

**Beyond the Rink: Anti-Indigenous Discrimination Policy in Hockey**

by

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## **Abstract**

The purpose of this research was to explore anti-Indigenous discrimination policies and procedures of local minor hockey leagues in central Alberta. Over the past two years, there has been multiple instances of anti-Indigenous discrimination at the hockey rink, which has led to several former and current professional hockey players speaking out about the discrimination that they encountered as Indigenous hockey players. This research focused on five local minor hockey leagues in central Alberta: Sherwood Park Minor Hockey Association, Edmonton Minor Hockey Association, Strathcona Minor Hockey Association, St. Alberta Minor Hockey Association, and Spruce Grove Minor Hockey Association. Policies, procedures, and guiding documents from Hockey Canada and Hockey Alberta were also employed to determine the extent of the influence that provincial and national hockey organizations had on the local associations. Using patriarchal white sovereignty and patriarchal whiteness to analyze and evaluate the ways in which whiteness and patriarchy influenced the discourse of these policies and the procedures taken to address these incidents. This research produced three main findings. First, the discourse in the policies, along with the procedures to follow, all support the (re)production of inaction regarding anti-Indigenous discrimination in hockey. In particular, the codes of conduct often refer to “the game” and the ways in which people’s behaviours should “respect the game.” Second, none of the local associations, nor the provincial or federal organizations, specifically mention anti-Indigenous discrimination. The policies often acknowledge “race” and “gender” but do not acknowledge the genealogy and impact of race and gender on Indigenous hockey players. Thirdly, current procedures to investigate and discipline incidents of discrimination do not go far enough and the procedures for someone who yells at a referee are the same as someone who uses a discriminatory taunt. Many of the associations keep the decision-making over discipline and punishment limited to a select number of individuals. More specifically, this keeps the hierarchy and power limited to a specific segment of the sport. Furthermore, many of the disciplinary processes involve a non-refundable fee between \$200.00-500.00, which is an unnecessary financial burden placed on players and their families to ensure appropriate steps are taken. Taken together cumulatively, the current policies and procedures (re)produce

current power dynamics and hierarchies within hockey. The goal of this research was not to rewrite the policies themselves, but to highlight the gaps and the ways in which whiteness and patriarchy are (re)produced in the policies and procedures. As part of this, I am advocating for an improved policy-creation that prioritizes the inclusion of Indigenous players, leaders, and community members.

**Preface**

This thesis is an original work by Marina Giana Noce Saporito. No part of this thesis has been previously published.

**Dedication**

To my incredible grandparents who taught and gave me so much - Luigi and Loreta Noce. You always knew what to say and those words always found their way back to me when I needed it most.

## Acknowledgements

I have spent the last 10 years as a student at the University of Alberta and these acknowledgements are just a snapshot of the individuals who have guided, supported, and made me laugh along the way.

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## Table of Contents

ABSTRACT.....	II
PREFACE.....	IV
DEDICATION.....	V
ACKNOWLEDGEMENTS.....	VI
CHAPTER ONE: INTRODUCTION.....	1
RATIONALE AND SIGNIFICANCE.....	3
LITERATURE REVIEW.....	7
<i>Canadianness and Hockey</i> .....	9
<i>Indigenous Peoples and Hockey</i> .....	17
<i>Gaps in the Literature</i> .....	19
CHAPTER TWO: METHODOLOGY.....	21
INTRODUCTION.....	21
SITUATING MYSELF.....	22
THEORIZING “RACE,” “GENDER,” “NATIONALISM,” AND “DISCOURSE”.....	26
METHODS.....	32
CHAPTER THREE: CONTEXT.....	35
HISTORICAL PERSPECTIVES.....	36
<i>The Indian Act</i> .....	36
<i>Pre-1950: Informal Physical Education Programming</i> .....	39
<i>1950-1970: Formal Hockey Programming</i> .....	43
CONTEMPORARY PERSPECTIVES.....	49
<i>Hockey in Indigenous Communities</i> .....	49
<i>Discrimination in Hockey</i> .....	51
<i>Sport Policy in Canada</i> .....	55
CONCLUSION.....	58
CHAPTER FOUR: POLICY AND PROCEDURES DESCRIPTION.....	60
NATIONAL GOVERNING BODY: HOCKEY CANADA.....	61
<i>Disciplinary Guidelines</i> .....	61
PROVINCIAL GOVERNING BODY: HOCKEY ALBERTA.....	66
<i>Disciplinary Procedures Guidelines</i> .....	66
LOCAL MINOR HOCKEY ASSOCIATIONS.....	69
<i>Edmonton Minor Hockey Association</i> .....	69
<i>Sherwood Park Minor Hockey Association</i> .....	71
<i>Strathcona Minor Hockey Association</i> .....	74
<i>St. Albert Minor Hockey Association</i> .....	76



<i>Spruce Grove Minor Hockey Association</i> .....	78
CONCLUSION .....	79
CHAPTER FIVE: ANALYSIS .....	80
HOCKEY, THE INSTITUTION .....	81
RACE-BLIND DISCOURSE AND PROCEDURES .....	84
ANTI-INDIGENOUS DISCRIMINATION PROCEDURES.....	88
<i>In-Game Discipline</i> .....	88
<i>Post-Game Procedures</i> .....	90
CHAPTER SIX: CONCLUSION.....	95
FINAL THOUGHTS .....	98
REFERENCE LIST.....	104

## **Chapter One: Introduction**

Every winter, people from across Canada participate in various hockey activities: from competitive sport to impromptu games on a rural or neighbourhood rink. Even those who do not play or know how to skate may be embroiled in the current National Hockey League (NHL) standings. For decades, hockey has been at the forefront of Canada's national identity, utilized in various commercials, national campaigns or attempts to highlight a unified country: as the rhetoric goes, we may not agree on everything, but we can always agree on hockey. Similar discursive techniques have been used to describe moments in Canadian hockey history that directly link our nationalism to the sport, such as “the goal that changed Canada” or the “golden goal” (Britten and Sawyer 2020; “The Goal that Changed Canada” 2012). Canada and hockey are one.

At the surface level, it seems that hockey is experienced universally from coast-to-coast-to coast. Once the noise and simplicity of the relationship between hockey, Canada, and nationalism is removed, a highly complicated relationship is revealed. Within this relationship, whiteness and patriarchy are employed to (re)produce a hockey culture that is riddled with discrimination and exclusion for those who do not fit normative ideals. This is not new. Hockey has always been a place of exclusion throughout Canada's history. This has been evidence in the minimal ice time for female players or limiting tryouts for competitive hockey teams for white males (Gruneau and Whitson 1993). These experiences have been erased from the discourse of nationalism, hockey and identity in Canada.

Indigenous peoples, contemporarily and historically, have a complicated relationship with hockey. Hockey can be a source of community and individual well-being; however, in the

whitestream sport system, hockey can also act as (another) source of discrimination and exclusion (Marks 2008; Robidoux 2012; Tootoo and Brunt 2014).<sup>1</sup> This is derived from colonial and genocidal Canadian policies, including the *Indian Act*, that continue to exist today. Sport was a common practice in the Indian Residential School System and one of the most popular sports employed by government and school officials to assimilate Indigenous youth was hockey (Forsyth 2007, 2013; Forsyth and Giles 2013; Miller 1996; Te Hiwi 2015; Te Hiwi and Forsyth 2017; Truth and Reconciliation Commission of Canada 2015a, 2015b). Officials believed that hockey would help to facilitate Indigenous youth becoming proud Canadian citizens (Te Hiwi 2015; Truth and Reconciliation of Commission of Canada 2015b). Although residential schools would officially close in the mid-1990s, the various power dynamics that it worked to formulate, alongside the inclusion of hockey in the schools programming, continue today.

Hockey is a source of relationship-building and pride for Indigenous players and communities. Indigenous communities have begun to organize their own competitive and community-based hockey tournaments (Robidoux 2012). There have also been several Indigenous players in the NHL, who have gone through the whitestream hockey system in Canada, were drafted into the league, and have played professionally (see Denis 1997, 13 for a discussion on the term “whitestream sport” and Paraschak, 2013). These players have identified that participating in whitestream hockey presents a slew of challenges, including discrimination and the absence of culturally-relevant activities (Johnson et al. 2020; LeBrun 2020; McHugh, Coppola, Holt and Andersen 2015; Tootoo and Brunt 2014). This thesis focuses on the former.

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<sup>1</sup> Whitestream sport system, used by Paraschak (2013), Paraschak and Tirone (2015) and others is an application of the term “whitestream society” coined by Denis (1997, 13) to Canadian sport. Paraschak (2013) uses this term as another way to explain or understand sport as a racialized space.

This research focuses on the policies and procedures that govern and inform the responses to anti-Indigenous discrimination in Canadian hockey. I analyze the ways that the power relations in Canada - rooted in whiteness and patriarchy - inform the discourse(s) surrounding anti-Indigenous discrimination and corresponding policies intended to deal with it. I ask:

1. In what ways, if at all, do anti-discrimination policies developed by hockey associations in Alberta specifically address anti-Indigenous discrimination?
2. For associations that do have anti-discrimination policies, do they explicitly indicate steps to be taken that address discrimination and hold individuals accountable?
3. In what ways do these policies and procedures reproduce the relationship between hockey, nationalism, and colonialism as they are shaped through logics of whiteness and patriarchy?

I argue that the policies, which are generalist in nature, are influenced and (re)produced through the logics of race, gender, and power within the Canadian hockey context. I use the term generalist to mean that one policy governs all forms of discrimination, rather than having separate policies for various forms of discrimination. Current procedures (re)produce particular dynamics and hierarchies within the sport ensuring that incidents of discrimination are not handled in a meaningful and appropriate manner.

### **Rationale and Significance**

The ways in which gendered and racialized logics continue to shape the power relations of the sport are a continuation of the dynamics created out of colonial policies, such as the *Indian Act*. In the past several years, more and more Indigenous players have come forward to share the

realities of being an Indigenous hockey player in Canada. Although sport can be transformative, it can also serve as another space where they are seen as “the other” (Paraschak 2013, 98).<sup>2</sup> Jordin Tootoo wrote about his experiences transitioning from playing hockey in Rankin Inlet to playing in whitestream hockey in Spruce Grove, Alberta (Tootoo and Brunt 2014). From the moment he stepped on the ice in Alberta, he faced racist taunts and slurs from opposing players. In 2020, Tootoo said that the discriminatory incidents that he encountered in hockey frequently made him question his Inuit culture and whether he wanted to continue playing (LeBrun 2020). Throughout his lengthy career, Tootoo often had to handle these incidents on his own because referees and other league officials often ignored them (Tootoo and Brent 2014). Jonathan Cheechoo echoed similar sentiments, recalling that when he played in Ontario as a youth player, he faced discrimination and anger from parents and players who “weren’t too happy” about the presence of Indigenous players (LeBrun 2020). Other players have echoed these experiences and highlighted that they essentially had two choices: ignore the taunts or resort to fighting (see LeBrun 2020; Marks 2008).

Many of the examples above are from the 1990s and early 2000s. However, little has changed in the last decade. Indigenous players continue to encounter and face racial and gendered discrimination at the rink. In May 2018, during a minor hockey tournament in Quebec, an Indigenous hockey team faced racial taunts from opposing players and parents (Lorinc 2018). The entire incident was captured on camera and the tournament stated that they had a “zero tolerance” policy for racism (Bell 2019a). Yet, there were no disciplinary actions that followed afterwards (Bell 2019a). More recently, in February 2020, during a women’s college game in Alberta, an Indigenous player faced racial taunts from a player on the opposing team (Pearson

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<sup>2</sup> Paraschak (2013) describes this space as a “racialized space” where Indigenous peoples encounter inequity in some form (98).

2020). There was no penalty given as a result and the player was not suspended following a post-game investigation, despite admitting to using that language. These events, along with several others that have since followed, have ignited discussions across Canada about the discrimination that Indigenous players experience to play a sport they love. The incident at the minor hockey tournament in Quebec led to the Junior Education Minister of the province giving sporting leagues until 2020 to have a significant plan in-place to handle “violence, harassment, and bullying” (Bell 2019b). It is still unclear, in 2021, whether these deadlines were met.

These incidents, from across Canada and occurring over a span of thirty years, share a commonality in the inaction of referees, league officials, and league leadership. As Jordin Tootoo and others expressed, Indigenous players end up taking responsibility for a response to the comments either by ignoring it or fighting the player (LeBrun 2020; Marks 2008; Tootoo and Brunt, 2014). In the incident during the women’s college game in Alberta, the Commissioner of the league shared a fear of over-punishing the player who taunted the Indigenous player and expressed the importance of moving forward. Following this decision, the Indigenous player involved stated that Indigenous players learned that they “were not safe or protected” by the league when incidents of Indigenous discrimination occur (McLeod 2020). It is this inaction, coupled with the constant anti-Indigenous discrimination, that often leads to players quitting the sport (LeBrun 2020).

My research focuses on this inaction, which is caused by a complex of different power relations and logics that create an environment where racial taunts are acceptable or excusable because they are seen as “part of the game.” It is important to study the policies and procedures that govern (and allow) this inaction. Anti-Indigenous discrimination policies can contribute to a safer hockey environment for Indigenous players, but are not in and of themselves enough to

address the colonial contouring of the sport. By focusing on the ways, the logics of patriarchy and whiteness inform the power relations that craft current anti-Indigenous discrimination policies, we can determine the policy gaps which (re)produce these racialized and gendered spaces, such as the rink.

As it will be seen, many of these leagues have taken an approach rooted in the values of equality, diversity, and inclusion (EDI). This is similar to the approach taken by the NHL as expressed through their “Hockey is for Everyone” campaign (see “Hockey is for Everyone.”) There are indications, however, that this approach is not working in ways that focus on the systemic issues that Indigenous players face while playing the sport.<sup>3</sup> For example, even as the NHL promotes EDI, there have been missed opportunities to work towards targeting systemic racism or having a meaningful discussion on how to improve the sport. The NHL provides a clear example of this through the decision of the Arizona Coyotes to draft a player who had been charged with physically and emotionally abusing a Black classmate. To be able to understand the cause of discrimination, we need to evaluate the ways that whiteness and patriarchy (re)organize hockey to maintain a particular hierarchy and prototypical player. Through an analysis of the policies and procedures that govern hockey’s response to racism, I demonstrate that the logics of whiteness and patriarchy are highly influential and govern approaches taken in hockey to address all forms of discrimination, including anti-Indigenous discrimination.

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<sup>3</sup> In writing this statement, I reflected on the response of the Edmonton Oilers (a hockey team in the NHL) to the racism that Ethan Bear received following the conclusion of the 2021 playoffs. Ethan Bear’s partner publicly released a statement calling out the racism her partner had been receiving. The Oilers organization and his teammates mobilized statements of public support for their teammate. This was a great sign of support for Ethan Bear. However, when it came time to vocalize support and grief for the discovery at a residential school in Kamloops, the Oilers organization and their players (with the exception of Ethan Bear) were silent (see Ahmed 2021). The Calgary Flames, Vancouver Canucks, and Winnipeg Jets all released statements and the Vancouver Canucks lit up their stadium in orange (Ahmed 2021; Johnston 2021). When it was time to acknowledge the colonial systems and residential schools, the Oilers organization was silent.

Research focused on the Canadian context of hockey as an institution has primarily focused on sport in the residential school system (Forsyth 2007, 2013; Forsyth and Heine 2017; Te Hiwi 2017), Aboriginal sport policy (Frisby and Ponicek 2013; Forsyth and Paraschak 2013; Paraschak 2013) masculinity in hockey (Allain 2008, 2014; MacDonald 2014; Robidoux 2001), whiteness in sport (Kalman-Lamb 2018), and the racialization of sport (Adams 2006; Paraschak 2013; Pitter 2006). Robidoux (2004, 2012) has conducted research on the racialized experiences of Indigenous athletes. However, at this time, there has been no research done on the effectiveness of anti-discrimination policies in Canada and in the sport of hockey. There are informative clusters of scholarship that focus on Māori men in Aotearoa/New Zealand and African American athletes in the United States (see Borell, 2015 for a chapter on Māori athletes), which help build a foundation for understanding the relationship between Indigenous Peoples and sport in Anglo-First World countries. Thus, this thesis adds to existing research by focusing on the anti-discrimination policies and procedures that govern 5 local minor hockey leagues and as they are discursively linked to provincial and national policy standards.

## **Literature Review**

The literature related to Indigenous Peoples and hockey falls under two areas of study: Indigenous Studies and Sport Sociology. Currently, there is significantly more literature for the latter than the former. In recent years, much of the work in sport sociology has focused on trying to understand Indigenous athletes' experiences both contemporarily and historically (see Blodgett and Schinke 2015; Krebs 2012; Robidoux 2012; Te Hiwi and Forsyth 2017; Valentine 2012). Both older and more contemporary research has focused on the dynamics surrounding hockey and nationalism in Canada (Kidd 2013; Krebs 2012). There is a need for more research rooted in



Indigenous Studies or Critical Indigenous Studies methodologies.<sup>4</sup> This is important because of the ways that Indigenous Studies and Critical Indigenous Studies methodologies consider the systemic and continued impacts of colonialism in Canada. Existing research within sport sociology helps to explore the various connections between hockey, Indigenous peoples, and Canadian nationalism that have informed my research.

I have chosen to organize my literature review based on the major themes within the literature, rather than focusing on the particular fields from which the literature emerged. This organization was chosen because of the interdisciplinary nature of the topic and the ways that Indigenous Studies and Sport Sociology intersect and inform this topic. Both bodies of literature are useful in assisting us to understand the various gender and racial logics that inform Indigenous hockey players' experiences. These experiences are central to understanding the implications of current policies and in prioritizing policies as an area of study within the field. At this time, most of literature within this realm has focused on the player experience and does not account for the ways in which whiteness and gender impact the experiences of coaches, volunteers, or fans.<sup>5</sup> The aim of this literature review is to gather these two bodies of literature together to develop an understanding of the current literature within this field. When necessary, I will identify the gaps in the research, particularly related to the absence of Indigenous Studies methodologies.

The first section focuses on hockey within the Canadian context, as both a symbol of pride and of nationalism. Within this first section, I discuss the literature on men's hockey and

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<sup>4</sup> Aileen Moreton-Robinson distinguishes Critical Indigenous Studies from Indigenous Studies on the following basis: Critical Indigenous Studies research is research that is "produced, taught, researched, and disseminated by Indigenous scholars" (Moreton-Robinson 2016, 4).

<sup>5</sup> There are some exceptions to this. *Loving Sports when they Don't Love you Back: Dilemmas of the Modern Fan* (Luther and Davidson 2020) focuses on the experiences of female sports fans as well as acknowledges the various injustices within sport such as racism, capitalism, and homophobia.

race and masculinity. At this current time, there is a gap regarding the ways in which race operates in women's hockey. The first section concludes with a section on women's hockey and gender. The next section focuses on the experiences of Indigenous hockey players within North America.<sup>6</sup> I will conclude by summarizing the various gaps within the literature with a particular focus on the governance aspect and locate my own research within these distinct, but informative, fields.

### **Canadianness and Hockey**

There is a wealth of literature and commentary on the importance of hockey within Canadian society and its links to Canadian nationalism (see, for example, Dryden and MacGregor 2006; Kidd 2013; Kidd and MacFarlane 1972; Vincent and Crossman 2015). Over the past few decades, the literature began to focus on critiquing and evaluating the sport of hockey. Gruneau and Whitson's seminal text, *Hockey Night in Canada*, was one of the first to do so. In it, the authors argued that the early 1990s brought challenges to the sport of hockey, forcing "hockey's deeply rooted meanings, traditions, and associated identities" to be re-evaluated (Gruneau and Whitson 1993, 7). Making the connection among hockey, nationalism, masculinity, and whiteness, Adams (2006) stated, "if hockey is life in Canada, then life in Canada remains decidedly masculine and white" (71). Hockey has been so decisively white that it has struggled to adapt to a multicultural Canadian society. Simultaneously, hockey has struggled to adapt to women's increasing interest in the sport, leading to women's hockey being treated as secondary to men's hockey.<sup>7</sup> With the exception of Adams (2006), who critiqued

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<sup>6</sup> At this point, the majority of the literature focuses on the Canadian context of hockey; however, some of the literature on professional hockey may include American players and/or players who played professionally in the United States. There is no research on the experiences of Indigenous hockey players in minor hockey in the United States.

<sup>7</sup> I want to take a moment to recognize that the current governance and organization of hockey does reinforce particular norms surrounding the gender binary.

hockey on the grounds of race and gender, much of the literature focuses on one or the other. This research project will evaluate these policies and procedures considering both the racial and gendered power logics informing them.

Because of the bias towards men's hockey in Canada, much of the literature contains interviews with men's hockey players and focuses on the dynamics within men's sports. In this first section, I explore the literature on race within men's hockey. After that, I will focus on men's hockey and masculinity. At the end of the section, I will cover dynamics of gender in women's hockey. Before moving forward, I would like to acknowledge two aspects of the literature. Although gendered and racial logics are not independent forces within hockey, the literature tends to independently consider these components.<sup>8</sup> Because of this, I have made the decision to separate them; however, when appropriate, I will integrate and synthesize the gendered and racial logics throughout.

### Men's Hockey and Race

There is widespread consensus that men's hockey is overwhelmingly white (Adams 2006; Abdel Shehid 2014; Allain 2019; Ellison and Anderson 2018; Kalman-Lamb 2018; Krebs 2012; Pitter 2006; Poniatowski and Whiteside 2012; Robdioux 2001; Szto 2018).<sup>9</sup> As stated by Holman (2012), hockey has its roots in a "gentlemanly ideal that *assumed* whiteness," which is a perspective that persists today (182). Although hockey organizations have generally taken on a liberal, multicultural perspective on inclusion in the sport, they have fallen short of implementing any meaningful action (Kalman-Lamb 2018). Therefore, although men's hockey has attempted

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<sup>8</sup> The one exception, as noted earlier, is Adams (2006).

