Texas Catholic Conference of Bishops
THE PUBLIC POLICY VOICE OF THE CHURCH

The Common Good, Conscience, and the Vaccination Mandate in Catholic Schools

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The Texas Catholic bishops have a longstanding policy requiring that every student enrolled in Catholic schools accredited by the Texas Catholic Conference of Bishops be immunized in accordance with the immunizations schedule adopted by the Texas Department of State Health Services. While conscientious objections or waivers are acceptable for attendance in public schools, the bishops do not allow these waivers in Catholic schools in Texas. The decision to sustain this policy has not been made lightly nor without good reason. At the same time, there are parents who wish to enroll their children in Catholic schools, but who object on grounds of conscience to this requirement. Out of respect for all concerned parties—parents, students, and staff—we wish here to offer a fuller explanation for the policy.

Our Concern for the Common Good

As pastors and teachers, it is our responsibility to collaborate with one another to serve the common good of the Catholic community in the state of Texas. There are many aspects to this responsibility, not the least of which is our duty to ensure the integrity of the Catholic schools throughout the state. This integrity has spiritual and instructional elements as well as concerns related to the health and safety of the students entrusted to our care and the staff who dedicate themselves to the mission of these institutions. But our responsibilities also extend to the parents and families of our students and require us to be mindful of their concerns as well.

In the Catholic tradition, the general definition of the common good of a community is that it is the sum of all of the conditions and factors that are required for and make possible the genuine flourishing of each and every member of the community. In a fallen world, however, this common good can never be perfectly achieved. We aim at it, we strive for it, we improve it where we can, and we never cease to defend it. Even so, as a practical matter there are often honestly held interests that are in tension, where a balanced resolution must be sought. And, at times, priorities must be discerned and respected. The conditions that prompt a general policy about vaccinations for those who are enrolled in our schools require such a balanced resolution.

In crafting and periodically reviewing this policy, we have assumed that all parties involved, including those whose concerns may be in tension, are acting with good will. With this in mind, the following is a summary of what we perceive to be the principal concerns of the interested parties:

1. Parents of children who are immune-compromised, or who have family members who would be vulnerable to infections that might be transmitted from school, wish to minimize the risk for their loved ones of infections that may have grave consequences.

2. Similar concerns are shared by faculty and staff in our schools, not the least of whom are women who are, or may become, pregnant (given, for example, the increased incidence of rubella).
3. Parents of children who are immune-compromised also have a preference to avoid the public schools in Texas which operate under a very broad range of exemptions from vaccination.
4. Some parents have concerns that prompt them to object to a policy requiring vaccination:
    a. A concern engaging conscience arises from the fact that, because many vaccines have been created or produced using fetal cells obtained from elective abortions, accepting vaccination seems to make one complicit in the evil of abortion and therefore should always be avoided.
    b. A related concern is that accepting vaccination under these circumstances may create an occasion of serious scandal. That is, it may imply to observers that pro-life Catholics and the Church in general are not truly witnesses to the evil of abortion but are willing to accept it under certain circumstances. Further, it is believed by some that making use of pharmaceuticals derived from babies killed by abortion will have the effect of encouraging scientists, physicians, and corporations to engage in practices that involve more abortions in the future.
    c. Still another important concern, more a matter of consequence than conscience, is about the safety of vaccinations, which are believed by some people to cause serious and unpredictable health problems in children.

In considering our policy, we recognize that schools are very distinctive forms of community experiences, very different in fact from attending Mass on Sunday, shopping at a mall, or attending a sporting event. Schools bring children into close contact with one another, for many hours a day, five days a week. Parents know that their children, especially the younger ones, are likely to bring home colds and other infections during the school year. We are thankful, of course, that most of these are inconvenient and not life-threatening but they remind us how common transmission is in the school setting.

No one wishes to expose any person—student, staff, or family member—to an infectious disease if infection could be prevented. The present reality is that we cannot entirely prevent transmission regardless of the means we have available. The best we can do is to reduce the possibility of infection, most importantly in cases where there would be grave risks to health and life. In crafting our policy, we have sought to take account of what it means to serve the common good, and to treat all interested parties with respect and fairness.

With this in mind, and noting that some members of our Catholic community have expressed seriously held conscience concerns about vaccinations, we turn first to a consideration of the issues of conscience in light of the tradition or our Church.

The Catholic Understanding of Conscience

As bishops, we take very seriously the obligations and rights of conscience, both for ourselves and for others. The consistent teaching of the Church on the nature of conscience is at once rich and nuanced. The *Catechism of the Catholic Church* (nos. 1776-1802) offers a brief and clear statement of that teaching.

