacture. After manufacture, the vaccines are removed from the cell lines and purified. One cannot accurately say that the vaccines contain any of the cells from the original abortion.

The Pontifical Academy note in their 2017 statement that “that today it is no longer necessary to obtain cells from new voluntary abortions, and that the cell lines on which the vaccines are based in are derived solely from two fetuses originally aborted in the 1960’s.” At the same time, it should not

be forgotten that the technological experimentation using aborted fetuses continues today in many different forms. As recently reported on Gript.ie

*“Dr. Stacy Trasancos has said aborted babies are being treated no better than lab-rats in studies carried out at numerous universities. The chemistry expert recently investigated the laboratory practices of University of Pittsburgh researchers who use the remains of babies aborted in the second trimester to experiment on mice and rats. She found that, among other experiments, the scalps of aborted babies were being grafted onto mice in order to create “humanized mice” with the fusion’s impact on the animal’s immunity to various pathogens then recorded. At Yale, 15 babies aborted in the second trimester of pregnancy were dissected and had their liver, bone marrow and spleen removed to compare their immune levels with that of adults. Similar studies were done at the University of California – San Francisco over a ten-year period on the bodies of 249 babies aborted in the second trimester. There the babies’ livers were removed in order to test racial differences in their reactions to flame retardants (PBDEs) in the largest study of its kind to date.”*

The NCBC provide a wider overview of how prevalent the use of aborted foetal remains continues to be, indicating that any, even tacit, approval of the use of historically produced illicit materials is not irrelevant today.

*“The effort needed to successfully demand safe and effective alternatives to abortion-derived cell lines will require courageous and dedicated witness for three reasons. First, pharmaceutical companies and researchers have come to rely on these lines. Change will require strong pressure to justify the investment of time and resources that will be needed to replace problematic cell lines with ethical ones. Second, the evil practice of benefitting from abortion is older and more extensive than many people realize. Some people mistakenly think that only a few abortions in the 1960s and 1970s were necessary to produce the aborted fetal cell lines now in common use (such as WI-38, MRC-5, and HEK-293). However, physicians began to exploit the practice of abortion to advance research as early as the 1930s. And scores of abortions were necessary before abortion-derived cell lines could be successfully produced. Third, scientists, doctors, politicians, and advocates increasingly have cited the benefits of using abortion-derived cell lines in vaccine production to justify even more unethical biotech research and development. For example, in 2001 a group of Nobel laureate scientists appealed to the public acceptance of producing vaccines with aborted fetal cell lines in urging President George W. Bush to provide federal funding for human embryonic stem cell research. In 2009, scientists cited this same precedent to justify President Barack Obama’s decision to provide the federal funding that President Bush had denied. And more recently, after the 2015 video exposé on Planned Parenthood’s sale of body parts from aborted children, scientists claimed that tissue from elective abortion was indispensable for curing diseases and again appealed to the precedent set by using abortion-derived cell lines to produce vaccines.”*

It is for these grave reasons that the risk of giving scandal remains extremely serious if sufficiently rigorous objections to the use of such illicit cell-lines are not raised, using every possible means, particularly in the current situation where extreme emotional pressure is placed on the population

to accept the vaccines that have been developed in order to end the coronavirus pandemic that has swept across the globe.

Bishop Schneider offers a very strong objection that cannot be easily dismissed nor the problem whitewashed in the manner of the 2015 statement: *“Any link to the abortion process, even the most remote and implicit, will cast a shadow over the Church’s duty to bear unwavering witness to the truth that abortion must be utterly rejected. The ends cannot justify the means. We are living through one of the worst genocides known to man. Millions upon millions of babies across the world have been slaughtered in their mother’s womb, and day after day this hidden genocide continues through the abortion industry, biomedical research and fetal technology, and a push by governments and international bodies to promote such vaccines as one of their goals.”*

The development of a range of possible vaccines is continuing across the world, with more than 20 possibilities at different stages of development, some with no connection to illicit cell-lines. Unfortunately however most of those at the advanced stages that are approved for use in different countries seem to have some connection in one form or other. A good overview of these can be found at the *Lozier Institute* website or the website of *Children of God for Life*, organisations who vigilantly track the biomedical engineering processes of the alternative vaccines.

A brief overview of the vaccines that are most likely be available and accessible in the coming months, courtesy of MyCatholicDoctor <https://mycatholicdoctor.com/our-services/vaccines/> is provided below. This analysis agreed with the two sources mentioned above.

