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**The Sexual Abuse Scandal in Canadian Hockey:
Expanding the Construction of Pedophilia**

By

Crystal Laine

**A Thesis Submitted to the Faculty of Graduate Studies and Research in Partial
Fulfillment of the Requirements for the Degree of**

Master of Arts

Department of Law

**Carleton University
Ottawa, Ontario**

July 2000

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**The Sexual Abuse Scandal in Canadian Hockey:
Expanding the Construction of Pedophilia**

**Submitted by Crystal Laine, B. Soc. Sc. (Hons.)
in partial fulfilment of the requirements for**

the degree of Master of Arts

Thesis Supervisor

Chair, Department of Law

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July 2000**

ABSTRACT

This project explores the recent scandal concerning child sexual abuse in hockey, a specific contemporary Canadian moral panic, as a case study to illustrate the social construction and moral regulation of pedophilia. By applying the social constructionist literature and moral panic theory, it is demonstrated that the hockey sex scandal was in fact a moral panic. The content of this scandal is examined by contextualizing it within the broader issue of threats to children. More specifically, I contend that hockey, in particular, became the site of this moral panic over child sexual abuse as a result of three specific factors: the hypermasculinity of hockey culture, the shift in concern from girls to boys as potential victims of child sexual abuse, and the importance of hockey in Canadian culture. Furthermore, I argue that the timing of this moral panic was attributable to the claims-makers involved in bringing it to public attention, namely 'experts', Sheldon Kennedy as a prominent spokesperson, as well as the media. The different forms of regulation ensuing from this panic, both at the formal and informal levels, are explored. Finally, the implications of the moral panic as well as its subsequent regulation are examined in order to assess how this scandal has contributed to the broadening scope of pedophilia and the disproportionate nature of its regulation.

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PREFACE

The topic of my thesis has evolved greatly since the beginning of the M.A. program when I began thinking about it. In fact, the topic in its present form would be completely undetectable in any of my preliminary brainstorming sessions about the thesis. Narrowing my topic was a long process, as my supervisor can attest to. However, the underlying theme behind all of my brainstorming has always been the same. It is a theme which not only underlies my thesis but also my way of thinking about and viewing society. I have always been interested in questioning what we know to be true. I am skeptical about what is presented to me as real. Ultimately, child sexual abuse has been a real challenge in this respect. I discovered early in my inquiry that this was a controversial way of looking at things. As I was bouncing ideas off of friends and family, I very early on discovered that this was a contentious topic and that everyone had an opinion about the issue.

In the beginning, I tried my best to explain the topic I was researching, emphasizing that my argument was that child sexual abuse in hockey was a moral panic. I soon discovered that this was a contentious argument. The most common response I received was “oh”. The inevitable comments following this sentiment were challenges: Did I support child sexual abuse? Did I not think child sexual abuse was a grave problem and an important issue to be addressed? Did I sympathize with so-called child molesters? This made me question what I was doing. I responded to these questions honestly: No, I did not support child sexual abuse. Yes, I do think child sexual abuse is an important issue to be addressed and I do believe it is a serious problem. My biggest worry in

undertaking this project was that I would be viewed as unsympathetic to the issue and that I would be labeled an apologist for so-called ‘pedophiles’ and ‘child molesters’.

I quickly grew tired and weary about discussing my thesis. Given this tiresome and predictable bombardment of questions, I decided to take an alternative approach to dealing with the topic...a sort of anecdotal experiment. When faced with the inevitable question: “So what is your thesis about?” I replied simply: “Child sexual abuse in hockey”... and I mentally recorded the reactions. Most reactions highlighted the horrendous nature of the problem and how child molesters were despicable. Some relayed information they had heard on the news or how a friend of a friend knew Sheldon Kennedy. Never once did I hear comments which suggested any skepticism towards the scandal. No one questioned the media representation of the issue. No one seemed concerned that a few bad coaches would be singled out as being representative of all coaches which would make them guilty by association. No one seemed worried about the other sports in which abuse occurs. No one seemed to wonder why the problem did not surface when the abuse was actually occurring. I quickly discovered that a lot of people are afraid of talking about child sexual abuse with an alternative discourse. Maybe they do not even realize that there is indeed a different way of thinking about things. Exploring different ways of conceptualizing child sexual abuse was one of the goals I wanted to accomplish in this thesis.

