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Bill C-49:

An Act to amend the Museums Act in order to establish the Canadian Museum of History and to make consequential amendments to other Acts

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Legislative Summary of Bill C-49

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Any substantive changes in this Legislative Summary that have been made since the preceding issue are indicated in **bold print**.

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LEGISLATIVE SUMMARY OF BILL C-49: AN ACT TO AMEND THE MUSEUMS ACT IN ORDER TO ESTABLISH THE CANADIAN MUSEUM OF HISTORY AND TO MAKE CONSEQUENTIAL AMENDMENTS TO OTHER ACTS

1 BACKGROUND

Bill C-49, An Act to amend the Museums Act in order to establish the Canadian Museum of History and to make consequential amendments to other Acts (short title: Canadian Museum of History Act), was introduced and read the first time in the House of Commons on 27 November 2012 by the Minister of Canadian Heritage and Official Languages, the Honourable James Moore.

The bill amends the *Museums Act* to create a new Crown corporation called the Canadian Museum of History to replace the Canadian Museum of Civilization. The bill also sets out the purpose of the new Canadian Museum of History. In addition, the Act repeals transitional provisions related to the disbanding in 1990 of the National Museums of Canada Corporation and the creation of the Canadian Museum of Civilization Corporation and other museum Crown corporations, and sets out transitional provisions related to the creation of the Canadian Museum of History. To reflect the change in the corporation's name, the bill also makes consequential amendments to seven other Acts.

1.1 HISTORY OF THE CANADIAN MUSEUM OF CIVILIZATION

The Canadian Museum of Civilization, located on the banks of the Ottawa River in Gatineau, Quebec, across from Parliament Hill, traces its origins back to 1856, when the Legislative Assembly of the Province of Canada passed an Act enabling the Geological Survey of Canada to establish a geological museum. In 1907, the museum's mandate was expanded to include anthropological studies, and in 1927, the museum became the National Museum of Canada. The Canadian War Museum, which is affiliated with the Canadian Museum of Civilization, became part of the National Museum of Canada in 1958.¹

In 1968, a corporation known as the National Museums of Canada was created with four constituent museums: the National Museum of Man, the National Museum of Natural Sciences, the National Gallery of Canada and the National Museum of Science and Technology. The purpose of the Corporation was "to demonstrate the products of nature and the works of man, with special but not exclusive reference to Canada, so as to promote interest therein throughout Canada and to disseminate knowledge thereof."² In 1986, the National Museum of Man was renamed the Canadian Museum of Civilization, which in 1990, became a separate Crown corporation.³

On 16 October 2012, Minister Moore announced the government's intention to change the name and mandate of the Canadian Museum of Civilization and create the Canadian Museum of History. He said that the museum "will highlight the national

achievements and accomplishments that have shaped our country.” He also announced that the museum would be seeking input from Canadians on the major themes, events and accomplishments that have shaped Canada.⁴ The museum will be renovated to create a new, permanent exhibition on Canadian history, to be completed in time for Canada’s 150th anniversary in 2017. This new exhibit will combine the exhibits currently in the Canada Hall, the Canadian Personalities Hall and the Canadian Postal Museum within the Canadian Museum of Civilization.⁵

1.2 MANDATE OF THE CANADIAN MUSEUM OF CIVILIZATION

Established by the *Museums Act* of 1990, the Canadian Museum of Civilization is a federal Crown corporation that operates at arm’s length from the government. Its mandate stems in part from the declaration in section 3 of the *Museums Act*, which reads:

It is hereby declared that the heritage of Canada and all its peoples is an important part of the world heritage and must be preserved for present and future generations and that each museum established by this Act

(a) plays an essential role, individually and together with other museums and like institutions, in preserving and promoting the heritage of Canada and all its peoples throughout Canada and abroad and in contributing to the collective memory and sense of identity of all Canadians; and

(b) is a source of inspiration, research, learning and entertainment that belongs to all Canadians and provides, in both official languages, a service that is essential to Canadian culture and available to all.⁶

The Act also sets out the specific mandate of the Canadian Museum of Civilization, which includes increasing “interest in, knowledge and critical understanding of and appreciation and respect for human cultural achievements and human behaviour.”⁷

To implement this mandate, in 2009, the Board of Trustees of the Canadian Museum of Civilization approved these four strategic directions:

1. Bringing the Museums to Canadians – The Corporation will expand its efforts to become better known, more accessible and increasingly relevant across the country and internationally, through innovative and engaging museum initiatives and outreach programs.
2. Museological Excellence and Relevance – The Corporation will broaden its national collections and its curatorial research to better reflect and present national narratives, symbols and achievements through the human, social, cultural, military and political history dimensions of Canadian life.
3. Focus on Results – The Corporation will continue its disciplined managerial practices, while also being flexible and responsive to changing conditions. Staff will develop tools and procedures to enable more effective reporting on activities and outcomes.
4. Funding and Fundraising – The Corporation will seek to increase its financial resources through a variety of supplementary funding sources, notably business sponsorships, partnerships, philanthropy solicited in all regions of the country, and commercial revenues.⁸

2 DESCRIPTION AND ANALYSIS

2.1 OUTLINE OF THE BILL

Bill C-49 contains 22 clauses. Clause 1 states that the short title of the bill is the Canadian Museum of History Act. The crux of the bill is found in clause 2, which amends the *Museums Act* to establish a corporation to be called the Canadian Museum of History and set out its purpose, capacity and powers. Clauses 3 to 10 contain transitional provisions, and clauses 11 to 22 are consequential amendments to other Acts.

2.2 *MUSEUMS ACT* AMENDMENTS

2.2.1 ESTABLISHMENT OF THE CANADIAN MUSEUM OF HISTORY

Clause 2 amends section 7 of the *Museums Act* to change the name of the Canadian Museum of Civilization to the Canadian Museum of History.

2.2.2 PURPOSE OF THE CANADIAN MUSEUM OF HISTORY

Clause 2 also amends section 8 to set out the purpose of the Canadian Museum of History. The section read:

The purpose of the Canadian Museum of Civilization is to increase, throughout Canada and internationally, interest in, knowledge and critical understanding of and appreciation and respect for human cultural achievements and human behaviour by establishing, maintaining and developing for research and posterity a collection of objects of historical or cultural interest, with special but not exclusive reference to Canada, and by demonstrating those achievements and behaviour, the knowledge derived from them and the understanding they represent.⁹

The amended section reads:

The purpose of the Canadian Museum of History is to enhance Canadians' knowledge, understanding and appreciation of events, experiences, people and objects that reflect and have shaped Canada's history and identity, and also to enhance their awareness of world history and cultures.¹⁰

The amendment changes the purpose of the museum in several ways. First, it changes the target for the museum's endeavours from "throughout Canada and internationally" to "Canadians." Second, it changes the museum's purpose from increasing "interest in, knowledge and critical understanding of and appreciation and respect for human cultural achievements and human behaviour" to enhancing "knowledge, understanding and appreciation of events, experiences, people and objects that reflect and have shaped Canada's history and identity, and also to enhance their awareness of world history and cultures." Third, it deletes any reference to the ways in which the museum carries out its purpose.

2.3 CAPACITY AND POWERS OF THE CANADIAN MUSEUM OF HISTORY

Clause 2 also amends section 9, which sets out the capacity and powers of the Museum. These are generally housekeeping amendments that make the language similar to that found in the sections of the Act setting out the capacities and powers of the Canadian Museum for Human Rights (section 15.3) and the Canadian Museum of Immigration at Pier 21 (section 15.6).

2.4 TRANSITIONAL PROVISIONS

Clause 3 repeals sections 34 to 45 of the *Museums Act*, which are transitional provisions that dealt with the disbanding in 1990 of the National Museums of Canada Corporation and the creation of the Canadian Museum of Civilization Corporation and other museum corporations.

Clauses 4 to 10 are transitional provisions related to the creation of the Canadian Museum of History and deal with such matters as the status of employees and the transfer of rights, obligations, powers and duties to the new museum.

2.5 CONSEQUENTIAL AMENDMENTS

To reflect the change in the corporation's name, clauses 11 to 22 amend the following Acts: the *Access to Information Act*, the *Financial Administration Act*, the *Historic Site and Monuments Act*, the *Payments in Lieu of Taxes Act*, the *Privacy Act*, the *Public Service Superannuation Act* and the *Public Sector Compensation Act*.

2.6 COMING INTO FORCE

As Bill C-49 does not contain a specific coming-into-force provision, the Act comes into force on the day it receives Royal Assent.¹¹

3 COMMENTARY

Most of the reaction to the measures proposed in this bill dates from October 2012, when the government announced its intention to change the name and mandate of the Canadian Museum of Civilization and create the Canadian Museum of History. While some criticized the change in the museum's focus, others approved of the emphasis on Canadian history, as well as the museum's plans to develop partnerships with other history museums across Canada.