The starting point for understanding conscience in the Catholic tradition is the conviction that there is an objective order to human actions to which our free choices must conform if they are to be morally sound and respectful of human dignity. Conscience is a capacity of the mind that, *when it is well-formed*, enables us to comprehend this moral order and to judge our choices and actions in its light. As such, it guides each of us as we exercise the freedom that properly belongs to human persons.

At the same time, the Church reminds us of two critical points. The first is that it is never morally right to attempt to force someone to act against conscience. Such an attempt is always a violation of human dignity and never justified. The second point, however, is that a person's conscience is a reliable guide only when it is well-formed and its voice is not impeded by passion, sinfulness, or mistaken information.

We are sometimes "confronted by situations that make moral judgments less assured and decision difficult" (*CCC, no.* 1787). This may be especially true when we are faced with issues affecting a whole community. In such instances, we must "strive to interpret the data of experience and the signs of the times, assisted by the virtue of prudence, by the advice of competent people, and by the help of the Holy Spirit and his gifts" (*CCC, no.* 1788).

The question of whether to require vaccinations for students in our schools creates one of these situations. Persons of faith and good will disagree on what the policy ought to be. A specific issue here is whether there ought to be exemptions granted to those who object as a matter of conscience to receiving the vaccinations required by the current policy. The foundation of this objection is the view that at least some of the required vaccinations are derived from cells taken from the bodies of aborted fetuses and that accepting such vaccinations entails immoral cooperation in the evil of abortion. While we respect the integrity of persons holding this view, our considered judgment is that this view does not conform to the consistent teaching of the Church.

Cooperation and Complicity

Christians have always understood that the world in which we live is corrupted by human sinfulness, what St. Paul wrote of as the "mystery of iniquity" (2 Thess 2:7). We have also understood that we cannot live in this world without in some manner tolerating or cooperating with the evil around us. Our moral tradition, realizing that discipleship cannot require us to do the impossible, has long offered a careful analysis of occasions on which cooperation with evil is morally permissible. The issue of vaccination, whether mandated or not, is subject to this analysis.

The basic principle in this area is a distinction between what theologians have long called *formal* and *material* cooperation. Formal cooperation with evil occurs when someone willfully intends what an evildoer intends. So, to cooperate in some way, even a very trivial way, with a deliberate abortion while intending the death of the baby is to cooperate *formally*. This is never under any circumstances morally permissible, and it would be a serious sin to do so. In a strict sense, formal cooperation and complicity are synonymous, as the word itself suggests that someone who is complicit in an action is, in fact, pleased that it is done.

Material cooperation, on the other hand, is defined as assistance rendered to someone engaged in an evil action, or toleration of the action, that does not entail an intention, on the part of person cooperating, to achieve the evil objective. Material cooperation is sometimes, though not always, morally permissible.

It is not always easy to determine whether a concrete instance of material cooperation may be legitimate. Several contingent factors must be evaluated. Among other factors, a classical analysis would consider:

(1) whether the action that constitutes the cooperation would itself be immoral.
(2) whether the cooperation—toleration can be a kind of passive cooperation—is immediate and absolutely necessary or remote and minimally supportive.
(3) whether the person who cooperates would have serious reasons for doing so that outweigh the reasons for refusing to cooperate.
4) whether the cooperation would cause scandal, which in the moral tradition is a behavior that prompts others to commit sins.

The question that the Church has repeatedly studied, in both its official statements and in the reflections of faithful theologians and philosophers, is whether the reception of modern vaccinations would sometimes constitute immoral cooperation in the grave evil of abortion. Setting aside *formal* cooperation, which would always be immoral, a careful analysis of the use of modern vaccinations has been judged by the Church in most circumstances to be *permissible material cooperation*.

There are several judgments commonly offered in support for this conclusion.

The first is the fact that the fetal cells from which modern vaccines are ultimately derived were taken from elective abortions performed decades ago. In the meantime, the original cells themselves were significantly modified to be "immortalized," which is to say that the matter used today to produce vaccines is only a remnant of the fetal cells. These cell lines can be reproduced indefinitely, eliminating the need to source new fetal cells from abortion.

A second judgment is that the cooperation involved in accepting vaccination has little to do with the original abortions, nor is it associated with the production or marketing of the vaccines. There is therefore no question of complicity here, because one may be vaccinated without endorsing any element of the process of producing the vaccines.

