

## DEAR ARCHBISHOP FISHER

On August 10<sup>th</sup>, 2021, the Most Reverend Anthony Fisher, Archbishop of Sydney, published his 10<sup>th</sup> Pastoral Letter during the Covid-19 pandemic to his bishops and priests urging them to undergo vaccination with the vaccines currently on offer. A copy of that Pastoral Letter, without footnotes, is set forth in the Appendix.

On Sunday last, I sent to the Archbishop by email a letter criticising what he had to say and inviting him to respond. A copy of that letter is set out below. Any response he makes will be published here in due course.

Michael Baker

September 8<sup>th</sup>, 2021 — *Birthday of the Blessed Virgin*

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Dear Archbishop Fisher,

Your Tenth Pastoral Letter to bishops and clergy addressing the issue of vaccination against the effects of the Covid-19 virus has been drawn to my attention. Though not addressed to the laity it contains a message which you intend to be conveyed to all the Catholics under your care. Three criticisms may reasonably be made of your initiative. First, you are speaking on a topic which is beyond your competence; second, the advice you give is incorrect; and third, your letter is likely to have a schismatic effect.

The arguments set out below in respect of the second issue have been set forth in more detail in a paper published in April last.<sup>1</sup> In offering the criticisms in this letter I anticipate that I am speaking not only for a great number of the laity but for many of your diocesan priests as well.

### I

Your office as a bishop of the Catholic Church is to work for the salvation of the souls of those in your care. It does not involve the welfare of their bodies save as this is incidental to the fulfilment of that duty. It is for those competent in the field, men of science and medicine, to advise on what is best for public health. If you have any input in respect of what they advise it is limited to the demands of moral principle.

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<sup>1</sup> *The Morality of Vaccines derived from the Cells of Aborted Children* ; [https://www.superflumina.org/PDF\\_files/morality-of-vaccines-debate.pdf](https://www.superflumina.org/PDF_files/morality-of-vaccines-debate.pdf)

Regrettably, insofar as your letter may be read as commenting on the means advised by public health authorities it fails adequately to address the contravention of moral principle they involve.

## II

The advice on the topic of vaccination you give is incorrect. It is erroneous to claim (as you do) that the magisterium of the Catholic Church supports the use of the vaccines on offer. Such assertion would be denied *inter alios* by Cardinals Raymond Burke, Janis Pujats and Antonio Canizares Llovera. It would be denied by Archbishops Carlo Maria Viganò (former Apostolic Nuncio to the US), Tomash Peta (Astana, Kazakhstan), and Jan Pawel Lenga (Karaganda, Kazakhstan), and by Bishops Joseph Strickland (Tyler, USA) and Athanasius Schneider (Astana, Kazakhstan), as well as by numerous other bishops throughout the world.

The magisterium of the Church is not represented by the private opinions of Pope Francis or Emeritus Pope Benedict or, if it be the case, by the opinion held by a majority of the Church's bishops. Nor is it represented by rulings issued by the Congregation for the Doctrine of the Faith or other Congregation, or by the Pontifical Academy for Life, where those rulings depart from the Church's constant teaching. The CDF in particular has demonstrated its inability to address difficult moral issues correctly, including attempts in the documents *Donum Vitae* and *Dignitatis Personae*.<sup>2</sup> The chief reason for this is the poverty of grasp of metaphysical principle by the Congregation's members, reflected in an inability to make essential distinctions and a failure correctly to apply the *Principle of the Double Effect*.

Your letter contains a number of other errors. First, one cannot in the present cooperate in an abortion which took place in the past. It is possible, however, to cooperate in the present with an evil which derives from a past abortion. This is the case with vaccines that depend for their vigour on cells stolen from a murdered child.<sup>3</sup> You are incorrect, then, to say that—

“[r]eceiving these vaccines would... normally involve no... impermissible material cooperation in the [evil] of... the exploitation of foetuses on the part of the recipients... [who]... would be... morally very remote from... the collection of foetal cells fifty years ago.”