<sup>9</sup> In saying this, I am not absolving women's hockey from this fact; however, at this time, much of the research has focused on the racial dynamics in men's hockey. This is explored further below.

to use a multicultural perspective to move the sport forward, it continues to cling to its roots as a white sport for upper class men.

A significant focus in the literature is the ways in which race and racism influence or impact players' experiences in hockey, both in amateur and professional hockey. Based on interviews with former players, there is no question that discriminatory taunts are a frequent occurrence during hockey games (Kalman-Lamb 2018; Pitter 2006; Robidoux 2001; Szto 2018). Through his interviews with former hockey players, Kalman-Lamb (2018) identified that, in addition to racial taunting, players could also experience “racist headhunting” where players would do their best to injure the player more so than they would if they had been white (295). In a response to the taunting, Szto (2018) found that players will try to defend the use of those racial taunts or attempt to justify why they were directed towards them. Cumulatively, the literature makes it clear that there is racism and discrimination problem across all levels of men’s hockey and that the burden is placed on the players themselves to handle it. The literature is silent on what supports, if any, are given to players when these incidents occur.

Hockey culture is rooted in hierarchy and stringent expectations of how players will behave, dress, and act based on their race, gender, religion, and economic status. As a team sport, hockey employs discourse surrounding a team mentality with the hopes the team plays as “*one*.” As a result of this, there is an expectation that players will meet/embody particular characteristics (Robidoux 2001). For non-white hockey players, this can create a particular challenge. Kalman-Lamb (2018) argued that, because of Canada’s focus on multiculturalism and liberalism, non-white hockey players are forced to “walk the thin line” between a model player and a failure (289). Furthermore, as Robidoux (2001) explored in his book on professional hockey, this expectation extends to the requirement that the team would share a singular identity with a

shared worldview. In his conversations with players, it became clear to Robidoux (2001) that non-white players who were most accepted by teammates were those most able to conform to this singular hockey identity. Robidoux's research primarily focuses on the interpersonal relationships between teammates and did not evaluate the role of whiteness in the relationship between coach and player nor does it look at the phenomenon of "stacking" in sport. The latter has been studied at the NHL by Valentine (2012), who found that Indigenous players in the NHL were more likely to be "stacked" into enforcer roles, rather than in leadership positions.<sup>10</sup> Moreover, Valentine (2012) found that as the role of the enforcer diminished in the NHL so did the number of Indigenous players. Indigenous stereotypes and/or coach selection are hypothesized to explain this phenomenon at the NHL level (Valentine 2012).

Taken together, this literature suggests there are particular pressures placed on non-white players to conform to the normative standards of a white hockey player. More research is needed to explore the ways in which race influences a player's relationship with their teammates, the pressure to conform to the normative standard, and their relationship with their coach.

Although the literature on race and hockey helps to explain the various power dynamics and logics that work to exclude non-white hockey players, there is a need for further research on the experiences of Indigenous hockey players. There is also a need for researchers to employ Indigenous Studies methodologies to consider the ways in which colonialism works to (re)organize the sport of hockey. The research above focused on interviewing men's hockey players and analyzing the dynamics within men's hockey. There is a clear gap in the literature to

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<sup>10</sup> In hockey, a leadership or "star" player would be a forward on the first or second line or a defenseman in the first line. Those on the first or second line would be more likely to play more minutes during the game and are the players "called on" in big moments (e.g.: a tie game in overtime). Enforcers, although less common nowadays, typically played on the fourth or third line and would only see 5-10 minutes of playing time per night in the NHL. They were significantly more likely to be a "healthy scratch" (e.g.: the coach chooses not to play them) and are unlikely to be played in "big moments."

understand the ways in which racial logics influence the experiences of non-white women's hockey players. Similarly, none of the research included above specifically stated if Indigenous players were interviewed.<sup>11</sup> This is a clear gap within the literature and demonstrates a need for research exploring the experiences of Indigenous hockey players.

### Men's Hockey and Masculinity

Masculinity has been a strong focus of the literature on hockey and some of the subtopics explored in this area include homophobia (Allain 2008; MacDonald 2018), violence (Allain 2008; Pappas, McKenry, and Catlett 2004; Tjønndal 2016), and masculinity broadly (Allain 2008, 2011, 2014, 2015; Gee 2009; MacDonald 2012, 2014; Robidoux 2001; Sailofsky and Orr 2020). Through the literature it becomes clear that misogynistic language and behaviour is a common component of the sport. In his work with AHL players, Robidoux (2001, 129) found that outside of the rink and locker rooms, the hockey players were not generally misogynistic or homophobia. However, once in the environment at the rink, their conversations were filled with derogatory comments. In asking players about these sorts of comments, Robidoux (2001) found that players ignored any concern and described the language as "just words" (130). Robidoux (2001) further argues that the use of homophobic and misogynistic language is "maintained within the hockey tradition" (135). Allain (2008) echoes this and argues that homophobic and misogynistic language is a "policing mechanism" in the sport (466). This research demonstrates a shared experience among hockey players where misogyny and toxic masculinity are a key aspect of their interactions with teammates and opponents.<sup>12</sup>

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<sup>11</sup> Kalman-Lamb (2018) interviewed 8 former professional hockey players. Out of the 8 players, 7 of them identified as white and, to protect their identities, Kalman-Lamb did not share if the player was Indigenous.

<sup>12</sup> Although one could argue that Robidoux's research is from 2001 and that, in the past 20 years, there have been attempts to try and "fit" hockey culture - it does not appear much has changed. In a 2019 interview, Brock McGillis said the following about Hockey in Canada: "hockey is incredibly insular... the language used for the last 50 years hasn't shifted." (Mendelsohn 2019).

Some literature has compared English-speaking, white Canadian players' expectations of masculinity to those of French-Canadians or European players. Like Robidoux (2001), Allain (2008) interviewed 10 players in the Canadian Hockey League<sup>13</sup> who were from Russia, Czech Republic, and Slovakia.<sup>14</sup> Allain (2008) argues that the type of masculinity performed and embodied in Canadian hockey works to “marginalize non-North American players” (466). Almost universally, the players interviewed believed that their teammates saw them as less masculine than those from Canada. Interestingly, unlike Robidoux’s (2001) analysis where players indicated that many non-white players would adopt the characteristics of the prototypical player, Allain’s (2008) interviews indicated that this may not be the norm. In fact, many of the European and Russian players struggled to adapt because of the immediate isolation they experienced which prevented them from feeling included in their team (Allain 2008, 267). However, both Robidoux (2001) and Allain (2008) found that players who, ultimately, could not fit the prototypical ideal of masculinity were taunted with homophobic and misogynistic comments by their teammates. There is no evidence if these experiences would be different if the player was their star player. However, Allain (2011) highlighted that even one of the best players at the professional level, Sidney Crosby, faced misogynistic taunting for insufficiently embodying the characteristics of Canadian masculinity. Within hockey, there exists an explicit hierarchy between white-Canadian players, European and Russian players, and non-white players that influences the relationships between teammates.

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<sup>13</sup> The Canadian Hockey League (CHL) is for players between the ages of 16-21. Many players play in the CHL before being drafted to the NHL.

<sup>14</sup> The reason that Allain (2008) chose to look at the dynamics between Canadian players and their European counterparts is because of the differences in treatment between the two groups of players in the media. A famous example of this is Don Cherry, who supported old-school and violent hockey. For example, during his segments on Hockey Night in Canada, he would refer to Canadian hockey players as “warriors” but never use that language with European or Russian players (Allain 2008, 472).

There is a need for more research on the influence of these expectations of the normative hockey player with hyper-masculine characteristics on the treatment and experiences of Indigenous hockey players within the sport. Since Allian (2008) and Robidoux (2001) primarily interviewed white, European and Russian hockey players, it is not clear if the experiences of Indigenous hockey players would be similar to Allian's (2008) and Robidoux's (2001) findings.

### Women's Hockey and Gender

As exemplified above, much of the literature on hockey focuses on men's hockey and does not incorporate women's hockey. Most of the interviews conducted in the areas of masculinity and race were with male participants. Currently, there is a small cluster of research that focuses on women's hockey in Canada and the various ways hockey continues to be a male-dominated space (Adams 2006; Adams and Leavitt 2018; Theberge 1995a, 1995b). This is despite the increasing popularity of watching women's hockey and an increasing number of female players in the game. A common theme in the literature is that women's hockey, regardless if amateur or professional, is "inferior" compared to men's hockey at the same level (Adams 2006; Adams and Leavitt 2018; Poniatowski 2011; Theberge 1995a, 1995b).

The various hockey systems in Canada continue to prioritize men's hockey over women's hockey at the professional and amateur level. In their interviews with individuals involved in girls hockey organizations in Alberta, Adams and Leavitt (2018) found that women's hockey coaches and volunteers struggled to have their voices heard by local hockey associations. The research described the frustration of coaches and leadership overseeing the girl's hockey teams and schedule to ensure that they received fair playing time.

Furthermore, the participants in Adams and Leavitt's (2018) study found that there was a sense that girls hockey only existed because of tokenism and not to provide girls with a genuine



opportunity to participate in the sport. One participant went as far as to describe girls' hockey as at the very bottom of the hockey hierarchy. An example of how this manifested in the day-to-day operations of the league was the minimal ice times given to girls' hockey (Adams 2006; Adams and Leavitt 2018). It is also reflected in the availability and quality of the referees assigned to the games (Adams and Leavitt 2018; Theberge 1997). Despite the increasing popularity of women's hockey, there is still an emphasis, both nationally and within individual organizations, to prioritize the needs of boys and men's hockey. Adams and Leavitt (2018) argued that mindful steps need to be taken to determine who should hold power over hockey and to ensure that the voices of participants are heard and listened to. Adams and Leavitt's research is one example of the challenges that supporters of women's and girl's hockey face in trying to ensure equitable access to the sport. There is a need for more broad research in this area to determine if these experiences would be similar across Canada or if some provincial hockey organizations have prioritized girls and women's hockey.

In spite of these challenges, girls and women's hockey is growing, and those who participate seem to really enjoy the sport and the ways it develops their identity. Interestingly, when interviewing players between 14 and 18 about their sense of self related to the sport, Theberge (1997; 2003) found that many players referred to the aggressive and violent nature of hockey. It was argued that these characteristics and the players' own enjoyment of the physicality of hockey actually acted as a form of empowerment or as a way to push against the prominence of male dominance in the sport (Theberge 2003). Furthermore, unlike men's hockey, it seems that there is real acceptance among teammates in women's hockey, and players interviewed do not seem to hold the same expectation of conforming to a certain ideal (Theberge 1995a, 1998). The literature tends to separate racial and gendered dynamics in their research. Theberge (1995a,

1998) did not specifically identify race as something they considered in their analysis, rather they looked at overall dynamics in the locker room. There is, therefore, a need for research that considers the interconnectedness of gender and racial logics within women's hockey.

### **Indigenous Peoples and Hockey**

There is a small yet diverse cluster of research on the experiences and relationships between Indigenous peoples and hockey. The largest cluster focuses on the history of hockey and Indigenous peoples, including the use of hockey in the residential school system (Forsyth 2007, 2013; Forsyth and Heine 2008; Holman 2012; Narraway 2018; Te Hiwi and Forsyth 2017) and the origins of hockey (Bennett 2018). Hockey in residential schools, as described by Forsyth (2013), has a binary logic. It was a highly complicated component of the residential school system because it provided students with a break from the horrible conditions, but also acted as a tool of assimilation and nationalism (Arcand 2019; Forsyth 2007; Forsyth and Heine 2017; Narraway 2018; Te Hiwi and Forsyth 2017). As part of this goal of assimilation, Forsyth (2007, 2013) argues that school leadership hoped that hockey would teach students discipline to make them submissive and supportive of the colonial systems developed in Canada. During this time, Indigenous players were mostly banned from playing competitive or community hockey so not much is known about their experiences with the sport beyond residential schools with one exception (Gruneau and Whitson 1993; Holman 2012). Holman (2012), using newspapers and other documents, revisited the tournament where a Cree and Ojibway hockey team travelled across North America playing against each other or local, white teams. Holman (2012) perceives this event to be a "statement about racial identities" through the Indigenous players "(re)asserting native (sic) presence and place in Canada's nation game" (198). There is a need for more

research employing Indigenous Studies methodologies in this area of research as all of the literature above employs Sport Sociology methodologies.<sup>15</sup>

More recently, there has been an increased focus on the experiences of Indigenous hockey players within Canada. Robidoux (2012), in his ethnographic study, wrote about his experiences attending Indigenous-led community and competitive hockey tournaments. One of his observations was the way Indigenous organizers, players, and attendees incorporated their own cultural and community-focused events and elements to the tournament (Robidoux 2012). At the player-level, Robidoux works through the stereotype of the hyper-violent Indigenous hockey player that commonly follows Indigenous players throughout their career (Robidoux 2004, 2012; see also Collings and Condon 1996). Robidoux (2004) argues that this unproven claim is another way the institution of hockey works to “other” Indigenous players. This stereotype, coupled with the fear of the reserve, led to white hockey parents conspiring to stop the Kainai hockey association from appealing their suspension from the Foothills Hockey League leaving dozens of players without the ability to participate in the sport (Robidoux 2004). Robidoux’s research here is one example of the challenges Indigenous teams and players face in the whitestream hockey system. In these ways, the rink acts as a place of “exclusion” for Indigenous players (Krebs 2012).

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<sup>15</sup> In the area of Indigenous Studies, whiteness is a point of analysis (Anderson 2009). This research here is employing Indigenous Studies methodologies to study the ways in which whiteness and patriarchy (re)produce particular dynamics within the institution of hockey. The goals and methodological perspectives of Indigenous Studies have been a major area of discussion within the field (see Anderson 2009; Andersen and O’Brien 2017 for an overview). Cook-Lynn (1999) stated that the mandate of Indigenous Studies was “decolonization” (see also Andersen and O’Brien 2017). Whereas sport sociology, although it can be an interdisciplinary field that borrows methodologies and theoretical frameworks from other fields, is focused on unpacking social processes, the human experience, and complex institutions in sport (Atkinson 2015; Giulianotti 2015).

### **Gaps in the Literature**

There is still much to learn about the experiences of Indigenous players within the Canadian hockey system. Future research needs to incorporate the experiences of female hockey players and employ Indigenous Studies methodologies. There is also a need for conversations with parents and players about their experiences with racism and discrimination in hockey. Further to this, there is a gap in the experiences of Indigenous players trying to report discriminatory incidents and navigating current policies and procedures. Related to their experiences is the current policies and procedures in-place to report and handle incidents of discrimination. There is no doubt that racial and misogynistic taunts are embedded in hockey culture. However, the literature fails to address (1) if there were effective policies and procedures for players to file a complaint with and (2) whether players accessed these avenues when it came to these incidents. My research will work to support answering question 1 within the Albertan and Canadian context. However, future research will need to address question 2.

### **Thesis Outline**

I have organized my thesis in the following way. In Chapter Two: Methodology, I begin by situating myself within my topic and research as well as in relation to the field of Indigenous Studies. Afterwards, I theorize the relationship between race, gender, nationalism, and discourse. I conclude by discussing Foucaudian Discourse Analysis, the method for my research.

Chapter Three situates my research by providing the context, both historical and contemporary, to my topic. Here, I will cover the relevant historical policies and the weaponization of hockey within residential schools. I will also explore the positive way that Indigenous communities have used hockey as a form of resilience in the wake of recent incidents of anti-Indigenous discrimination in Alberta.

In Chapter Four, I provide summaries of the policies and procedures related to discrimination for Hockey Canada, Hockey Alberta, and the five local minor hockey associations (Edmonton Minor Hockey Association, Strathcona Minor Hockey Association, St. Albert Minor Hockey Association, and Spruce Grove Minor Hockey Association.)

Chapter Five is the analysis where I will outline my analysis and findings regarding the anti-Indigenous discrimination policies. The final chapter concludes with a summary of my research and some final thoughts on my topic.

## Chapter Two: Methodology

### Introduction

At the core of my research are the anti-discrimination policies themselves and the power relations that they shape and they are shaped by. The policies and procedures are from local minor hockey associations (LMHA) within central Alberta.<sup>16</sup> I chose to focus on central Alberta for a few reasons. By focusing on regional policies in Alberta, I acquired insight on how the guidelines and parameters set forth by Hockey Canada and Hockey Alberta are interpreted and applied. Currently, (as far as I am aware) this is the first research project focused on the policies within central Alberta, specifically with a focus on anti-Indigenous discrimination.<sup>17</sup>

My methodology chapter is informed by and follows an Indigenous Studies methodology. Indigenous Studies methodologies include the following three components: self-location/positionality<sup>18</sup>, theoretical framework, and methods (Andersen and Walters 2013, 44). This chapter follows this organization in three sections. In the first section, I will take some time to situate myself within my research.<sup>19</sup> Indigenous Studies values researcher transparency when it comes to the relations that go into the production of all research. This has been described as the

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<sup>16</sup> I am using the policies and procedures from Hockey Canada, Hockey Alberta, and five local minor hockey associations (Edmonton Minor Hockey Association, St. Albert Minor Hockey Association, Spruce Grove Minor Hockey Association, Sherwood Park Minor Hockey Association, and Strathcona County Minor Hockey Association). The provincial (Hockey Alberta) and national (Hockey Canada) hockey associations, which have impacts on the governance of the LMHAs.

<sup>17</sup> Robidoux (2004) focused on the racism and racist policies that resulted in the Kainai minor hockey team being forcibly removed from the Foothills Minor Hockey Association. Despite making changes to their hockey programming and environment, Kainai's appeals were ignored.

<sup>18</sup> Within Indigenous Studies literature, different authors will use different terms to refer to the process of positioning myself in relation to my research. I will be borrowing from Kovach (2009) and referring to this as "self-location."

<sup>19</sup> Kovach (2009, 111) argues that self-location is an important aspect of the research experience. However, Olsen (2017) believes it is important for non-Indigenous scholars to "decenter" themselves from the research (213). My goal here is to strike a balance between the two perspectives.

“most important determinant” of the methodology because it “fundamentally influences” the entirety of the methodology (Andersen and Walters 2013, 45). The second section focuses on the theoretical framework and concepts that I utilize to help analyze the policies. Finally, I describe the method, Foucauldian Discourse Analysis, that I used in my analysis.

### **Situating Myself**

I grew up and lived in Edmonton my entire life and was raised in the (beautiful) chaos of a big and loud Italian family. As an Edmontonian, I understand the political, social, and economic contexts within Edmonton and surrounding areas.<sup>20</sup> Sport, particularly hockey and soccer, are an important part of my identity. In the Summer of 2006, I experienced the high and low of being a sports fan as I watched the Edmonton Oilers lose in the Stanley Cup Finals and then watched Italy win the World Cup a few months later in a small Italian cafe near the University of Alberta. Although I never played hockey (and my skating skills are non-existent), hockey has been an important part of my day-to-day life. I grew up watching Edmonton Oilers games with my late nonno (grandfather), who shared stories about watching the Stanley Cup Playoffs of the 1980s and meeting Wayne Gretzky. My nonno, an Italian immigrant, became a hockey fan while listening to coworkers and other Italian immigrants chat about the Montreal Canadiens. Hockey, for many Italian immigrants, was a way to connect with Canadians and their new country. A lifelong sports fan, my nonno was a season ticket holder for the Edmonton Oil Kings when they came to Edmonton in the late 1970s and was part of the original group of Edmonton Oilers season ticket holders when they joined the National Hockey League (NHL). He held those season tickets until the early 1990s. As a child, my nonno loved to share his stories of

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<sup>20</sup> Here I am referencing power relations at both the amateur and professional level. See Scherer, Mills and Sloan McCulloch (2019).

watching every single Edmonton home playoff game in the stands with my mom (and sometimes my dad). At his house, his photo with Wayne Gretzky hung on the wall and he loved to share his experiences of meeting players. Throughout my childhood, and into my adulthood, my nonno and I used to watch Oiler games together all the time. We would buy games through Pay Per View to watch our favourite players, Andrew Cogliano and Jordan Eberle, in the early 2010s and celebrate the selection of Connor McDavid. We would laugh about my brother and I's unfortunate luck of attending every single Oilers blow-out loss during the 2010s and chat about what areas of the Oilers needed improvement (which between 2006-2018, was basically everything). His influence on me, including shaping my love of hockey and soccer, continues as I complete this research. For the first year after my nonno's passing (which was also my first year of my master's), I could not watch an Oiler game as it was too closely tied to my relationship with him. If I am being honest, this research helped to reignite my love of hockey and it acts to maintain my connection to my nonno.

Hockey can be a very exclusive “old boys” club and, frequently, those who dare to critique the sport or highlight inequities among it are criticized or ostracized away from the sport.<sup>21</sup> The goal of this research is not to be anti-hockey nor to unduly criticize the sport, the fans, or the players, but contribute to the wealth of research and knowledge surrounding equity in hockey. Centralizing the negative aspects of hockey would give, as stated by Wilson (2008), “more power to disharmony” (109). I view my project as a contribution to ensuring that hockey

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<sup>21</sup> The Mitchell Miller situation is an appropriate example to apply here because of the attempts within the hockey community to keep Miller's abusive history quiet in the general public (Ahmed, 2020b). This is in spite of the fact that it was well-known in hockey circles. Even more so, Miller was still drafted into the NHL despite his history. Another example of the anger that those who criticize hockey is found in an email excerpt shared by Szto (2021) in response to an article on Asian hate in Canada and sports where she spoke about the role of white supremacy. In response to this, she received an email, filled with falsehoods, stating that “lay[ing] the blame on growing racial tensions on whites is not only inaccurate but also cowardly... I hope you will strive to do better in the future” (Szto 2021).



can *actually* be for everyone and not a month-long “celebration” of diversity. By identifying the ways that colonial relations of power operate in ways that produce ineffective policies governing the sport, hockey leadership can begin to write and implement appropriate anti-discrimination policies and procedures.

