

By: Representatives Brown (20th), Aldridge,  
Crawford

To: Rules

HOUSE RESOLUTION NO. 45

1 A RESOLUTION RECOGNIZING PARENTAL RIGHTS.

2 WHEREAS, the right of parents to direct the upbringing and  
3 education of their children is a fundamental right, and  
4 historically, our nation has relied first and foremost upon  
5 parents to meet the real and constant needs of children; and

6 WHEREAS, the interests of children are best served when  
7 parents are free to make child-rearing decisions about education,  
8 religion and other aspects of a child's life without government  
9 interference; and

10 WHEREAS, the United States Supreme Court, in the case of  
11 *Wisconsin v. Yoder*, 406 U.S. 205 (1972), held that "This primary  
12 role of the parents in the upbringing of their children is now  
13 established beyond debate as an enduring American tradition"; and

14 WHEREAS, however, in the case of *Troxel v. Granville*, 530  
15 U.S. 57 (2000), six (6) justices of the United States Supreme  
16 Court filed opinions on the nature and enforceability of parental  
17 rights under the Constitution of the United States, and the number



18 of written opinions in the *Troxel v. Granville* case has created  
19 confusion and ambiguity about the fundamental nature of parental  
20 rights in the laws and society of the several states; and

21 WHEREAS, it is the opinion of the House of Representatives  
22 that we should prevent erosion of the enduring American tradition  
23 of treating parental rights as fundamental rights and preserve  
24 parental rights from being infringed upon by shifting ideologies  
25 and interpretations of the United States Supreme Court:

26 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
27 REPRESENTATIVES OF THE STATE OF MISSISSIPPI, That it recognizes  
28 that the liberty of parents to direct the upbringing, education  
29 and care of their children, which encompasses all forms of care,  
30 is a fundamental right.

31 BE IT FURTHER RESOLVED, That a copy of this resolution shall  
32 be transmitted to each member of the delegation of the State of  
33 Mississippi in the Congress of the United States and to members of  
34 the Capitol Press Corps.