My main purpose in this project was to discover why the scandal over child sexual abuse in hockey commanded so much public and media attention during the late 1990s. I suspected that this scandal was a moral panic, not entirely induced by the

objective factor of child sexual abuse but that certain other factors were responsible for the content and the timing of this panic.

In my thesis, I was able to combine many of my interests...two in particular. Everyone who knows me knows about how skeptical I am about media coverage. They know that I seldom watch the news, and if I do, they would rather not watch it with me. Another one of my long time interests concerns the regulation of crime and the over-regulation thereof. Given the topic of my thesis, most people think that I am a hockey fan. Perhaps surprisingly, hockey was never really my thing. The issue of hockey was sort of incidental to my study. I chose it because it was a Canadian scandal which occurred recently and it was unexplored in the literature. There is a fairly good chronology in the literature with regards to threats to children but it is mostly British and American and it does not explore the recent panic over child sexual abuse in sports, and hockey in particular. The topic of sexual abuse in sports is given no attention in sports sociology books and textbooks, perhaps because it was not seen as a problem until very recently. The literature that does exist regarding sexual abuse in hockey is very limited. It consists of a few studies on prevalence and those reports published in response to the hockey sex scandal.

This thesis will contribute to the existing scholarship on moral panics, which is mainly British and American, and also to the scholarship on the social construction and moral regulation of pedophilia, by drawing on existing frameworks such as social constructionism and moral panic theory but by portraying a specific, contemporary Canadian scandal. Another reason for exploring this topic is that the topic of child sex abuse by persons entrusted to work directly with children has attracted little interest from

academics. This is a surprising fact since these situations often attract dramatic media attention and calls for increased regulation of such organizations and individuals who are part of them, as well as for the children who are exposed to such risk.

Before I started writing, I was talking to someone in the program in the previous cohort who was telling me about his experience with writing the thesis. I told him that I had a research question (or so I thought at the time) and that I basically needed to find the answer. He told me very matter of factly that I should already know the answer. The truth is, I began with a hypothesis and I did not know whether I could support my argument. I did not know if the hockey sex scandal was indeed a moral panic, my most basic and central hypothesis. In fact, every chapter revealed something new and until I was finished writing I was not quite sure what my research would reveal and what my conclusions would be.

There are several goals I wanted to accomplish in this project. Each chapter represented one of these goals. The first chapter was introductory. I wanted to review the literature surrounding social constructionism as a way of setting up the moral panic theory at the core of my thesis. I wanted to provide some background, not just come right out with moral panic theory without exploring its origin. I also wanted, in this chapter, to introduce the concept of how reality is constructed and that deviance is contingent upon time and space. I wanted to set up the idea that there are different ways of looking at various phenomena. My main challenge starting out was getting a working definition of reality, being precise with my wording and developing a vocabulary for this chapter and the remainder of the thesis.

One of the basic arguments in this thesis is that the hockey sex scandal was a moral panic. The task in Chapter 2 was to demonstrate that this was indeed the case. When I first started this project, I did not know whether the results would support my argument. Looking at chapter 2, it looks pretty simple; the charts depict a fairly obvious trend. However, the lengthy process of the media analysis was fraught with challenges. It involved some creativity and liberties on my part. First, I had to decide that media attention would be evidence that a moral panic existed. I had no idea how I would gather all the articles since I suspected the panic lasted for about two years. Then I had to decide how I would demonstrate that the criteria of the moral panic were satisfied. This is where my creativity came into play. While some would dispute my analysis, I think that it is sound given the resources I had at my disposal.

The third chapter was devoted to contextualizing the hockey sex scandal in the broader level of threats to children and the more specific level of child sexual abuse. Secondly, I explored the factors contributing to why hockey specifically became the site for a moral panic over child sexual abuse. One of the challenges I faced in this chapter was contextualizing this scandal as an instance of other Canadian scandals. The literature on Canadian moral panics over child sexual abuse is very scarce. Thus, I had to take a broader approach by locating this scandal within other international scandals.

The fourth chapter was more straightforward. It examined the issue of timing. I argued that this scandal would have never come to public attention had it not been for the actors involved.

The final chapter was on moral regulation. In writing the final chapter, I encountered one challenge right from the very beginning: defining moral regulation.