This assertion confuses the two issues, the murder of the child and the utilisation of his cells.<sup>4</sup> It also confuses the ontological order with the chronological. It matters not *when* the abuse was committed that degraded a child to the level of a means for the alleged good of his fellows. What matters is that in using these cells the makers of the vaccines endorse that abuse.

Cooperation, moral involvement in the evil committed by another, has to do with involvement in the evil act either *formally*, where the cooperator intends the same end as the agent, or *materially*, where he does not, but is caught up in the evil the agent is doing. But these

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<sup>2</sup> See my comments at [https://www.superflumina.org/PDF\\_files/morality\\_of\\_preserving\\_human\\_embryos.pdf](https://www.superflumina.org/PDF_files/morality_of_preserving_human_embryos.pdf)

<sup>3</sup> There are, apparently, at least three cell lines currently utilised that originate from past abortions: the HEK-293 line, from a foetus aborted in 1972 in the Netherlands; the MRC-5 line, from a foetus aborted in 1966 in England, and the line Per.C6, from a foetus aborted in the Netherlands in 1985.

<sup>4</sup> In this letter I use the pronoun 'his' and its cognates to indicate genus not gender.

principles must be rightly understood. The terms ‘proximate’ and ‘remote’ do not refer to time but to reality. They specify the degree to which a cooperator partakes in, or profits from, the reality of the evil done. Proximate material cooperation is impermissible; remote material cooperation may be permissible in certain circumstances. One who benefits from any of the vaccines currently offered to address the effects of the Covid-19 virus cooperates materially and proximately in a *present* evil, the use of cells stolen from an aborted child.

Each of the vaccines on offer, whether in its production or in its testing, depends on these cells. The causality is formal, and *ergo* intrinsic, in all cases. To spell it out: the evil in the cause is evil in the effect. It is fallacious to claim that a vaccine such as the Pfizer vaccine, is less morally compromised than others because its reliance on the cells is, as it were, extrinsic to the vaccine. The testing may be extrinsic; its effect is intrinsic. The plans of a house are *extrinsic* to the reality of the house yet conformity with them determines the house’s integrity. Foetal cells used to test a vaccine are *extrinsic* to the reality of the vaccine but they determine the vaccine’s essential efficacy.

The effect of your letter, then, is to persuade those who reject abortion to become complicit in its evil by profiting from its effects.

#### *Truth is grounded in the Objective*

Your appeal to determinations of bodies that support the moral liceity of these vaccines reduces to the subjectivist principle that truth is to be determined by opinion—an evil deriving philosophically from Descartes and theologically from Luther’s revolt. If the modern world demonstrates anything it is that majority opinion on a moral question is more likely to be wrong than to be right.

Truth (logical truth) is determined by reality, exemplified here by the constant teaching of God’s Holy Church, which opposes *any* cooperation with the intrinsic evil of abortion whether in its causes or in its effects. In December last, five Catholic bishops from Kazakhstan led by Janis Cardinal Pujats, had this to say against the opinions advanced by the CDF and the Pontifical Academy for Life on which you rely:

“[W]e see a clear contradiction between the Catholic doctrine to categorically, and beyond the shadow of any doubt, 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), and the practice of regarding vaccines derived from aborted foetal cell lines as morally acceptable in exceptional cases of “urgent need”—on the grounds of remote, passive, material cooperation. To argue that such vaccines can be morally licit if there is no alternative is in itself contradictory and cannot be acceptable for Catholics.”

They went on to invoke Pope John Paul’s words in *Christifideles laici* n. 38:

“The inviolability of the person which is a reflection of the absolute inviolability of God, finds its primary and fundamental expression in the inviolability of human life. Above all, the common outcry, which is justly made on behalf of human rights—for example, the right to health, to home, to work, to family, to culture—is false and illusory if the right to life, the most basic and

fundamental right and the condition for all other personal rights, is not defended with maximum determination.”<sup>5</sup>

Their conclusion is unanswerable:

“Using vaccines made from the cells of murdered unborn children contradicts a *maximum determination* to defend unborn life.”

