

Federal judge orders halt to US funding of stem cell research

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The US District Court for the District of Columbia granted a preliminary injunction Tuesday that temporarily halts federal funding of human embryonic stem cell research.

Judge Royce C. Lamberth, a Reagan appointee and former US attorney, justified the injunction on the grounds of the reactionary Dickey-Wicker Amendment to the Balanced Budget Downpayment Act of 1996, signed into law by President Bill Clinton. The amendment, sponsored by religious fundamentalists in Congress, prohibits the creation of a human embryo for research purposes and prohibits research in which embryos are destroyed “or knowingly subjected to risk of injury or death.”

Well-funded Christian groups have lobbied and litigated extensively against stem cell research, using it as a rallying point for religious fundamentalism that coincides with religious campaigns against abortion and physician-assisted suicide. According to Christian fundamentalists, a human embryo is a “human being,” possessed of a soul, and the destruction of an embryo is “murder.”

An executive order issued by George W. Bush in 2001, limiting federal funding of embryonic stem cell research on the basis of the Dickey-Wicker Amendment, was overturned by Obama last year, and the National Institutes of Health (“NIH”) subsequently adjusted its research guidelines to reflect the removal of funding limitations. The current case, *Sherley v. Sebelius*, concerns those NIH guidelines, with far-reaching implications for research in the medical sciences.

Lamberth ordered “that defendants and their officers, employees, and agents are enjoined from implementing, applying, or taking any action whatsoever pursuant to the National Institutes of Health

Guidelines . . . or otherwise funding research involving human embryonic stem cells as contemplated in the Guidelines.”

Stem cell research has the potential to yield extraordinary advances in medical science. It involves the study of primordial cells that appear in early human embryos and later develop into all the various human organs, and could lead to breakthroughs in the understanding and treatment of Alzheimer's, diabetes, cancer, and heart disease.

Stem cell research has the potential to dramatically alter the lives of millions of patients who suffer with devastating and life-threatening diseases that resist currently available treatment, like Parkinson's disease.

Lamberth initially refused to hear the case on the grounds that the Christian groups and individuals who brought the case lacked standing to challenge the NIH guidelines. However, on appeal, the DC Circuit Court of Appeals, notoriously stacked with right-wing judges, ordered him to hear the case.

The case was brought by a consortium of reactionary religious groups and individuals, including Nightlight Christian Adoptions, the Christian Medical Association, and two stem cell researchers. The researchers were added because the Christian groups could not themselves have initiated the suit for lack of standing.

A preliminary injunction is issued before a trial to prevent “irreparable injury.” If the religious groups are successful at trial, the injunction could become permanent.



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