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# As the World Turns: Catholicism and Embryonic Stem Cell Research

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Like many medical breakthroughs, embryonic stem cell research, too, is ethically controversial; it is controversial in terms of, first, the mere acquisition of the embryo for the research and second, the extraction of embryonic stem cells from the acquired embryo. A major source of embryos is those harvested during in vitro fertilization. While, even though the process of IVF and, hence, the very acquisition of embryos is a bone of contention for Roman Catholics, it is primarily what the extraction of stem cells involves that has become central to the embryonic stem cell debate. The means of acquiring the stem cells that is, extracting them from the embryo involves the embryo's destruction. Stem cells are mined, then, at the expense of the embryo itself. The means is said to be immoral based on claims regarding the ontological status of the embryo. Employing, then, the age old adage "the end does not justify the means" opponents attempt to argue to the immorality of embryonic stem cell research. The embryonic stem cell research debate becomes reminiscent of the abortion debate in that the focus of both is on the kind of existence or reality that should be accorded an entity, the embryo and the fetus respectively.

With this in mind, this paper explores recent attempts on the part of Catholic moralists to resolve this dilemma. As the world turns toward a concerted effort in pursuing embryonic stem cell research, for fear of being left behind in what appears to be a scientific breakthrough of unprecedented proportion, noted Catholic scholars have attempted to morally embrace this research.

Recent attempts to overcome objections to the charge that it would be unethical for Catholic institutions and their researchers to engage in embryonic stem cell research have made use of that which has come to be known as the principle of legitimate cooperation. It must be noted here that these attempts have been limited to research on already existing, cultured or developed embryonic cell lines. Recognizing that there are instances in which the good sought can only be attained by cooperating with what is considered to be morally unacceptable; this principle states that at times cooperation would be morally permissible or legitimate. There are two basic forms of cooperation, namely, formal and material. In formal cooperation, the cooperator both approves of and intends the evil act. With material cooperation, the agent neither approves of nor intends the act of the primary agent. Traditionally, material cooperation was said to be either proximate or remote depending on the proximity to the evil act. More recently, material cooperation is said to be immediate or mediate. When immediate, the cooperator shares in or is essential to the evil act of the principal agent by virtue of the fact that what he/she does is indistinguishable from what the wrongdoer does. When mediate, the cooperator's act contributes to nonessential circumstances that precede, accompany or follow upon the primary agent's act. That is, what the cooperator does is distinguishable from the wrongdoing of the primary agent.

Let's take a look at a couple of recent applications of this principle to the issue of embryonic stem cell research. Michael Prieur defends embryonic stem cell research through the use of this principle, maintaining that this research involves neither formal nor immediate material cooperation. If it did, it could not be legitimized. Instead, he contends that it would be mediate material cooperation which he takes here to be a form of legitimate cooperation. He argues that embryonic stem cell research on existing cell lines does not represent an act of any significant moral influence on the destruction of embryos and so may be construed to be mediate material cooperation. Prieur concurs with Peter Caltaldo and opines that there is no necessary connection between the act of killing the embryo (i.e. harvesting embryonic stem cells which involve the death of the embryo) and undertaking research on these cells. The absence of any essential connection seems to be based on Catholic institutions being separated in time and space (i.e. physically or environmentally in terms of locations) from locations that engage in the harvesting of embryonic stem cells. Any embryonic stem lines that would be used are those already in existence and Catholic researchers would not in any way be encouraging the destruction of any more embryos for the sake of acquiring additional cell lines. The strategy here is to divorce "how" stem cells are obtained from studying "what" they are. Convinced that he has been able to make a viable case for embryonic stem cell research being a legitimate moral possibility for Catholics in their research facilities, Prieur proceeds to set up guidelines in the form of "Witness Values" for Catholic institutions undertaking this research.

Interestingly, Prieur believes that both he and Caltaldo whom he cites in defense of his own position are on the same page when, clearly, they are not. While Caltaldo does argue that embryonic stem cell research is licit, it is not on the basis of it being legitimate "mediate" material cooperation (Prieur) but rather because he contends that it is not cooperation of any kind. His rationale seems to be that for one to be acknowledged as a cooperator, one must provide assistance that helps the primary agent to carry out his or her act. Cooperation thusly conceived has traditionally been pictured as "concurrence" or "participation" in a specific act of the primary agent. For this reason, he maintains that cooperation in a completed, past act is not possible. Cooperation is only possible in contemporaneous or future acts of a primary agent. Ultimately, Caltaldo contends that embryonic stem cell research (i.e. the study of "what" embryonic stem cells are and their potential use) has no essential connection to "how" they are obtained. There is no causal bearing on the "death-dealing act in the acquisition of a stem cell from an embryo."

