

In particular, adherents of the community are required by their religious beliefs to be patriotic and loyal to their adopted nation and to participate in its economic, cultural and educational development. Adherents in Canada enthusiastically practise these beliefs.

The Dawoodi Bohra in Canada are mostly professionals, middle managers and small businessmen. They are known as industrious and peace-loving citizens and they strive to implant these qualities in their children. While learning and preserving the community's traditional language through heritage language programs, the children also attend public schools and universities and actively participate in the milieu of Canadian life. Thus, the Dawoodi Bohras in Canada represent a harmonious source of community traditions within the rich blend of Canadian society.

In common with all Muslims, the Dawoodi Bohra community affirms the oneness of Allah, follows the Prophet Mohammed and reveres the Quaran. Various denominations arose in Islam after the death of the Prophet Mohammed. The Dawoodi Bohra community is identified as the Shia Fatimi Ismaili Tayyiti Dawoodi denomination of Islam.

Senator Molgat: Would you say that again?

Senator Hébert: Slowly please.

Senator Atkins: The word "Bohra" means traders and has become attached to the name of the community because of the members' historical tradition of being engaged in commercial trade.

The Dawoodi Bohra community believes that its religious leader, the Dai al-Mutlaq, is the representative of the Imam, the direct descendant of the Prophet, during the period while Imam is in seclusion. The Dai al-Mutlaq, in his capacity as religious leader of the Dawoodi Bohra community, is responsible for the spiritual and religious needs as well as for the administration, management and control of the religious property, affairs and interests of the denomination. Each Dai al-Mutlaq during his life appoints a successor by a special act of designation. The current Dai al-Mutlaq, His Holiness Dr. Syedna Mohammed Burhanuddin, is the fifty-second incumbent in an unbroken chain of succession which has spanned over 800 years.

The bill before you would constitute the Dai-Mutlaq as a corporation sole to be known as "Dawat-e'Hadiyah (Canada)". A corporation sole, as senators who are lawyers will know —

Senator Frith: Since we are talking religion maybe you should spell sole: s-o-l-e.

Senator Atkins: Yes, s-o-l-e. As senators who are lawyers will know, a corporation sole is a corporation consisting of one person only, usually a person of high office, who together with his successors in office is incorporated by law. In this way, the officer obtains the legal capacities and benefits of a corporation which, as a natural person, he would not otherwise enjoy.

One particular advantage is that of the continued existence of a corporation over the lifetimes of many successors in office, without the requirement that religious property held by the office holder be specifically conveyed.

It is important to emphasize that the incorporation of the office of the Dai al-Mutlaq would not give the holder of the office any status, rights or privileges in relation to the Dawoodi Bohra Community that the holder does not otherwise have.

Because the Dawoodi Bohra Community includes adherents throughout Canada, it is desirable that the corporation sole be incorporated by Canada rather than by one or other of the provinces. As neither of the two federal statutes of a general enabling nature that govern the creation of corporations, namely, the Canada Corporations Act and the Canada Business Corporations Act, provides for the creation of a corporate sole, it appeared necessary for the Dai al-Mutlaq to petition Parliament for a private act.

I trust this explains to honourable senators the purpose of Bill S-13, and that the bill will receive support in this place.

Hon. Philippe Deane Gigantès: Honourable senators, I rise to oppose this bill.

Senator Barootes: This is not Opus Dei.

Senator Gigantès: This is Opus Dei. This is exactly parallel and identical to what we were asked to do for Opus Dei and we rejected it on the grounds that it could do whatever it had to do by being accredited provincially.

Opus Dei was functioning perfectly well, accredited as it was in various provinces, and through a similar bill it came to the Senate to push for its accreditation as a corporation sole. The reason given for the application was that it was for the prestige. This organization has learned that lesson and has not given that as the reason.

I do not see why we should do for this sect of admirable traders and good citizens—bless them—what we refused to do for Opus Dei. In principle, I do not think that we should mix government and religion. The Parliament of Canada should be conferring as little as possible. Any further encroachment of religion upon the political process of Canada should be resisted.

This organization has no need for this accreditation. It can function perfectly well with provincial accreditation. Therefore, I am opposed to this bill.

Hon. Royce Frith (Leader of the Opposition): Honourable senators, I have spoken to Senator Atkins about this bill. He gave me his reading notes and we discussed it before the bill was prepared in its final form. I had not made the connection or the analogy with Opus Dei until Senator Gigantès mentioned it to me earlier today. We must look into that aspect, and I will adjourn the debate in the meantime.

Senator Murray: Honourable senators, just let me say one word about this matter. Because of the same type of discussions that Senator Frith referred to, I was aware that this bill