

Bill of Rights Essay

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The Canadian Charter of Rights and Freedom is Canada's version of the United States Bill of Rights in the U.S. Constitution. The Charter includes similar rights as the Bill of Rights, such as freedom of speech and freedom of religion ("Government of Canada"). However, one right Canadians do not have that is guaranteed in the U.S. Constitution is the right to bear arms, which is the Second Amendment in the Bill of Rights. It states: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed" ("The Bill of Rights: A Transcription"). I believe that the Second Amendment is outdated by its own terms and is a primary cause of inordinate gun violence in the United States, and should therefore be removed from the Constitution.

The Second Amendment was passed as part of the Bill of Rights in 1791, during the inception of the United States ("The Bill of Rights: A Transcription"). At the time, the U.S. did not have a standing militia, so it was necessary for civilians to own guns for the purpose of defending the country ("Amdt 2.2 Historical Background on Second Amendment"). Therefore, at its origin, the Second Amendment had a valid purpose. However, the U.S. has long since possessed one of the largest, most advanced, and most expensive militaries in the world. The U.S. spends close to one trillion dollars annually on military expenditures, thus maintaining and satisfying the criteria of a "well regulated Militia" ("Military spending by country worldwide 2023"). Therefore, due to the current state of the U.S. military, the Second Amendment is no longer necessary.

In the constitutions of many developed nations, such as in Canada's Charter of Rights and Freedom, there is no guarantee of the citizenry's right to bear arms. Accordingly, the federal governments of these nations are able to pass strict nationwide gun regulations that, in comparison to the U.S., have led to far lower gun crime rates. For example, the per capita gun homicide rate in the U.S. is over seven times that of Canada ("On gun violence, the United States is an outlier."). In addition, the average U.S. citizen owns almost four times as many guns as the average Canadian citizen ("Estimated number of civilian guns per capita by country."). I believe that the "freedoms" guaranteed by the Second Amendment impede the gun regulations that can be enacted by Canada and other developed nations. U.S. lawmakers may be averse to creating and enforcing nationwide laws that could be seen as infringing on Second Amendment rights for fear of pushback from the populace. For example, Canada is able to ban the kinds of assault weapons used in mass shootings that are common in the U.S. "The federal 1977 Criminal Law Amendment Act, as amended, prohibits automatic weapons and sawed-off shotguns and rifles." ("OLR Research Report"). Therefore, the removal of the Second Amendment from the U.S. Constitution would likely allow the

U.S. government to create and enforce the kind of gun regulations that Canada and other developed nations have implemented to prevent gun violence.

In conclusion, developed nations like Canada have not guaranteed the right of the citizenry to bear arms, providing the kind of safety and security that U.S. citizens lack due to the inclusion of the Second Amendment in its Constitution. The Second Amendment was long ago rendered unnecessary due to the establishment of a powerful and organized U.S. military, and it impedes the ability of the U.S. government to establish appropriate gun regulations to ensure the safety of its citizenry. Therefore, I believe that the Second Amendment should be removed from the U.S. Constitution.

Citations:

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