Although I was never a hockey player, I chose to conduct research about hockey because of the central role that I see it playing in Canadian cultural identity and nationalism. My parents' generation excitedly watched the 1972 Canada-Soviet Hockey Series and my generation had Sidney Crosby's golden goal.<sup>22</sup> Both of these have been positioned as unifying events for Canada. Gruneau and Whitson (1992) describe hockey as “something quintessentially Canadian” (3). As we will see in the historical context section in Chapter Three, it is hard to separate hockey in Canada from colonialism. For my thesis, I have chosen to focus on the way this relationship manifests through anti-discrimination policies used to govern the sport.<sup>23</sup> Policy is an important part of the discussion because it has failed to be written and implemented in a way that supports Indigenous players who have encountered anti-Indigenous discrimination from opposing players and coaches; teammates; fans; and referees (see Deer 2020; Lorinc 2018; Marks 2008; Monkman 2018; Moore 2019; Pearson 2020; Tootoo and Brunt 2014). Although one piece of a larger puzzle, without appropriate discrimination policies and procedures that specifically address anti-

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<sup>22</sup> The 1972 Canada-Soviet Hockey Series was an 8 game series between Canada and the Soviet Union (Zweig 2018). It was expected that Canada would undoubtedly win; however, the series ended up being very close and was tied. In the final game, with the series tied, Paul Henderson scored the game and series winning goal (Zweig 2018). A goal described as the “goal that changed Canada” (“The Goal that Changed Canada” 2012). Sidney Crosby's “golden goal” was a similarly momentous hockey moment in recent memory (Britten and Sawyer 2020). Canada was playing the USA in the gold medal game of the 2010 Olympics in Vancouver. With the game in overtime in Canada, Crosby scored the “golden goal” in overtime at 7:40 (Britten and Sawyer 2020).

<sup>23</sup> This is not the only way that this power relation manifests itself. Some of the other ways this manifests itself is through travelling distance from reserves and other rural communities to urban centres or towns with arenas; and having to move away from their home community and loved ones to participate in competitive hockey (Paraschak and Tirone 2015, 104).

Indigenous discrimination, hockey leadership will continue to fail Indigenous players, and peoples more broadly.

Before concluding, I want to address my own “self-location” as a non-Indigenous, white individual conducting research within Indigenous Studies because my positionality undoubtedly influences the approach to my research and the analysis (Kovach 2009, 110-11). My work is situated within Indigenous Studies, not Critical Indigenous Studies. Moreton-Robinson (2016) distinguishes between the two by stating that Critical Indigenous Studies research is “produced, taught, researched, and disseminated by Indigenous scholars” (4). As a non-Indigenous scholar, I do not create Indigenous methodologies, theories, or approaches but I am able to engage with them. My research is focused on critiquing whiteness in hockey, which is a key point of inquiry within Indigenous Studies (Andersen 2009). I can only conduct research and critique whiteness from a “historical and embodied location of whiteness” (Sealey 2018, 27).

Additionally, as a non-Indigenous scholar, I have worked to make this research and analysis actively anti-racist and anti-colonial. For my conceptualization of what anti-racism is, I am employing Kendi’s definition and explanation. Through this application, I recognize that there are limitations to applying Kendi and other critical race theorists in the Canadian context.<sup>24</sup> Anti-racism involves supporting anti-racist policy by embodying and advocating anti-racism ideas “through their actions or expressing an antiracist idea” (Kendi 2019, 13). Through my research, I am identifying the ways that these policies and procedures continue to “sustain racial inequity” in Canadian hockey (Kendi 2019, 18). Much of the attempts at equity in the sport have followed EDI perspective. It is important to acknowledge and “call out” whiteness in the

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<sup>24</sup> I am borrowing this term from scholars such as Kendi (2019) and Sealey (2018). Although their work centers around racism in the United States, it does not incorporate or consider the experiences of Indigenous peoples in the United States nor the role of colonialism in the United States. Despite this, their framework and approach to anti-racism can be very informative in critical whiteness studies.

sport, as Moreton-Robinson (2016) has argued in other situations. Further, I centralized the voices of the individuals directly affected by the systems of whiteness, race, and sport.<sup>25</sup> It was important to me that I did not just cite normative hockey writes when pulling articles from current events in hockey. Finally, I aimed to highlight the sense of community and healing that hockey brings to communities. Hockey is a complicated sport that can be a source of empowerment for players and their communities. By focusing on the source of empowerment, I ensured that I did not miss the various ways that Indigenous players engage with the sport in a positive way as their passion or for their development, while actively critiquing the current processes that prevent incidents of discrimination from being handled appropriately. Acknowledging my self-location and actively researching and writing with the purpose of being anti-racist and anti-colonial was at the forefront while working through my research and writing my thesis.

### **Theorizing “Race,” “Gender,” “Nationalism,” and “Discourse”**

In Canada, there is no such thing as a post-colonial state. Colonialism and the systems and institutions that it created continue to operate and (re)produce unequal power relations throughout Canada. Any understanding of anti-Indigenous discrimination policy and hockey must include consideration of ways that colonial institutions and processes shape them. Patriarchal white sovereignty, conceptualized by Aileen Moreton-Robinson, describes the regime of power that governs and oversees nations rooted in colonialism, land theft, and the theft of children (Moreton-Robinson and Nicoll 2006, 149). This regime of power works as both a negative force that constrains behavior and a positive force that enables certain other behaviors

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<sup>25</sup> Misumi in Leonard and Misumi (2016) acknowledges that “no matter what amount of work you’ve done (as a White person), it is still not the same as experiencing [the effects of] White supremacy as a person of color” (63).

(such as resistance) (Moreton-Robinson and Nicoll 2006). As a concept, patriarchal white sovereignty is most often utilized to analyze power relations shaping the legal and governmental discourses and apparatuses in Anglo-colonial nation-states (Moreton-Robinson 2015, 138). As a regime of power, patriarchal white sovereignty weaponizes discourse to (re)produce its control of laws and policy (Moreton-Robinson and Nicoll 2006, 150).

However, analyses of power cannot simply look at large, macro level organizations and institutions. Power relations are (re)produced through “net-like organizations” (Hall 2001, 77) and disperse like capillaries throughout Canada operating through logics of patriarchal whiteness as a “social force” that (re)produce or (re)organize the control of patriarchal white sovereignty (Lipsitz 2019, 42). Within the Canadian context, hockey is one of the capillaries of patriarchal white sovereignty. As gender and race-based logics circulate from the national organization to the provincial to the local minor hockey associations, patriarchal white sovereignty works to (re)produce the markers of race and gender through the weaponization of discourse.

Discourse is a key component of the (re)production of power relations in Canada. To understand the way discourse shapes and supports patriarchal white society and is used by patriarchal whiteness to (re)organize, I apply one of Foucault’s three definitions of discourse. In the context of patriarchal white sovereignty, I understand discourse to mean “a regulated practice” (Foucault 1972, 124) that results in statements (re)producing whiteness and masculinity (Moreton-Robinson 2015). More specifically, I am referring to patriarchal white sovereignty and the ways it works discursively to control, acknowledge, or exclude individuals based on their race and gender. Through patriarchal white sovereignty, discursive rules that operate as hypervisible for Indigenous peoples or invisibly for white people, work to organize the language and structure of discourse shared (Mills 2003, 54). Patriarchal white sovereignty works

discursively to (re)construct certain power relations and a specific type of nationhood based on theft and genocide (Mills 2003, 55). As a result, patriarchal white sovereignty constructs a certain “truth” about the way anti-Indigenous discrimination is defined and handled (Hall 1992, 203; see also Foucault 1980, 27). As such, anti-Indigenous discrimination policy, much like law, is “an instrument of power... complex and partial” (Foucault 1980, 141).

Within his discourse theory, Foucault defines processes of exclusion to limit certain discourses and processes that work to (re)produce others. I incorporated two of Foucault’s inclusionary processes and extended them to fit within the realm of hockey in Canada. The first, “rarefaction of discourse,” acknowledges that there is a significant amount of repetition despite the many discourses that could be produced (Foucault 1981, 8; Mills 2004, 63). I argue that, in this context and with the silent (and explicit) acceptance of white supremacist rhetoric among much of hockey culture, that the discursive relations controlling this is shaped through patriarchal white sovereignty. This inclusionary practice is what makes discussion of colonialism and racism “taboo” (one of Foucault’s exclusionary procedures) (Mills 2004, 57). Verbal racist taunts directed toward young players in Canada are not, however, also excluded. For the second inclusionary component, “the author,” Foucault argues that for some discourses, the author's identity may be irrelevant (Mills 2004, 65). I would argue that in the Canadian context, authorship is a key consideration given the ways that patriarchal whiteness (re)organizes to place certain people in positions of power where they can control discourse. Given how hockey is typically a white, male dominated sport played by individuals in the middle-to-high socioeconomic class, it would be irresponsible not to consider how authorship influences discourse.

Because of the power patriarchal white sovereignty engenders, the use of racialized discourse to create and (re)produce certain power relations evolves based on the actions needed to maintain its space and power. Initially, hockey, much like the law, discursively created exclusionary categories for who could participate in the sport (Moreton-Robinson 2015, 82). There are countless accounts of Indigenous players being excluded from trying out for or participating in hockey based on their “perceived inferiority” (Gruneau and Whitson 1993, 47). The logics of patriarchal white sovereignty were deployed here to determine who was white and who could or could not join these hockey games based on the “privileges” given to white individuals (Moreton-Robinson 2015, 82). In current policy, patriarchal whiteness and patriarchal white sovereignty has used a colour or race-blind discourse to “exert [its] power” (Moreton-Robinson 2015, 77). Through a colour-blind discourse, race is “seen” but not acknowledged (Moreton-Robinson 2015, 96). Patriarchal white sovereignty enables an engagement with race enough to ensure that it maintains its control and power (Moreton-Robinson 2015, 96).<sup>26</sup> A common example of this being employed is when people give examples of Indigenous people that they know or have spoken to *once* as evidence that they are not racist (Moreton-Robinson 2015, 96). Furthermore, colour-blind discourse weaponizes the idea of equality to “hide the power imbalance” created by the invisible or hypervisible exclusionary tactics of patriarchal white sovereignty (Moreton-Robinson 2015, 96-97). In professional hockey, colour-blind discourse can take the form of the “old boys club,” where the same white men are hired for coaching and management vacancies (SaskToday 2013). Ted Nolan, one of the few Indigenous individuals to have coached in the NHL, was hired twice in the National Hockey

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<sup>26</sup> This point made me reflect on a tweet by Jasper (2020) that asked: “So... who has actually opened all of those anti-racist books you bought a month ago? [sic].” This Tweet was a response to the selling out of books on diversity and race following the murder of George Floyd.

League and successfully took his team to the playoff's multiple times (Forsyth and Giles 2013, 1). He also won the Coach of the Year award in 1997. However, his coaching negotiations fell apart when he began to demand to be compensated based on his team's success and his own coaching skills (Forsyth and Giles 2013, 1). It can be argued that the logics of patriarchal whiteness worked as a social force to ensure that this was seen as too much of a demand by the "old boys club." Ted Nolan has not worked in the National Hockey League since 2015.

Through patriarchal white sovereignty, the ideal of the white male is (re)produced as the norm (Moreton-Robinson 2005, 62). Generally speaking, hockey can be described as a "patriarchal culture" (Walby 1990, 227). At the rink, there is an imbalance of rink time given to female hockey teams and figure skaters (Krebs 2012, 97). Krebs (2012) describes this as a "masculine entitlement" and is another way that patriarchal whiteness works within hockey (98). There is, as well, a widespread belief that women's hockey is less skilled or enjoyable than men's hockey demonstrating the (re)production of the belief that white male hockey players embody the values of hockey better simply because the sport is faster and full contact.<sup>27</sup> Although white women may encounter some barriers, they still have considerable "access to power" based on the "unequal [racialized] gendered relations" (re)organized by patriarchal whiteness (Moreton-Robinson 2015, 42). This is true at the central systems of power and in the capillaries of power. In Chapter three, I will describe an incident between a white hockey player and an Indigenous hockey player. The white player directed a racial slur toward the Indigenous player, which they admitted to and apologized for post-game (Pearson 2020). However, after a complaint was filed, the white player changed their story to state that the Indigenous player had

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<sup>27</sup> This is linked to the expectations surrounding a normative hockey player in Canada as players are expected to uphold a certain type of masculinity and personality. Because of the whiteness and patriarchal logics within the sport, there is immense value placed on the fast-paced and violent nature of the sport.

instigated the incident by using a homophobic slur (Pearson 2020). Despite evidence against the white player's claim, the commissioner of the Alberta Colleges Athletic Conference determined that the white player had received enough of a punishment and anything further, including a suspension, would be excessively "punitive" (Pearson 2020).

Canadian nationalism has been described as a symbol of the widespread effects of patriarchal white sovereignty and patriarchal whiteness (Krebs 2012). The power relations (re)produced and (re)organized through various social forces exist "at the very heart of the white national imaginary and belonging" (Moreton-Robinson 2015, 18). As a nation, Canada (re)produces "a system of cultural representation" focused on hockey and multiculturalism (Hall 1995, 612). In other words, hockey is used both discursively and symbolically to represent a certain type of Canada.<sup>28</sup> This is exemplified discursively through books, beer commercials, and in celebrations across Canada. As part of the Canada 150 celebration, Brunt (2017) declares that "Canada [will always be] a hockey country" despite evolving demographics. Brunt employs a discursive technique that "emphasizes [the] continuity [and] timelessness" of hockey in the nation (Hall 1995, 614).

Another technique that serves patriarchal white sovereignty is "the foundational myth" (Hall 1995, 614). The role of Indigenous peoples in the creation of hockey has been repeatedly erased from Canadian and hockey history. Towns across Canada have labelled themselves as the "birthplace of hockey," but the reality is that hockey has been traced back to Mi'kmaq in Nova Scotia.<sup>29</sup> By discursively and symbolically employing the myth of terra nullius by ignoring the origins of hockey in the Mi'kmaq, patriarchal white sovereignty works to create a story about the

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<sup>28</sup> Krebs (2012) summarizes this quite well by saying, "[white male] hockey players embody the nation, and the nation embodies them" (86).

<sup>29</sup> There has been a significant amount of research that has focused on determining the origin of hockey. Despite this, there is still uncertainty about the "birthplace of hockey."



“national character... [and] invented traditions...of [the] pure, original people” and ignores the Indigenous peoples in Canada (Hall 1995, 614). Through the discursive and symbolic link of hockey and the nation, patriarchal white sovereignty (re)produces certain power relations by invoking collective support for hockey.

## **Methods**

I am employing a Foucauldian Discourse Analysis (FDA) to analyze and evaluate the discrimination policies and procedures of Hockey Alberta, Hockey Canada, and five minor hockey associations. The application of FDA was chosen because of the opportunity to include the various power relations that prevent or highlight certain types of discourses in anti-Indigenous discrimination policies and the ways that they linked to patriarchal white sovereignty (Kendall and Wickham 1999; Liao and Markula 2009). Furthermore, it considers the relationality of power and how it allowed for the “creat[ion] of certain practices” (Liao and Markula 2009, 44). Although various adaptations of FDA have been developed and applied by various scholars (see Arribas-Ayllon and Walkerdine 2008; Kendall and Wickham 1999), two forms of FDA have been widely accepted. The first, archaeology, captures the sentiments of Foucault’s earlier work and focuses on the development of the meaning of various discursive functions within particular historical and cultural contexts (Kendall and Wickham 1999; Liao and Markula 2009). The second, genealogy, is focused on analyzing the power relations that govern statements and discourse (Kendall and Wickham 1999; Liao and Markula, 2009). It is also agreed upon that genealogy maintains many of the same elements of archaeology; however, with the additional goal of analyzing power. My research falls under the latter focus of FDA.

There are some variations in the steps that one takes in an FDA analysis. I have chosen to follow the steps given by Liao and Markula (2009), who applied a modified version of FDA to

analyze media texts in women's basketball. They argued for the use of FDA in sport research because sport is an area where "practices are defined through discourse" (Liao and Markula 2009, 40). Using FDA, I explore the connection between anti-Indigenous discrimination and power relations in hockey (Liao and Markula 2009). Therefore, I can analyze the ways in which whiteness and patriarchy (hyper)visibility influence the discourses within anti-Indigenous discrimination policies.

Liao and Markula (2009) have developed a five-step process for implementing FDA in sport. The first involves selecting objects (or topics) for the analysis. Here, I have selected anti-discrimination policies in Central Alberta. I have also decided to include the policies of Hockey Alberta and Hockey Canada because of the influence they have in the creation of the policies at the local level. The second step is to identify sources or documents related to the chosen topic (Liao and Markula 2009). My search was conducted primarily through online websites for the five local associations, Hockey Alberta, and Hockey Canada. To obtain some of the documents from Hockey Canada and Hockey Alberta, such as Hockey Canada's bullying and harassment policies, I had to conduct a Google search because there was not a direct link on their website. For the most part, I did not directly contact the organizations. However, I did submit a contact form on Hockey Canada and Hockey Alberta to inquire about the governing of inter-provincial and provincial tournaments where teams from different provinces and hockey associations participate. I did not receive a response from either organization. The third step involves identifying concepts, or the rules that explain their coexistence (Liao and Markula 2009). The fourth step of the genealogy process involves linking the various themes identified in step three to individual statements. My theoretical framework is the guide I have used to identify these key themes. The final step, which focuses on the power relations, involves exploring the various way

that power operated to create these anti-discrimination policies and the discourse employed. As part of this, I have situated my topic (as seen in chapter three) in the context of historical and contemporary colonialism in Canada.

### Chapter Three: Context

The history of hockey in Canada is complicated. Although widely described as “Canada’s game,” Canadianness and hockey have never been experienced in the same way by everyone. For many Canadians, hockey is a place of belonging, a source of a seemingly coherent Canadian identity. However, for Indigenous peoples, being Canadian and playing hockey is much more complex. For example, the weaponization of hockey within residential schools refracted the possessive, gendered, and racialized logics of patriarchal white sovereignty in Canada.<sup>30</sup> The racial and power dynamics formed in part through colonial policies still exist today within hockey and within the broader society.<sup>31</sup> In recent years, professional and amateur hockey players have spoken publicly about the anti-Indigenous discrimination they have encountered in the sport and the lack of action taken by league officials to address it.<sup>32</sup>

This chapter explores the historical and contemporary context of the relationship between Indigenous peoples and hockey. It is divided into two sections. The first section focuses on the historical context underpinning the contemporary relationship between Indigenous players and hockey. Indigenous people’s relationship with hockey has been impacted by various colonial policies, including the *Indian Act (Indian Act)*. I have organized this section to chronologically follow the relevant amendments made to the *Indian Act*, which had implications for the residential school system and for the implementation of hockey in those schools. While much of the literature about hockey and residential schools focuses on programs and teams in Ontario, I have incorporated, where possible, information and examples from Alberta. The residential

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<sup>30</sup> I am drawing on language from previous arguments made by Andersen (2011) and Moreton-Robinson (2015).

<sup>31</sup> Moreton-Robinson (2015) argues that, for Indigenous peoples, these dynamics are “hypervisible” (xiii)

<sup>32</sup> In this context, the term “league officials” refers to referees, administrative staff, and league leadership.

school system advanced the assimilative goals of the government, and it is important to understand how hockey fit into those goals within Albertan residential schools.

The second section of this chapter focuses on the contemporary experiences of Indigenous hockey players. It will also explore current hockey league policies regarding Indigenous athletes and discrimination. The focus of my research is on the policies and procedures utilized following incidents of anti-Indigenous discrimination in minor hockey associations in Alberta. This section only incorporates examples from Alberta,<sup>33</sup> and does not include discriminatory incidents outside of the province.<sup>34</sup> One of the key components of this thesis is reviewing how the policies and guidelines designed by Hockey Canada and Hockey Alberta are reflected in the policies and procedures of regional minor hockey associations.

### **Historical Perspectives**

The literature identifies two historically important timelines for understanding the experiences of Indigenous hockey players. The first is pre-1950s, when the sport was not formally promoted by Indian Affairs officials. The second, between 1950 and the 1970s, demonstrates a more deliberate approach to the sport in residential schools. These timelines align with the key *Indian Act* amendments.

### **The *Indian Act***

The *Indian Act* is legislation that supported the Government of Canada's assimilative goals to create a patriarchal white society. Government officials believed that Indigenous peoples were lazy and corrupt, so it was the responsibility of the white, Christian colonizers to provide

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<sup>33</sup> The two exceptions that I will discuss are the sport and hockey policies that impact Indigenous athletes across Canada as well as Hockey Canada's discrimination policy.

<sup>34</sup> There have been multiple public incidents of discrimination throughout Canada, including but not limited to Quebec (Lorinc 2018), Manitoba (Monkman 2018), and Nova Scotia (Moore 2019).

the necessary “spiritual direction and assistance” to put them on the “right” path (Cannon 2019, 30-31). Through the *Indian Act*, the Government of Canada held legislative power over Indigenous peoples and dispossessed them of their land, identity, and self-determination (Cannon 2019, 31-32, 42; Kelm and Smith 2018, 1-2; Kolopenuk 2020, 4; Palmater 2014, 28, 32). *Indian Act* provisions operated in ways that have dispossessed Indigenous people and communities of their cultural and sporting practices.<sup>35</sup> In the *Indian Act* of 1885, the government banned cultural activities and ceremonies such as the Sun Dance (Forsyth 2007, 98; see Government of Canada 1985).<sup>36</sup> These activities were replaced by Euro-Canadian sports and government-mandated sport days (Forsyth 2007).<sup>37</sup> The timing of sports days often aligned with Canadian celebrations to “symbolically link” sport and Canadian patriotism (Forsyth 2007, 99). Each provision in the *Indian Act* was created to “eliminat[e] the “Indian Problem”” (Palmater 2011, 28). In other words, the Government of Canada wanted to ““kill the Indian physically or kill the Indian within”” (Palmeter 2014, 33). Through the *Indian Act*, government officials passed various provisions to support their assimilationist project.