In the absence of a true exercise of the Church’s magisterium concerning them, these tainted vaccines present a great challenge to clergy and faithful alike. Remarkably, opposition to their use is to more likely to be found among the laity whose view, adhering to the Church’s constant teaching, best reflects the *sensus fidelium* on the issue.

*Against the Position you advocate*

The clergy, you say, have a duty to set a good example for the faithful. And so they do. But ‘the good example’ you invoke disturbs the priorities mandated by the Church, for it shifts the priest’s primary focus from the eternal salvation of those in his care to the subsidiary issue of their health. This echoes the first criticism addressed to you in this letter. The competence of the clergy, as your competence as their bishop, relates to the salvation of souls. It does not include an entitlement to pontificate on the means of their health. In their December 2020 statement the five Kazakhstani bishops offered a comment which is to the point:

“Bodily health is not an absolute value. Obedience to the law of God and the eternal salvation of the souls must be given primacy.”

What is natural is good because it emanates from God who is nature’s Author. What is artificial—contrived by men—is not necessarily so. In doubt, then, it is rational for a man to oppose the artificial in favour of the natural unless it can be demonstrated with moral certainty that what it offers will augment the good provided by nature. It is to this principle, it seems to me, that people instinctively turn on the question of these vaccines.

Their view is supported by application of the *Principle of the Double Effect*. It is not lawful to do an act wherefrom flow two effects, the one good, the other evil, unless four conditions are fulfilled. First, the act is a good act, or at least morally neutral; second, the good lost by the evil effect is not greater than the good of the good effect; third, good and evil effects flow, at worst, with equal immediacy, but never the evil effect prior to the good; and fourth, the good effect alone is intended. St Thomas reminds us (*Summa Theologiae* II-II, q. 64, a. 7) that moral acts take their species according to what is intended.

Suffering oneself to be injected is not analogous with eating or drinking which, since they are *natural* acts are inherently good. *Prima facie* then, being injected with a drug falls within the category of the *violent* and is evil because what is violent is against the inclination of nature. Suffering injection is only redeemed to the level of the *artificial*, and the good, when it is done

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<sup>5</sup> *Covid Vaccines: ‘The Ends cannot justify the Means’* at <https://www.crisismagazine.com/2020/covid-vaccines-the-ends-cannot-justify-the-means>

for a reason, an end, which is shown objectively to be good because *moral acts take their species according to what is intended*.

If it be said that it is reasonable to submit to an injection with one or other of these vaccines because the act is done to protect one's health and the (collective) health of the community, the objection must be faced that health is not an absolute value. A greater good, the common good of society, may deny the entitlement to its preservation because, as St Thomas teaches, unless a man be well proportionate to the common good he cannot be good.<sup>6</sup> A vaccine that depends on elements of the body of a murdered child *eo ipso* offends the common good for it implies that a person—an end in himself, body and immortal soul,—may be used as a means for the welfare of others. It should not be necessary to point out to you that it is a breach of logic (as of moral principle) to claim that one may serve the common good by an act that entails its breach.

It may be thought that you are justified in arguing that a priest's failure to submit to vaccination may impede the ability to perform his ministry of attending the sick and dying. The answer to this is that it is not licit to do evil that good may come of it, not even the good of the eternal salvation of a soul. The administration of the sacraments and the attendance by priests on the faithful (and *unfaithful*, for that matter) is commanded by Almighty God Who will not allow human regulation to impede the execution of His salvific will.

The media and politicians generally have adopted the position that the only rational response to this virus is vaccination. They have as little regard for moral principle as they have for the rights of Almighty God who made them to be subject to the dictates of the moral law. They join in labelling those who reject their position 'anti-vax-ers' when the opposition of most people is not to vaccination in general but to *vaccination with these vaccines*. As with every slogan, this one tells only half the truth. And as with every slogan, those who repeat it act as if it expressed the whole.

It is impossible to get a hearing in any newspaper for an argument which points up the evil of their provenance. The proprietors, reluctant to disturb the complacency of their readers out of fear of adverse effects on future sales, simply refuse to publish an opinion which may disturb that complacency by reminding the populace of the ravaging effects of abortion in their midst. The media (and politicians generally) reflect the atheistic zeitgeist.

