
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 501 Session of
2011

INTRODUCED BY TALLMAN, CLYMER, DENLINGER, HEFFLEY, METCALFE,
PICKETT, SACCONI AND SWANGER, NOVEMBER 15, 2011

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, NOVEMBER 15, 2011

A RESOLUTION

1 Memorializing the Senate of the United States to reject the
2 United Nations Convention on the Rights of the Child.

3 WHEREAS, The right of parents to direct the upbringing and
4 education of their children is a fundamental right protected by
5 the Constitution of the United States; and

6 WHEREAS, Our nation has historically relied first and
7 foremost on parents to meet the real and constant needs of
8 children; and

9 WHEREAS, The interests of children are best served when
10 parents are free to make child-rearing decisions about
11 education, religion and other areas of a child's life without
12 state interference; and

13 WHEREAS, The United States Supreme Court, in *Wisconsin v.*
14 *Yoder*, 406 U.S. 205 (1972), held that "(t)his primary role of
15 the parents in the upbringing of their children is now
16 established beyond debate as an enduring American tradition";
17 and

18 WHEREAS, However, in *Troxel v. Granville*, 530 U.S. 57 (2000),

1 Supreme Court justices issued five concurring and dissenting
2 opinions on the nature and enforceability of parental rights
3 under the Constitution of the United States; and

4 WHEREAS, The decision in *Troxel v. Granville* has created
5 confusion and ambiguity about the fundamental nature of parental
6 rights in the laws and society of several states; and

7 WHEREAS, The United Nations Convention on the Rights of the
8 Child has been proposed and soon may be considered for
9 ratification by the United States Senate; and

10 WHEREAS, The United Nations Convention on the Rights of the
11 Child would drastically alter the fundamental right of parents
12 to direct the upbringing of their children; and

13 WHEREAS, The United Nations Convention on the Rights of the
14 Child has been acceded to by 192 nations worldwide and has been
15 cited by United States courts as "customary international law";
16 and

17 WHEREAS, International influence is being exerted on the
18 United States Supreme Court, as demonstrated in *Roper v.*
19 *Simmons*, 543 U.S. 551 (2005), in which it was expressed that
20 "the Court has referred to the laws of other countries and to
21 the international authorities as instructive for its
22 interpretation" of the Constitution of the United States;
23 therefore be it

24 RESOLVED, That the House of Representatives of the
25 Commonwealth of Pennsylvania urge the Senate of the United
26 States to reject the United Nations Convention on the Rights of
27 the Child; and be it further

28 RESOLVED, That copies of this resolution be transmitted to
29 the President of the United States Senate and both members of
30 the Senate from Pennsylvania.