A central focus of the *Indian Act, 1876* and its subsequent versions was the creation of power imbalances based on race and gender (see Government of Canada 1985). Both race and gender are central components of colonialism and patriarchal white sovereignty (Cannon 2019, 28). In the 1876 version of the *Indian Act*, the Government of Canada outlined who were recognized as having Indian Status (Barker 2006, 127; Kelm and Smith 2018; see Government of

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<sup>35</sup> It was also hoped that these provisions would “undermine Indigenous governance and sovereignty” (Kelm and Smith 2018, 8).

<sup>36</sup> Indigenous peoples caught participating in these events and activities were made to relinquish the items required for these activities to Indian Affairs officials, and were threatened with severe punishment, including jail time (Kelm and Smith 2018, 8).

<sup>37</sup> As an act of resistance, Indigenous communities often used sports days to hold ceremonies and participate in their cultural activities under the guise of Euro-Canadian sport (Forsyth 2007, 99).

Canada 1985).<sup>38</sup> Without the input of Indigenous peoples, officials determined that Status could only be passed patrilineally (Cannon 2019, 42; Eberts 2010, 18; Kelm and Smith 2018, 2, 129; Palmetter 2011, 29). This decision was based on the hierarchical and patriarchal view of gender and the role of women in colonial society (Eberts 2010, 18). As a result of this, Indigenous women could lose their Status in various ways and would no longer be legally recognized as Indian (Palmetter 2011, 35).<sup>39</sup> This had implications for all aspects of their lives, including their roles within their own community.

The patriarchal and racialized criteria for Indianness was also evident in the fact that a status Indian man who married a non-Indian woman could receive Indian status for his wife and children (Cannon 2019, 40). Without status, Indigenous women lost both their leadership roles within their local governments and the ability to own land (Barker 2006, 130). These dynamics, organized by patriarchal white sovereignty and implemented through the *Indian Act*, led to “asymmetrical... power relations... between Indigenous men and women” (Cannon 2019, 43).<sup>40</sup> The *Indian Act, 1951* legalized further provisions to isolate Indigenous women (Government of Canada 1985). In particular, it stated that Indigenous women could not have their status reinstated after either divorcing or becoming widowed (Eberts 2010, 20-21; see Government of Canada 1985). This meant that Indigenous women who lost their status after marriage would be

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<sup>38</sup> Indian Status is the legal term as per the *Indian Act*.

<sup>39</sup> As Palmetter (2014) and Eberts (2010) identified, the majority of Indigenous women lost their status by marrying a non-status man. A non-status man can refer to both a non-Indigenous and an Indigenous man who does not hold Indian status. There were very few ways that Indigenous men could lose their status. One way was through the enfranchisement clause in the 1876 version of the *Indian Act*, which outlined that status could be lost if they went to post-secondary school or served in the military (Barker 2006, 131).

<sup>40</sup> These dynamics have continued. A notable example of this is the negative response to the advocacy and legal cases of Jeannette Vivian Corbiere, Yvonne Bedard, and Sandra Lovelace during the 1970s and 1980s (Barker 2006, 136-140). All three of these cases focused on the removal of a woman’s status upon marriage. These women were accused of “conspiring” with the assimilative Canadian Government and were publicly humiliated by male leaders of the National Indian Brotherhood and their communities (Barker 2006).

“disenfranchised and disinherited” from their own community (Cannon 2019, 39-40).<sup>41</sup> Although there have been court cases and new amendments to the *Indian Act* to reinstate status to those who lost it, there are still limitations on who can qualify for status (Barker 2006, 43).<sup>42</sup> The gendered and racial logics informing *Indian Act* criteria led to an “exile” of Indigenous women and their children from their culture, communities, and identity (Eberts 2010, 22). Through these provisions defining who could hold Indian Status (and who was “Indian” in the eyes of the government), a clear legal and discursive divide between Indians and the preferred white Canadian citizen was created. The *Indian Act* was a key component of the assimilative goals of the Government of Canada. Although a different method of assimilation, the curriculum and goals of the Indian residential school system were also based on gendered and racialized logics rooted in patriarchal white sovereignty.

### **Pre-1950: Informal Physical Education Programming**

The Indian Residential School System was established to advance the goal of assimilating and civilizing Indigenous peoples. In a similar way that *Indian Act* criteria operated, the Residential School System was rooted in a racialized and gendered assumption that “European civilization and the Christian religion were superior to Aboriginal culture” (Truth and Reconciliation Commission of Canada 2015a, 164). Government officials believed that through the residential school system, Indigenous peoples would eventually disappear and no longer be

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<sup>41</sup> This is the basis for a few court cases in the 1970s and 1980s, such as *Attorney General of Canada v Lavell* (1974) (where Lavell and Bedard were both the respondents) (Barker 2006).

<sup>42</sup> *Lovelace v. Canada* (1981) led to the creation of Bill C-31, which amended the *Indian Act* to allow women who had lost status through marriage, their children, and those who had been disenfranchised to apply for status (Barker 2006). As well, any Indigenous woman who married a non-status individual after 1985 would not lose their status following marriage (Eberts 2010, 23). Bill C-31 has been critiqued for continuing to privilege the descendants of male status Indians and for only extending status for one generation (Barker 2006, 43). Another case, *Sharon McIvor and Jacob Grismer v. Canada* (2010), also disputed gender discrimination in the *Indian Act* (Palmer 2011, 28-29). This case led to Bill C-3, which amended the *Indian Act* to include that “any person born prior to 17 April 1985 and is a direct descendent of a person registered or entitled to be registered under the *Indian Act* may also be so entitled” (Hurley and Simeone 2014, 153).



an obstacle to their goals (Frideres 2016, 139; Narraway 2018, 29). By 1874, Indigenous children were forcibly removed from their homes by government officials to attend residential schools across the country (Frideres 2016, 139). Residential schools were often located far from Indigenous communities to maximize the children's disconnection and dislocation from their families, territories, and cultures (Forsyth 2013, 10). The *Indian Act* was utilized to support the residential school system by making attendance mandatory in 1920 (Frideres 2016, 139). Indian residential schools were funded by the Government of Canada and operated by various Christian denominations until 1951 (Forsyth 2007, 100; 2015, 19; Frideres 2016, 139; Te Hiwi 2017, 100).<sup>43</sup> Government officials hoped that residential schools would dispossess Indigenous youth of their families, cultures, land, and languages.

Early on, physical activity became an important aspect of residential school programming. Initially, the motivation for implementing physical activities in the schools was due to health concerns. Activities became integrated in the curriculum as a cost effective way to improve the overall health of students because student wellbeing had been impacted by several serious illnesses (Forsyth 2007, 102; 2015, 22; Te Hiwi 2017, 103-104).<sup>44</sup> School officials were directed to implement calisthenic exercises into their daily schedules to improve the health of the students (Forsyth 2007, 102; 2015, 22; Forsyth and Heine 2008, 266; Te Hiwi 2017, 103-104).<sup>45</sup> In addition, schools began to incorporate military drills and other games into their schedules, with the purpose of reinforcing the students' commitment and patriotism to Canada (Forsyth

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<sup>43</sup> This partnership between the Government of Canada and the Christian churches would change in the 1950s.

<sup>44</sup> Malnourishment and inadequate living conditions compounded these chronic illnesses (Miller 1996). Tuberculosis was common in residential schools and it was rare for students to receive any medical attention while ill (Truth and Reconciliation Commission 2015a). Prior to 1892, students were not required to undergo a medical examination before attending (Truth and Reconciliation Commission of Canada 2015a).

<sup>45</sup> Forsyth (2013) describes calisthenic exercises as “a distinctive form of modern disciplinary training” (22). The use of these exercises is an example of “micro-management” of particular body parts (Forsyth 2013, 22).

2007, 102; 2015, 23). Military drills included marching everywhere, following a strict daily schedule, and cadet training (Forsyth 2013).<sup>46</sup> The inclusion of military activities was a disciplinary tactic utilized by officials to create their preferred citizen (Forsyth 2013, 25).<sup>47</sup> It was hoped that regimented activities, such as military drills, would “provide... much-needed lessons in life” so that Indigenous children could “rise above their “race”” (Forsyth 2013, 25).<sup>48</sup>

Another aspect of physical activity was the inclusion of recreational games. Indigenous youth had games that they would play to support their development as adults; however, at residential schools, they were not allowed to play these games (Truth and Reconciliation Commission of Canada 2015a, 360). Instead, students participated in Euro-Canadian games that reinforced the gender norms of the growing Canadian society (Forsyth 2013, 103; Te Hiwi 2017, 105).<sup>49</sup> For instance, activities that reinforced “manly character[istics]” were only available to male students (Forsyth 2007, 103; see also Te Hiwi 2017, 105). Female students, who were often the housekeepers of the schools, participated in “gentle” exercises to reinforce Euro-Canadian gender norms regarding femininity (Forsyth 2007, 103; see also Te Hiwi 2017, 105). Physical activities were an important aspect of residential schools early on through the inclusion of calisthenic exercises, military drills, and games.

Although not embedded in schools to the same extent they would be later, sports were commonly played in residential schools and had a clear gender and racial component (Truth and Reconciliation Commission of Canada 2015a; Te Hiwi 2017). Officials hoped that sport, in

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<sup>46</sup> Similar to the provisions in the 1885 version of the *Indian Act*, government officials believed that dispossessing youth of their cultural activities and replacing them with Euro-Canadian sport and games would speed up the assimilation process.

<sup>47</sup> In her chapter, Forsyth (2013) applies Foucault’s definition of discipline, the “imposition of precise norms upon individual bodies,” to the use of rudimentary activities in residential school (21).

<sup>48</sup> These military drills and cadet training did not require financial commitment so they were cost-effective ways to assimilate the students.

<sup>49</sup> This is another method that colonial officials utilized to embed patriarchal notions of gender into Indigenous youth.

particular hockey, would teach students discipline and to obey authority (Forsyth 2013, 26; Narraway 2018, 4). As a result, students were only given time for sports if they had followed instructions and as a “reward” for good behaviour” (Forsyth 2007, 103). This was because in residential schools, sport was not a “right”; it was something to be earned (Forsyth 2007, 103). Access to sport in residential schools had a clear gender component. Hockey was often only seen as a reward for male students, and other sports were similarly reserved for boys and men (Forsyth 2007, 104).<sup>50</sup> This aligned with the British perspective that there is a connection between sports, masculinity, and the “rights and responsibilities of the empire” (Truth and Reconciliation Commission of Canada 2015a, 361). Sport was not made available to female students because Indian Affairs officials believed that participating in “masculine” activities would disrupt their ability to have children (Truth and Reconciliation Commission of Canada 2015a, 361). Aligned with the *Indian Act* provisions, colonial gendered and racialized logic guided the implementation of games and sport at residential schools.

One of the issues that officials in residential schools encountered was a lack of sports equipment, especially for hockey (Forsyth 2013, 28; Miller 1996).<sup>51</sup> Even the minimal equipment required for sports like volleyball and basketball was nearly non-existent in the schools (Forsyth and Heine 2008, 268). Despite hockey’s popularity, schools still struggled to accumulate all of the equipment needed (Forsyth and Heine 2008). Archival images show that the Dunbow and Edmonton residential schools in Alberta played without helmets and skates and only had hockey sticks and jerseys (Miller 1996). However, the school in Morley, Alberta had

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<sup>50</sup> This was not universally true. At Birtle Indian Residential School in Manitoba, hockey was manipulated to fit within the narrative of Euro-Canadian ideals of femininity (Narraway 2018, 42). Although this was not well received early on, in the 1950s, many female students at the school played hockey (Narraway 2018, 42-43).

<sup>51</sup> Indian Affairs funded schools based on the number of students attending, so there was no additional money to fund sport equipment (Miller 1996, 273).

complete sets of hockey equipment and were able to play against teams in Calgary and Cochrane (Truth and Reconciliation Commission of Canada 2015a, 364). School principals sought private sponsors to donate equipment or funding so they could execute their programs (Truth and Reconciliation Commission of Canada 2015a, 363). Although Indian Affairs officials directed the inclusion of military and calisthenic activities, hockey was implemented at the discretion of the schools with external support. The casual implementation of hockey in residential schools drastically changed in 1951 when sport became a more formal component of programming.

### **1950-1970: Formal Hockey Programming**

In 1950, the Government of Canada hired Jan Eisenhardt, who attempted to implement a widespread Indigenous physical activity program (Forsyth and Heine 2008, 267; Truth and Reconciliation Commission of Canada 2015b, 465-466).<sup>52</sup> Forsyth and Heine (2008, 262) describe his hiring as the beginning of the Government of Canada's official involvement in Indigenous sport. As part of his planning, Eisenhardt wanted to meet with Indigenous leaders to discuss their sport practices and physical culture (Forsyth and Heine 2008, 264). His suggestion was rejected by Indian Affairs, who believed Indigenous leaders were incapable of bringing forward meaningful suggestions (Forsyth and Heine 2008, 264). Instead, Eisenhardt met with school officials while touring residential schools to evaluate sport facilities and current physical education programs (Forsyth and Heine 2008, 266, 268; Truth and Reconciliation Commission of Canada 2015b, 465-466). Eisenhardt was an advocate for the implementation of physical activity and sport programs across the residential school system that would improve the health of the students (Truth and Reconciliation Commission of Canada 2015b, 465-466). Utilizing the

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<sup>52</sup> Eisenhardt was notably involved in the creation of the Tom Longboat Award in 1950. See Forsyth (2015, 2020) for a detailed history of the award.

findings from his tour of the schools, Eisenhardt published an article addressing the need for programming to improve the health and wellbeing of students, as well as a need for funding to buy sports equipment (Truth and Reconciliation Commission of Canada 2015b, 465-466).<sup>53</sup> Like others who voiced their concerns about the schools, Eisenhardt was ignored. After about a year in his role, Eisenhardt resigned without securing support for his ideas or for the sports equipment (Forsyth and Heine 2008, 272; Truth and Reconciliation Commission of Canada 2015b, 467). Even with the adjustments to the funding for residential schools, sport programs remained, for the most part, chronically underfunded (Forsyth 2007, 105; Truth and Reconciliation Commission of Canada 2015b, 462).<sup>54</sup> As Eisenhardt's tenure only lasted about a year, Indian Affairs officials failed to provide necessary funding to the schools and to implement a meaningful sports program.

The *Indian Act, 1951* was a central component of the changes to residential school funding, curriculum, and goals. With the passage of the amendments to the *Indian Act* in 1951, the Government of Canada took over the leadership of the schools from churches, signaling a shift in power (Forsyth 2007, 104). Forsyth (2007, 104) identifies two motivations for this decision. First, government officials believed that the goals of the various Christian Churches and the federal government were no longer aligned: the government wanted to assimilate Indigenous youth into Canadian society using job training, and the Church wanted to focus on converting them to Christianity (Forsyth 2007, 104). Moreover, there was increasing public awareness of the conditions and abuse within the schools (Forsyth 2007, 104). Government officials were concerned about losing public support for the schools and for their broader

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<sup>53</sup> The lack of funding for equipment was and continued to be a central issue for schools.

<sup>54</sup> There is one exception. Indian Affairs gave schools with established sports programs or those that were competing against other teams a one-time grant (Forsyth 2013, 27). The literature does not identify how the grant was used or how many schools applied for and received it.

assimilative goals. Once they controlled the operations of the schools, Indian Affairs hired qualified teachers to implement the provincial curriculum (Forsyth 2007, 104). The *Indian Act, 1951* also included provisions about integrating Indigenous youth into provincial schools (Forsyth 2013, 29; Narraway 2018, 92). Officials hoped that using the provincial curriculum within residential schools would ensure a smoother integration for students into provincial schools and Canadian society (Forsyth 2007, 104). The *Indian Act, 1951* also altered the funding structure for the schools, however there was no allocation for sport given to all schools (Forsyth 2007, 105; Truth and Reconciliation Commission of Canada 2015b, 462). With the *Indian Act, 1951*, government officials implemented changes to residential school funding and curriculum to support the goal of facilitating integration into provincial schools.

Despite Eisenhardt's inability to implement any Indigenous programming, Indian Affairs officials continued to push for the use of hockey to assimilate their students throughout the 1950s and 1960s.<sup>55</sup> Indian Affairs encouraged the creation of competitive sport programs in the schools (Forsyth 2007, 262). Government officials believed sport would make the integration of Indigenous youth into the public school system smoother (Forsyth and Heine 2017, 211; Habkirk and Forsyth 2016; Te Hiwi 2015, 12). More specifically, government officials hoped that a formalized and robust hockey program would teach Indigenous youth how to become "good Canadians" and proudly integrate into Canadian schools and society (Te Hiwi 2015, 17; see also Truth and Reconciliation of Commission of Canada 2015b, 462). Hockey coaches at the schools were not just producing good hockey players, they were also "producing citizens" (Te Hiwi 2015, 153; see also Forsyth and Giles 2013, 5; Te Hiwi and Forsyth 2017, 82; Truth and

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<sup>55</sup> Eisenhardt wanted to implement government-funded physical education programs across residential schools. Instead, government officials did not provide additional funding for physical education or sport. It was left to school leadership to develop these programs, which meant there were vast inconsistencies between schools.

Reconciliation Commission of Canada 2015b, 462). Indian Affairs officials continued to promote the inclusion of hockey in residential schools because they believed it would facilitate assimilation.

Informed by racialized and gendered logics, Indian Affairs officials carefully managed residential school hockey programs to ensure their effectiveness. Officials recommended that schools organize competitive games against white hockey teams because there was a widespread belief that playing against white hockey teams would “facilitate assimilation” (Forsyth 2007, 105; 2013, 27).<sup>56</sup> It was believed by the Department of Indian Affairs that these competitions would “prepar[ing]” the players for integration into provincial schools (Narraway 2018, 84-86). Officials also believed that these highly-racialized hockey games would act as evidence to prove to the public that the residential school system was working and that the values of patriarchal whiteness were being learned and embodied through hockey (Forsyth 2007, 106; Narraway 2018, 23-24; Te Hiwi and Forsyth 2017). For the public, these games were “framed as “Indian” vs. “white” contests,” and, by beating the white teams, the Indigenous players “symbolize[d] the best their race had to offer” (Forsyth 2007, 105-106). The Department of Indian Affairs carefully managed hockey programs in residential schools to ensure that each component of the program supported their integration and assimilation goals.

For many Indigenous youth, hockey games and tournaments were a respite from the conditions of the residential school as they occurred off school premises, which gave players the opportunity to leave the school (Arcand 2019, 319; Forsyth 2007, 107). However, the experiences of these trips varied. Some survivors report better meals and accommodations during

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<sup>56</sup> Forsyth (2013) suggests that the use of sport in residential schools was a type of bio-power, where the body is utilized “as a political tool... tied to a specific set of social and historical conditions” (25-26). See Foucault (1977) for a full explanation of bio-power and discipline, and Forsyth (2013) and Forsyth and Heine (2017) for a more detailed account of bio-power, discipline and residential schools.

road trips (Forsyth 2007, 107; Te Hiwi and Forsyth 2017, 81). For example, in 1950, the Sioux Lookout Black Hawks from Pelican Lake Residential School participated in a government-funded tour where they played hockey in professional stadiums in Ontario (Narraway 2018; Te Hiwi and Forsyth 2017). The teams stayed at luxury hotels and met with retired professional hockey players (Narraway 2018). In addition to their games, the players also toured national monuments, museums, and other symbols connected to patriarchal white sovereignty in Canada as part of their development as patriotic Canadian citizens (Forsyth 2013, 27). Throughout the tournament, the players received positive attention and were praised by the media for demonstrating “Euro-Canadian characteristics on the ice” (Narraway 2018, 70). However, this kind of treatment was not the norm, and most teams encountered further marginalization during tournaments and games. Eugene Arcand, who attended residential school in Saskatchewan, describes how his team was not allowed to use the dressing rooms at the rink and had to remain in their wet equipment between games (Arcand 2019, 319). While attending games and tournaments away from the residential school, some of the players had positive experiences; however, others continued to experience anti-Indigenous discrimination, including the physical abuse of being forced to remain in wet equipment.

The success and competitiveness of hockey programs varied during this period; however, students often regarded hockey as a positive component of residential schools. Some schools had incredibly successful teams, whereas smaller schools and day schools struggled to create robust hockey programs (Forsyth 2013, 28-29; Miller 1996, 275). A number of hockey players were so skilled that they were recruited to white teams throughout the 1950s, 1960s, and 1970s



(Narraway 2018, 47).<sup>57</sup> As well, some would go on to play professional hockey<sup>58</sup> or organize hockey tournaments for Indigenous communities.<sup>59</sup> Regardless of their success in hockey, many of those who played hockey in residential schools identify it as a bright spot of their experience (Arcand 2019; Forsyth 2007, 106; 2013, 31; Forsyth and Giles 2013, 5; Narraway 2018, 49; Te Hiwi and Forsyth 2017, 101). This sentiment was also articulated in the *Final Report of the Truth and Reconciliation Commission* (Truth and Reconciliation Commission of Canada 2015a, 2015b). One survivor, Paul Andrew, described the hockey arena as a place where he “[felt] good” (Ellison and Anderson 2018, 79; see also Truth and Reconciliation Commission of Canada 2015d, 190).

By the 1960s and 1970s, the majority of Indigenous youth had been integrated into the provincial school system, and many Indian residential schools had closed (Forsyth 2013, 29; Narraway 2018, 105). For schools that remained open, hockey was still a key component of their physical education programming (Narraway 2018). During the integration process, hockey became an important variable determining the experiences of Indigenous youth; hockey players had an easier time fitting into their schools and were often popular and loved members of the school community (Narraway 2018). They also tended to face less racism and discrimination within the schools than the Indigenous students who did not play hockey. The final residential school would close in the 1990s; however, the racialized and gendered power dynamics that

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<sup>57</sup> I would argue that Indian Affairs officials likely saw this as a sign of the success of the residential school system, given that their ultimate goal was to integrate and assimilate Indigenous youth into the whitestream society.