In 2000, the Pontifical Academy for Life in its Declaration on the Production and Scientific Therapeutic Use of Human Embryonic Stem Cells raised this ethical problem which it formulated thus: "Is it morally licit to use embryonic stem cells; and the differentiated cells obtained from them, which are supplied by other researchers or are commercially obtainable?" The Academy's answer was negative, since: prescindendo from the participation-formal or otherwise- in the morally illicit intention of the principal agent, the case in question entails a proximate material cooperation in the production and manipulation of human embryos on part of those producing or supplying them.

Referring to this declaration, Walters contends that the Academy was not referring to existing (i.e. developed or cultured) lines but rather to the creation of new lines. This, however, does not seem to be the case since in 2008 the Congregation of the Doctrine of the Faith issued an "instruction" on the question. Cardinal Levada (prefect) judged that the use of these embryonic stem cell lines was illicit and must be rejected. Specifically, in this regard, he judged that "the criterion of independence as it has been formulated by some ethics committees is not sufficient". (Vatican City, "Dignitas Personae," September 2008).

Contrary to Walters, Kevin O'Rourke takes the Academy as speaking of existing lines but says, "personally, I am not convinced of the opinion" and proceeds to provide reasons for disagreeing concluding with the notion that embryonic stem cell research on cultured cells remains an open question in so far as the perspective of Catholic teaching is concerned. O'Rourke focuses on the terminology used in the debate citing ambivalence in the terminology used by the Academy. The Academy said that embryonic stem cell research was proximate material cooperation. He notes that while some use this term to mean a kind of prohibited cooperation, more often, it is used as a sub-division of mediate material cooperation. Immediate material cooperation is a more common term for prohibitive material cooperation [used in Ethical and Religious Directives (d70)]. O'Rourke's attempt at unraveling the confusions seems only to compound them, and so, his contention that the issue is not whether the cooperation is proximate but whether it is immediate or mediate is not enlightening. In the final analysis, like Prieur, O'Rourke contends that the cooperation is mediate material which may be allowed under the principle of the double effect.

Closely related to whether embryonic stem cell research on existing cell lines can be reconciled with Catholic teaching has to do with the matter of scandal. Consistent with the use of the term scandal by both Caltaldo and Fagothey in his *Right and Reason* which is regarded as a solid text in natural law ethics, we take the term to mean providing by word or deed the occasion for someone to be led into wrongdoing. The question is: Could embryonic stem cell research give occasion for evil? Having not found the cooperation involved in embryonic stem cell research (mediate material cooperation) problematic, O'Rourke maintains that the issue that might prohibit the use of these cells to be scandal. He notes the United States Council of Bishops having objected to Bush's decision to permit the use of federally funded research on developed cell lines on the grounds that there was another non-objectionable source. Namely, adult cells, and to use embryonic cell lines would give the wrong impression (that aborting fetuses

to obtain them is OK). Despite this acknowledgment, O'Rourke insists that the morality of embryonic stem cell research remains an open question in so far as the perspective of Catholic teaching is concerned.

Convinced that the research is not in itself evil, Cataldo, inquires whether it is evil in appearance? Whether it is or not, he takes to be relative to the perceiver. To those who are not privy to the nature of embryonic stem cell research, it might seem as if researchers are killing embryos. Those familiar with the nature of this research would not have this perception. Drawing a distinction between what he calls active and passive scandal where if active, the researcher would have deliberately used their research to scandalize those who perceive it as evil and if passive, there was no such deliberate intent on part of the researcher, he considers the scandal here to be passive and raises the question: Would this scandal be sufficient to prohibit Catholic researchers from doing their research?

The Congregation for the Doctrine of the Faith seems to feel that it would be sufficient. In this regard, the Congregation has stated "Any appearance of acceptance would in fact contribute to the growing indifference to, if not the approval of, such actions in certain medical and political circles." ... In reality, the duty to avoid cooperation in evil and scandal relates to their ordinary professional activities... Therefore it needs to be stated that there is a duty to refuse to use such "biological material" even when there is no close connection between the researcher and the action of those who performed the artificial fertilization..." The Congregation further states that Of course within this general picture there exists differing degrees of responsibility. Grave reasons may be morally proportionate to justify the use of such "biological material." (e.g. giving children vaccines from cell lines of illicit origin if their health would be jeopardized if one does not).

