Part IV Miscellaneous Issues

1. Vaccines

As noted in a document from the Vatican Dicastery for Promoting Integral Human Development, "vaccination is a safe and effective way to prevent disease and save lives." (1) Indeed, the document points out that "today, there are vaccines that protect against at least 20 diseases, saving the lives of up to 3 million people every year." (2) Vaccination finds support in Catholic moral and social principles.

It is critical to recognize that vaccination has a two-pronged effect. It is a means of protecting one's own health, and is related to *self-love and the duty to take measures to protect one's own health and life*. But just as importantly, an individual getting vaccinated has an impact on protecting other people against infectious diseases.

Herd immunity, also called "population immunity" or "community immunity" (3), "occurs when a large portion of the community (the herd) becomes immune to a disease, making the spread of the disease from person to person unlikely." (4) Thus, "as a result, the whole community becomes protected." (5) Immunity against a disease is achieved by prior infection and, very importantly, by vaccination for "vaccines create immunity without causing illness and resulting complications." (6)

Further, herd immunity serves to protect "those who can't be vaccinated, such as newborns or those who have compromised immune systems." (7)

On the other hand, when individuals do not get vaccinated and the level of protection within a community falls below the herd immunity threshold, diseases can resurge in a community. For example, this has happened with measles in the United States. (8)

In sum, an individual getting vaccinated against infectious diseases is also part of *love of neighbor and responsibility for the common good.* (9)

Noteworthy is a statement made by Pope Francis regarding use of COVID-19 vaccines: "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." (10)

A Moral Question about the Use of Some Vaccines: Their Connection to Abortion-Derived Cell Lines

Certain cell lines used in scientific and medical research have been derived from the tissue of aborted fetuses. Such cell lines have been used in the design and development, production, and/or confirmatory lab testing (11) of *some* (but not all) vaccines.

For example, the only vaccines currently available for adenovirus, chickenpox, and hepatitis A are connected to abortion-derived cell lines. (12) In the case of the MMR vaccine (measles, mumps, rubella), the rubella component is connected to an abortion-derived cell line (13); the vaccines for measles and mumps, which do not have this connection, are no longer available separately (14).

It is not the case that fetuses were intentionally aborted for the purpose of developing cell lines and vaccines. Rather, scientists obtained cell samples after the abortion had taken place for other reasons. (15) The abortions in question took place decades ago (16) and, given the established cell lines, it is not considered necessary or advisable scientifically to seek out new human fetal cells from recent abortions for work on vaccines (17).

Nevertheless, given the Catholic Church's strong opposition to abortion, the question can be raised: *Is it morally permissible to use vaccines connected to abortion-derived cell lines?* The Church has developed a nuanced response to this question.

First, the Church has taken the stance that **it is wrong to create cell lines from aborted fetuses for use in scientific and medical research, including the use of such cell lines in the design and development, production, and/or confirmatory lab testing of vaccines.** (18)

Benefiting from vaccines connected to abortion-derived cell lines potentially could erode the belief that abortion is wrong and opposition to it. This was noted in a statement from the chairs of the Committee on Doctrine and the Committee on Pro-Life Activities of the United States Conference of Catholic Bishops:

> It is true that one can receive benefits from an evil action in the past without intending that action or approving of it. The association with the evil action that comes with receiving benefits from that evil action, however, can have a corrupting influence on one's perception of the evil action, making it more difficult to recognize it as evil. Experiencing the benefits that have resulted from the evil action, one might become desensitized to the gravely evil nature of that action. One might become complacent about that action and ignore the obligation to do what one can to oppose the evil action. Another consideration is the fact that one's receiving benefits from an evil action might affect how others perceive that original evil action, thereby giving scandal. Others might be less inclined to see that action as evil. They might interpret one's acceptance of benefits from an evil action as an indication that one does not consider the action to be truly evil, which in turn might diminish their sense of urgency of opposing that evil. They might also miss opportunities to do what they can to oppose it. In both cases, a certain complacency about that evil action could be the result. (19)

Thus we should avoid use of a vaccine connected to an abortion-derived cell line if a comparable vaccine is available which does not have this connection. The alternative vaccine should be requested and used. (20)

An example is vaccines for shingles. Merck's vaccine Zostavax is connected to an abortion-derived cell line whereas GlaxoSmithKline's vaccine Shringrix is not. (21) Or again, Sanofi Pasteur's vaccine Imovax for rabies is connected to an abortion-derived cell line whereas Novatis' vaccine RabAvert is not. (22)

However, the Church does allow that**, if no such alternative vaccine is available, it is permissible to use a vaccine connected to an abortion-derived cell line when there are serious health risks to ourselves and/or the community.** (23)

