

Supply

The motion before us for debate today does not tend to reasoned consideration. Like the many unsubstantiated allegations which have appeared in newspapers over the last two weeks, this motion is nothing but supposition based upon innuendo. This debate should have provided the ideal opportunity, yet the Opposition did not attempt to lay a charge or to seek an inquiry to determine the facts, nor indeed to make any constructive suggestion at all. We all know that the Prime Minister (Mr. Mulroney) promulgated a Code of Conduct for public office holders on September 9, 1985. Moreover we also know that he wrote at the same time to the Right Hon. Leader of the Opposition asking for his suggestions and co-operation in extending that Code. The Prime Minister has yet to receive a reply to that letter.

● (1210)

I hold the view that standards of conduct must be generally agreed and supported in order to ensure that they are fairly applied to everyone. In the circumstances I believe that some statement of substantive position from the Leader of the Opposition on the matter of the Code of Conduct is long overdue.

I have listened with great interest to find out where the Leader of the Opposition stood with respect to the Code of Conduct. His position, if I may just put it in one sentence, is that there is no such thing as a Code of Conduct that is enforceable. I take it that is also the position of the Liberal Party.

Mr. Broadbent: You even make babies cry.

Mr. Hnatyshyn: I take the support I am getting from the galleries as cries of support and a cry of condemnation for the Opposition.

Some Hon. Members: Oh, oh!

Mr. Hnatyshyn: I believe we are entitled to find out from the Leader of the Opposition where he stands on a code of ethics. He has been absolutely silent on his position—

An Hon. Member: It's better than yours anyway.

Mr. Hnatyshyn: I do not say this in a condemnatory, way but there was an opportunity here which could have elevated the debate for the Leader of the Opposition in his first motion in this trimester and enabled him to set down some constructive suggestions on the resolution of a particular situation, but we have had nary a word. If the code is not to his satisfaction, let him make his position absolutely clear.

We live in a society that not only permits but encourages individuals to hold diverse views. We foster freedom of speech and association because we believe that the validity of various ideas and opinions must be tested in the crucible of the public forum. This willingness to accept the existence of conflicting and contradictory points of view is one of the primary strengths of our democratic system.

It is, however, imperative that we recognize that our willingness to entertain an infinite variety of opinions on a given subject does not translate into a willingness to allow an individual to conduct himself or herself in whatever manner he or she happens to feel is appropriate. In a very basic sense, that is why we have developed a set of laws, a jurisprudence, to which individuals may refer to measure the appropriateness of their behaviour.

This view is encapsulated in the principle that the rule of law is preferable to the rule of man. But how to structure the law so as to achieve the legitimate ends of society while not unduly infringing upon the rights of the individual is a question with which we as legislators are forced to grapple every day. There is no formula that is, *a priori*, right or wrong. The final product, the law, will hopefully reflect the balance that we are trying to achieve. However, once that law is adopted we have, for better or for worse, provided a set of rules which establishes a standard of behaviour for everyone.

I have made these rather basic observations about the difference between subjective opinion and objective standards of conduct because this is a distinction that is critical to the matter under debate today. Subjective opinion, no matter whether or not it is well founded, should not and cannot take the place of codified objective standards of conduct.

On September 9, 1985, when the Prime Minister tabled the conflict of interest and post employment code for public office holders he established just such an objective standard of conduct. That Code provides in some detail a set of compliance measures. It requires that all Ministers of the Crown follow those measures and, in so doing, comply with the code.

[*Translation*]

To the best of my knowledge, every one of my Cabinet colleagues and myself have followed the very letter of the conflict of interest guidelines. That is how things should be and that is how they must be.

[*English*]

But, Mr. Speaker, I would ask you to reflect on just how fundamentally unfair it is to establish an objective set of rules and then to claim that in addition there is a further subjective set of standards which also apply. No one can be expected to meet those new standards for the simple reason that one can ever know for certain and in advance precisely what they are.

Notwithstanding the sound and fury generated by the Opposition in the past two weeks, there has been no suggestion that the Code has not been complied with. The Opposition chooses to make accusations of non-compliance with standards, such as they are, which are known only to them. Today's motion seeks to condemn the Government for "failing to provide full and satisfactory information on the blatant conflict of interest situation involving the Minister". Yet that motion, in itself, presumes what it seeks to condemn. It provides no basis for the allegation of conflict of interest. In fact, on a strict reading of the motion the question of whether there was a conflict of interest is not even open to debate. In