**Pfizer:** Pfizer/BioNTech’s coronavirus/COVID vaccine known as “BNT162b2” was developed using genetic sequencing on computers *without using fetal cells*. The HEK-293 abortion-related cell line was used in the testing of this vaccine. This cell line originated from kidney cells from a fetus that was aborted in 1973. No cell line, fetal or otherwise, is required for the ongoing production of this vaccine. This vaccine is currently slated for distribution starting in mid-December, 2020. The Pfizer/BioNTech vaccine requires “ultra-cold” storage, making distribution difficult. Currently, only hospitals and other large facilities are being consider as distribution locations for this vaccine.

**Moderna:** Moderna’s “mRNA-1273” vaccine *does not* require aborted fetal cell lines for production, but aborted fetal cell lines *were used* in the testing of this vaccine. This vaccine does not require ultra-cold freezers, and hence may be more available in primary care offices and community clinics.

**AstraZeneca:** The AstraZeneca/University of Oxford vaccine “AZD1222” *does* use the HEK-293 cell line for production. This cell like was also used in the development and testing of the vaccine. The AstraZeneca vaccine is slated for distribution in December-January. It does not require ultra-cool storage and is also predicted to be less expensive than other COVID vaccines, two features that may make this vaccine more widely available.

**Johnson & Johnson:** The J&J/Janssen COVID-19 vaccine, “JNJ-78436735” *does* use the PER.c6 cell line for production. PER.c6 is a proprietary cell line owned by Janssen, a subsidiary of Johnson & Johnson, developed from retinal cells from an 18-week-old fetus aborted in 1985. This vaccine will likely become available to the public in January-March 2021.

**CureVac:** This mRNA “CVnCoV” vaccine was developed, produced and tested without using abortion derived fetal cells.

**Sanofi/GlaxoSmithKline:** The Sanofi/GSK “COVAX” vaccine *does not* have an association with abortion. GSK produces their vaccine using a modified virus cultivated on insect cells. This vaccine will likely become available to the public in January-July 2021. (However, the *Lozier Institute* has a question mark over whether illicit cell lines have been used in testing).

There are also a range of possible vaccines at earlier stages of development that have no connection in any way to historic abortions. These may or may not become available at all, or by the end of 2021. However, with the CureVac and Sanofi/GSK vaccines and other alternatives offering options potentially available within a few months, it is very plausible that ethically sound alternatives will be available for use in the near future. This possibility creates further considerations for Catholics as they decide whether to wait or whether to make a decision of conscience to use or reject vaccines that have an illicit connection.

Until ethical vaccinations are available the question remains whether Catholics can avail of the current vaccines that are being put to use, all with some connection to cell-lines developed from aborted babies. *Pfizer* and *Moderna* have not used illicit cell-lines in their production but have done so in their testing. *Johnson & Johnson* along with *AstraZeneca* have used illicit cell-lines in their production. Thus, if there is a hierarchy of remoteness, vaccines like *CureVac’s CVnCoV* or the vaccine being prepared by *Sanofi/GSK* is top, with *Pfizer* and *Moderna* the lesser evil compared with *Johnson & Johnson* and *AstraZeneca*, for example.

While the Irish Bishops re-iterate that the decision to use these vaccines remains a matter of conscience, the UK Bishops Conference is much clearer on this issue:

*“Each Catholic needs to educate his or her conscience on this matter in the light of the above principles. Research towards and use of an ethically sourced vaccine is the goal which we desire. If this is not achievable and widely available for all people, the Church recognises that there may be ‘grave reasons’ for using a vaccine which is developed from cell-lines associated with the unethical exploitation of the human remains of an aborted child in the past.*

*The prudent judgement of conscience will depend on responsibilities to others, as well as personal health and protection of human life. Whilst many may in good conscience judge that they will accept such a vaccine, some may in good conscience judge that they will not. If the choice is made not to receive this vaccination, then the person must make other provision to mitigate the risk of harm to the life or health of others and to his or her own life and health.”*

In making this decision, there are many factors to be considered under guidance of the principles of *cooperation with evil* and how this is approached with regard to vaccines. However, the general principles in considering vaccines then need to also assess the specifics of the illness/pandemic in question as well as the specific context of the vaccines being developed, as well as the possible added duty to wait for alternatives -weighed against the individual health and common good.

In this regard, it is clear that the coronavirus pandemic is different to the Rubella/German measles discussed under the 2005 statement. For the vast majority of the population the health impact of

the individual considering whether to take the vaccine is minimal. For parents, considering on behalf of their children, would also consider the limited impact on health of children of the virus. However, for those in the vulnerable groups, the considerations would be very different. Also, for those not in the vulnerable groups, it is the case for the common good and the health and well-being of others, of solidarity, that is the primary consideration. As the Bishops mention above, anyone not availing of the vaccine ought to take responsibility for protecting the health and safety of those vulnerable and minimise the spread of the virus.