In our imperfect world, it happens – and more frequently than we may first think – that good and evil are intertwined to the extent that, in pursuing good and legitimate activities, some

association with evil may also occur. Paying taxes is one example. Such monies are used for the essential purpose of running the government and for programs to help the poor, but they can also be used to support activities which are morally questionable. We recognize an obligation to participate in the political process and to vote, but we may not be able to find a candidate for a particular office whose positions are in accord with Church teaching in all respects. A particular candidate, for example, may be vigorously opposed to abortion but in favor of the death penalty. Or again, persons who benefit from the antimalarial drug chloroquine are benefiting from a drug developed through experiments performed on concentration camp prisoners in Nazi Germany, and those who use the railroads in the southern United States are benefiting from a railroad network constructed largely through slave labor. (24) As noted by philosophy professor Don DeMarco: "Part of the meaning of the 'global village' in which we live is that the contamination from various acts of wrongdoing has seeped into almost every corner of our existence. ...Too scrupulous a moral attitude can lead to paralysis and, as a consequence, leave a great deal of good undone." (25)

To deal with situations in which good and evil are intertwined, Catholic moral theology has developed the *principles governing cooperation with evil.* These principles provide guidance as to when and to what extent someone may legitimately cooperate with or benefit from an evil action. *It is on the basis of the principles governing cooperation with evil that the use of a vaccine connected to an abortion-derived cell line is allowed, when no alternative vaccine is available, in order to ensure the good of the health of individuals and the community as a whole in the face of serious and deadly diseases.* (26)

The principles governing cooperation of evil recognize different types and degrees of cooperation in evil, and that involvement with the evil can be close or more remote. (27) Thus, for example, these principles were applied by the Vatican Congregation for the Doctrine of the Faith in their *Note on the morality of using some anti-Covid-19 vaccines* (December 2020):

> …in cases where cells from aborted fetuses are employed to create cell lines for use in scientific research, there exist **differing degrees of responsibility of cooperation in evil.** For example, 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.
>
> …The fundamental reason for considering the use of these vaccines morally licit is that **this kind of cooperation in evil** (passive material cooperation) in the procured abortion from which these cell lines originate **is, on the part of those making use of the resulting vaccines, *remote.*** The moral duty to avoid such passive material cooperation is not obligatory if there is a grave danger, such as the otherwise uncontainable spread of a serious pathological agent—in this case, the pandemic spread of the SARS-CoV-2 virus that causes Covid-19. It must therefore be considered that in such a case, all vaccinations recognized as clinically safe and effective can be used in good conscience… (boldface added). (28)

An abortion-derived cell line might be used at several different stages in work on a vaccine: in the design and development of the vaccine, in the production of the vaccine, in confirmatory lab

tests on the vaccine. (29) **In some cases, a vaccine has been designed and developed and produced without the use of an abortion-derived cell line but an abortion-derived cell line was used in the laboratory testing of the vaccine. Such a vaccine is farther removed from abortion than a vaccine designed and developed and/or produced using an abortion-derived cell line. Among vaccines connected to abortion-derived cell lines, it is morally preferable to use the former type of vaccine, if it is available to us.** However, if no choice of vaccine is available to us, we may use the latter type of vaccine in good conscience. (30)

An example is vaccines for COVID-19. The Johnson & Johnson and AstraZeneca vaccines used an abortion-derived cell line in the design and development, production, and laboratory testing of vaccine. On the other hand, Moderna and Pfizer used an abortion-derived cell line only in the laboratory testing of their vaccines. (31)

In allowing the use of vaccines connected to abortion-derived cell lines, the Church should *not* be seen as "giving in" to an immoral action and abandoning its pro-life stance. The teaching of the Catholic Church has two prongs. While allowing use of a vaccine connected to an abortion-derived cell line when no alternative is available, the Church affirms that **we have a moral responsibility to advocate for the design and development, production, and testing of vaccines with no connection to abortion.** (32)

In this regard, the Secretariat of Pro-Life Activities of the United States Conference of Catholic Bishops has suggested action steps for us to take:

> First, inform yourself and others about how some vaccines are connected to abortion through the use of abortion-derived cell lines, and about which vaccines use such cell lines. Second, inform your doctor about this connection and ask him or her to provide ethical vaccines, when possible. Third, urge pharmaceutical companies and medical researchers to discontinue using abortion-derived cell lines, and thank them when they do. (33)

Parents and Vaccination of Children

Neglect or Refusal of Vaccination

Some parents have become negligent about getting their children vaccinated or are refusing vaccination for them.