Critics of the change noted the importance the government has placed on military history and speculated whether this would become the focus of the new museum.¹² More broadly, some wondered whether the change was part of a larger strategy to reshape national identity.¹³ More specifically, James Turk, executive director of the Canadian Association of University Teachers, lamented the end of the Canada Hall, which he said was the largest and finest social history display in the country.¹⁴ Dan Gardner, columnist for the *Ottawa Citizen*, felt there was nothing wrong with a museum about Canadian history, but he questioned the idea of creating it by changing

the current museum's mandate.¹⁵ Others expressed concern about the closing of the Canadian Postal Museum.¹⁶

On the other hand, historian Jack Granatstein praised the change, saying the Museum of Civilization had “made no attempt at chronology. You couldn't follow the course of history at all. It left out anything remotely controversial. This move is exactly what I thought should happen.”¹⁷ Historian Michael Bliss, a member of the museum's board, dismissed the idea of government interference, saying, “I expect that the highly professional management at arm's length from the government will carry on.”¹⁸ Diane Pacom, a sociology professor, pointed out that museums change over time. She said that museums are not set in stone and that this museum in particular has changed its content, image and mission several times.¹⁹ Yves Bergeron, a professor of museology, said it would take five to seven years to see whether the museum's focus had changed, because exhibits take a long time to prepare.²⁰ John McAvity, executive director and chief executive officer of the Canadian Museums Association, said the change of name would end the confusion with the Musée de la civilisation in the city of Québec.²¹

Newspaper editorialists generally approved of the new museum. *The Globe and Mail* welcomed the idea of a museum with an “explicit emphasis on doing a better job telling the story of Canada.”²² The *Winnipeg Free Press* said, “The new vision reflects the country's growing self-awareness and the realization that a knowledge of history is the basis of an informed citizenry.”²³ The *Ottawa Citizen* said the “government is on the right track creating a Canadian history museum,” but felt that the museum of history should be in addition to, and not a replacement for, the Canadian Museum of Civilization.²⁴

NOTES

1. Canadian Museum of Civilization, [History of the Canadian Museum of Civilization](#).
2. *National Museums Act*, S.C. 1968, c. 21, s. 5(1).
3. [Museums Act](#), S.C. 1990, c. 3, s. 7.
4. Department of Canadian Heritage, “[Harper Government to Create the Canadian Museum of History](#),” News release, 16 October 2012.
5. Canadian Museum of Civilization, “[The New Canadian Museum of History](#),” News release, 17 October 2012.
6. *Museums Act*, s. 3.
7. *Ibid.*, s. 8.
8. Canadian Museum of Civilization Corporation, [Summary of the Corporate Plan of the Canadian Museum of Civilization Corporation, 2012–2013 to 2016–2017](#), p. 1.
9. *Museums Act*, s. 8.
10. [Bill C-49, An Act to amend the Museums Act in order to establish the Canadian Museum of History and to make consequential amendments to other Acts](#), 1st Session, 41st Parliament (first reading version, 27 November 2012), c. 2.
11. [Interpretation Act](#), R.S.C., 1985, c. I-21, s. 5(2).

12. Susan Delacourt, "[Civilization ends, history begins at Canada's biggest museum,](#)" *Toronto Star*, 16 October 2012.
13. Sheila Pratt, "[OpEd: Is Stephen Harper trying to reshape the national identity?](#)," *Edmonton Journal*, 2 November 2012.
14. Don Butler, "[Museum of Civilization changes a mistake, university teachers association says,](#)" *Ottawa Citizen*, 17 October 2012.
15. Dan Gardner, "[Column: Let's have a history museum, not a hall of fame,](#)" *Ottawa Citizen*, 18 October 2012.
16. Don Butler, "[Postal museum closed, collection broken up to make way for new history museum,](#)" *Ottawa Citizen*, 3 December 2012.
17. Don Butler, "[Small B.C. museum helped inspire Museum of Civilization remake,](#)" *Ottawa Citizen*, 16 October 2012.
18. Ibid.
19. H  l  ne Buzzetti, "[Mus  e des civilisations du Canada – Finies les civilisations, place    l'histoire canadienne,](#)" *Le Devoir* [Montr  al], 16 October 2012.
20. Ibid.
21. Daniel Leblanc, "[Ottawa's plan for museums met with skepticism, outrage,](#)" *The Globe and Mail* [Toronto], 16 October 2012.
22. "The right emphasis," *The Globe and Mail* [Toronto], 19 October 2012.
23. "[Canada's history museum,](#)" *Winnipeg Free Press*, 22 October 2012.
24. "[Editorial: Don't mess with success,](#)" *Ottawa Citizen*, 17 October 2012.