

short of that moves us to a dictatorial state, even if we have the right of elections. It is very easy for a government to say it has a majority and, therefore, a mandate to do anything. If we rethink the mandate of the government in terms of what the government said when the election was on, we would find that the government does not really have a mandate. We on this side were damned and blasted across the country, because of our wage and price controls proposals, as people with a new economic policy which had never before been enunciated. Before the Prime Minister got back to Sussex Street, after the election they were implemented. If that was not a flip-flop, there never was a flip-flop.

Mr. Mazankowski: Zap, you're frozen.

Mr. Cullen: Don't lose your cool.

Mr. Woolliams: Don't worry about my cool.

Mr. Cullen: Not your cool, baby.

Mr. Woolliams: I know the minister was talking to the hon. member for Vegreville. The hon. member is a good friend. I know him well, and so does the minister. He is a man who is very cool, and he keeps his cool. "Cross, on Evidence" also says:

In civil cases the preponderance of probability may constitute sufficient ground for a verdict; but, in criminal proceedings which took place some seven years later, the jury were told that they must be satisfied of the accused's guilt beyond any reasonable doubt—

That was the famous House of Lords case, *Cooper v. Slade*. We can go to the Library of the Supreme Court of Canada or to any courthouse and find that the precedents of Canada since the time we became a nation have followed the jurisprudence that the onus is on the Crown and that no one can be found guilty except if guilt is proven beyond a reasonable doubt. I do not know what has come over this country. Do we want to change our parliamentary system? Our system has evolved through the centuries. Our system in Canada gives people of all ethnic origins more freedom than the systems of other countries. That freedom is found wherever we go in the Commonwealth.

Mr. Neil: It's being taken away.

Mr. Woolliams: That freedom is gradually being eroded. As the hon. member for Moose Jaw (Mr. Neil) says, it is being taken away day after day. Why cannot the Minister of Justice stand in his place today and say that we have a point and that he will accept these two amendments. Once the government makes up its mind—

Mr. Schumacher: It is like a rock.

Mr. Woolliams: Absolutely. A former leader of the New Democratic Party (Mr. Douglas) used to tell a story, which I will tell and then sit down. I have never forgotten that story. It is a good story to illustrate the kind of stubbornness we now see. A man owned a mule which would not lead, drink, feed, harness or be ridden. The man's neighbour said he was a mule

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specialist. The neighbour told the man to put the mule on a truck and bring him over. The first thing the neighbour did when the mule was brought over was hit the mule between the eyes with a club. The mule's knees buckled. The mule's owner said, "I did not bring him over for that kind of cruelty". The neighbour said, "If you are going to teach a mule anything, the first thing you have to do is get his attention". I want the nation to turn its attention to this legislation. I have said my piece on this very important phase of jurisprudence.

Mr. Stan Schumacher (Palliser): Mr. Speaker, I would like to associate myself with the remarks of the hon. member for Calgary North (Mr. Woolliams) in dealing with this group of amendments. I also want to say something about motion No. 13 because it is related. If it were not for the part of the bill which motion No. 13 attempts to correct, we would not have to debate the legal principles which were spoken about so eloquently by my friend on motions Nos. 12 and 14.

As the law presently stands, people cannot be in possession of restricted weapons on which the serial numbers have been altered, mutilated or ruined without some lawful excuse. I agree with the hon. member for Calgary North that to require an accused to carry any kind of onus where a criminal charge is involved is a wrong principle. In committee, the Minister of Justice (Mr. Basford) said the reason for this requirement was that the accused is the only person who has something peculiarly or uniquely within his knowledge, as if nobody else would know anything about a particular mutilation or alteration. I find that a rather lame excuse or justification for this type of law in the Criminal Code.

If one person kills another, and nobody else is present, I suppose in those circumstances the accused has something peculiarly or uniquely within his knowledge, but in a case like that the accused is not required to present any excuse to a court trying him on a charge of murder. Yet in a case relating to firearms, the government wishes to put that onus upon an accused. As the law presently stands, this requirement applies to people in possession of restricted weapons. I would like to have some explanation as to why this has to be broadened. I agree with the hon. member for Calgary North that it is a wrong principle. We should be deleting the provision with regard to restricted weapons that is already on the books. However, an initiative like that would probably be out of order in this debate. In any event, I certainly would not agree to extend this provision to the general category of firearms. This bill deals with restricted weapons and prohibited weapons. Why is it now so necessary to extend this crime to include all firearms, including the lowly Cooney .22 or any other weapon which is in broad, general use?

● (1720)

What is the government trying to accomplish, except to create many new, potential crimes which present no danger or problem to the nation? That is symptomatic of the whole bill. Why does the government wish to create a great number of new crimes, some that are announced in the bill and many of which will be created by the stroke of the pen of some