One factor that may be operating is that "widespread immunization has made outbreaks of infectious disease much less common" and, "as cases become rarer, the number of people with first-hand experience of the seriousness of the diseases diminishes." (34) Concomitantly, "belief in the need for vaccinations weakens." (35)

Parents need to be mindful of the fact that not getting their children vaccinated may causally contribute to a resurgence of epidemic diseases in their communities. (36) For example, a significant resurgence of measles in the State of Indiana was brought about by a group of home-schooling parents who refused immunization for their children. (37)

We have noted that vaccination is not something done only for the health of the person receiving it but also for the protection of other people. A vaccine with significant implications beyond the

individual receiving it is MMR (measles-mumps-rubella):

> Consider rubella (German measles). This disease is usually mild in children, causing a rash on the face and neck that lasts only two or three days. Teenagers and young adults may also experience swollen glands in the back of the neck and some swelling and stiffness in the joints. Most recover quickly from these symptoms without any aftereffects. The primary danger of harm from rubella is to the unborn. A woman who contracts rubella in the early stages of her pregnancy has a significant chance of miscarrying or giving birth to a deformed baby. …Birth defects range from deafness, blindness (atrophic eyes, cataracts, chorioretinitis), and damaged hearts to unusually small brains and mental retardation. (38)

Thus "the purpose of vaccinating young children against rubella…is not simply to protect against the discomfort of a fairly mild childhood disease, but to prevent unborn children of pregnant women from suffering serious birth defects or death through contact with those who are infected." (39) Indeed, the Pontifical Academy for Life has made a very strong statement that parents who refuse vaccination against rubella for their children bear some moral responsibility for the fetal defects and subsequent abortions that may occur. (40)

Vaccines and Autism

Some parents have become hesitant to have their children vaccinated because of an alleged connection between vaccines and autism.

In 1998 Andrew Wakefield and colleagues published an article in the British medical journal *The Lancet* claiming that the MMR vaccine causes "a series of events that include intestinal inflammation, entrance into the bloodstream of proteins harmful to the brain, and consequent development of autism." (41) Dr .Wakefield had studied 12 children, eight of whom had autism and who had developed intestinal complaints and autism within one month of receiving the MMR vaccine. (42)

From a scientific point of view, Wakefield's study was flawed in several ways. First of all, "because MMR is administered at a time when many children are diagnosed with autism, it would be expected that most children with autism would have received an MMR vaccine, and that many would have received the vaccine recently." (43) Further "determination of whether MMR causes autism is best made by studying the incidence of autism in both vaccinated and unvaccinated children" and "this wasn't done." (44) Moreover, Wakefield's findings could not be reproduced by other researchers, calling the validity of his findings into question. (45) Wakefield's findings "were further discredited when an investigation found that Wakefield did not disclose he was being funded for his research by lawyers seeking evidence to use against vaccine manufacturers." (46) Subsequently Wakefield was permanently barred from practicing medicine in the United Kingdom, and the editors of *The Lancet* retracted his article. (47)

To reassure parents, the Immunization Action Coalition of St. Paul, Minnesota, has provided a list of more than 25 articles refuting a connection between the MMR vaccine and the development of autism. (48)

Another theory that has been proposed is that autism is caused by thimerosal, a mercury-

containing preservative added to multi-dose vials of vaccines to prevent contamination and growth of harmful bacteria. (49) However, evidence from various research studies does not support this claim. (50) In fact, "the prevalence of autism has increased despite a decrease in the thimerosal content of vaccines." (51)

HPV Vaccine

Some parents have raised a moral question about vaccination of their children with Gardasil (52), which protects against human papillomaviruses (HPV). (53) HPV, which infects both females and males, not only can cause genital warts but is responsible for the majority of cases of cervical, oropharyngeal, anal, penile, vaginal, and vulvar cancers. (54) It is recommended that HPV vaccination take place at age 11 or 12. (55) Since HPV may be transmitted through direct sexual contact (56), the moral concern is that administration of the vaccine "could be construed as implicitly approving of or even indirectly encouraging premarital sexual activity." (57)

The Catholic Medical Association has taken the position of supporting use of the vaccine Gardasil (58), stating:

> The fact that HPV is spread primarily by sexual contact does not render vaccination against it unethical. Healing and preventing diseases, no matter what their source, are acts of mercy and a moral good. Prevention of HPV infection is distinct from, and should not be construed as encouraging, the behavior by which HPV is spread. (59)

Morever, "it is not necessary for parents to frame the vaccine in terms of sexual activity, but rather call it a cancer-prevention vaccine, thereby lowering any perception of permission to engage in premarital sex." (60)

It has also been pointed out that the HPV vaccine would provide protection for married spouses when "an uninfected spouse has sex with his or her infected spouse who perhaps does not even know he/she is an HPV-carrier." (61) Further, "since HPV can just as easily be transmitted in nonconsensual sexual activity such as rape and incest as in consensual sex, the vaccine would provide protection for chaste individuals who might suffer either of these latter abuses." (62)

In sum, parents may in good conscience choose to have their children be vaccinated against HPV.