The Catholic faithful are entitled to hope that their bishops would demonstrate that their faith is the very opposite of this and would teach, to faithful and unfaithful alike, that if the society in which they live is to survive it must abandon its serial indulgence in moral degradation. Your letter is a blow to that hope for the Catholics of New South Wales.

You say that you have engaged, alone and with others, to raise ethical concerns and emphasise that protecting physical and economic health is not all that matters. With respect, it would be

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<sup>6</sup> *Summa Theologiae* I-II, q. 92, a. 1, ad 3

difficult to put the obligations of a Catholic bishop more ineffectually. You go on: “We must also consider... people’s spiritual needs including the need to congregate for worship”. Any Protestant pastor might express himself as blandly. A priest of the Catholic Church should be focused on the eternal salvation of the members of his flock to the exclusion of every other consideration. You say: “there is no ‘solution’ to this pandemic that does not involve everyone, from every section of our community...” This repeats the secular mantra and ignores a rightly directed Catholic response. You will be familiar with the principle of St Augustine in his *Enchiridion ad Laurentium* (c. XI), the *Principle of Finality of Evil*:

God, since He is supremely good, in no wise would allow something of evil to be in His works were He not good and omnipotent even up to this point, as to bring forth good even from evil.

The Corona virus in all its permutations past and future, only exists, only troubles the peoples of the world, because God allows it that good may come of it.<sup>7</sup> What is that good? It is their eternal salvation.

The Catholic Church has traditionally regarded a plague, and the disruption of human life that attends it, as evils allowed by Almighty God as punishment for sinful behaviour. St Gregory the Great in the 6<sup>th</sup> century and St Charles Borromeo in the 16<sup>th</sup> organised processions and exercises of penance which assisted in bringing to an end plagues that had killed great numbers of the people under their care, far greater numbers than those who have so far died of the current virus.

The moral evils committed today, both in degree and in extent, put the evils committed by past populations in the shade. Regrettably, the authority today of Catholic bishops in the public domain has largely been lost, one of the effects of accommodation with the secular endorsed by Vatican II. It will be a brave bishop who refuses publicly to follow the dictates of secular authorities and appeals to the authority of God over their heads but that is what he is called to do: that is what his oath of office entails: that is why he wears red!

### III

Your letter has a further consequence, perhaps unforeseen; it attacks the unity of the Church. One Catholic may differ from another on a temporal issue: generally they do. It has been said with justice that Catholics disagree with each other on almost everything except their religion. In supporting the taking of these vaccines you have lent the authority of your office to a position on a temporal issue. This is likely to divide the faithful into those who think this is the position of Christ’s Church on the matter—when it is not—with those who know that it is not. The division is already at work. The writer has been advised by a Catholic friend of her concerns of the effects this split in opinions is likely to have on a coming social gathering. Another has reported the view of a priest of the Diocese of Parramatta who has indicated to a member of the faithful in his care that he will not hear the confession of anyone who had not been vaccinated. One would hope that you address this issue with expedition.

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<sup>7</sup> And it does not matter where the virus may have originated.

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One would hope that you will reconsider your position on all the three of the issues mentioned and publish a fresh pastoral letter in which you correct the errors in the present one.

Yours in Our Lord,

Michael Baker

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## **APPENDIX**

Responsibilities and Opportunities for the Clergy in Time of  
COVID-19

Tenth Pastoral Letter during the COVID-19 Pandemic  
Feast of St Lawrence, Deacon and Martyr, 10 August 2021

Dear brother deacons, priests and bishops,

### **Vaccination of the Clergy**

At a recent meeting of NSW Bishops, some bishops expressed concern about the degree of “vaccine hesitancy” within their communities, and even amongst some clergy, and asked what they might say to their people. I shared with them my reasons for believing we should encourage our people, and our clergy in particular, to be vaccinated and I’d like to share those reasons now with you, as my brothers in the ministry of Our Lord Jesus Christ.