Based on the representative sampling in this paper of the thinking of Catholic scholars on the moral permissibility of embryonic stem cell research on existing cell lines by researchers at Catholic institutions, let's pause for a couple of reflections: 1. Although the principle of "legitimate cooperation" is generally thought to play a significant role in deciding the matter, could this principle in actuality be irrelevant to it? If Cataldo is correct and there is no cooperation, this would be so. In which case, all other things having been considered, the morality of this research might rest solely on the question of whether it would provide grounds for scandal.

2. If Cataldo is wrong and there is cooperation, what then is the nature of the cooperation? Surely, no one would want to maintain that the cooperation is formal. It must then be some kind of material cooperation. But which kind? O'Rourke has made a significant point when he cites ambivalence in the vocabulary used by the Pontifical Academy. Unfortunately, O'Rourke's attempt at clarification is itself ambivalent. A review of the literature has some author's labeling the material cooperation as being mediate, others remote and still others mediate remote. The notion of material cooperation along with the various distinctions that have been made with respect to it must be made clearer. Terms like direct and indirect, immediate and mediate, and proximate and remote need clarification in and of themselves but particularly with regard to their relationship to one another. Putting aside these difficulties, can it be said that the destruction of embryos to acquire embryonic stem cells and engaging in research on already existing embryonic stem cells are sufficiently separated to be able to consider their use ethical? In any event, material cooperation in and of itself is not its own warrant. If, as most moralists maintain, there is some sort of material cooperation, it would be allowable if and only if the principle of the double effect is satisfied. Embryonic stem cell research on existing cells then could only be acknowledged as legitimate if there is a proportionate grave reason for permitting the cooperation. Is there such a reason?

The position taken in this paper is that contrary to Cataldo, there is cooperation, specifically material cooperation of some sort and that this cooperation cannot be reconciled with Catholic teaching for a number of reasons. First let's explore the relationship between the harvesting of embryonic stem cells which involves the intentional killing of embryos and the undertaking of research on the harvested cells. For argument sake, let's presume for now that the purported end to embryonic stem cell research can be said to be good. What, then, can be said of the means (i.e. embryonic stem cell research) to this end? What do the means encompass? A pre-requisite for this research is embryonic stem cells. This need raises the question of how these cells are acquired. Their acquisition is the result of what Roman Catholicism regards an immoral act, namely, the intentional/ direct killing of embryos. Viewed in its entirety the scenario runs this way: embryos are killed for embryonic stem cells; research on these stem cells is done; human suffering is overcome. There are three components: a past, a present and a future. In desperate attempts to justify embryonic stem cell research morality becomes tensed. Catholic proponents of embryonic stem cell research become focused on the present and the future; the past is kind of negated. That is, relative to Catholic researchers, it is relegated to a place of insignificance. The killing did not occur at our sites nor did our researchers do the killing. In fact, we have attempted to put an end to the killing; we have proselytized successfully on behalf of putting a halt to the creation of new stem lines. We have not, nor will we ever endorse the creation of new lines. In fact, we have been a driving force behind the government's former policy on embryonic stem cell research. In an effort to divorce the present and the future from the past, there is the implicit belief that it matters very much as to who does the killing and where it occurs. In so far as we are able to absolve ourselves of any involvement, the past becomes a kind of tabula rasa. This in essence is the attempt to legitimize embryonic stem cell research by maintaining the killing of embryos to be merely mediate material cooperation contending that in this form of cooperation, there is no essential relationship

between the research and the destruction of the embryo or there is no cooperation thereby putting even a further distance between the research and the killing of the embryo. “How” these cells are acquired and researching “what” they are, are said to be distinct. Collectively, the past and the present constitute the means to the future (i.e. the end). Researching on embryonic stem cells is capturing on a wrong, the killing of embryos. Catholicism can in words say that they wipe their hands of the killing of embryos but, as Hobbes would say, their words would be contradicted in their actions were they to participate in embryonic stem cell research. At the very least, their hands could not be said to be altogether clean.

Imagine a child born with an almost insatiable desire for candy; the more candy he eats, the more he wants. He has become obese. His parents have stopped buying candy and have ceased giving the child an allowance because he spends his allowance on candy. Imagine also that this child has a friend who has just stolen candy from the neighborhood candy store. The friend offers this obese child some of the stolen candy. Knowingly and willingly the child accepts and eats the candy in an effort to satiate his craving for candy.

Imagine also a Catholic institution’s researcher who has an almost insatiable desire to overcome human suffering. Embryonic stem cells are needed to satiate this desire. Having killed embryos for their stem cells, researchers at non-Catholic institutions have developed embryonic stem cell lines that are offered to Catholic researchers. Knowingly and willingly the researchers accept and use these stem cell lines.