Mandatory Vaccination and the "Religious" Exemption

All states have immunization requirements for children to attend child care centers and schools. (63) During the COVID 19 pandemic, vaccination mandates were issued for people in various types of jobs and positions. (64)

Mandatory vaccination has been resisted by some as an impingement on individual liberty and freedom. (65) On the other hand, mandatory vaccination has been defended on the grounds that "failure to vaccinate not only puts the unvaccinated individual at risk, but also anyone they come into contact with…". (66) In a 1905 judgment upholding the legality of a mandate for smallpox vaccination in Massachusetts, the U.S. Supreme Court noted: "There are manifold restraints to

which every person is necessarily subject for the common good." (67)

Legally, an individual can get a "medical" exemption from a mandatory vaccination (68), for example, if the person has a severe allergy to a vaccine or an ingredient in it or if the person has a disease or takes medication that weakens the immune system. (69)

Legally, a "religious" exemption from vaccination is also recognized. (70) In the State of Iowa, a "religious exemption" may be granted from vaccination if it conflicts with "a genuine and sincere religious belief." (71) Can an individual who is Catholic seek a legal religious exemption from vaccination *on the basis of the teaching of the Catholic Church?*

There are some individuals who reject vaccination in general ("anti-vaxxers"). (72) Such individuals cannot find support for their position in Catholic teaching. As pointed out in the introductory section of this chapter, vaccination finds support in Catholic moral and social principles. On the other hand, there are individuals who would reject only those vaccines connected with abortion-derived cell lines.

In *Moral Reflections on Vaccines Prepared from Cells Derived from Aborted Human Fetuses,* the Pontifical Academy for Life has stated: "As regards the diseases against which there are no alternative vaccines which are available and ethically acceptable, it is right to abstain from using these vaccines if it can be done without causing children, and indirectly the population as a whole, to undergo significant risks to their health." (73) Although the overall context of the document is the vaccine for rubella (MMR), it articulates principles which are generalizable. In other words, it is considered right to forgo using a vaccine which is connected with an abortion-derived cell line and which is the only one available *on condition that* such a refusal will not cause significant risks to the individual's health and/or the health of the community.

One must be extremely cautious in trying to invoke this principle as a reason for seeking an exemption from vaccination. One must take note of the condition it sets out and whether that condition does in fact hold true in the situation at hand. For example, it would not hold true during a pandemic in which vaccination is judged the most effective means to stop the spread of the disease. (74) In general, low vaccination rates against a particular infectious disease can result in its resurgence among individuals and in a community. (75)

Further, in the very next sentence the document from the Pontifical Academy for Life states: "However, if the latter are exposed to considerable dangers to their health, vaccines with moral problems pertaining to them may also be used on a temporary basis." (76) In other words, the Church does *not* recognize a duty to refuse vaccines connected to abortion-derived cell lines when such vaccines are needed to preserve individual and community health. Absent recognition of such a duty, one cannot appeal to Church teaching as grounds for conscientious objection *in such circumstances.*

Some might argue that, even though use of a vaccine connected to abortion-derived cell lines is morally permissible in the circumstances described, someone might in conscience still decline to use it in order to "affirm with clarity the value of human life." (77) However, it is important to keep in mind that, while the Church's pro-life stance includes opposition to abortion, it goes beyond the womb to include the entire life span. Not using a vaccine could lead to someone's death. (78)

In support of a religious exemption from mandatory vaccination, some have cited a statement in the *Note on the morality of using some anti-Covid-19 vaccines* from the Congregation for the

Doctrine of the Faith (12 December 2020): “Practical reason makes evident that vaccination is not, as a rule, a moral obligation and that, therefore, it must be voluntary.” (79) However, it is critical to note the qualification “as a rule.” This qualification allows for exceptions in which vaccination mandates would be appropriate and legitimate. (80)

In considering the *legal* “religious exemption” for vaccination, it must be noted that the U.S. Equal Employment Opportunity Commission (EEOC) uses a very broad definition of “religion” which “goes beyond membership in a church or belief in God, and includes firmly and sincerely held moral or ethical beliefs.” (81) Indeed, “an employee’s belief, observance, or practice can be ‘religious’ under Title VII [of the Civil Rights Act of 1964] even if the employee is affiliated with a religious group that does not espouse or recognize that individual’s belief, observance, or practice, or if few – or no – other people adhere to it.” (82) Thus it is theoretically possible that an individual who identifies as Catholic might get a *legal* “religious exemption” to vaccination although such an exemption is not based on the teaching of the Catholic Church. However, in seeking such an exemption Catholics must remember their responsibility to engage in a rigorous process of conscience formation, a process which involves serious consideration of Church teaching. (83)

October 2021

Notes

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2. *Ibid.*

3. World Health Organization, *Coronavirus disease (COVID-19): Herd immunity, lockdowns and COVID-19* (31 December 2020) available at https://www.who.int/news-room/q-a-detail/herd-immunity-lockdowns-and-covid-19, accessed April 2021; WebMD, *What is Herd Immunity?* available at https://www.webmd.com/lung/what-is-herd-immunity?, accessed April 2021.

4. Mayo Clinic, *Herd Immunity and COVID-19 (coronavirus): What you need to know*. http://mayoclinic.org/diseases-conditions/coronavirus/in-depth/herd-immunity-and-coronavirus/art_20486808. Accessed April 2021.

5. *Ibid.*

6. *Ibid.*

7. *Ibid.*

8. *Ibid.*

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10. Dicastery for Promoting Integral Human Development, *A Family Guide to the Coronavirus (COVID-19).* http://humandevelopment.va/content/dam/svilappoumano/vatican-covid19-response/doc-newsletter/vaccine-toolkit/ENG_18.06.21_Vaccine-Resource-Kit.pdf. Accessed April 2021.