For those who choose to take the vaccine, they should do so with a heavy heart rather than with a triumphalist disregard for the connections with the illicit cell-lines. To take a generalised position that the historical connections are no longer morally relevant is to take a position that essentially endorses the continued use in science of aborted foetuses, indicating that time is a great healer of such wrong-doing without ever having to make any amends, change their ways and cease wrong doing.

It is for this reason that any endorsement by Catholic groups of the vaccines that have been developed in 2020 is problematic and this includes the note from the CDF. While some may consider it necessary to use the vaccines for grave reasons, and do so with unease, it is incongruous for any statements to give a general indication that Catholics may use the vaccines without extensive emphasis on the requirement to protest, and to hold protests of high intensity. This is particularly necessary as the context of coronavirus vaccines is different to that of the original question addressed by the Pontifical Academy and the CDF.

## **Why continued conscientious objection is still important**

Coronavirus started to spread around the world in 2019-2020 with huge investment from governments. This all started in early 2020 and at the time of commencing the options existed for the biomedical companies and researchers to choose whether or not to work with illicit cell-lines. Clearly many of them chose the illicit path. While the protestations of the Church were certainly not loud enough at the time, it would have been illogical to protest in a manner that said: “We object to your means, but we will accept the benefits of the end in nine months’ time if you choose those illicit means”. That would amount to no protest at all, and if a sweeping endorsement of the vaccines and magic-wand approval for their use is given by the Church in December 2020, then this illogical approach is being taken *ex-poste*. If the Church is to do this, it is essentially giving scandal to the faithful by providing cover and endorsement of the illicit means used and rendering them indifferent to the alternative approaches that could have been taken.

The current position of *laissez-faire* endorsement of the vaccines, while weakly claiming ethical vaccines should be provided, offers no incentive to industry to cease using unethical cell-lines such as HEK-293. Such an illogical and weak objection equates to a wife telling her husband that she would prefer she does not steal money, but if she does then he will not object to benefitting from it. It doesn’t stand up. If the parents had a starving child, then there would be merit in benefitting but only if it were a last resort and every effort to find alternative sources of money/food were exhausted. If it were to buy new clothes for the child, the justification would likely not stack up even

if all other means were tried. There has to be some connection between praxis and theory otherwise any objections are mere platitudes.

Some of the arguments put forth that Catholics would have to forego many medical developments because of their connection in some form or other with an evil act or an evil past. The use of false analogies and hypotheticals that do not closely replicate the current situation are also problematic and can feel like manipulation of those attempting to form their conscience on the matter. The connection between chloroquine and Nazi Germany is a commonly cited example which can be assessed on its own merits rather than being used as a reason to excuse other ethical dilemmas. If Nazi German was still carrying out tests on prisoners, or working from preserved skin from a prisoner, then we would be closer to a comparison than comparing two very different past wrongs.

Many pro-life groups have taken the position that Catholics can take these vaccines. Some of gone, not dissimilar to the Pope, to imply 'ought' from 'can'. That one 'can' take the vaccine does not necessarily mean that one 'ought', or that there is an obligation to do so.

Many of these groups have resorted to analogies of similar moral dilemmas. One such analogy used has been: "Imagine someone who desperately needs a car to go to the hospital and only a stolen one is available. In other circumstances we would not make use of that car but, if nothing else is at hand and the car is needed to save a life, most of us would use it. The connection with original theft is remote and passive, as I am not actively soliciting someone to steal for me."

However, such an analogy is truncated. To take the car analogy a step further: suppose you know you need a car to go to hospital and there are none available but the person getting the car can rent one or steal one. What do you advise him/her to do? Do you say (a) 'I prefer you get the rented one but if you choose to steal one I will use it?' Or do you say (b) 'If you steal one I won't use it?' But then even after you say you won't use it, he/she comes with a stolen one anyhow so you then: (i) use it (ii) don't use it?

To add further: suppose said car thief has a propensity for stealing rather than acquiring licitly, will your decision(s) have an impact on his/her future choices - what value is placed on scandal?

This further stretching of the car theft analogy points to additional considerations needed in relation to the Covid-19 vaccines and is also where the 2005 decision tree - which dealt with the Rubella vaccine, where the car was already stolen – splinters off from the current situation. In 2005, the Rubella vaccine was long in existence. In 2020, the Covid-19 vaccines were developed with clear understanding of Church teaching on prioritising ethical production.

Finally, knowing there is someone coming with a rental car (ethical vaccine) in 5 mins (6 months), do you choose to wait and tell the car thief that you can't take his lift?