Why should we encourage people to receive the vaccine and why should we do so ourselves? First, because the magisterium favours the use of these vaccines. The Pope, several Vatican dicasteries, Bishops Conferences around the world, the Australian Bishops and I personally have all taught that:

- The use of vaccines in general is morally permissible and is morally warranted for the protection of the recipient’s life and health, for the prevention of transmission to others, and for the common good. The use of the COVID-19 vaccines is to be encouraged for these same reasons
- It is very disappointing that cell-lines ultimately derived from aborted fetuses have been used in the production of some COVID-19 vaccines (the Oxford/AstraZeneca and Johnson & Johnson vaccines), or in their development and testing (the Moderna and Sanofi/GlaxoSmithKline vaccines) or in related research (the Pfizer and Novovax vaccines); pharmaceutical researchers and manufacturers are strongly encouraged to produce vaccines with no morally compromising use of foetal cell lines
- Receiving these vaccines would nonetheless normally involve no formal cooperation or impermissible material cooperation in the evils of abortion and the exploitation of fetuses on the part of the recipients; the recipients would be chronologically and morally very remote

from the abortions and the collection of foetal cells fifty years ago; and the recipients have no desire to profit from these or to have these repeated

- Where they have the option, some will prefer the Pfizer vaccine to the AstraZeneca on the basis that it is the less morally compromised.

Secondly, it is the elderly (and other especially vulnerable people) who are most at risk of dying from COVID-19 and so they should have some priority in the distribution of the vaccine. Those who care for them should also have some priority. But piety towards our elders (and other vulnerable people) should make those who are younger especially unwilling to expose them to the risks of contracting COVID-19. This means that the young and healthy, who might not be afraid for themselves, should nonetheless avoid contracting the virus as much or more for the protection of others with whom they might come into contact as for themselves.

Thirdly, the clergy as pastoral leaders in their communities, have an even greater duty to set a good example in this regard. The Pope, most or all of the Bishops of Australia, and most of the clergy have given this good example.

Fourthly, a normal part of the ministry of the clergy is to visit the sick – in hospitals, aged care facilities and their homes. Although vaccination certificates are not yet mandatory, they will surely become mandatory before too long in hospitals and aged care facilities, as flu vaccine certificates are already; the same may also come to apply to home visitation. For a clergyman to refuse vaccination in these circumstances would render it impossible for him to perform important parts of his ministry.

Fifthly, even were there no such legal or social expectation, the clergy have a responsibility to protect their priesthood and thus their life and health, and not to endanger the life or health of the people to whom we minister, especially the most vulnerable. Whilst it is true that vaccination does not guarantee that a person will not contract and transmit the virus, it does substantially reduce the risk of transmission.

Sixthly, unlike the previous lockdown and lockdowns in some other jurisdictions, the Government has this time around allowed clergy to leave their presbyteries and to visit homes to provide pastoral care. We must exercise this freedom wisely and be sure to reduce the risk of infection to ourselves and to others by ensuring we are vaccinated, are tested whenever appropriate, use masks, and practice personal hygiene and social distancing measures etc.

I am aware that many people, clergy included, have misgivings about the COVID-19 vaccines: the changing and sometimes confusing medical advice, the politicisation of the vaccine rollout, the fact that they are not 100% safe or 100% effective, the fear that they have been insufficiently tested and may have side-effects as yet unknown, the unjust distribution of the vaccine, the fact that foetal cell-lines were used in the ways described above – all these reasons and more are given for people's hesitancy about receiving the vaccines. The internet and social media are awash with extreme claims for and against the vaccines. But the fact is: few vaccines ever protect 100% of those who receive them and none is without risk. The annual flu vaccine protects most people, but some still get the flu, and some of those who do, die; but a much higher proportion of those struck down with flu have not been vaccinated, and when they get it they get sick and/or die and/or transmit it to others. On presently available evidence it would seem to be that vaccination significantly reduces the likelihood of contracting COVID-19, the likelihood of suffering symptoms and especially serious illness if one does contract it, the likelihood of hospitalisation and early death as a result, and the likelihood of



transmitting it to others. Very few of those who are dying of COVID-19 were fully vaccinated. Nevertheless people should not be coerced into vaccination but should be able freely to decide. Those who are nervous or unsure about whether to be vaccinated should discuss the matter with their GP so that they know what is the best course of action for them.