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13. Children of God for Life, *USA & Canada- Aborted Fetal Cell Line Products and Ethical Alternatives.*

14. Centers for Disease Control, *Selected Discontinued U.S. Vaccines.* https://www.cdc.gov/vaccines/pubs/pinkbook/downloads/appendices/b/discontinued-vac.pdf. Accessed April 2021.

15. Mila Quinn and Wayne Altman (Tufts University School of Medicine), *Human Fetal Cell Strains and Vaccinations* available at http://tusk.tufts.edu/download/2035247, accessed April 2021; North Dakota Health, *COVID-19 Vaccines & Fetal Cell Lines* available at http:// health.nd.gov/sites/www/files/documents/COVID%20Vaccine%20Page/COVID-19_Vaccine_Fetal_Cell_Handout.pdf, accessed April 2021.

16. The cell lines WI-38, MRC-5 and HEK 293 have been used in work on vaccines. The WI-38 cell line was developed from a 12-week old fetal lung taken from a fetus aborted in Sweden in the early 1960s. (Nicanor Pier Giorgio Austriaco, O.P., *Moral Guidance on Using COVID-19 Vaccines Developed with Human Fetal Cell Lines* (May 26, 2020) available at https://www.thepublicdiscourse.com/2020/05/63752, accessed January 2021; Quinn and Altman, *Human Fetal Cell Strains and Vaccinations.*) MRC-5 was derived from cells taken from the 14-week old fetal lung of a fetus aborted in the United Kingdom in 1966. (*Ibid.*) HEK-293 was developed from cells taken from a fetal kidney of unknown gestational age in 1973; it is unclear whether the fetus came from an elective abortion or a spontaneous miscarriage. (Austriaco, *Moral Guidance on Using COVID-19 Vaccines Developed with Human Fetal Cell Lines*; North Dakota Health, *COVID-19 Vaccines & Fetal Cell Lines.*) Catholic biologist and theologian Nicanor Austriaco, O.P., has observed: "…the abortions that gave rise to the three cell lines -- or in the possible case of HEK293, the miscarriage --- happened decades ago. The aborted fetuses are long gone, as are the original fetal cells. There are no fetal body parts or fetal tissue left. Only distinct, new cells derived from the original fetal cells remain." (Austriaco, *Moral Guidance on Using COVID-19 Vaccines Developed with Human Fetal Cell Lines.*)

PER.C6 is another cell line that has been used in work on vaccines. It is a retinal cell line that was derived from an aborted fetus. But again, the fetus was aborted electively by the mother, not for the sake of producing the cell line, and the abortion occurred in 1985. (North Dakota Health, *COVID-19 Vaccines & Fetal Cell Lines*; Editor of Life Issues, *293 and PER C6 Cell Lines Using AD5* (April 10, 2012) available at https://www.lifeissues.org /2012/04/293-per-c6-cell-lines-using-ad5, accessed April 2021.)

17. Melissa Moschella, Ph.D., has noted: "If the use of HEK 293 or other fetal cell lines perpetuated the injustice of abortion by creating ongoing demand for more fetal tissue…then I believe that pro-lifers would not only be morally justified, but would be morally required to avoid benefiting from it. …But the use of historic cell lines like HEK 293 is, in my view, fundamentally different. Because those cell lines are immortal, their continued use does not lead to a demand for more fetal tissue. Indeed, for scientific purposes, using established, standard cell lines is actually best because researchers understand how they behave and can easily compare their results with those of others using the same line." (*The COVID Vaccine and the Pro-Life Movement*, The Heritage Foundation. https://www.heritage.org/public-health/commentary/the-covid-vaccine-and-the-pro-life-movement. Accessed October 2021.) Similarly, Nicanor Pier Giorgio Austriaco O.P. has noted: "…HEK 293 is an established cell line. What this means is that these cells have been used and studied by biologists for nearly half a century. They are well characterized, and they have been validated for their safety. I point this out because it helps explain why it is unheard of for a vaccine manufacturer to seek out new human fetal cells from a recent abortion. Such novel fetal cells would be uncharacterized, unvalidated, and unapproved by regulatory agencies like the U.S. Food and Drug Administration (FDA) for human vaccine production." (*Moral Guidance on Using COVID-19 Vaccines Developed with Human Fetal Cell Lines.)*

18. Pontifical Academy for Life, *Moral Reflections on Vaccines Prepared from Cells Derived From Aborted Human Fetuses* (2005) available at http://columbuscatholic.org/documents/2017/4/PONTIFICIA%20ACADEMIA%20on%20vaccines%20and%20morality.pdf, accessed April 2021; Congregation for the Doctrine of the Faith, *Instruction on Certain Bioethical Questions (Dignitas Personae)*, nos. 34-36 available at https://www.vatican.va/roman_curia/congregations/cfaith/documents//rc_con_cfaith_doc_20181208_dignitas-personae_en.html, accessed April 2021;Secretariat for Pro-Life Activities, United States Conference of Catholic Bishops, *Answers to Key Ethical Questions about COVID-19 Vaccines*. (January 2021) available at http://usccb.org/resources/Answers%20to%20Key%20Ethical%20Questions%20About%20COVID-19%20Vaccines.pdf, accessed April 2021.