However, to this judgment are added two further considerations. The first is that if an alternate vaccine is available, with no association with elective abortion, a conscientious person should seek and use that vaccine. The second is that conscientious people, especially leaders of the community, should strongly encourage the pharmaceutical industry to create such alternatives.

Note that in its official statements the Church does not say that the ultimate derivation of vaccines from fetal cells is insignificant, nor does it endorse any elective abortion regardless of circumstances. However, keeping in mind that we cannot avoid every evil in a fallen world, its judgment is that the cooperation involved when people accept vaccination is passive and remote

from the production process. Any moral complicity is quite minimal. At the same time, the benefits for the common good can be very substantial and so tilt the scales in favor of vaccination.

Furthermore, as several official statements have noted, the control of serious infectious diseases in service of the common good cannot be achieved by individuals acting in isolation. It can only be effective by the community acting together. Consequently, the Church teaches that where there is no objective moral problem with the vaccines themselves, there is a duty on the part of individuals to accept vaccination out of concern for the health of the community. This calls to mind the distinctive Christian virtue of *solidarity*, which is a firm and stable inclination to serve the common good of the community as opportunities may be presented. At the same time, these statements recognize that vaccination must be voluntary, never forced against conscientious objection. However, those who do refuse on grounds of conscience then take on a duty of employing special precautions to avoid transmitting infections, especially to those who may be particularly vulnerable. This may involve deliberately removing oneself from occasions or situations in which transmission may be more likely.

The facts about modern vaccine production also help to resolve the concern about scandal. Because production depends upon cell lines which can be reproduced again and again, there is no need or incentive to promote future abortions to supply the production process. There still remains a small concern that some people will conclude that by accepting vaccination, the Church and Catholics at large believe that some abortions, done in support of the common good, are morally acceptable. This is false and Catholics should be prepared to explain why this is so.

As regards concerns about safety, while we must acknowledge that an unpredictable, negative reaction of an individual to medications can never be ruled out, judgments about risks must be based upon data and compared to the risks of not accepting vaccination. The vaccines at issue regarding our school policy have been used for years to treat millions of people. Given this experience, it is a reasonable judgment that they are safe for the general population. Nevertheless, no one supports vaccinations for individuals who are known to be at risk from the vaccines themselves. Therefore, our policy *does* exempt individuals with medically verified contraindications.

Conclusion

In sum, after careful consideration of the concerns of all parties affected, of the data concerning the utility and safety of the required vaccines, of the formal statements of the authorities who speak for the Church on this issue, and of our own reflection on the "signs of the times" in our dioceses, we believe that our policy is just and appropriate for the Catholic communities in Texas.

Appendix: Official documents regarding vaccination

9 June 2005	Pontifical Academy for Life, "Moral Reflections on Vaccines Prepared from Cells Derived from Aborted Human Foetuses" (reprinted *The Linacre Quarterly*, 86 (2019) 182-187. https://www.immunize.org/wp-content/uploads/pdf/Moral_Reflections_on_Vaccines.pdf
8 September 2008	Congregation for the Doctrine of the Faith, "Instruction *Dignitatis personae* on Certain Bioethical Questions." ##34-35. https://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20081208_dignitas-personae_en.html
31 July 2017	Pontifical Academy for Life, et al., "Clarifications on the Medical and Scientific Nature of Vaccination." (This note is no longer available on the PAL website but can be found on other sites.) https://liberty4life.org/wp-content/uploads/2019/04/ponticical-academy-of-life-2017-note-on-vaccines.pdf
20 November 2020	USCCB, Memorandum: "Vaccines for COVID-19." https://www.usccb.org/resources/memo-to-bishops-on-vaccines-for-covid-19_0.pdf
11 December 2020	USCCB, "Moral Considerations regarding the New COVID-19 Vaccines." https://www.usccb.org/moral-considerations-covid-vaccines
21 December 2020	Congregation for the Doctrine of the Faith, "Note on the Morality of Using Some Anti-COVID-19 Vaccines." https://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20201221_nota-vaccini-anticovid_en.html
29 December 2020	Pontifical Academy for Life, et al., "Vaccine for All: 20 Points for a Fairer and Healthier World." https://www.vatican.va/roman_curia/pontifical_academies/acdlife/documents/rc_pont-acd_life_doc_20201229_covid19-vaccinopertuttti_en.html
January 2021	USCCB, "Answers to Key Ethical Questions about COVID-19 Vaccines." https://www.usccb.org/resources/Answers%20to%20Key%20Ethical%20Questions%20About%20COVID-19%20Vaccines.pdf