<sup>58</sup> Fred Saskamoose attended residential school in Saskatchewan. It was during his time in residential school that he learned to play hockey and excelled at it (Forsyth and Giles 2013, 1). Sasakamoose went on to play junior hockey and was eventually called up to play for the Chicago Blackhawks in the National Hockey League, making him the first Indigenous player in the National Hockey League.

<sup>59</sup> The Little Native Hockey League (NLH) is one of the largest hockey tournaments for Indigenous players in Ontario (Paraschak 2013, 100). The tournament was established by former residential school hockey players (Habkirk and Forsyth 2016, 9).

hockey helped to formulate between 1950-1970 did not cease to exist. These dynamics continue to refract into Indigenous people's contemporary experiences in mainstream hockey.

### **Contemporary Perspectives**

Since the closure of the final residential school in 1996, hockey has continued to be primarily a masculine and white sport. The NHL has the highest number of white players (over 90%) compared to other major sport leagues (Doyle 2020).<sup>60</sup> Although strides have been made toward making hockey a more inclusive sport<sup>61</sup>, female and non-white hockey players still face challenges.<sup>62</sup> The gendered and racialized logics of patriarchal whiteness continue to shape power relations constitutive of the sport. This section focuses on these contemporary experiences, as well as on how these power relations continue to exist.

### **Hockey in Indigenous Communities**

Historically, hockey was used by Church and state officials to assimilate Indigenous youth in settler society; however, young Indigenous hockey players inevitably harbored their own motivations for participating in the sport. Today, hockey has become a source of pride for Indigenous communities and a way to connect with other community members.<sup>63</sup> Across Canada, Indigenous communities have embraced hockey (Robidoux 2012, 59). In his ethnographic study, Michael Robidoux attended multiple First Nations hockey tournaments,

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<sup>60</sup> White players make up under 25% of the players in the men's and women's National Basketball Association (NBA) (Doyle 2020). In the National Football League, white players make up 25% and Major League Baseball has approximately 55% white players (Doyle 2020).

<sup>61</sup> Every February, the National Hockey League celebrates Hockey is for Everyone month (NHL Public Relations 2018). Throughout the entire month, each team has a single game where they celebrate diversity. As well, each team assigns an ambassador to the campaign.

<sup>62</sup> Although women's hockey has grown, it has struggled to develop a single, viable professional women's hockey league (see Hall 2020; Strashin 2019), and advocates have been calling for the National Hockey League's involvement in creating a permanent women's hockey league (see Azzi 2021). Adding to the situation is that women's hockey continues to be less televised than men's hockey, despite evidence showing that many people support women's sports (Szto 2020).

<sup>63</sup> Robidoux (2012) quoted a Chief who described sport as the "esteem of First Nations spirit" (53).

including “high performance” and “community-based” tournaments (Robidoux 2012, 61, 98).<sup>64</sup> Robidoux found that, although there were some differences between the two types of tournaments, both incorporated social and cultural aspects. For instance, a high-performance tournament in Brandon, Manitoba included fifteen other activities and events for attendees to enjoy, including pow wow competitions and traditional games (Robidoux 2012, 62). At community tournaments, there were often events to honour those who had passed away, and social events that brought together the various communities participating in the tournament (Robidoux 2012, 98,109). Through high performance and community-based tournaments in Indigenous communities, hockey has become a way to connect physically, socially, and culturally.

In addition, hockey has also become a source of healing in Indigenous communities still coping with the legacy of residential schools and various other colonial policies (Robidoux 2012, 34). Robidoux travelled to Esketeme Nation in British Columbia and met with a community leader, John, who hoped to create a permanent hockey program for local youth. Over the past several years, the community has faced many hardships and John hoped that a hockey program would support youths’ “develop[ment] physically, spiritually, emotionally, and mentally” (Robidoux 2012, 34). Through weekly hockey practices and games, John hoped hockey would keep the youth away from crime and bring the community together to collectively work through the healing process (Robidoux 2012, 45-46, 53). Hockey in Indigenous communities, either through community programs or tournaments, offers players and attendees the opportunity to

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<sup>64</sup> In high performance tournaments, players are not required to play for their home community, but rather are recruited and selected based on their skill level (Robidoux 2012, 60). Most divisions in the high-performance tournaments have a monetary prize. For example, in the men’s division, the first-place team won \$10,000.00 (Robidoux 2012, 64). In community tournaments, players are required to play for their local community, based on their registration with Indigenous and Northern Affairs Canada (Robidoux 2012, 60).

watch hockey, socialize, and participate in cultural activities. In this way, hockey acts as a form of resistance against patriarchal white sovereignty and as a “meaningful cultural experience [itself]” for Indigenous hockey players and their communities (Robidoux 2012, 55).<sup>65</sup> Over the last two decades, hockey has become and continues to be an important activity for Indigenous communities across Canada.

### **Discrimination in Hockey**

The experiences of Indigenous hockey players when they participate in Indigenous hockey tournaments are very different from those they have in the whitestream sport system. Across all levels and leagues, Indigenous players have been subjected to discrimination by opposing players, fans, and their own teammates.<sup>66</sup> Several retired professional hockey players have publicly shared their experiences of discrimination in hockey.<sup>67</sup> One commonality among all these instances is the lack of reaction and response from referees and league officials in relation to discrimination on the ice. Players often resorted to violence as a response or ignored the taunts (Marks 2008; Tootoo and Brunt 2014). As identified in the Government of Canada’s summary of their anti-racism discussions with First Nations peoples, youth often quit hockey because of the discrimination they encounter (Government of Canada 2019). This would suggest that, when handling these incidents, there is a systemic gap in hockey in Canada that is not putting Indigenous youth first.

At the minor league level, it would be difficult to detail each incident in its entirety. I have chosen to discuss two particular incidents that took place twenty-one years apart. They

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<sup>65</sup> This is one example of how sport has been used as a form of resistance. Other examples include Sport Days (Forsyth 2007) and the North American Indigenous Games (Forsyth and Wamsley 2006; Robidoux 2012).

<sup>66</sup> Hockey Canada estimates that 70% of youth under the age of 13 stop playing sports due to bullying and discrimination (“Answers to Questions Frequently Asked by Hockey Parents” n.d.).

<sup>67</sup> See Marks (2008) and Tootoo and Brunt (2014).

were selected because of the differences in how the Indigenous players chose to respond and because they show the discrimination that both male and female Indigenous athletes face. In 1999, during an amateur men's hockey playoff game between the Saddle Lake Warriors and the Wainwright Bisons, players from the Wainwright Bisons directed racial slurs and taunts towards the Saddle Lake Warriors (Wall 2012, 281). The game turned violent between the two teams and resulted in a bench-clearing brawl.<sup>68</sup> Tensions remained high for the rest of the playoff series. In the third game, there was once again violence on the ice, and the game had to be stopped by the referees after a fan threw a glass bottle onto the ice (Wall 2012, 281). The game was not stopped because of the racial taunting, nor does it appear that the penalties given were directly due to the discrimination. In this particular incident, the Indigenous hockey players chose to deal with the discrimination through on-ice violence that escalated to include attendees.

Racial power dynamics also have a role in the ways in which Indigenous teams are treated more broadly within the Canadian sport system. The Kainai Minor Hockey Association was banned from participating in the Foothills Minor Hockey League leaving dozens of Indigenous players without a way to participate in the sport (Robidoux 2004).<sup>69</sup> They were removed from the league because of both confirmed and unverified complaints about the association (Robidoux 2004). The letters and notices given to Kainai focused less on some of their infractions, such as unpaid fees, and focused heavily on not wanting Kainai to be in the league at all. One of the letters had another association in the league threatening to leave entirely if Kainai was not removed (Robidoux 2004). Foothills, in their letter to Kainai, wrote that they did not want to lose their white teams, calling them "upstanding" members (Robidoux 2004,

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<sup>68</sup> A bench-clearing brawl is when the entire bench, including goalies, becomes involved in the fight.

<sup>69</sup> Because of this ban, players either had to play for an entirely different community or quit hockey entirely. The former was an opportunity reserved for the best players in the community.

290). Some of these letters described coming to Kainai as a place with “wild” and uncivilized individuals (Robidoux 2004, 292). In the two years since they had been removed, Kainai had taken many steps to fix the more substantial issues, including hiring a rink manager. Kainai had sought opportunities to have their case for reinstatement heard, but these were denied along with a request to join a different minor hockey league (Robidoux 2004). As of 2021, Kainai was never allowed to re-join Foothills Minor Hockey League (over 21 years after they were originally removed). However, Kainai is currently a member of the Native Hockey Alberta Council (“Native Hockey Alberta” n.d.).

In addition to reviewing the documentation of the removal, Robidoux (2004) also spoke to players and family members. For example, one player described racial taunts as “common” in the Foothills Minor Hockey Association (Robidoux 2004, 294). One of the complaints from the other associations was that the Indigenous players were more aggressive and violent than white players. Yet, in speaking with Indigenous players and family members in Kainai, Robidoux (2004) found the white players were as aggressive and that their aggression towards Indigenous players went unpenalized. For example, one family member described a game where there was a huge brawl between the white and Indigenous team where the referees did nothing to control the situation (Robidoux 2004, 295). The inaction of referees and league officials in responding to this racial taunt and violence is a common theme.

More recently, during a game between two women’s college hockey teams, the Southern Alberta Institute of Technology (SAIT) and Red Deer College (RDC), a RDC player taunted Davina McLeod, an Indigenous player on SAIT’s team, with a racial slur (Pearson 2020). Immediately following the game, the player from RDC apologized to McLeod and her team (Pearson 2020). RDC addressed the incident in a public statement and described it as a “learning

opportunity” for all their players (Pearson 2020). Afterward, SAIT submitted a complaint to the commissioner of the Alberta Colleges Athletic Conference regarding the incident (Pearson 2020). As a response, RDC also submitted a complaint alleging that McLeod started the incident by directing discriminatory comments towards their player, a suggestion which was vehemently denied by McLeod (Pearson 2020). The commissioner acknowledged that the counter-complaint made by RDC could not be proven but refused to strongly punish the RDC player because it was seen as too harsh for the event that occurred (Pearson 2020). McLeod, in a Tweet after the decision, stated that the decision by the commissioner “brushed [the situation] under the rug,” since the RDC player was not suspended for the incident (Pearson 2020). Though twenty-one years apart, both incidents demonstrate the presence of anti-Indigenous discrimination in hockey. In neither incident was appropriate action taken towards those who made the racial slur. Even with the media attention it was given in 2020, the Alberta Colleges Athletic Conference was still able to hide behind the changed story and blame both individuals. Similarly, both incidents required the Indigenous players to carry the burden of responding to these events: in 1999 the players engaged in on-ice violence as a response, while in 2020 both on-ice violence and social media were used. Both incidents led to important questions being asked regarding anti-discrimination policies and procedures in hockey. For instance, who determines if an incident is discriminatory? Is it a committee with a diverse membership? One individual? What lived experiences do these individuals require to determine whether an incident is discriminatory? In other words, what sorts of practices are used to evaluate discrimination? Current anti-discrimination policies governing minor hockey associations in Alberta do not directly address these questions.

## Sport Policy in Canada

Given the long history of anti-Indigenous sentiment in hockey and contemporary experiences of anti-Indigenous discrimination, there is a pressing need to develop meaningful policies and procedures to address these incidents. In this section, I will address some of the current policies in hockey and Indigenous sport in Canada and demonstrate how they address the issue of discrimination in sport.

*Sport Canada's Policy of Aboriginal Participation in Sport* (Canadian Heritage 2005) was an important step forward for Indigenous sport in Canada (Paraschak 2013, 18). This policy marked the first time Sport Canada and Canadian Heritage publicly acknowledged the presence of Indigenous sport in Canada, which opened the door for funding from Sport Canada (Paraschak 2013, 118). Cultural insensitivity and racism were identified as two barriers that Indigenous athletes encounter, but there are no policy statements that reference these forms of violence (Canadian Heritage 2005).<sup>70</sup> The policy's effectiveness has also been critiqued. For example, Forsyth and Paraschak (2013) argued that since it is not a federal policy, there were no "horizontal" discussions between federal departments on how to address these complex issues, including racism (275).<sup>71</sup> Although it was promised, there has been no action plan released by Canadian Heritage regarding the implementation of these policy statements (Forsyth and Paraschak 2013, 287). *Sport Canada's Policy on Aboriginal Participation in Sport* was an important step in acknowledging Indigenous sport, but it fell short of having any meaningful impact on sport policy.

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<sup>70</sup> Despite racism being identified within this policy and within the discussions Canadian Heritage had with First Nations individuals, there has yet to be a step forward towards a more robust and effective anti-Indigenous discrimination policy.

<sup>71</sup> As a departmental policy, *Sport Canada's Policy of Aboriginal Participation in Sport* can be used to develop "vertical relationships within" Canadian Heritage; however, it cannot be used to develop "horizontal relationships" between departments (Forsyth and Paraschak 2013, 274-275).



In May 2008, Hockey Canada released their policy on bullying, harassment, and abuse. This policy was not required to be upheld by each hockey association in Canada; instead, Hockey Canada called upon Canadian hockey associations to adopt a similar policy (“Bullying, Harassment, and Abuse” 2008). This policy, which has not been updated since May 2008, does not directly acknowledge anti-Indigenous discrimination, nor does it outline a clear procedure for addressing any incidents of discrimination (“Bullying, Harassment, and Abuse” 2008).<sup>72</sup> It also neglects to identify a governing body or committee to ensure a response to discrimination (“Bullying, Harassment, and Abuse” 2008). In addition to their policies, Hockey Canada has required parents and coaches of minor hockey league players and teams to complete a course, Respect in Sport, on harassment and discrimination in sport (“Answers to Questions Frequently Asked by Hockey Parents” n.d.).<sup>73</sup> The effectiveness of these programs and the code of ethics statement that many leagues require coaches, parents, and players to sign has been questioned by Indigenous athletes and their families, who argue that they do not do enough to prevent these incidents (Deer 2020). The creation of policies directly related to Indigenous sport and discrimination was an important step forward, but there are still gaps that need to be addressed.

Over the last five years, there have been two papers that have addressed current policy gaps and have called for changes to be made in mainstream sport, including Hockey Canada. The *Final Report of the Truth and Reconciliation Commission* was released in 2015. Alongside the report on the Indian Residential School System, the Truth and Reconciliation Commission also developed 94 Calls to Action (Truth and Reconciliation Commission of Canada, 2015c). Of the 94 Calls to Action, five are specific to sport and Call to Action #90 calls for anti-racism training

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<sup>72</sup> Their policies have not been updated to include the Calls to Action #87-91 in the *Final Report of the Truth and Reconciliation Commission*.

<sup>73</sup> It is not immediately clear, either in the course trailers or in the description, if there is an anti-racism or anti-discrimination component to the course.

(Truth and Reconciliation Commission of Canada, 2015c, 10). The *Policy Paper for Anti-Racism in Canadian Hockey* followed in 2020 (Szto, McKegney, Auksi, and Dawson 2020). The paper was created in collaboration with the Indigenous Hockey Research Network and many of the contributors to *Hockey in Society*. Through discussions and consultations with players, fans, and coaches, the paper advocates for several calls to action. Calls to Action 2-4 address the need for appropriate, in-person anti-racism training and the implementation of meaningful anti-racism policy (Szto, McKegney, Auksi, and Dawson 2020, 2). It also calls upon Hockey Canada to develop a committee to ensure that appropriate action is taken as a response to these incidents. In June 2020, the paper's authors held a forum to discuss the calls to action with over 200 individuals in attendance. No one from Hockey Canada attended this meeting. However, since then, there have been consultations with the paper's authors and representatives from Hockey Canada. However, there has been no adjustments to any of Hockey Canada's policies and procedures, nor have they publicly responded to the paper. Despite several requests throughout 2019 and 2020, Hockey Canada did not attend the original policy discussion or participate in a June 29, 2020 Zoom meeting attended by over 200 people to discuss the calls to action (see Ahmed 2020a; Hockey Conference 2020; Hardev 2020). However, meetings between Hockey Canada and the policy paper authors have since begun, privately, in July 2020.

There are gaps in the anti-racism and anti-discrimination policies that are used in minor hockey in Canada. However, both the *Final Report of the Truth and Reconciliation Commission* and the *Policy Paper for Anti-Racism in Canadian Hockey* call for more appropriate and effective action to be taken to educate individuals on discrimination and address these incidents. My research is one way to engage with these policy papers and draws attention to the ineffectiveness of current anti-discrimination policy discourse.

## Conclusion

Hockey is not experienced the same way by every player, fan, or coach. For Indigenous peoples, hockey has been weaponized as an assimilative tool and continues to be shaped by patriarchal and white logics. For example, The *Indian Act* set the legislative stage for a legal and discursive divide between Indigenous peoples and white Canadians based on racialized and gendered logics (Cannon 2019; Eberts 2010; Kelm and Smith 2018; Palmetter 2011). To understand the contemporary experiences of Indigenous youth, it is necessary to understand the historic context that has shaped the contemporary power structures within hockey.

The Indian Residential School System used sport, particularly hockey, to enforce these patriarchal and white ideals. Indigenous youth were banned from playing their own cultural games and sports (Truth and Reconciliation of Canada, 2015a). Starting in the 1950s, hockey became an increasingly important component of residential school curriculum because Indian Affairs officials believed it would support the youth's integration into public schools and would teach them to be "good Canadian [citizens]" (Te Hiwi 2015, 17; see also Forsyth and Giles 2013; Forsyth and Heine 2017; Habkirk and Forsyth 2016; Te Hiwi and Forsyth 2017; Truth and Reconciliation of Canada 2015b). For the players, these games and tournaments were an opportunity to leave the residential school and receive better accommodations and meals (Forsyth 2007; Te Hiwi and Forsyth 2017). The power relations historically formed through hockey have continued to shape experiences in contemporary, mainstream hockey.

Hockey continues to be a primarily white and masculine sport. However, hockey has become an increasingly significant component of Indigenous communities' sport and recreation. Indigenous teams participate in competitive and community tournaments across Canada, which incorporate cultural elements and activities (Robidoux 2012). These tournaments are an

opportunity to connect with other community members, and to honour those who have passed (Robidoux 2012).

It is when Indigenous hockey players and teams join primarily white teams or participate in mainstream hockey leagues and tournaments that they encounter anti-Indigenous discrimination. As demonstrated by the 1999 incident involving the Saddle Lake Warriors and the 2020 incident involving SAIT, the responsibility of dealing with those acts of anti-Indigenous discrimination is left to the Indigenous players (see also Marks 2008 and Tootoo and Brunt 2014). There is a clear absence of effective and meaningful policy to handle anti-Indigenous discrimination. Because of this, hockey leadership across Canada has failed Indigenous hockey players.

My research falls at the crux of this issue by critically evaluating the discourse in anti-discrimination policies based on the historical and contemporary contexts in which they are produced. I am interested in critically evaluating the language used in these policies and the power relations that support them. By reviewing policies of regional hockey leagues, I am able to consider how the policies of the larger governing bodies, Hockey Canada and Hockey Alberta, are translated into the regional level. My research will add to the current body of research on Indigenous hockey and build on the work done in the *Policy Paper for Anti-Racism in Canadian Hockey* (see Szto, McKegney, Auksi, and Dawson 2020).

## **Chapter Four: Policy and Procedures Description**

Policies are not neutral or objective statements. All organizations have a responsibility to create anti-racist policies (see Kendi 2019 for a full discussion). In Canada, there are three primary organization levels that govern hockey: national, provincial, and local. Hockey Canada is the national governing body and oversees the national, competitive hockey program (such as Team Canada at the World Junior Championship or Olympic Winter Games) (“Mandate & Mission - Who is Hockey Canada?” n.d.). In Alberta, the provincial governing body, Hockey Alberta, oversees amateur hockey and represents Alberta on various committees at the national level (“About Hockey Alberta” n.d.). Local associations oversee day-to-day operations, including ice time and game schedules. All local associations within Alberta must abide by Hockey Alberta’s rules and policies.

In this chapter, I will describe the policies and procedures of Hockey Canada, Hockey Alberta, and the five local minor hockey associations in Edmonton and the surrounding area. Chapter 6 will focus on the analysis of these policies. I have organized this chapter to flow from the national governing body to the provincial and local minor hockey associations. This was done to demonstrate how Hockey Canada’s policies and procedures are interpreted and applied at the provincial and local levels. In order to understand how these local associations have conceptualized discrimination, it is important to understand the national and provincial policies that guide them. For Hockey Canada and Hockey Alberta, I have organized the sections to include their guidelines for disciplinary procedures and their anti-discrimination policies. For the local organizations, the majority of them have much shorter procedures and policies and, as a result, each of their sections reflects this reality.

## **National Governing Body: Hockey Canada**

### **Disciplinary Guidelines**

Hockey Canada's disciplinary guidelines were adapted from a procedural manual created by Human Resource Specialists from the Government of the Northwest Territories and adapted to fit within the governance structures and role of Hockey Canada. Their guidelines, *Hockey Canada Investigation Guidelines for Branches and Minor Hockey Associations*, were created as "recommendations" for regional and local associations ("Hockey Canada Investigation Guidelines for Branches and Minor Hockey Associations" n.d., ii). Hockey Canada does not usually participate in disciplinary investigations at the local and provincial level.

Hockey Canada's investigative guidelines are informed by five investigation principles: due process, standard of proof, corroboration of events, credibility, hearsay, and reasonableness ("Hockey Canada Investigation Guidelines for Branches and Minor Hockey Associations" n.d., 6). Of note, under "Due Process," Hockey Canada suggests that the respondent is provided information about who the complainant is, details on the allegation, all of the evidence gathered, and the source of the evidentiary information ("Hockey Canada Investigation Guidelines for Branches and Minor Hockey Associations" 6, 10). The final principle, "Reasonableness," requires associations to determine if a "reasonable person would have known or ought to have known it to be offensive and unwelcome" ("Hockey Canada Investigation Guidelines for Branches and Minor Hockey Associations" n.d., 6). This evokes a question of how intention should be factored into the decision on the severity and type of sanctions. There is no further information provided as to what the test for a "reasonable person" would be, which suggests that it is subjective and does not have a consistent definition between associations.