19. Chairmen of the Committee on Doctrine and the Committee on Pro-Life Activities of the United States Conference of Catholic Bishops, *Moral Considerations Regarding the New COVID-19 Vaccines* (11 December 2020). http://usccb.org/moral-considerations-covid-vaccines. Accessed April 2021.

20. Pontifical Academy for Life, *Moral Reflections on Vaccines Prepared from Cells Derived From Aborted Human Fetuses;* Secretariat for Pro-Life Activities, United States Conference of Catholic Bishops, *Answers to Key Ethical Questions about COVID-19 Vaccines*.

21. Children of God for Life, *USA & Canada- Aborted Fetal Cell Line Products and Ethical Alternatives;* Right to Life of Michigan, *Life Notes: Vaccines, Abortion & Fetal Tissue*.

22. *Ibid*.

23. Pontifical Academy for Life, *Moral Reflections on Vaccines Prepared from Cells Derived From Aborted Human Fetuses;* Chairmen of the Committee on Doctrine and the Committee on Pro-Life Activities of the United States Conference of Catholic Bishops, *Moral Considerations Regarding the New COVID-19 Vaccines*.

24. Moschella, *The COVID Vaccine and the Pro-Life Movement*.

25. http://www.cogforlife.org/articles.htm. Accessed 2006.

26. Pontifical Academy for Life, *Moral Reflections on Vaccines Prepared from Cells Derived From Aborted Human Fetuses*.

27. *Ibid.*

28. Congregation for the Doctrine of the Faith, *Note on the morality of using some anti-Covid-19 vaccines* (21 December 2020).

29. Charlotte Lozier Institute, *COVID-19 Vaccine Candidates and Abortion-Derived Cell Lines*.

30. Chairmen of the Committee on Doctrine and the Committee on Pro-Life Activities of the United States Conference of Catholic Bishops, *Moral Considerations Regarding the New COVID-19 Vaccines*.

31. Charlotte Lozier Institute, *COVID-19 Vaccine Candidates and Abortion-Derived Cell Lines*.

32. Pontifical Academy for Life, *Moral Reflections on Vaccines Prepared from Cells Derived From Aborted Human Fetuses;* Chairmen of the Committee on Doctrine and the Committee on Pro-Life Activities of the United States Conference of Catholic Bishops, *Moral Considerations Regarding the New COVID-19 Vaccines;* Secretariat for Pro-Life Activities of the United States Conference of Catholic Bishops, *Answers to Key Ethical Questions about COVID-19 Vaccines;* Pontifical Academy for Life, *Moral Reflections on Vaccines Prepared from Cells Derived From Aborted Human Fetuses*.

33. Secretariat of Pro-Life Activities of the United States Conference of Catholic Bishops, *Answers to Key Ethical Questions about COVID-19 Vaccines*.

34. Liam Drew, "Forcing the Issue," *Nature* 575 (28 November 2019): S58-S60 at S59.

35. *Ibid.*

36. Edward J. Furton, "Vaccination Refusals" in Edward J. Furton (ed.), *Catholic Health Care Ethics A Manual for Practitioners,* 3rd ed. (Philadelphia: National Catholic Bioethics Center, 2020), p. 28.2.

37. *Ibid.,* p. 28.7.

38. *Ibid.,* p. 28.1.

39. *Ibid.,* p. 28.2.

40. *Ibid.,* p. 28.4, citing Pontifical Academy for Life, *Moral Reflections on Vaccines Prepared from Cells Derived from Aborted Human Fetuses*, note 16.

41. Paul A. Offit, Lori Handy, and Heather Monk Bodenstab, *Vaccines and Autism* (May 7, 2018). https://www.chop.edu/centers-programs/vaccine-education-center/vaccines-and-other-conditions/vaccines-autism. Accessed June 2021.

42. *Ibid.*

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45. Immunization Action Coalition, *MMR Vaccine Does Not Cause Autism*. http://www.immunize.org/catg.d/p4026.pdf. Accessed June 2021.

46. *Ibid.*

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48. *Ibid.*

49. Centers for Disease Control and Prevention, *CDC Study (2010) on Thimerosal and Risk of Autism* (August 24, 2020). http://cdc.gov/vaccinesafety/concerns/thimerosal/study-risk-autism.html. Accessed June 2021.