Some argue that we should vaccinate only the vulnerable in the community, and allow the young and healthy (clergy included) to go about their lives as usual. However, this would still put at risk older people who for whatever reason have not been vaccinated, and even some of those who have been vaccinated but are still at risk. It has also become clear that if the virus runs free in the community, more and more variants will emerge, some of which may be resistant to current vaccines, and this will endanger more lives. The only solution is to reduce the spread of the virus among the younger and fitter part of the population, while continuing to apply particular measures to protect the elderly and most vulnerable. What I am saying is that there is no “solution” to this pandemic that does not involve everyone, from every section of our community, and indeed every nation and community across the world.

As you know, I have now publicly engaged alone or in conjunction with other bishops or other faith leaders not just to promote vaccination, but also to raise the ethical concerns and to emphasise that protecting physical and economic health is not all that matters. We must also consider people’s liberties and consciences, their need for friendship and thus for person-to-person relations, the goods of learning, aesthetic experience, excellence at work and so on, and of course people’s spiritual needs including the need to congregate for worship. In considering vaccination and other measures at this time, public officials should take all these things (and more) into account. And so, of course, will we. But I ask you, my brothers, to **please get vaccinated**.

### **Pastoral Care by the Clergy**

As discussed at our recent Zoom clergy conference, we won a major concession in the present lockdown in that clergy have been given permission to leave their presbyteries and visit homes for the purposes of giving pastoral care. This is a very significant opportunity that we must avail ourselves of fully, without exploiting it inappropriately or endangering people in the process. Here are a couple of examples of the pastoral creativity that I understand some clergy are presently exercising.

First, where it is safe to do so, some priests have been offering their daily Mass in a parishioner’s home as part of a pastoral care visit. This has allowed some people in parishes the great blessing of Mass and to receive Holy Communion. Of course, many will miss out but it is a great consolation to some. You or your staff could contact families directly asking if you might offer Mass in their home on the occasion of a pastoral visit; or you could call for parishioners to volunteer their home for this purpose. Please be conscious of the importance of vaccination, masks, hygiene measures and social distancing and remind such families that they may not invite people from outside their household to join. We must make the best use of this freedom at the least risk to self and others.

Secondly, some priests have visited parishioners at their invitation or ‘on spec’ and offered them Confession and/or Holy Communion and/or a spiritual chat. Many would, I am sure, appreciate such an initiative from you – more, perhaps, than welcome us to their homes in ordinary times. You could invite parishioners to book you in for a visit.

Thirdly, I understand that some priests have offered themselves as a walking companion for parishioners needing exercise, and have used the opportunity to hear their Confession, have a spiritual talk or render other pastoral assistance and compassionate care. I commend this to you as another possibility. In regards to the Sacrament of Reconciliation, this cannot be done over the phone or video, the penitent must be in the presence of the priest to validly receive this sacrament.

Fourthly, as we saw last year and have seen again this year, you men have many good ideas of your own about how to reach out to your people in this hour of need. I understand that depression and loneliness rates are up dramatically, that people are anxious not just about health but about their financial security, relationships and more. We want to be there for them. With a little ingenuity we can find new ways of being so. I ask you, my brothers, to keep thinking of ways and applying yourselves generously. And I know that you will continue to offer Mass and other prayers for the safety of our people and an end to this pandemic.

I am enormously proud of the clergy of Sydney in their response to the COVID-19 pandemic. Proud, and also grateful. Thank you my brothers. You are an inspiration.  
St Lawrence, Deacon and Martyr, pray for us!

Yours fraternally in Christ,

Most Rev. Anthony Fisher OP, DD BA LIB BTheol DPhil

Archbishop of Sydney

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