

**Testimony Before the Maryland General Assembly House Judiciary Committee**

**Testimony of Ismail Royer**

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**Religious Freedom Institute**

**February 15, 2024**

Chairman Clippinger, Vice-Chair Bartlett, and Members of the Committee:

Thank you for the opportunity to speak to you in favor of House Bill 553.

My name is Ismail Royer and I represent the Religious Freedom Institute, a non-profit based in Washington, DC. I direct the Islam section, where I serve as a Muslim voice for religious freedom for everyone.

This bill provides: “A parent has the fundamental right to direct the upbringing, education, care, and welfare of the parent’s child.”

This proposition is true without a doubt.

In 1925, the Supreme Court said in *Pierce v. Society of Sisters*:

The fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the State to standardize its children...The child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations.<sup>1</sup>

Fifty years later, Chief Justice Warren Burger wrote: “*Pierce* stands as a charter of the rights of parents,” adding:

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<sup>1</sup> *Pierce v. Society of Sisters*, 268 U.S. 510, (1925)

The history and culture of Western civilization reflect a strong tradition of parental concern for the nurture and upbringing of their children. This primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition.<sup>2</sup>

Is this right found in the Constitution? Yes, in a meaningful sense. The Ninth Amendment reads:

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.<sup>3</sup>

And in the Fourteenth Amendment:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.<sup>4</sup>

The people had rights before our government existed. The Declaration of Independence affirms that all human beings “are created equal, and they are endowed by their Creator with certain unalienable Rights,” that is, rights the government cannot grant or take away.

This bill recognizes a right due to every person *because* he or she is human, and it gives the people a way of vindicating that right. I urge a favorable report on House Bill 553.

Thank you.

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<sup>2</sup> *Wisconsin v. Yoder*, 406 U.S. 205, 232, 233 (1972).

<sup>3</sup> U.S. Const. amend. IX.

<sup>4</sup> U.S. Const. amend. XIV.