50. Ibid.; Centers for Disease Control and Prevention, *Autism and Vaccines* (August 25, 2020) available at http://cdc.gov/vaccinesafety/concerns/autism/html, accessed June 2021; Anne M. Hurley, Mina Tadrous, and Elizabeth S. Miller, "Thimerosal-Containing Vaccines and Autism: A Review of Recent Epidemiologic Studies," *Journal of Pediatric Pharmacology and Therapeutics* 15/3 (July-September 2010):173-81.

51. Hurley, Tadrous, and Miller, "Thimerosal-Containing Vaccines and Autism: A Review of Recent Epidemiologic Studies."

52. Rene Mirkes, OSF, "Cervical Cancer Vaccine," *Connect Love and Life* 1/2 (July 2006). http://www.popepaulvi.com. Accessed June 2021.

53. Three vaccines against HPV have been licensed for use in the United States: Gardasil, Gardasil 9, and Cervarix. Gardasil 9 is currently the only vaccine available for use in the United States. NIH National Cancer Institute, *Human Papillomavirus (HPV) Vaccines*. https://www.cancer. gov/about-cancer/causes-prevention/risk/infectious-agents/hpv-vaccine-fact-sheet. Accessed June 2021.

54. NIH National Cancer Institute, *HPV and Cancer*. https://www.cancer. gov/about-cancer/causes-prevention/risk/infectious-agents/hpv-and-cancer#cancers-caused. Accessed June 2021.

55. NIH National Cancer Institute, *Human Papillomavirus (HPV) Vaccines*.

56. *Ibid.*

57. Ron Hamel, "HPV Vaccine (Gardasil)," *Health Care Ethics USA* 15/1 (Winter 2007): 16-17 at 16.

58. Catholic Medical Association, *Catholic Medical Association Position Paper on HPV Immunization* (January 18, 2007). http://cathmed.org/resources/position-paper-on-hpv-immunization. Accessed June 2020.

59. *Ibid.*

60. Kimberly Zoberi, "A Physician's View of the Ethics of HPV Vaccination," *Health Care Ethics USA* 25/2 (Spring 2017): 20-27 at 24.

61. Mirkes,"Cervical Cancer Vaccine."

62. *Ibid.*

63. WebMD, *What Are the Rules on Vaccine Exemptions?* https:/www.webmd.com/children/vaccines/what-are-the-rules-on-vaccine-exemptions Accessed October 2021.

64. For example, see The White House, *Path out of the Pandemic* available at http://whitehouse.gov/covidplan, accessed October 2021; Best Colleges, *What Colleges Require the COVID-19 Vaccine?* available at http://bestcolleges.com/blog/list-of-colleges-that-require-covid-19-vaccine, accessed October 2021; Catholic Diocese of El Paso, Message from the Office of the Bishop of El Paso (August 6, 2021) available at https://www.elpasodiocese.org/bishop-mark-j-seitz-message-to-the-diocese-on-vaccination.html, accessed October 2021.

65. Drew, "Forcing the Issue," S59.

66. *Ibid.*

67. *Ibid.*

68. See the Americans with Disabilities Act.

69. WebMD, *What Are the Rules on Vaccine Exemptions?*

70. See Title VII of the Civil Rights Act of 1964.

71. Iowa Department of Public Health, Certificate of Immunization Exemption, Religious Exemption. http://iris.iowa.gov/docs/Certificate of_Immunization_Exemption_Religious. pdf. Accessed May 2021.

72. For background on the rejection of vaccines, see Paul A. Offit, M.D., *Deadly Choices How the Anti-Vaccine Movement Threatens Us All* (New York: Basic Books, 2011); Jonathan M. Berman, *Anti-vaxxers How to Challenge a Misinformed Movement* (Cambridge, MA: MIT Press, 2020).

73. Pontifical Academy for Life, *Moral Reflections on Vaccines Prepared from Cells Derived From Aborted Human Fetuses*, p. 7.

74. Mayo Clinic, *COVID-19 vaccines: Get the facts*. http:/mayoclinic.org/diseases-conditions/coronavirus/in-depth/coronavirus-vaccine/art-20484859. Accessed October 2021.

75. See notes 36 and 37 above.

76. Pontifical Academy for Life, *Moral Reflections on Vaccines Prepared from Cells Derived From Aborted Human Fetuses*, p. 7.

77. South Dakota Catholic Conference, *Statement of the Bishops of South Dakota Regarding COVID-19 Vaccination Requirements* (August 10, 2021). http://sfcatholic.org/bishop-degrood/covid-19-vaccination-requirements. Accessed October 2021.

78. "Fr. Austriaco said Catholics need not avoid the currently available [COVID 19] vaccines out of moral concerns that stem cell lines derived from fetal tissue were used in the manufacture or testing. …'Not using the vaccine today—and this is important for our pro-life viewers—could lead to the death of someone who is old, someone who is poor, someone who has got diabetes…'". " 'A great blessing from God': Expert panel urges Catholics to vaccinate," *Catholic Health World* (October 1 2021): 2.