As for the actual investigative process, Hockey Canada suggests that associations assign one or two individuals to investigate the complaint after it is reviewed by the minor hockey

association and deemed to be legitimate (“Hockey Canada Investigation Guidelines for Branches and Minor Hockey Associations” n.d., ii, 8). Investigator(s) “must be far removed from the hockey hierarchy of parties involved” (“Hockey Canada Investigation Guidelines for Branches and Minor Hockey Associations” n.d., 12). They also list awareness of “cultural diversity” as a criterion for selecting the investigator(s) (“Hockey Canada Investigation Guidelines for Branches and Minor Hockey Associations” n.d., 14).

During the investigative process, the investigator has a few responsibilities to fulfill before the investigation is complete. One of the first steps is to interview the complainant, respondent, and witnesses (“Hockey Canada Investigation Guidelines for Branches and Minor Hockey Associations” n.d., 8, 24-38). The investigators are also expected to visit the site where the incident occurred (“Hockey Canada Investigation Guidelines for Branches and Minor Hockey Associations” n.d., 21). After the investigation is complete, the investigator(s) then detail their process, interviews, and findings in a report given to the minor hockey association (“Hockey Canada Investigation Guidelines for Branches and Minor Hockey Associations” n.d., 40). It is then up to the local association to determine if any sanctions will be imposed (“Hockey Canada Investigation Guidelines for Branches and Minor Hockey Associations” n.d., 20). It is not entirely clear who Hockey Canada suggests ought to make this decision within the local association nor are there recommendations for what would be appropriate.<sup>74</sup>

### Bullying, Harassment, and Abuse Policy

Hockey Canada’s discrimination policy falls within their “Bullying, Harassment, and Abuse Policy.” Although discrimination does not explicitly appear within the abuse policy, I have chosen to include it because Hockey Canada acknowledges that sometimes bullying and

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<sup>74</sup> Appendix D references a Decision Committee as the decision-makers regarding sanctions.

harassment can also be abusive. Between the three policies, Hockey Canada believes that they have addressed the spectrum of problematic and harmful behaviours (“Bullying, Harassment, and Abuse Policy” 2008). The policy reveals that Hockey Canada is less concerned with the specific categorization of these behaviours and more concerned that the policy captures all harmful behaviours (e.g.: bullying, harassment, and discrimination).

Hockey Canada has a zero-tolerance policy for abuse, bullying, and harassment (“Bullying, Harassment, and Abuse Policy” 2008). There is an expectation that every individual involved in hockey will “take all reasonable steps” to keep players safe (“Bullying, Harassment, and Abuse Policy” 2008). Some examples of this include responding quickly and informally to “minor incidents” and following the appropriate guidelines for significant incidents (“Bullying, Harassment, and Abuse Policy” 2008). As well, Hockey Canada states that players should “refrain” from bullying and harassing others (“Bullying, Harassment, and Abuse Policy” 2008). However, that is as far as Hockey Canada goes to provide actionable steps that can be taken to prevent discrimination or to respond to it. Much like the *Hockey Canada Investigation Guidelines for Branches and Minor Hockey Associations*, Hockey Canada places the responsibility of creating a bullying and harassment policy on the provincial and local associations (“Bullying, Harassment, and Abuse Policy” 2008).

Harassment and bullying are categorized together within Hockey Canada’s policy. Under their statement of purpose within this portion, Hockey Canada states that they are “committed to providing... [an] environment which promotes equal opportunities and prohibits discriminatory practices and bullying” (“Bullying, Harassment, and Abuse Policy” 2008). Further, Hockey Canada states that it recognizes the “importance of eliminating harassment and bullying... in ensuring [player’s] safety” when playing hockey (“Bullying, Harassment, and Abuse Policy”



2008). As part of this, Hockey Canada vows “to promote awareness” of bullying and harassment in hockey (“Bullying, Harassment, and Abuse Policy” 2008). The policy does not state what this has or could look like.

Hockey Canada (“Bullying, Harassment, and Abuse Policy” 2008) defines harassment in the following terms:

“conduct, gestures or comments which are insulting, intimidating, humiliating, hurtful, malicious, degrading or otherwise offensive to an individual or group of individuals, and which create a hostile or intimidating environment for work or sports activities, or which negatively affect performance or work conditions”

Hockey Canada recognizes harassment as a human rights issue because the comments, conduct or gestures are about one of the protected grounds of human rights (“Bullying, Harassment, and Abuse Policy” 2008).<sup>75</sup> Whereas, bullying “involves a person expressing their power through the humiliation of another person” (“Bullying, Harassment, and Abuse Policy” 2008). Bullying behaviours are described as “cruel, demeaning and hostile” (“Bullying, Harassment, and Abuse Policy” 2008). There is some overlap between the two; however, Hockey Canada distinguishes them by stating that bullying, unlike harassment, is not included in human rights legislation (“Bullying, Harassment, and Abuse Policy” 2008). However, on a different webpage, Hockey Canada includes racial bullying as one of the subtypes of bullying (“Learn the Definitions for Types of Bullying,” n.d.). Finally, within their bullying and harassment policy, Hockey Canada acknowledges that there can be incidents where the behaviours fall under the bullying or harassment definition, but “breach[es] human rights or appropriate relationship/conduct boundaries... when a child or youth’s protection is at risk” leading it to be categorized as abuse

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<sup>75</sup> This includes race, gender, or religion.

(“Bullying, Harassment, and Abuse Policy” 2008). Hockey Canada (“Bullying, Harassment, and Abuse Policy” 2008) defines abuse as “any form of physical, emotional, and/or sexual mistreatment or lack of care which causes physical injury or emotional damage to a child.” In an instance of abuse, those aware of the abuse have a duty to report it to the relevant association members and the authorities (“Bullying, Harassment, and Abuse Policy” 2008).

Finally, Hockey Canada addresses the response or punishment to bullying and harassment. They reiterate the negative impact that bullying and harassment has on individuals, teams, and the overall experience of the sport (“Bullying, Harassment, and Abuse Policy” 2008). In saying this, Hockey Canada states that not all incidents should be treated or sanctioned in the same way because both bullying and harassment occur on a spectrum (“Bullying, Harassment, and Abuse Policy” 2008). More specifically, Hockey Canada advises that there cannot be a “summary justice or hasty punishment” as a response (“Bullying, Harassment, and Abuse Policy” 2008). As a result, less serious incidents should be dealt with informally and more serious ones should be handled using the relevant policies from the local or provincial hockey association (“Bullying, Harassment, and Abuse Policy” 2008). Hockey Canada does not define or give examples of what minor and serious incidents would be.

Although Hockey Canada goes to great lengths to describe an effective and objective investigative policy, provincial and local associations are not required to follow those procedures. They are also not required to adopt Hockey Canada’s definition of bullying and harassment nor implement the same processes to react to incidents.

## **Provincial Governing Body: Hockey Alberta**

### **Disciplinary Procedures Guidelines**

Like Hockey Canada, Hockey Alberta has little-to-no role in the investigative process at the local level (“Guide to Effective Conduct Management” 2016). Hockey Alberta will only become involved if there has been a procedural error or if the decision has violated the complainant’s rights under the Charter of Rights and Freedoms (“Guide to Effective Conduct Management” 2016). As a result, their procedures are only guidelines for the Local Minor Hockey Association (LMHA) to follow when developing their own investigative procedures (“Guide to Effective Conduct Management” 2016).

Hockey Alberta identified six components to an effective and transparent investigation: Acknowledgement; Investigation; Due Process- Right to Notice; Right to Defend; Sanctions, Due Process - Right to Appeal; and Document Retention. “Acknowledgement” ensures that LMHA acknowledges receiving the complaint from the complainant regardless if a decision has been made to investigate it (“Guide to Effective Conduct Management” 2016). If the Board of Directors determines that the complaint should be investigated, the process followed is similar to Hockey Canada (“Guide to Effective Conduct Management” 2016). Hockey Alberta outlines a similar process to Hockey Canada. For example, both suggest that the investigator be someone independent of the situation and interviews are conducted with those involved (“Guide to Effective Conduct Management” 2016). The third component, “Due Process - Right to Notice, Right to Defend,” outlines the rights of the respondent and the process following the investigation. Hockey Alberta suggests limiting the amount of information that is given to the respondent. For example, Hockey Alberta advises that the respondent is not told who the complainant is nor are they given any of the evidence (“Guide to Effective Conduct Management” 2016). Once the investigation is complete and the report has been submitted,

Hockey Alberta suggests that the LMHA organize a Decision Committee made up of independent individuals to assess the claim (“Guide to Effective Conduct Management” 2016). Hockey Alberta believes that sanctions should either educate or improve the respondent’s behaviour (“Guide to Effective Conduct Management” 2016). The overall goal with any type of sanction is to “challenge the individual... [and] provide the opportunity to re-emerge to the environment” (“Guide to Effective Conduct Management” 2016, 7). The fifth component, “Due Process - The Right to Appeal” outlines the three instances where the respondent could initiate an appeal: flawed investigative procedures, unheard facts, and/or a conflict of interest involving the investigator or Decision Committee member(s) (“Guide to Effective Conduct Management” 2016). All appeals must go through the Appeal Committee, which is composed of 3 or 5 individuals who did not participate in the original process and are independent of the situation (“Guide to Effective Conduct Management,” 2016). The final step is to ensure that all documentation is retained and safely stored following the conclusion of the process.

#### Bullying, Harassment, and Abuse Policy

Much like Hockey Canada, Hockey Alberta groups their policies together so that bullying and harassment are considered together. Hockey Alberta states that any abuse, harassment, or bullying is “unacceptable” (“Abuse, Harassment, Bullying” n.d.). Their policy also states the role players, coaches, parents, and other staff have in creating a safe and inclusive environment (“Abuse, Harassment, Bullying” n.d.).

In comparison to Hockey Canada, Hockey Alberta has a more expansive definition of harassment and bullying. Hockey Alberta describes harassment as a “human rights violation” and can include multiple or one-time incidents (“Abuse, Harassment, Bullying” n.d.). Harassment occurs “when someone attempts to negatively control, influence, or embarrass

another person or group based on a prohibited ground of discrimination” (“Abuse, Harassment, Bullying” n.d.). Uniquely, Hockey Alberta acknowledges the challenges associated with handling harassment, mainly because harassment can be seen as a joke (“Abuse, Harassment, Bullying” n.d.). Their policy also identifies the importance of the “impact of the behavior on the victim... not the intention of the person who harasses” (“Abuse, Harassment, Bullying” n.d.).<sup>76</sup> Further, they categorize “racial harassment (racism)” as a type of harassment within their definition (“Dealing with Harassment” n.d.). Some examples of racial harassment are racialized remarks, jokes or criticism of one’s accent, beliefs, culture, or clothing (“Dealing with Harassment” n.d.). Hockey Alberta also outlines how to identify harassment and what to do if it is occurring (“Dealing with Harassment” n.d.).

The definition of bullying is also expanded to include that bullying is often a one-time event (“Dealing with Bullying” n.d.). Similar to Hockey Canada, Hockey Alberta acknowledges that an “observed or perceived power imbalance” often leads to bullying (“Dealing with Bullying” n.d.). Hockey Alberta’s definition of bullying contains verbal and cyberbullying as two of the subtypes, which can include name-calling or sending threatening emails (“Dealing with Bullying” n.d.). Hockey Alberta also includes guidelines on identifying bullying and how to deal with it if one suspects it is occurring.

Finally, Hockey Alberta requires the LMHA to include the following five components when creating their own policies:

1. A statement of purpose, scope, and application of the policy.
2. A statement of standard of behaviour which is expected, and of unacceptable behaviour.

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<sup>76</sup> This is in contrast with Hockey Canada’s perspective on the role intent when determining sanctions.

3. A description of the procedures for reviewing complaints when the standards of behavior are breached
4. A guideline for imposing disciplinary sanctions in the event there is a finding of harassment or abuse against an individual.
5. An appeal mechanism to provide recourse to an individual who is not satisfied with the outcome of the dispute (“Creating a Policy,” n.d.).

Hockey Alberta suggests that LMHA integrate their Abuse, Harassment, and Bullying policies into their conduct policies and procedures or have an independent policy dedicated to it (“Creating a Policy” n.d.). In the instance that a LMHA chooses to integrate the Abuse, Bullying, and Harassment policy into a current policy, they are required to incorporate the language used in Hockey Alberta’s policy (“Creating a Policy” n.d.). Hockey Alberta does not indicate if the local association must go through an approval process of their policy at the provincial level.

### **Local Minor Hockey Associations**

Allegations of discriminatory incidents must be first reported to the appropriate LMHA. Each local association, as we will see below, has their own process for addressing and handling these incidents. Incidents are only brought to Hockey Alberta if the individuals involved feel there was a flawed process undertaken by the local organization. It is not addressed which, if any, situations would allow for an incident to be brought to Hockey Canada’s attention.

### **Edmonton Minor Hockey Association**

The Edmonton Minor Hockey Association (known as Hockey Edmonton) oversees hockey programming in the City of Edmonton for players between the age of 5 and 20 (“For the Good of the Game” n.d.). They control their policies and oversee the conduct and disciplinary processes within their association (“For the Good of the Game” n.d.). Hockey Edmonton is the

only governing and administrative body for hockey in the City of Edmonton (“For the Good of the Game” n.d.).

Their conduct policy is located within their Operating Directives. Each player, coach, and parent must read and sign the association’s Fair Play Pledge, which was developed out of Hockey Edmonton’s For the Good of the Game Program and based on the course, Respect the Sport (“Operating Directives” 2019, 69; “For the Good of the Game,” n.d.).<sup>77</sup> None of the three pledges mention harassment, bullying, or discrimination; however, the parents pledge includes a vow to “remove verbal... abuse from children’s hockey games” (“Fair Play Pledges” n.d.). The players’ pledge focuses on demonstrating “respect” and upholding the “spirit of the game” (“Fair Play Pledges” n.d.). Coaches, in their pledge, are not held accountable to quickly respond to acts of discrimination (“Fair Play Pledges” n.d.). This is also not recognized in the parents’ pledges. Hockey Canada and Hockey Alberta both call upon parents and coaches to handle and report incidents of discrimination, but this is not included in Hockey Edmonton’s Fair Play Pledge.

Once an incident has been reported to Hockey Edmonton, the policies do not address what process the association follows afterwards. Their procedures focus more on the sanctions placed. Hockey Edmonton has a list of minimum suspensions that must be implemented following an incident (“Operating Directives” 2019, 69-70). The minimum suspensions list includes discriminatory conduct (categorized under “unbecoming conduct”) and verbal abuse (categorized under “abuse”) (“Operating Directives” 2019, 71). Both result in a suspension of either 4 weeks or 4 games, whichever is longer. As well, the respondent may be required to complete the Respect in Sport course. Much of the disciplinary action listed focuses on negative

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<sup>77</sup> It is not entirely clear or known what the curriculum of Respect the Sport course is because it is only available to parents and coaches involved in minor hockey. A review of their website and preview videos did not result in any conclusion about the inclusion of discrimination in the curriculum.

punishment - taking the game away from the player. Within the RESPECT the GAME policy, the Hockey Edmonton president also has the power to immediately suspend a player, coach, fan, or staff member because of “conduct unbecoming or detrimental to the game” (“Operating Directives” 2019, 72). This suspension is immediate and continues until the Discipline Committee hears the matter.

Hockey Edmonton has their bullying and harassment policy separate from their RESPECT the GAME policy. Their version of this policy is nearly identical to Hockey Alberta’s and follows the same definition of harassment and bullying; a no-tolerance policy; and expectations of how minor incidents should be handled (“Operating Directives” 2019, 73). Hockey Edmonton pledges to “use the workshops, resource materials and branch and association initiatives of Hockey Canada’s Respect in Sport program” as an educational tool for players, parents, and coaches (“Operating Directives” 2019, 73). Given the use of hockey in residential schools and the contemporary exclusion of players, what does it mean to “respect the game” when the game does not respect Indigenous peoples? This is the only association that identifies the use of education as a way to prevent discrimination and not just as a sanction.

### **Sherwood Park Minor Hockey Association**

Sherwood Park Minor Hockey Association (SPMHA) recently updated their Conduct Policy for off-ice conduct. Their policy states that the “SPMHA ascribes to the principles of integrity, conduct, [and] diversity” (“SPMHA Conduct Policy” n.d.). Their framework for the conduct policy includes “respect for all” and “caring attitudes.” The Athletes’, Parents’ and Coaches code of conduct echoes these sentiments by stating that all must be “treat[ed] fairly... regardless of sex, gender, [and] colour.” (“Athletes’ Code of Conduct” n.d.; “Coaches Code of Conduct” n.d.; “Parent/Spectator Code of Conduct.” n.d.). None of the three codes of conduct



state a duty to report incidents of discrimination or taking an active role in responding and mitigating discrimination in hockey.

Once an incident has occurred, the SPMHA states that they would like to see the parties involved deal with the conflict between themselves (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.). This preference towards party resolution would not prevent someone in “authority from taking immediate, informal [and] appropriate action” (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.). After that, an infraction will be handled informally or formally. Informal complaints are filed through their website and are supposed to be used when there are “minor” (e.g.: is not as serious as bullying or harassment) infractions against the code of conduct (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.). When an informal complaint is made, the SPMHA sends a letter to the individual that the complaint was about informing them that a complaint was made and suggesting next steps to resolve the situation (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.). The identity of the individual who submitted the complaint is anonymous. The informal process can be skipped if it is deemed that an incident was illegal or if it is a “serious” infraction of the Code of Conduct (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.).

The other option for a complaint is through a formal complaint. These complaints are not anonymous (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.). Formal complaints can be minor or major infractions. A minor infraction involves an incident that does not meet the standard of bullying or harassment, but has infringed on the Code of Conduct (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.). A major infraction would be more serious and could include “racial, homophobic, or other discriminatory slurs or conduct” (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.). Once a formal complaint is

filed, a Discipline Liaison Member (DLM) reviews the complaint to determine if it would be categorized as a “minor” or “major” infraction (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.). Depending on the decision made by the DLM, the complaint may be subject to a different process.

For a minor infraction, the DLM will request that the party who did not file a complaint write a response to what was received. If there are no facts at issue, then the DLM will decide how to move forward based on the information given (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.). If there are facts at issue or there appears to be a reason to do so, the DLM will convene the Discipline Committee (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.). For a minor infraction, the DLM has the power to discipline the individual in the following ways: (1) written reprimand to be included in their personal file for 3 years; (2) request that the party “refrains” from that conduct again; (3) completing *Respect in Sport* again or another course; (4) requiring an apology; and (5) (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.). The steps or powers of the DLM vary slightly when the infraction is a serious one. Regardless of whether there are facts at issue, the Discipline Committee is always convened, and the punishment is determined by the committee after their meeting regarding the issue (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.). The Discipline Committee has three members: the division director for the parties involved, the junior/senior vice president for the division, and one member of the SPMHA board as appointed by the DLM. If there is a conflict of interest, the DLM has the authority to replace one of the members (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.). The options for disciplinary action given to the Discipline Committee are expanded upon. In addition to the five options for the minor infractions, the Discipline Committee can also pursue the following: (1)

suspend the individual from participating in any specific SPMHA activities or all SPMHA activities; and (2) expulsion from the SPMHA or a combination of 2+ options (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.). However, after reviewing the documentation, the Discipline Committee can also determine that a matter should be handled informally (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.).

Once the Discipline Committee has made their decision, there is also the option to Appeal their decision. Once a request for an appeal has been submitted, the individual appealing the decision must also submit a \$400.00 non-refundable fee to have the appeal heard (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.). The Appeal Committee is made up of SPMHA’s president, the Sherwood Park King’s Athletic Club’s (SPKAC) president or a representative from the SPKAC, and a vice-president from the SPMHA or another representative of SPMHA (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.). Unlike the Discipline Committee, there is no in-person hearing and all decisions and defenses are submitted in writing. Once an appeal has been reviewed by the Appeal Committee, the Committee’s decision can be one of the following: (1) Send the matter back to the Discipline Committee to be re-heard; (2) determine their own disciplinary action; and (3) uphold the original decision (“SPMHA Conduct Review, Reporting, & Resolution Process” n.d.). The SPMHA does not state whether the decision at the Appeal Committee is final.

### **Strathcona Minor Hockey Association**

The Strathcona Minor Hockey Association (SMHA) oversees programming for over 650 hockey players across all levels. It recently changed its logo from a stereotypical Indian head (one similar to the Chicago Blackhawks of the National Hockey League) to be a W with Strathcona written across.

Unlike other local associations, the SMHA integrated their Code of Ethics into their policy statement. Their policy explicitly states that a violation of the Code of Ethics will initiate a disciplinary process (“Policy and Procedures” n.d., 15). The Code of Ethics for the Executive Committee, parents, players, and coaches do not directly address discrimination, harassment, and bullying (“Policy and Procedures” n.d., 15).<sup>78</sup> For example, players must not use “foul language” and members of the executive committee must vow to “fulfill the duties and obligations” of their role (“Policy and Procedures” n.d., 15-16). Interestingly, the player’s, parent’s, and executive committee’s Code of Ethics all use gender neutral language; however, the coaches’ code uses masculine pronouns when referring to the coach (“Policy and Procedures” n.d., 17).