As the NCBC concluded before :

*"People must carefully discern in conscience whether or when to be immunized against COVID-19 and which vaccine to accept. Based on the moral principles, guidance, and facts outlined above, the NCBC concludes that none of the vaccines currently in development is excluded or forbidden in principle, depending on the circumstances that prevail ... Finally, people could discern in conscience, for grave reasons and in the absence of satisfactory alternatives, to use the vaccines in group 3 to*



*protect their own lives and health and that of others. Those who use a vaccine linked to abortion-derived cell lines should do so only “under protest” and should make known their opposition to abortion and to the use of abortion-derived cell lines.”*

There are a number of considerations that get weighed up in the examination of conscience:

- the evil of the original act - abortion is an evil act that cries out for vengeance and very few historic wrongdoings involve such an objectively wrong act that does not have;
- the remoteness – how far removed is the co-operation from the original act and what type of cooperation is it (as per the principles of cooperation with evil);
- the urgency – how necessary is it to engage the solution right now or is there time to find a more ethical option; what are the impacts of waiting and forcing industry and regulators to prioritise ethical solutions
- necessity – are there other options that can be promoted and endorsed, such as the continuing social distancing and protective strategies that society, and individuals, can maintain
- scandal – how will any endorsement, explicit or implicit, impact the fight against the prevalence of abortion, of medical experimentation with the unborn, future use of existing cell-lines or the creation of others. Any endorsement or allowance of a time-lag where essentially evil becomes acceptable after the passage of time may only encourage manufacturers and indicate to them that they just need to wait it out;
- the objective of the vaccine: was it derived for the purpose being used or is its benefit incidental – is the benefit a side-effect? This is where current vaccine development is particularly challenged as the objective of the use of the illicit cell-lines is to address the pandemic and choices are being made directly with that end-point in mind, so unlike with the Rubella vaccine where the question was addressed after the fact, the ethical discussions and the ethical (or unethical) actions are taking place right here and right now. Every implied endorsement of the end implies endorsement of unethical means.
- What is the form of the historical connection to the immoral acts of the past: while knowledge cannot be unlearned and it would be very difficult, if not impossible, to unlearn useful knowledge derived from unethical acts, it is easy to decide to cease to use materials that are connected directly, and physically to the past. Some argue that science has become dependent on unethical cell-lines to the extent that it would be counterproductive to science and humanity to cease using them, which essentially disincentivises any reason to seek ethical alternatives. Such positivism entrenches unethical science.
- What alternative vaccines are available and how long it may be necessary to wait for an ethical vaccine.

Although all of these considerations are not commensurable, they form a type of calculus as to whether an individual can, in good conscience, though with a heavy heart, for **grave reasons**, decide to use the vaccine. What cannot be done is, as Melissa Moschella attempts in *Public Discourse*, is to warn that Catholics ought to accept the vaccine in case refusing to do so would lead to damage to the pro-life cause. Such argumentation is consequentialist and would permit the wrong may be done to achieve good.

Industry is being told there is going to be little pushback in the long run should they venture down the line of using aborted foetal tissue for research and that time's passing will make them acceptable and the Catholic Church will not strongly oppose them but merely issue words of encouragement. It will be more like 'Oops, you did it again. Don't do it again, again.' The CDF provides neither carrot nor sticks to the industry or health providers to avoid using illicit cell-lines, nor even considering using newer foetal tissue from abortion. With the Catholic population making up over 1/6<sup>th</sup> of the world's population, this the economic arguments of the vaccine producers to avoid illicit cell-lines are made negligible.

The Church (the institution and the faithful) failed to object strongly enough in 2020 to persuade manufacturers to develop ethical vaccines. There was no scientific necessity use unethical cell-lines yet these were used. That failure cannot be a justification a year later to remove all ethical concerns from consideration. The position of the CDF has meant the Church has not advised the faithful on the need to chose the *least unethical* vaccine or whether it is permissible to hold out until an untainted vaccine is available. The current situation is not the only possibility. It is not too late to ensure an ethical vaccine becomes available. The reality is that only an economic argument will persuade manufacturers. If the lessons of the coronavirus vaccine development are not learned and translated into Church guidance, the future will be the monopolisation of vaccines derived from unethical cell-lines.

A full endorsement of the current vaccine regime and to state that one 'must do it' without forming conscience may be an abdication of pastoral responsibility. There are complex decisions to be made with an informed conscience which is a responsibility of both clergy and lay alike. Many Catholics may feel like there is undue pressure to circumvent their conscience where they feel severe discomfort with using such vaccines themselves and the message it sends to drug companies who feel neither ethical nor economic obstacles to the use of illicit cell-lines. Cardinal Newman famously said: "I shall drink to the Pope, if you please, still, to conscience first, and to the Pope afterwards." In this instance, he would be drinking long and hard to his conscience first.

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***Dualta Roughneen***