79. Congregation for the Doctrine of the Faith, *Note on the morality of using some anti-Covid-19 vaccines* available at http://vatican.va/roman_curia/congregations/cfaith/ documents/

rc_con_cfaith_doc_20201221_nota-vaccini_anticovid_en.html, accessed April 2021. For example, this text is cited by the National Catholic Bioethics Center in its *Vaccine Exemption* Resource *for Individuals* (July 9, 2021) available at http://ncbcenter.org/covid19/vaccineletter, accessed October 2021.

80. Archbishop Michael Jackels offered the following clarification of this text: "Commentators… seem to want to pass over the phrase 'as a rule' in reference to the moral obligation to get vaccinated… The phrase 'as a rule' means usually, though not always. It tees up an overruling exception, as if to say: Vaccination isn't usually a moral obligation, unless there is no other way to protect the health of the population. The highly contagious and potentially deadly coronavirus is an exception to the rule." (Memo to priests and deacons of the Archdiocese of Dubuque, August 6, 2021)

During the COVID-19 pandemic and concomitant vaccine mandates, ethicists at the National Catholic Bioethics Center (NCBC) issued a *Vaccine Exemption Resource for Individuals* (July 9, 2021) and formulated a *Vaccine Exemption Template Letter* (July 7, 2021), available at https://ncbcenter.org/covid19/vaccineletter (accessed October 2021). Both set out "the principled religious basis on which a Catholic may determine that he or she ought to refuse certain vaccines." As well as citing the aforementioned statement from the Congregation for the Doctrine of the Faith's *Note on the morality of using some anti-Covid-19 vaccines,* several other arguments were offered.

- "There is a general moral duty to refuse the use of medical products, including certain vaccines, that are produced using human cell lines derived from direct abortions. It is permissible to use such vaccines only under certain case-specific conditions, based on a judgment of conscience." Consider the "case-specific conditions" to which reference is made. As previously discussed, it is considered permissible to use a vaccine connected to an abortion-derived cell line when no alternative vaccine is available without this connection and there are serious health risks to ourselves or the community. These conditions held true during the COVID 19 pandemic. Thus, in the context of the COVID-19 pandemic, this line of argument failed as a justification for a religious exemption from vaccination.

- "…a Catholic might refuse a vaccine based on the Church's teachings concerning therapeutic proportionality. Therapeutic proportionality is an assessment of whether the benefits of a medical intervention outweigh the undesirable side-effects and burdens in light of the integral good of the person, including spiritual, psychological, and bodily goods." Given the substantial benefits of vaccines in protecting health, it is hard to see how this principle would justify refusal of a vaccine unless the vaccine was contra-indicated for a particular person for medical reasons (e.g., severe allergy to the vaccine, a weakened immune system), in which case the person would qualify for a *medical exemption* to vaccination quite apart from any religious considerations. The line of argument continues: "It [therapeutic proportionality] can also extend to the good of others and the common good, which likewise entail spiritual and moral dimensions and are not reducible to public health." Unfortunately, no examples are given of how this applies to the refusal of vaccines specifically. If anything, as discussed in the introductory section of this chapter, vaccination is done not just for the sake of an individual's health but also for the protection of other people, and is justified by responsibility for the common good.

- "A person is morally required to obey his or her sure conscience. …Therefore, if a Catholic comes to an informed and sure judgment in conscience that he or she should not receive a vaccine, then the Catholic Church requires that the person follow this certain judgment of conscience and refuse the vaccine." However, NCBC ethicists do not go into detail about the requisite process of conscience formation, which includes examining the facts and background information about various choices, studying sacred scripture, and learning about the authoritative teaching of the Church. (United States Conference of Catholic Bishops, *Forming Consciences for Faithful Citizenship, What does it mean to form my conscience?* http://usccb.org/issues-and-action/faithful-citizenship/parishes-and-schools/upload/Conscience-Formation-bulletin-insert.pdf.

  Accessed October 2021). In the context of vaccination during the COVID-19 pandemic--which is the context of the NCBC documents under consideration—this means that a Catholic, in forming his/her conscience, must take into account ecclesiastical statements about the permissibility of using the anti-Covid vaccines and papal encouragement to do so. See, for example, the text quoted from the Congregation for the Doctrine of the Faith's *Note on the morality of using some anti-Covid-19 vaccines* on page 3 above and page 1, note 10 above.

81. Fisher Phillips, *Religious Objections to Mandated COVID-19 Vaccines: Considerations for Employers*. https://www. jdsupra.com/legalnews/religious-objections-to-mandated-covid-3391001. Accessed May 2021.

82. U.S. Equal Employment Opportunity Commission, *Section 12: Religious Discrimination*. https://www.eeoc.gov/laws/guidance/section-12-religious-discrimination. Accessed May 2021.

83. A *Statement on the Formation of Conscience* from the Canadian Conference of Catholic Bishops notes: "For a believer, this teaching of the magisterium…cannot be just one element among others in the formation of conscience. It is the definitive cornerstone upon which the whole edifice of conscientious judgment must be built." https://consciencelaws.org/ religion/ religion040.aspx. Accessed October 2021.

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