The SMHA’s disciplinary procedure outlines a clear process for handling complaints. Under SMHA’s disciplinary procedures, coaches are required to report any incidents that occur during a game or tournament that may lead to a suspension. The two types of incidents that would require a coach to submit a report are the use of profanity and behaviours that “discredit the team and SMHA” (“Policy and Procedures” n.d., 17). The SMHA has three stages in their disciplinary process. The first stage for most complaints is the informal stage.<sup>79</sup> At the informal stage, the sanctions are either game suspensions or a verbal reprimand (“Policy and Procedures” n.d., 20). If the complainant does not feel the issue was handled appropriately in stage one, they can appeal and initiate stage two, the formal process. Stage two involves the creation of a Disciplinary Committee, which consists of the director of that age group, the Vice-President of Administration, and a member of the Board of Directors (“Policy and Procedures” n.d., 20).<sup>80</sup> At

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<sup>78</sup> Strathcona Minor Hockey Association was the only organization to have made the Code of Conduct/Ethics for the leadership team publicly available.

<sup>79</sup> If this is the second complaint brought forward against someone, then the complaint goes directly to stage two.

<sup>80</sup> Depending on the association, each age group may be assigned a director or someone that oversees and manages teams at that age level. This person is also typically involved in the leadership of the LMHA.

this stage, the options for sanctions expand. In addition to the sanctions available in stage one, respondents can also be expelled, receive a written reprimand, or a combination of the four sanctions (“Policy and Procedures” n.d., 19). There does not appear to be an educational component to the sanctions. Finally, the respondent can appeal the decision made at stage two and initiate stage 3, “Appeal of the Formal Process” (“Policy and Procedures” n.d., 21). Respondents are required to pay a \$50.00 fee to initiate stage 3. The Appeal Committee must consist of new individuals, but they still include members of the association, Board of Directors, and Executive Committee (“Policy and Procedures” n.d., 21). The decision made in stage 3 is final.

### **St. Albert Minor Hockey Association**

Beginning in the 1980-1981 season, SAMHA became an independent organization that oversees hockey for the City of St. Albert. The SAMHA has a general code of conduct and specific Codes of Conduct for players, coaches/team officials, parents/fans, and social media use (“St. Albert Minor Hockey Policies, Procedures, and Operational Guidelines” 2019). In their general Code of Conduct, SAMHA outlines a no-tolerance policy for harassment, bullying, or inappropriate conduct and abuse (“St. Albert Minor Hockey Policies, Procedures, and Operational Guidelines” 2019). Within the four other Codes of Conduct, there is some reference to discrimination and harassment. For example, in their Code of Conduct, it is stated that players should “not make derogatory comments [about] race, ethnic origin, [and] color” (“St. Albert Minor Hockey Policies, Procedures, and Operational Guidelines” 2019). Similarly, the Code of Conduct for Social Media also references online harassment, gendered and racialized comments (“St. Albert Minor Hockey Policies, Procedures, and Operational Guidelines” 2019). However, the Code of Conduct for coaches/team officials focuses on respect and does not highlight the role

they play in handling and reporting discrimination (“St. Alberta Minor Hockey Policies, Procedures, and Operational Guidelines” 2019).

In section 4.5, SAMHA outline their response to abuse, harassment, and bullying (“St. Albert Minor Hockey Policies, Procedures, and Operational Guidelines” 2019). Their guidelines on the investigation and response closely mirror Hockey Alberta’s. SAMHA states that the response to abuse, harassment, and bullying must be “appropriate to the behaviour” and act as a “constructive remedy” (“St. Albert Minor Hockey Policies, Procedures, and Operational Guidelines” 2019). They also state that minor incidents are handled informally and quickly (“St. Albert Minor Hockey Policies, Procedures, and Operational Guidelines” 2019).

Section 6.1 of the SAMHA’s policies focuses on inclusion. Many of the same key points made in Hockey Alberta’s bullying and harassment policy are reiterated, including the no-tolerance policy (“St. Albert Minor Hockey Policies, Procedures, and Operating Guidelines” 2019). As well, SAMHA also commits to mandatory training on gender identity for coaches and association leadership (“St. Albert Minor Hockey Policies, Procedures, and Operational Guidelines” 2019). They also highlight the association’s commitment to handling instances of discrimination.

SAMHA has outlined a process for players and families to follow when they want to submit a complaint. All reports of incidents must begin with the coach and, if that is unsatisfactory, they move onto the Division Director (“St. Albert Minor Hockey Policies, Procedures, and Operational Guidelines” 2019, 47). The complaint can then be forwarded to the Vice-President of Administration (“St. Albert Minor Hockey Policies, Procedures, and Operational Guidelines” 2019, 47). The Vice-President of Administration will complete their own investigation on the matter and determine a sanction. Only after bringing the complaint

forward to the coach, Division Director, and Vice President of Administration can the complaint be submitted to the Discipline Committee. For a complaint to be heard by the Discipline Committee, the complainant must pay a non-refundable fee of \$200.00 (“St. Albert Minor Hockey Policies, Procedures, and Operating Guidelines” 2019, 47). The Discipline Committee is made up of individuals without any connection to the Board of Directors and their investigation must follow Hockey Alberta’s guidelines (“St. Albert Minor Hockey Policies, Procedures, and Operational Guidelines” 2019, 47-48). In the instance that either the complainant or the respondent would like to appeal the decision made by the Discipline Committee, they can initiate an appeal by submitting a non-refundable fee of \$500.00 along with their reasons for the appeal (“St. Albert Minor Hockey Policies, Procedures, and Operational Guidelines” 2019, 48-49). The decision made by the Appeals Committee is seen as final.

### **Spruce Grove Minor Hockey Association**

The Spruce Grove Minor Hockey Association (SGMHA) recently revised their policies in May 2020 and there are some portions of their policies and procedures that are incomplete, including their disciplinary procedures. The current version of their conduct and discipline policy states that any violation of their Codes of Conduct may result in disciplinary action (“Spruce Grove Minor Hockey Association Policies and Procedures Manual” 2020). None of the Codes of Conduct mention harassment, bullying, or discrimination.<sup>81</sup> The Player’s Code of Conduct references bullying in the context of “treat[ing] all players the way you want to be treated” and for players to “show some class” to others (“S.G.M.H.A. Player’s Code of Conduct”). In addition to their Codes of Conduct, SGMHA also has an anti-bullying policy that states that any act of

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<sup>81</sup> The Parent’s Code of Conduct references not abusing players, coaches, volunteers or referees (“S.G.M.H.A. Parents Code of Conduct”).

bullying (verbal or written) leads to an automatic suspension from play (“Spruce Grove Minor Hockey Association Policies and Procedures Manual” 2020). It was not clear when the revised disciplinary procedures would be made publicly available.

## **Conclusion**

It is clear, based on the language used and the processes outlined, that the local minor hockey associations take the lead from Hockey Canada and Hockey Alberta. Rarely, did the local association deviate from the provincial and national governing bodies. For example, St. Albert was the only local association with an explicit inclusion policy, which is not found at the provincial or federal level. Instead, the policies and procedures within the local associations follow the same discursive patterns and procedures as the provincial and national organizations. For example, each of the seven of the organizations reviewed did not have discrimination or racism as a separate category and, instead, categorized it under harassment. Further, all seven stated that they had a no-tolerance for harassment. Yet, many of the organizations did not have an external committee to review incidents of discrimination nor could their processes to submit a complaint be described as inexpensive and simple for players and their guardians. In the following chapter, I will explore how racial and patriarchal logics inform the ways in which discrimination policies and procedures are constructed.



## Chapter Five: Analysis

A clear and enforceable policy can outline pathways to address discriminatory incidents and provide steps for disciplining and potential remedies. Often, it takes a situation where there is an ineffective or gap in a policy for the importance of an enforceable policy to be acknowledged. Because of the ineffectiveness of current policies and procedures, the other player may feel empowered or validated in their behaviours.<sup>82</sup> Whereas the Indigenous player, fan and/or coach subjected to the discrimination is reminded of their exclusionary position at the rink and within society that they (re)experience on a daily basis (see McNamara 2000, 5-6; Paraschak 2013; Te Hiwi and Forsyth 2017, 83). An ineffective and inefficient process also means that these behaviours continue throughout the disciplinary process. For example, consider the situation where an opposing player taunts an Indigenous player, which is later reported. While going through the various disciplinary steps of the committee, the two teams play against each other again. This time, the opposing player or a teammate uses their anger about the situation and continues to taunt the Indigenous player, perhaps even more frequently; while the referees do nothing to mitigate the situation. Since an automatic suspension does not always follow an incident nor is it required, this sort of situation is not impossible.

In this chapter, I will argue that the policies and procedures produced by Hockey Canada, Hockey Alberta, and the five LMHA (re)produce power relations co-constitutive of patriarchal white sovereignty. They do so by discursively filtering racialized and gendered logics as a (re)organizing force to maintain hockey as a patriarchal white possession linked to Canadian

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<sup>82</sup> I write *may* for two reasons. Within the area of youth bullying, there has not been research on the impact of consequences on a bully's future behaviour (Rivara and Le Menestrel 2016). Second, some hockey players have talked, at length, about the role of chirping to gain a competitive edge over the other player (Marks, 2008). In fact, some of the Indigenous players interviewed by Marks (2008) even recognized that this was the goal for many players when they engaged in anti-Indigenous discrimination. As a result, it is *likely* that if a comment has that desired outcome that a player would likely repeat their actions in the future.

nationalism. I have organized this chapter into three sections moving from macro- to micro levels to provide a scale of analysis. In the first section, I analyze the discourse of hockey through its policies as an institution to create a hockey culture based on “respect.” My focus here is on how the discourse of the institution of hockey creates a culture based on complicity and silence when it comes to anti-Indigenous discrimination. The second section focuses on the use of a race-blind discourse among the policies. Here, I demonstrate the ways that the policies “acknowledge,” but do not “see” race and discrimination through the language used.<sup>83</sup> The final section focuses on the broader power relations, which operate at the rink and beyond when it comes to handling anti-Indigenous discrimination.

### **Hockey, the Institution**

As an institution, hockey discursively promotes a culture of silence and complicity when it comes to anti-Indigenous discrimination. There is an emphasis on those involved to “respect the sport” and the individuals involved are not the focus, despite the discrimination being directed towards them. Furthermore, the codes of conduct and policies themselves do not place responsibility on referees, coaches, and parents to actively work to address discrimination in the sport. This inattention to discrimination creates an environment where the norms of whiteness and masculinity continue to be (re)produced and Indigenous hockey players are left to deal with discrimination by potentially quitting the sport or responding violently on the ice (Marks 2008).<sup>84</sup> Within Canadian society, the institution of hockey has taken on a larger-than-life persona through the nationalistic and masculine discourse used to describe it and its role in Canada. This was evident during the Canada 150 Celebrations, where an article proclaimed that, “hockey still

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<sup>83</sup> Here, I am pulling language from Moreton-Robinson (2015).

<sup>84</sup> There is a need for more first-hand accounts of the experiences of Indigenous hockey players. At this time, Marks (2008) book is the most comprehensive resource.

defines [Canadians]” (Brunt 2017). The article is not accompanied by a single photo of a female hockey player, but there are several images celebrating male youth.

This theme continues within the anti-discrimination policies. Many of the pledges focus heavily on the need for individuals to “respect the game.” Within the pledges, which act as the standard of acceptable behaviour, there is rarely a mention of showing respect or acceptance towards other players, coaches, or parents. The language utilized by the associations vary between them. For example, the St. Albert Minor Hockey Association calls on its players to “not make a travesty of the game” (“Policies - 4.2 Code of Conduct” n.d.), whereas Hockey Edmonton asks players to play “in the spirit of the Game” (“For the Good of the Game” n.d.). This line is also repeated in Hockey Alberta’s Minimum Suspensions document (“Appendix “V” Minimum Suspensions” n.d.). I argue that this is an example of a subsection of power relations within broader society that work to maintain a particular hierarchy within society. These aspects of the policies discursively produce the hockey association being linked to the broader institution of hockey bigger than it actually is, which works to maintain certain power relations. This results in an environment where players are scared to critique or mobilize change within the institution of hockey, which refracts larger societal power dynamics to work within current systems.

This linkage between the institution of hockey and nationalism supports the (re)production of power relations constitutive of patriarchal white sovereignty as it maintains that current power relations, structures, and ideals of hockey. Any action or behaviour that does not align with the norm will not be accepted. Hockey culture works to contradict the discrimination/harassment policies that the governance organizations and LMHA have written. Furthermore, none of the pledges explicitly place a duty on players, parents, or coaches to report discrimination. However, Hockey Alberta does ask parents and coaches to take “reasonable”

efforts to deal with harassment and bullying. This implicit or explicit absence assists in ensuring that individuals “RESPECT” the institution by not speaking out or criticizing it. Interestingly, the Spruce Grove minor hockey association (“S.G.M.H.A. Volunteer’s Code of Conduct” n.d.) states the quiet part out loud in their code of conduct for volunteers:

Understand that even though you may not agree with all SGMHA policies or practices, as a representative of the organization, you have an obligation to publicly support them and at all times abide by them. If you do not agree with them, you can work within the system to have them changed... Work patiently for improvement... do not expect too much too quickly.

Although there may be language supporting a no-tolerance policy of abuse and harassment, this sort of discourse works to create a system of silence where Indigenous youth may feel uncomfortable reporting discriminatory behaviours and comments. Furthermore, this type of discourse may remind players of the exclusion of Indigenous players from hockey. Given the use of hockey in colonialism, this results in the following question: what does it mean to ask Indigenous peoples to respect an institution that (re)produces their exclusion and marginalization?

Patriarchal whiteness works within the discourse of the codes of conduct and policies to enlarge the game of hockey to an institution and works to normalize the current systems in place that are supposed to handle instances of anti-Indigenous discrimination. It reinforces the privileging of masculinity and whiteness and how they implicitly (and explicitly) exist within the realm of hockey. Given the critiques about hockey culture, the creation of a link between the players' behaviours and hockey does not lend itself to producing a safer environment for players,

coaches, and fans/parents.<sup>85</sup> Instead of discursively reproducing current structures and silence on anti-Indigenous discrimination, the policies and codes of conduct should focus on the responsibility each individual hold to one another. Only the Strathcona Minor Hockey Association's Code of Ethics references the need for equal discipline regardless of whether the player is the "star" or not ("Policies and Procedures Manual," 2020). The absence in the policies to require equivalent punishment to discrimination means that star players may get away with their discriminatory taunts simply because of their importance. At the professional level, there have been many examples where the "star" player's behaviour is ignored without any consequences.<sup>86</sup> Without policies and procedures that explicitly acknowledge the various dynamics and hierarchies in hockey, the sport will continue to (re)produce the same behaviours and experiences for Indigenous youth.

### **Race-Blind Discourse and Procedures**

None of the policies, pledges, definitions, or procedures specifically mention anti-Indigenous discrimination. Instead, the language focuses broadly on "colour," "race," "ethnic or national origin," "discrimination," or "derogatory comments." Each of these terms "see" race as understood by multiculturalism, but they do not acknowledge the colonial genealogy of anti-Indigenous discrimination nor the reality of the experiences of Indigenous hockey players. They also do not acknowledge the use of "race" or "colour" to describe patriarchal whiteness embodied through racial or gendered taunts and discrimination, which signifies a "selective

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<sup>85</sup> I write "can" to acknowledge the fact that hockey can be both great and awful for the players and their families.

<sup>86</sup> One notable example of this is Tony DeAngelo. Tony DeAngelo was suspended twice in junior hockey for racially taunting his own teammate (Kennedy 2021). He was still drafted and has been given several opportunities within the league, despite having interpersonal issues with teammates. Even after his most recent incident, where he tried to punch a teammate, the NY Post wrote a redemption article where DeAngelo and his teammate, Marc Staal refuted claims that DeAngelo was racist (Brooks 2021).

engagement” with difference (Moreton-Robinson 2015, 96). This discourse sees “difference,” but not enough to acknowledge and recognize the genealogy and impact of race and gender on the experiences of Indigenous hockey players. It (re)affirms the various power relations that can govern hockey.

Similarly, all the procedures do not have a separate investigative procedure for discrimination. As mentioned above, discrimination that is heard by the referee (and the referee decides to acknowledge it) can be given an automatic suspension.<sup>87</sup> In instances where the referee does not hear the taunt, the player (or their family) must put forward a complaint to the association. The one exception to this is St. Albert Minor Hockey Association, who asks players to go first to their coach and to two members of league leadership before filing a formal complaint. St. Albert Minor Hockey Association does not recognize the impact that this delay may have on an Indigenous hockey player, who may feel isolated and excluded by teammates and coaches.<sup>88</sup> Regardless, none of the leagues directly acknowledge the various social and power relations that an Indigenous youth may experience by reporting an incident of discrimination. Nor did the policy-creators recognize the difference between a disciplinary event involving racialized or misogynistic comments compared to one involving a player yelling at a referee. This is also absent from the majority of the league’s minimum suspensions list.<sup>89</sup> Some of the leagues, such as St. Albert Minor Hockey Association, list examples of potential disciplinary actions that a league could take. Again, there is no distinction for a discriminatory event, compared to another type of incident. Nor is there a standard of what a disciplinary

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<sup>87</sup> There is no automatic suspension for players once while the investigation process happens.

<sup>88</sup> St. Albert Minor Hockey Association also does not acknowledge what they would do in this situation, where a coach may be angered that a player is escalating a complaint and making them look bad for not handling it the way they should have. How are they ensuring that a player feels safe?

<sup>89</sup> Hockey Edmonton does list that any verbal discrimination as one of the offences that would lead to a minimum (but not automatic) suspension.

response should include in response to a discriminatory incident. Associations may argue the absence of a standardized list because not all incidents are equal. Therefore, a more minor incident should not be handled heavy-handedly. However, the issue is that the hockey associations do not provide guidance about what would be considered a minor or serious incident which ignores the impact that a minor incident could have on an Indigenous player and may erase the player's ability to receive a response. None of the LMHA's mention impact. However, they do comment on the other person's intent as a factor that should be considered. This leads to the question: who gets to decide whether a discriminatory incident is minor, serious, or worth investigating?

Moreton-Robinson (2015) argues that race-blind discourse does not just appear in the language of the policies, but also in the fact that these policies exist. Anti-discrimination policies can be used as evidence that there is no such discrimination problem because how can there be a discrimination problem when there is an anti-discrimination policy (Moreton-Robinson 2015, 95). Further, hockey cannot be discriminatory because there are Indigenous players playing and because there are Indigenous hockey players, the anti-discrimination policies must be working. If it was not working, Indigenous players would not continue to play.

To illustrate this impact, I want to summarize Leesa's story, which Moreton-Robinson describes as an example of white possession in the workplace.<sup>90</sup> Leesa was a new nurse in Australia who is Indigenous. Throughout her six-month nursing career, Leesa experienced consistent discriminatory behaviours and language from her coworkers. For example, when asking questions, as any new employee would, a white nurse questioned whether Leesa had the qualifications to be a nurse (Moreton-Robinson 2015, 100). These behaviours from her

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<sup>90</sup> Although Leesa's story exists within a workplace and challenges current internal employment regulations and laws, I still think it provides a parallel example to illustrate the cumulation of my three arguments.

coworkers were “normalize[d]” in her work environment and protected by her superiors (Moreton-Robinson 2015, 99). When brought to the attention of the leadership team, no one investigated her claims and, instead, she was demoted from completing nursing tasks to doing administrative tasks (Moreton-Robinson 2015, 103). Leesa, eventually, filed a complaint under Australia’s Racial Discrimination Act 1975; however, by then, it was too late as she no longer worked as a nurse. Moreton-Robinson does not provide information on the end-result of her complaint; however, Leesa’s story illustrates the stress that Indigenous peoples can feel daily by just existing within these patriarchal and white systems of power. It also illustrates how discrimination is normalized through colour-blind discourses and ineffective procedures. Leesa’s story illustrates a common situation: race blind discourse, non-existent procedures, and a race-blind leadership team. Underscoring this “storm” is the the colonial racial and gendered logics informing the various power dynamics preventing Lessa from receiving appropriate action on the discrimination she encountered. It is also important to consider who was involved in the creation of these policies and the fact that Indigenous peoples are often excluded from the policy creation process.

The impact of race-blind discourse is seen at the rink and beyond. It leads to this widespread idea that race no longer matters within Canadian society (Alexander 2010, 14). At the professional level, race-blind discourse is why Don Cherry did not believe race had anything to do with the unjustified halt of Ted Nolan’s NHL coaching career nor why Chris Simon received a much more severe suspension than a white player for the same act. It operates at the minor hockey league level to label Indigenous players as “violent” or as having an “attitude problem.” Race-blind discourse allows discrimination to be explained through a “personality clash” rather than various power relations (Moreton-Robinson 2015, 103). In Southern Alberta, race-blind



discourse worked to prevent the Kainai Minor Hockey League from rejoining the Foothills minor hockey association. The Foothills Minor Hockey Association supporter's discourse focused on the reserve being a place that was unsafe for white players and that the games were too violent for the league. The race-blind discourse works within the policies themselves, but also within the various power relations governing minor hockey (which the policies are part of).

### **Anti-Indigenous Discrimination Procedures**

Current procedures do not go far enough to investigate and handle incidents of anti-Indigenous discrimination. Although incidents can take place in a variety of situations, it most commonly occurs during a game either from the opposing team or fans in the stands. A referee does have the jurisdiction to penalize a player or remove them from the game; however, there is nothing in the policies that ensure that this is enforced. When these incidents are not handled during the game, either because the taunt is ignored or not heard by the referee, it places an Indigenous player in a challenging position because they can either submit a complaint to the association or ignore it. If they choose to submit the complaint, the player (and their guardians) must undertake a lengthy and subjective investigatory process, which is the focus of this section. The first half focuses primarily on chirping, or trash talking, and how that can be a source of anti-Indigenous discrimination. Here, I will explore the failures of current procedures to address these incidents during a game. The second section focuses on the disciplinary procedures enacted following the submission of a complaint to a minor hockey association.

### **In-Game Discipline**

A clear example of the procedures failure to appropriately address anti-Indigenous discrimination is seen through the ways that the procedures deal with trash talking (also known as chirping). Although chirping is seen as adding an important element to the competitiveness of

the game, there is not enough done in the procedures to handle them appropriately. In fact, the in-game procedures outline the exact same process as a situation involving a player yelling at a referee, despite that these are two very different situations.