Despite obvious differences between these two scenarios, a point of commonality is that in each, someone, the child and the researcher respectively, reap the reward, candy in the former scenario, stem cells in the latter, of someone else’s immoral act. Something very messy is going on; someone else in each scenario is doing the dirty work. Neither the child nor the researcher performed the immoral act. Another similarity between these scenarios is that in each the end, satiating a craving for candy and relieving human suffering respectively, can only be attained by a means that involves an immoral act, stealing and killing. Would Catholic institutions and their researchers be violating a main principle in their ethics, namely, that the end never justifies the means, were they to pursue research on embryonic stem cells? We maintain that this principle would indeed be violated. Talk of mediate material cooperation seems a disingenuous way of not wanting to view the situation for what it really is. The very fact that some (e.g. Prieur) who view this type of cooperation as legitimate in the end maintain not that embryonic stem cell research is moral but rather that it can be tolerated seems an implicit acknowledgment that things are not quite kosher. That is, that implicit approval is being given to the end justifying the means. Oddly, the very principle that has been used explicitly and rather vocally by opponents to this research in the Catholic tradition, namely, that the end does not justify the means, is now being used implicitly by those proponents in the very same tradition to legitimize it. This principle has become a double edged sword; the same principle used by Catholic opponents to embryonic stem cell research is now being used by its Catholic proponents. This paradoxical situation is created by the very fact that there is material cooperation, an admission on part of most nearly all who have entered the dispute on the morality of Catholic researchers using existing embryonic stem cell lines for research purposes.

Even putting aside the above analysis of the material cooperation involved in doing research on existing embryonic stem cell lines, it must be remembered that material cooperation requires a proportionate grave reason. Is there a grave enough reason? No doubt in terms of the science itself embryonic stem cell research has a promising future. Closely related is the prevalent belief that this research will ultimately alleviate human suffering. Prieur, for example, states that “this research allows them (i.e. Catholic research facilities) to witness a solid stance in favor of helping the world as it struggles to use the latest scientific discoveries to alleviate or even cure human suffering.” In a broader context, it is widely believed that embryonic stem cell research along with other scientific advances in the area of regenerative medicine is good for humanity. If this belief is true, probably, there is grave enough reason to give moral permission to this research. But, is it true?

Neither the pro nor the con side to the embryonic stem cell research debate questions whether research of this nature is to the best interest of humanity. Rather, there is the presumption of the meritoriousness of ends on the part of all sides to the debate. This presumption might not be justified. At the very least, it requires investigation. The potential this research has to cure diseases thereby enabling individuals who were afflicted with these diseases to live longer more productive lives is a good thing. But what if we were to take a more futuristic look at this research in terms of other potential consequences? Could science, embryonic stem cell research or, more generally, regenerative medicines ultimately lift the permanency of life’s natural trajectory that is part and parcel of mainstream thinking on human nature? Could research of this nature be man’s quest for immortality (i.e. bodily immortality) here on earth? Are we headed for some sort of post-human future? Could this be the 21st Centuries’ Brave New World? The mere fact that questions of this nature can be raised indicates that embryonic stem cell research is not unproblematic in terms of its intended and /or unintended goals. What would the implications be if these questions were to be answered in the affirmative? Perhaps speculation in this regard will reveal that that rather than there being grave reason to pursue embryonic stem cell research, there might be graver reason not to pursue it.

Could long term consequences challenge the very core of the traditional values that we hold so very dear? Could the principle of the sanctity of life be placed in jeopardy? Would there be a real danger of undermining this most basic principle? Earlier, it was

noted that opposition to embryonic stem cell research was not based on its goals but rather on the means necessary to obtain embryonic stem cells, namely, destruction of the embryo. Terminating the life of the embryo was regarded as a violation of this basic principle. The ontological status of the embryo is at the heart of the debate. The fetus in the abortion debate and, now, the embryo in the embryonic stem cell research debate have been assigned by opponents a status deemed high enough to entail their destruction immoral. While there is disagreement as to whether the fetus and embryo have the kind of reality that warrants the assignment of moral status, rights and so forth, clearly there is no disagreement regarding entities to whom all are willing to assign the term person, namely: the newly born, infants, adolescents, teens, adults, both the young and elderly. Even if ultimately embryonic stem cell research does not lift life's natural trajectory altogether but only dramatically extends it, the lives of those, most likely the elderly, whose ontological status as persons is not questionable might be placed in jeopardy.

