

Privilege

In any case, to allege that there has been contempt is pushing things a bit too far, if in my view I want to pay very much attention to the hon. member's intention to either rise or sit. I cannot judge that and will leave it to the Speaker to come back and tell us that in his view the member was either standing or sitting. As I said before, NDP members always have difficulty standing up for anything, so I have difficulties deciding whether they were standing or not.

If you decide, Sir, that there is a *prima facie* case of privilege—and by the way contempt is privilege or privilege is contempt—then any motion accusing those two members of voting twice would have to bear some kind of proof that indeed they did it deliberately. That I am not qualified to judge, as I think I made clear in my remarks.

I am not sure whether they intended to obstruct. I am not sure whether they wanted to vote. All I know is that the facts, since that is what you are looking at, Mr. Speaker, are there. They are on tape. We all saw them. We were here. I am witness to something that happened.

I can tell you, Mr. Speaker, I will go with the decision one way or the other. I hope that you have a lot of patience, Sir, a lot of vision and a lot of judgment. It is going to be difficult.

Mr. Howard Crosby (Halifax West): Mr. Speaker, like my colleagues, I was a witness to the events in this Chamber on January 24, 1990. I think that this was a dark day for the House of Commons. I think all members will recognize that for various reasons.

The dark part of the day that I want to point out in support of my colleague and his representations to the Chair is recorded in *Hansard* and is beyond dispute. I registered this complaint, and it is recorded in *Hansard* as well.

I said then, and I will repeat it today: there is no more serious function of a member of this House of Commons than registering a vote. I say that because when they register a vote in this House of Commons they do so on behalf of their constituency, and together we vote on behalf of Canada. To jeopardize the purity of voting in this House of Commons is one of the most serious contempts of Parliament that can take place.

You only have to look, Mr. Speaker, at page 7436 of *Hansard* to see the contempt printed on the permanent record of this House. What is printed there is the fact that on a division, on a voice vote, the Speaker heard and registered yeas and nays. Then, at least five members of this House of Commons stood up and asked for a recorded vote.

• (1550)

I am looking at the proceedings with respect to a bill concerning Magna Carta day. When the recorded division was called, notwithstanding the yeas and nays on the vote, notwithstanding that five members of the House of Commons stood up and asked for a recorded vote, there were no nay votes registered. There was no negative vote. Nobody in the House of Commons was against that measure.

There was something going on in this chamber. I will not say what it was. I will tell you if you ask me what I think was going on. What I think was going on was obstruction of the business of this House. In my view that is what was going on. I suspect, Mr. Speaker, but it is up to you to find out, that there was unjustifiable obstruction of the business of this House contrary to the rules of this House.

The rules of this House are based on honour. Voting is based on honour. That honour was breached because members of this House stood up, asked for a recorded division, and then did not vote against the measure.

Somebody in this House is deceiving the House. Mr. Speaker, you have to find out who that person is.

Mr. Speaker: I thank the hon. member.

The hon. member for Windsor—St. Clair on the same point.

Mr. Howard McCurdy (Windsor—St. Clair): Mr. Speaker, I am tempted to say that we have had garbage in and garbage out—garbage in from the government side and garbage out from the Liberal side.

I find the discussion that is occurring now really quite outrageous. We have people who in a less self-righteous incarnation stormed the Chair now talking about propriety in the House. We will leave that alone.

What we have at issue is the accusation that this member and another member are in contempt for having voted twice. We have launched into a discussion of