For some players and fans, one of the fundamental aspects of the game is “chirping,” which occurs on the ice and increasingly on social media. Within public discourse, there have been countless articles, videos, or Tweets focused on the best chirps delivered in hockey games. Unsurprisingly, these can often have misogynistic or racial tones to them. One example of such language was the following: “Your girl is like a pack of timbits, for \$2 I can share her with the rest of the team” (McSween 2010). In *They Call Me Chief*, players discuss the discriminatory things they heard throughout their hockey career.<sup>91</sup> Although there is no research on the frequency of anti-Indigenous language during games compared to taunts from fans or in the dressing rooms, it is (likely) correct that a fair proportion would occur in a game from opposing players.<sup>92</sup> It is common for players or leagues to defend these sorts of incidents as “part of the game” or as a “cheap shot” (CBC Sports 2019; Szto 2018, 100).<sup>93</sup>

One of the challenges that this brings forward, as correctly noted by Hockey Alberta, is that anti-Indigenous discrimination (Hockey Alberta uses the term harassment) may be seen as a joke or as an innocent comment to get the other opponent off their game (“Abuse, Harassment, Bullying” n.d.). Hockey Edmonton and Hockey Alberta state that racist taunts, when given a game misconduct, lead to an automatic suspension for the player (“Appendix “V” Minimum

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<sup>91</sup> Marks (2008) argues that being called Chief is not a negative or discriminatory thing and uses the term in his book as something that was taken up by Indigenous players in professional leagues as a positive thing.

<sup>92</sup> In Dr. Szto’s PhD dissertation (2018) on the experiences of South Asian hockey players in Canada, almost every player interviewed had an example of racialized, homophobic, or misogynistic on-ice chirping that was directed towards them.

<sup>93</sup> This includes the players that the taunts were directed towards. See Szto (2018) for a full analysis.

Suspensions” n.d.; “Operating Directive” 2019).<sup>94</sup> Furthermore, the procedures do not consider the likely situation where a referee does not hear the racial taunt on the ice and the implications on the player, who would need to go through the LMHA’s disciplinary procedures (often made up of 2-3 committees made up of a small group of people). This is an example of how hockey centralizes power within the sport to a small number of people.

### **Post-Game Procedures**

If the referee fails to act and discipline a player in-game for an anti-Indigenous discriminatory taunt, the player has the option to submit a complaint to their LMHA following the game. It is unclear in the policies if a player has the option to submit a complaint even when the player has been disciplined during the game. The processes that each LMHA undertakes varies. However, they often begin with the player going to their coach, their Division Leader, and then someone in higher leadership positions. After the player goes through each of these steps, they can take their complaint to the Disciplinary and Appeals Committee within the LMHA. Each of LMHA’s indicate a need for complaints to be approved by the committee before an investigation can begin. At any point in the investigative process, anti-Indigenous discrimination can be dismissed as a “joke” or “part of the game” by the Discipline Committee, Appeals Committee, or other decision-makers.<sup>95</sup> There is nothing within the policies themselves or the procedures that prevents this from happening. One solution would be to indicate that all instances of discrimination will be automatically investigated, regardless of who is involved.

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<sup>94</sup> It is interesting to note that the majority of the punishments outlined in the policies and procedures are focused on taking “the game” away, rather than something more substantive or impact-focused.

<sup>95</sup> Here, I am referencing the role of trash talking in the sport and how it is often defended by those in hockey as “just part of the game.”

This leads to the following question: who gets to decide whether racial taunts are an act of discrimination, a joke, or just part of the game? The policies and procedures themselves do not outline guidelines that address this question. It is also not entirely clear what, if any, guidelines referees are given to make these decisions. Hockey Canada suggests that LMHA's include a neutral/objective investigator. Their *Investigative Guidelines* also indicates that associations should select someone who understands cultural diversity.<sup>96</sup> Interestingly, the investigator has no role in the decision-making for the disciplinary action taken. As a result, an investigator could believe that an incident was discriminatory but have no ability to influence decision-makers. Hockey Canada does not extend this requirement to the discipline committee or appeal committee.

Similarly, Hockey Alberta's guidelines focus more on creating a neutral or objective decision-making committee.<sup>97</sup> It does not appear that the LMHAs studied are required to follow Hockey Canada's guidelines when selecting an investigator. In the associations reviewed, there is no independent investigator. Instead, individuals are required to bring the issue to the coach, Division Leader, or a different member of the leadership team. For example, St. Albert Minor Hockey asks players to wait 24 hours and then bring it to their coach ("Policies - Appendix Discipline/Appeal Flow Chart" n.d.). They then need to bring it to the Division Director and the Vice-President of Administration, respectively, before it can even reach the (potentially) independent Discipline Committee. Similarly, the discipline and appeals committees are often made up of individuals who hold other leadership roles in the association, including a senior level member of the association. There is no inclusion of an external member of the committee (e.g.: someone with no connection to the association).

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<sup>96</sup> Hockey Canada does not provide any guidelines for assessing this criterion, or any of the other criteria's they list.

<sup>97</sup> Interestingly, Hockey Alberta does not go as far as Hockey Canada to list criteria for members to meet.

Another issue with these procedures is how financially inaccessible the process may be for some families. Hockey is incredibly expensive. One survey found that almost half of parents pay between 500.00-1000.00 per child per year (Lajoie and Valji 2020).<sup>98</sup> St. Albert, Strathcona, and Sherwood Park all require fees at some point during the discipline process. Strathcona Minor Hockey has the least costly fee (\$50.00). However, Sherwood Park and St. Albert have high fees. St. Albert requires a fee of \$200.00 for the Discipline Committee to hear the matter (“St. Albert Minor Hockey Association Policies, Procedures and Operational Guidelines” n.d.). Sherwood Park is even higher as they require a fee of \$400.00 to reach the Appeals Committee. Unless this was directed internally, there is nothing in the public documents from Hockey Alberta or Hockey Canada that suggests that local associations must charge a fee. Given the expense of hockey, this may have serious implications in a player’s ability to have their voice heard and for appropriate remedies to be brought forward. It may also result in players leaving hockey for other more welcoming and inexpensive sports.

One of the challenges with appointing members of the local hockey association to the discipline and appeals committee is that the individuals who hold these leadership positions are often related to players or even former players. There is often pressure to uphold the status quo,<sup>99</sup> as well as to ensure the success of those around them (e.g.: the team winning). It has been well-documented that parents and family members pressure their children to “make it big” and become the next Wayne Gretzky or Connor McDavid.<sup>100</sup> These various social forces and the

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<sup>98</sup> The cost is one reason why registration in the sport has decreased over the past few years, while registration in less expensive sports (such as basketball) has increased in Canada (Lajoie and Valji 2020).

<sup>99</sup> I am using status quo here to include the masculine and white tendencies of hockey to create an environment that is not safe or enjoyable for non-white players and gender-diverse people.

<sup>100</sup> A notable example of the treatment some players experience by their parents can be seen in Wall (2011).

hyper-competitive nature of the sport creates an environment where decision-makers may not want to rock the boat by punishing discrimination.<sup>101</sup>

Leadership positions are also usually volunteer positions. Therefore, some may argue that asking volunteers to discipline people or undertake lengthy or sensitive investigations of discrimination may be out of scope for an unpaid position. While this may be fair, there are many ways to overcome this challenge. For example, organizations will often re-write their responsibilities each year and this information is typically provided to volunteers at the start of a new term in the organization. Organizations could update their roles and responsibilities list to include a responsibility to report, investigate, and discipline incidents of discrimination. This would also address the absence of these responsibilities in the pledges and within the actual policies themselves. Another potential solution is to escalate incidents of discrimination to paid members of the minor hockey community, such as those at Hockey Canada. The *Policy Paper for Anti-Racism in Canadian Hockey* suggested that the Minister of Canadian Heritage facilitate the creation of an external investigative committee that reviews and investigates incidents of discrimination (Szto, McKegney, Auksi, and Dawson 2020).

These various power relations are at work during games when referees make decisions about on-ice discourse and after a complaint is brought forward. Through these systems, there is an upholding of racial and misogynistic norms. Although Hockey Alberta addresses one of the major challenges with addressing discrimination, they do not outline remedies or steps that associations can take to avoid these challenges. In fact, many of the leagues' disciplinary procedures work against this because association leadership can decide not to investigate an

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<sup>101</sup> Many of those involved, in leadership roles or as volunteers, often have their own children or daily members involved in the sport. This sort of conflict of interest ensures that individuals remain invested in the status quo of handling of anti-Indigenous discrimination.

incident on the grounds of it being a joke or part of the game. Further, Hockey Alberta adds to these challenges by not allowing players and their families to go directly to Hockey Alberta after an incident occurred. Families are also unable to bring a complaint forward after it has been investigated by the local associations unless there was a clear procedural error. After the investigation has concluded at the local level, a further appeal can only be brought to Hockey Alberta if there has been a procedural error.

## Chapter Six: Conclusion

The goal of this study was to analyze anti-discrimination policies and procedures from Hockey Canada, Hockey Alberta, and five local hockey associations to understand the ways that they reproduce the colonial logics of whiteness and patriarchy. Although policies are one component of the creation of an anti-colonial hockey environment where discrimination is handled effectively, it is important to understand the limitations of existing policies to improve them. My hope is that this study will be one component of more research on the various anti-discrimination policies throughout Canadian hockey. Although this study focused on Alberta, there is a need for similar research to be conducted throughout the country.

This research has three primary findings. The first is the various ways that the institution of hockey promotes an environment or culture of silence regarding incidents of gendered and racialized discrimination. This is done through the inclusion of statements such as, “respect the game” throughout the policies and the pledges given to participants and volunteers. As a contrast, none of the pledges or policies illustrated a need for participants, coaches, and others to report incidents of discrimination to the leadership team. This, I believe, is a failure of the policies and ultimately places the responsibility of reporting these incidents directly on individual players and their families.

The second finding is the fact that none of the organizations have an “anti-Indigenous discrimination” policy nor do they explicitly state anti-Indigenous discrimination at any point throughout their policies. The organizations, following the lead from Hockey Canada, have categorized racism and discrimination as a form of harassment, rather than its own category. To be able to address colonialism, it is important that anti-Indigenous discrimination policies and procedures are evaluated. There is a need to go beyond typical EDI programs and training and to directly address the ways in which colonialism and whiteness inform the experiences of



Indigenous players in hockey. EDI-based programs employ a liberalist perspective that does not target or focus on the core element of discrimination in hockey: colonialism. Hockey has yet to recognize the role that colonialism has in upholding all types of discrimination, including misogyny. Because there is no specific policy, there is no procedure for investigating and disciplining incidents of anti-Indigenous discrimination which means that they cannot employ appropriate remedies and disciplinary actions.

During games, if the referee or official hears a racial slur, they may discipline a player by issuing a penalty or game misconduct. If the person receives a game misconduct, they are normally subjected to further suspension from the game. However, it becomes much more complicated if the referee does not act during the game because the player must go through the various channels of investigation. These channels are the same as if the player was reported for yelling at a referee or other unsports(human)like conduct. One particularly harmful component is the fact that certain members of the leadership team or committee members can determine whether or not a complaint is worth hearing. This could leave players without the path to have the situation investigated and heard.

The final critique focused on the specific procedures themselves. Currently, in-game incidents are only responded to by the referees. Chirping, a common and much-loved component of the sport, is often weaponized as an excuse for the comment or the inaction by game officials. The organizations do have an automatic suspension for those who racially taunt other players; however, it would still be up to the discretion of the game officials to decide whether it should be applied. Based on the documents reviewed, there is no responsibility placed on anyone involved in hockey to ensure that there is disciplinary action. The post-game procedures are lengthy and can be expensive again placing added burdens on individual players and their families. None of

the leagues use an external decision-making committee, making it likely that the process is biased. These factors taken together mean that Indigenous players may not be able to get a fair opportunity to share what happened nor be able to afford the time and cost associated with appeals.

One future area of study would be to take a closer look at the actual governance relationships between Hockey Canada, provincial hockey organizations, and the local associations. Right now, it is unclear how they have developed the current policies that govern and impact the experiences of Indigenous players. It is clear, however, in my research, that Hockey Alberta only gets involved when the disciplinary or investigative process was unjust or flawed. It is unclear why this is the case.<sup>102</sup> Similarly, it is unclear if there is any approval by Hockey Canada and the provincial organizations on the creation of these policies. Moreover, there are issues with the transparency of these processes. For example, it is unclear what policies govern provincial or inter-provincial tournaments?<sup>103</sup> For example, in Quebec, some hockey tournaments are not required to follow Hockey Quebec's regulations and it is not clear if they would be required to follow Hockey Canada's policies (see Bell 2019a). As well, Hockey Canada does not make their internal investigative processes readily available so it is not clear what their investigative and disciplinary practices would look like for national teams.

Apart from this study, there is currently no research on the anti-discrimination policies in minor hockey in Canada using an Indigenous Studies framework. Future research needs to include conversations with former minor hockey players regarding their experiences in the Canadian hockey system and how their requests for investigation were handled by league officials. Discussions with former/current Indigenous hockey players may help to draw new

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<sup>102</sup> I am assuming it might have something to do with the independent governance of the LMHA.

<sup>103</sup> An email was sent to Hockey Alberta to inquire about this point but it was not returned.

conclusions and deepen the understanding of their experiences within Canadian hockey systems. Furthermore, these conversations will help to shed light on the gaps within the processes themselves and may provide specific guidance on the ways policies can work to fill these gaps. Discrimination and racism have a significant impact on Indigenous players, the way it (re)produces patriarchal white sovereignty, and reminds Indigenous players of their exclusion, which should be reflected in the policies and procedures. Considering the ways in which hockey participated in the colonization process, it must be an active participant in anti-colonialism.

### **Final Thoughts**

I wrote much of this thesis throughout the summer of 2020 and into early 2021. When I originally sat down to write this conclusion, I was watching the NHL's playoffs in August 2020, which included a "We Skate For" campaign that focused on Black Lives. This was a symbolic, but arguably important, step to take for a primarily white sports league. This is not enough. This was evident in Fall 2020 when the public learnt that a player drafted by the Arizona Coyotes (in the NHL) verbally, physically, and emotionally abused a Black classmate. Despite being criminally charged and a lack of remorse, the Coyotes drafted him anyway. The outrage was swift and the Coyotes eventually renounced his draft rights. This, too, was followed by a chorus of "he's just a kid" and "now he'll never get a chance to be better" as if there had not been many years since the act and many opportunities to show remorse. One step forward, many steps back.

Following the kneeling of multiple players in August 2020 in solidarity with Black Lives Matter, hockey fans had very mixed reactions. Some argued that, except for a few players such as Matt Dumba, the NHL was trying too hard to appeal to everyone. The discourse online by both fans and former players was unsupportive of these steps the league is taking. During the exhibition games, Eric Trump tweeted in support of the NHL's players standing during the

national anthem (the NHL had framed this as players “standing in solitary”) (Trump 2020). Former NHLer, Dustin Penner criticized Matt Dumba’s kneeling and asserted that he was hypocritical for criticizing the American national anthem when he “cashes his pay cheques in American dollars” (Penner, 2020).<sup>104</sup> Current NHLer, Tony DeAngelo, came out in support of keeping Columbus Day and its status saying that he “didn’t like seeing trends trashing our heritage.” Each of these reactions are linked to colonialism, and the system it created and maintains along with the influence of patriarchal white sovereignty in the creation of hyper-nationalism.

At the same time, many players have come out in support of the movement and of their teammates who showed leadership throughout the past 5 years, such as JT Brown. Matt Dumba of the Minnesota Wild in the National Hockey League just became the first person to take a knee during the American national anthem (he stood for the Canadian national anthem). Dumba later remarked that he regretted his decision because of the way it seemingly erased or ignored the history of colonialism in Canada (Dumba is Canadian) (Teague 2020) On August 3rd, Ryan Reeves and three white players joined Matt Dumba by taking a knee while the anthems were being played. There have also been players who have vowed to be better, who posted black squares on social media, and shared statements of support.

Fans have demanded more action from white players and the NHL to do more. Just like it is not enough to use Pride Tape, writing “WeSkateForBlackLives” on a sweater is not an acknowledgment nor does it address colonialism - it is a performative step.<sup>105</sup> When one considers the actions and activism of players from the National Women’s Basketball

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<sup>104</sup> NHL players get paid in USD, regardless of their playing location

<sup>105</sup> Although Pride Tape has received widespread praise for being an important step forward in showing solidarity, it has also received some criticism for being a “symbolic but also a superficial gesture” because “rainbow tape doesn’t do much to change the culture of masculinity” in hockey (Szto 2016).

Association, the National (Men's) Basketball Association, and the National Women's Soccer League, this inaction becomes glaringly apparent. So what now?

Given the gender and racial logics in minor and professional hockey, white people wield much of the power within these current systems. As one Reddit User noted: "if the environment is racist and toxic then you can't just expect minority players to deal with it and then expect them to fix the issues" (Daisyducks 2020). As Daisyducks alludes to later in their comment, it starts with white people actively addressing and standing up to explicit discrimination and working to address the implicit (or, for some, hyper-explicit) systems of racism. One of the ways it does this is through policy. In my previous chapter, I alluded to some potential ways to redress the glaring gaps in anti-discrimination policies. In saying this, I am not trying to assign particular solutions and firmly believe that a co-production of policies that includes the leadership of Indigenous peoples. New policies need to emerge through collaboration between the governing bodies and those impacted. There is a need to re-work the power dynamics so that the hockey community can work together to create an environment where Indigenous youth are supported and incidents of anti-Indigenous discrimination are handled appropriately.

These issues are not easily addressed; however, one of the reasons that I chose to focus on policy and procedures is because it is a place to start. When a policy actively addresses and calls out these systems of power through anti-colonial language, it creates a space where these incidents can (hopefully) be disciplined with the full support of the policies. There remains significant room for the policies to be subjectively applied to situations depending on who is involved. A well-written policy with a detailed and firm disciplinary procedure could contribute to eliminating the biased-subjectivity of decision-makers.

Right now, the policies contradict and fail to acknowledge some of the challenges that come with reporting discrimination. For example, the isolation and bullying that Indigenous youth may face when reporting an incident and enduring the disciplinary process remain unaddressed. Hockey Alberta and the local associations do not integrate steps or solutions for overcoming harassment seen as a joke. Comparatively, at the professional level, the Australian Football League (AFL) created a process for addressing anti-Indigenous discrimination in their league. The AFL took an approach of conciliation, where both players involved are not publicly identified and there is a hearing to help the player understand the impact of their words (McNamara 2000). This aims to be both educational and help to bring healing to the party involved. Although most players have deemed it effective, it has not stopped racism from fans attending the games and has had no impact at the youth level. At this moment, and as far as I am aware, there has been no interviews conducted on the effectiveness of discrimination policies at the youth level.

Policies are not a magical solution, and it will not on their own decolonize hockey. It is important that the policy-creation process discusses the implementation and who would be involved at each step of the process. As it has been seen, current policies and procedures do not provide firm rules on either of those aspects leading to inaction. An example of this was the removal of Kainai Minor Hockey Association's removal from the Foothills Minor Hockey League (Robidoux 2004). It appears that, at no point, Hockey Alberta nor Hockey Canada became involved in the situation, meaning Foothills Minor Hockey Association had absolute control. Hockey Alberta states that they become involved in situations where there is a faulty or

biased process so where were they? <sup>106</sup> Given that the appeals by Kainai hockey were ignored, how could that be seen as a just or neutral process? The challenge here is trying to address this silence within the systems. It also exists in individuals' willingness to ignore discrimination or justify it as a component of the game.

Sport has many great examples of allyship. Within hockey, there have been very few; however, I will illustrate one such example. In August 2020, when the NHL began their “#WeSkatefor Black Lives” campaign, a Black player, Ryan Reeves was asked if there had been any discussion about kneeling among his teammates. Reeves stated that the discussion had been brought up, but that they would only do something as a group. Since teammates had indicated that they would not want to kneel before the first game of the playoffs, Reeves did not participate either. There must have been some discussion between Reeves and his teammate, Robin Lehner, following the first game, as they both decided to kneel during their next game. Prior to the start of the second game, Reeves approached Tyler Seguin (a Dallas Stars player, his opponent in the game) to see if he would be interested in joining him and Lehner. Over the summer, Seguin had attended a BLM protest and put out a statement acknowledging his previous ignorance to racial issues and police brutality. Seguin decided to join them. Prior to the game starting, Seguin told his teammates what he would be doing and asked if anyone would join him. One player, Jason Dickinson, agreed. This is both a great tale of allyship, seen through Tyler Seguin, Robin Lehner, and Jason Dickinson. The movement here was led by the players themselves, without any substantive support from the NHL. It illustrates the importance of explicitly showing others that they will be supported and stand with them in challenging moments. At the same time, it is also a

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<sup>106</sup> Kainai had taken measures to improve the violations that they had been accused of; however, what kept them out of the league was parents/families fear of going to the reserve and this idea that Indigenous hockey players were too violent for hockey (Robidoux 2004).

story of silence where, in a room with over twenty players and staff, only one other individual stood up to support a Black hockey player. Similarly, only two players from the Dallas Stars chose to join in kneeling. Since May, dozens of hockey players have signified, either through Instagram posts or written statements, that they are “listening and learning.” This has not, fully, shown up on the ice (yet). Although it initially appeared that the NHL was committed to working with players to enact change through the player-led Hockey Diversity Alliance, collaborations fell through, and the group broke away from any association with the league (The Canadian Press 2020). Individuals who have done the work beyond releasing a statement that they were “listening” to the voices of racial injustice should know that he should not be standing alone and Ryan Reeves should have felt supported and comfortable. Right now, there are less than 10 such individuals in professional hockey and countless examples of inaction in minor hockey. The bodies governing hockey, both professionally and at the amateur level, need to do better.



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