

Abdullah Zubair

Mr. Demaray

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Constitution of the United States of America V. Canada

A Constitution is the framework of principles, rights, and freedoms that apply to all the citizens within a country and to those who govern them. It is a set of written principles that can only be amended by the governments for the sole purpose of improving our society and our nation. A Constitution acts as a safeguard for the citizens of a country because it demands those who govern the nation to be respectful towards our individual rights and freedoms. The Constitution of the United States of America established their nation's government and fundamental laws, as well as guaranteeing their citizens rights and freedoms. Enacted on September 17, 1787, the United States Constitution has been a significant hallmark in terms of representing how a nation can govern itself coherently with its citizens, enabling the citizens to contribute towards binding decisions made throughout the nation through the process of voting. This system is more formally known as a Democracy and is the political system that has also been established in Canada. Although the two countries operate under the same political system, their constitutions have unique differences. These differences are the heart of what draw the contrasts between the two constitutions. In general, Canada's constitution is better than the constitution of the United States of America. Through analyzing examples of each of the respected constitutions this Essay will prove why Canada's constitution is better than the constitution of the United States of America.

The constitution of the United States is composed as a set of codified rights and freedoms known as amendments. The second amendment specifically states that "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." To Paraphrase, this amendment States that all citizens in the United States have the right to the possession of a weapon. On the other hand, the constitution of Canada has made an effort towards establishing and constructing the framework of a very strict set of codified gun laws. Citizens in Canada have the right to

bear arms but can only do so under very strict regulations. In other words, *"To possess a firearm is a right, and it's a right that comes with responsibilities."* (Blaney, CBC News). These responsibilities include successfully completing the Canadian Firearms Safety Course and the Canadian Restricted Firearms safety course for both a non-restricted and restricted firearms license, applying for a possession acquisition license and to apprehend a mandatory Security Screening. (Wikipedia). Comparing this with the United States, their gun laws are much more fragile. Although it is required for a citizen to have a license in order to acquire a firearm, the process in obtaining it is much more trivial, as background and security checks are often kept to a minimum. Contrasting the two, it is obvious to state that Canada's gun laws are much stricter than those of the United States. Because of such fragile gun laws associated with the legislation in the United States, it breeds for catastrophe and mass shootings which are unfortunately very common in the United States. On the other hand, Canada's strict gun laws restrains those from committing such criminal activities involving firearms, and keeps the general crime rate to a minimum. Statistically speaking the United States has about 200 percent more homicides, 127 percent more aggravated assaults and 65 percent more robberies over the past 20 years (Smith, The Globe, and Mail). Professor Wendy Cukier followed up this statistic by stating "Those statistics are directly related to the number of guns owned by Americans, about 18 percent of Canadian households contain at least one gun, she said, compared with about 40 percent of American households." (Smith, The Globe and Mail). To conclude, based on the respected argument and the evidence provided Canada's constitution is better than the constitution of the United States.

The constitutions of both Canada and the United States approach their terms of office in their own respected manners. Starting with the Canadian constitution, all important legislation introduced by the government officials as well as all bills that have the means to spend public funds or impose taxes must be introduced by the government and neither house can choose to raise the number of funds involved (*Forsey, POL*). This fact upholds itself as long as the government can oversee and continue to support the majority in the House of Commons (*Forsey, POL*). In doing so, the government can pass any legislation it

sees as befitting. If, however, the government cannot continue to uphold the majority support in the House of Commons, it must either accommodate for a new government from another part or call for an election (*Forsey, POL*). If it chooses to accommodate a new government, then as long as that government upholds the majority support, it can choose to pass legislation they see as befitting. In the United States even if the propositions presented by the President are denied by the house and the congressional government, the president will still remain in his/her state of power (*Forsey, POL*). The President can veto still veto bills passed by either house, but cannot choose to appeal to the people by calling an election for the means to obtain a more preferable congressional cabinet. This is clearly outlined in Article 1 of the American constitution, "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives." (National Archives). Contrasting both constitutions and their approach to terms of office, it is clear that Canada's form of Parliamentary-cabinet government is much more responsive and responsible than America's form of Presidential-congressional government. An American president can be blocked from either house and can continue to bicker and dispute each other for years on end, while Canada's disputes in the House of Commons for the decision to form a new government can last at most for months. This makes Canada's Constitution better than the United States Constitution because Canada's Parliamentary- cabinet government allows for a more efficient system of resolution and distribution of power, which is in turn not only better for the country but for the citizens as well, as this more efficient system maintains order and resolution within the confines of our democracy.

The heart of the Canadian constitution lies within the philosophy known as peace, order and good government. This philosophy has been more formally used as a definition towards defining the Canadian Parliaments lawmaking authority in relation to provincial authority (*Gall, TCE*). It can be seen as a moral code so to speak that must be followed by those enacted in the parliamentary- cabinet of government when making decisions such as the distribution of powers and the legislative process (*Gall, TCE*). It is in all intents and purpose a phrase that is used to represent what the Canadian constitution is

and what it strives to achieve. Contrasting this to the American philosophical point of view on the general merit in their constitution, the phrase they have adopted is "Life, Liberty and pursuit of happiness" (*Gall, TCE*). This philosophical point of view States that all citizens have the right to a life of freedom, and should be free to do what they please and should find a means to find a purpose in their life as long as they are not infringing others rights. This philosophy is embedded in the United States Constitution and is stated in the declaration of independence (*Gall, TCE*). The philosophy believes in the pursuit of self-empowerment and self-driven success, not in peace and order within our society. The American constitution believes that a society should prosper with individuals that are willing to empower themselves into the forefront of an American society (*Gall, TCE*) and the constitution completely advocate them to do so. Evidence of this can be seen with the amendments that grant the right to a firearm, the ability to petition, the ability to have propositions during elections, etc. The American constitution places the workings of the society in the hands of the citizens. On the other hand, the Canadian constitution places the workings of the society in the hands of the government while coherently collaborating with the citizens of the society. The constitution doesn't strive to empower its citizens but to maintain order and stability throughout the nation. As evidence to support this proposition, Canada's system of government provides and ensures many of the fundamental resources and necessities such as health care, insurance, welfare, student tuition, etc (*Gall, TCE*). The American government instead chooses to hand this proposition over to large corporations who are willing to make a profit from those who are in need of such fundamental resources such as health care, insurance, welfare and student tuition (*Gall, TCE*). This makes Canada's constitution better than the United States because Canada operates under a system that demands order and peace within a society and functions with a spectrum of governmental authority which will, in turn, construct a society that is more stable and maintains order. Evidence to support this claim can be analyzed through a statistic that shows that the United States has had 3 the number of riots, petitions and civil disputes than Canada has had over the past decade (*USA. Gov*).

In conclusion, the framework of Canada's constitution is better than the constitution of the United States of America. Through the analyzation of the framework of each constitution and its provided rights and freedoms, philosophies and its political conventions that affect both the nation and its citizens, this essay proved why the respected contrasts that were drawn from both constitutions based on these propositions make Canada's constitution better than the United States Constitution. The Structure of the constitution that Canada abides by makes for a more stable and precedented form of governmental authority where political conventions and acquisitions are carried out much more effectively and efficiently. On the other hand, the United States Constitution is much more reluctant on the people and places the powers and the decisions that are made binding throughout the nation in the hands of the people. It also focuses on empowering its citizens, which as discussed can lead to many downfalls. Based on this framework from each of the respected constitutions, as well as certain aspects that were contrasted from each constitution, this essay proved why Canada's constitution is better than the constitution of the United States of America.

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