Regarding the matter of scandal: As noted earlier, Cataldo maintains that persons who would be scandalized by research on existing lines would be those who are ignorant of the research and are therefore unable to clearly distinguish the killing of embryos from the research itself; they may get a false impression and be scandalized. Those more knowledgeable would not get the same impression and so would not be scandalized. Although this may be so, the fact remains that by Cataldo's own admission, embryonic stem cell research can result in scandal. The extent of the scandal would depend on how well informed the general public is about the research. If we had to venture a guess, we would say that they are not well informed. Further, Cataldo's distinction between active and passive scandal based on the intention of the researcher (i.e. whether he/she intended to scandalize), is simply not relevant to the question of whether or not embryonic stem cell research on existing cell lines could/would lead to scandal. In response to Cataldo's final remark phrased in the form of a question, "would this scandal be sufficient to prohibit Catholic researchers from doing this research?" we answer in the affirmative. Neither the extent of the scandal (i.e. how many persons would be scandalized) nor whether it was intentional matters very much. Scandal does not seem to be a quantitative matter nor is it a matter of intentionality. What matters is simply whether there would be any resultant scandal were Catholic researchers to pursue embryonic stem cell research on existing lines. This view, we believe mirrors the Church's position.

Prieur and others (e.g. Moraczewski) maintain that the possibility of scandal here must be weighed against others being equally scandalized by the Church's refusal to endorse what seems an imminent good for health care so as to avoid the low risk of scandal. Putting aside any inquiry as to the degree of risk of scandal, what is important to recognize is the connotations of the word scandal as employed here. While the former use of the term refers to leading others into wrongdoing, the latter use seems to refer instead to others being shocked and it is difficult to see how the Church not endorsing embryonic stem cell research could lead others into doing evil.

Some authors, Prieur among them, have suggested that embryonic stem cell research on the part of Catholic researchers may be tolerated. From a Roman Catholic perspective what does it mean to say that embryonic stem cell research can be tolerated? Moreover, what kind of relationship exists between something being "tolerable" and it being "moral?" Does toleration entail giving permission to or acceptance of what cannot be accorded moral approval? Seemingly so! The rationale that leads to toleration thusly understood is to minimize the cooperation involved to what is taken to be a legitimate form of cooperation (i.e. material cooperation) vis-a-vis is the principle of the double effect provided that and there is grave reason and no scandal should result. Above, we have questioned whether there is grave enough reason to pursue this research and have maintained that there would be scandal. Even if we are wrong regarding the former and there is grave reason, is there grave enough reason for Catholic researchers to pursue the same? There is an abundance of researchers all over the globe engaged in this research, researchers who do not have the same moral concerns as Catholics regarding the same and so, there does not seem to be grave reason for Catholic institutions and their researchers to undertake it. If there should be toleration at all maybe it shouldn't be Catholics tolerating Catholic researchers doing it but rather Catholics tolerating non-Catholics in their research endeavors. The concern we have with toleration categorically is whether it is giving tacit approval. And if so, would embryonic stem cell research on even existing cells be the beginning of a slippery slope?

In summation, we have contended that Catholic institutions and their researchers engaging in embryonic stem cell research even if it should be on existing cell lines is ethically troubling in a number of respects: There may be a violation of the basic principle that "the end does not justify the means." Although there is no formal cooperation, there is material cooperation that can only be sanctioned given a proportionate grave reason and no resultant scandal. We have contended that first, there may not be grave enough reason and second, there is reason to believe that there would be scandal. We beg to differ then with Prieur and others who hold that as long as Catholic institutions and their researchers continue to emphasize the moral status of the embryo and forbid formal cooperation or complicity in their deaths that material cooperation can be legitimized and embryonic stem cell research can be tolerated on their parts as a firm statement respecting human life and dignity of the embryo would have been provided. Rather, Catholic institutions and their researchers abstaining from embryonic stem cell research is what would unquestionably send the right message and be, indeed, a solid statement. Once the embryo is assigned a status akin to person-hood, if one is faithful

to the implications of maintaining this, not only are attempts to legitimize this research problematic as we have seen but the attempt in and of itself to venture to find rational justification for embryonic stem cell research is perhaps even more troubling. Although those outside of the Roman Catholic tradition may not concur with the Catholic position on the issue of embryonic stem cell research and other moral issues, there is still a kind of admiration of a tradition that is faithful to its moral convictions. To even attempt to legitimize embryonic stem cell research seems a lapse in fidelity to those convictions.

And so, from a moral point of view as the world turns toward a concerted effort in the pursuit of embryonic stem cell research, Catholic institutions and their researchers ought not to play a role. This would be at the very least following the morally safer course.

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