This proved to be more difficult than I had anticipated. My impression was that it would be fairly straightforward. I was wrong. It all started when I could not find a definition of moral regulation, or more accurately, one that was consistent with my topic. I read a lot of critiques of the term but could never really get at what it was. All I wanted to do was use the term as it sounds: the regulation of morality. Luckily, my supervisor is very patient with me and when I emailed him with this crisis a couple of days before he was leaving the country for a month, he assured me I could use the term as I felt was appropriate. I mostly adopted Hunt's own definition but also incorporated other views and came up with a working definition which was suitable to my study. Using Hunt, by the way, was my second stressor in this chapter. I felt kind of silly basically telling him what he said and hoping he would not say something like "you interpreted it all wrong".

Finally, I would like to reiterate some of the main conclusions stemming from my thesis as I outlined them in the conclusion. Sexual abuse occurs in all areas of life and in all sports. There are specific reasons why the public was predisposed to accept this specific moral panic. First, child sexual abuse by those entrusted to work with children was already an established social problem. Scandals such as those involving day-care workers and members of the clergy may have predisposed the public to be more receptive to another similar panic. It also fit within the larger category of 'threats to children' such as child pornography and sex rings. Second, hockey itself became the site for this panic because it is a hypermasculine culture which may be incompatible with sexual abuse, its participants are mostly boys, and hockey plays a important role in Canadian identity and culture. While any of these factors, considered in isolation, might not be significant, it is the combination of these factors which is crucial.

These factors alone were not enough to catapult this panic onto the public scene. Claims-makers were crucial actors in bringing this issue to public attention. Sheldon Kennedy sparked the panic by coming forward with his allegations against Graham James. Two months later, Martin Kruze came forward to break the second scandal at Maple Leaf Gardens. All the while certain experts, through the media, defined this issue as serious and in need of response. The media were involved not only as passive reporters of the news but as active constructors of this moral panic.

In part due to the actions of these claims-makers, the government, sports organizations and volunteer organizations responded to the problem with legislation and social policy. This panic also increased informal responses such as the level surveillance in all sectors of society, not only with respect to offenders but also potential offenders including all those who work with children. It has increased the level of self-governance, not only for those who work with children but also for children themselves and their parents. A complex web of regulation and surveillance has resulted from this panic in which all members of society are more vigilant about sexual abuse.

This panic has also had implications for the definition of pedophilia. It has expanded the term to include perpetrators, victims and acts which had not previously been included in the definition. In terms of both concern over the panic as well as its subsequent forms of regulation, I have demonstrated that they were disproportionate to the actual harm caused and may have been exaggerated. Regulators may have responded not to the condition itself but rather to the panic surrounding that condition. In a future project, it would be interesting to study the impact the changes in policy may have had on hockey and other sports as well as on sexual abuse.

Introduction:

The Hockey Sex Scandal

The Scandal

At the beginning of September 1996, Graham James, general manager, head coach and part owner of the Calgary Hitmen, resigned suddenly from his position citing personal reasons. It was later discovered that his sudden resignation occurred in the wake of claims of sexual misconduct that emerged from a probe which was sparked by allegations made by an NHL player the previous summer. Near the end of November, James was charged with two counts of sexual assault for incidents involving two unnamed players which occurred from 1984 to 1994 during his sojourn as coach of the Swift Current Broncos. During this time, media reports concerning James were generally neutral or positive due to his reputation as a competent and inspiring coach. The trial resulted in James being sentenced to three and a half years in prison for sexually abusing the two former players an estimated 350 times over a period of ten years. At this point, 27 year-old Sheldon Kennedy, a winger for the Boston Bruins, came forward, publicly acknowledging he was one of James's victims. Calls for regulation of junior hockey, including, but not limited to screening, parental vigilance, more stringent sentences, hotlines and brochures immediately ensued and continued for years. All hockey organizations including the Canadian Hockey League (CHL), the Canadian Hockey Association (CHA), the Western Hockey League (WHL), the Ontario Hockey League (OHL), the Québec Major Junior Hockey League (QMJHL), Sports Canada and others,

including minor hockey associations, promptly responded to these calls by instituting new policies and initiatives.

Along with Kennedy's revelation there ensued a plethora of media coverage concerning sexual abuse in hockey which peaked in January and February 1997, and continued steadily throughout 1997 and sporadically throughout 1998. If the public/media opinion of James was at worst 'neutral' before Kennedy went public, following his revelation, views of James immediately soured. Kennedy was hailed for his courage and received support from all quarters. Announcing his intentions to help children in need by building a ranch to provide sexually abused children with a safe haven, Kennedy became a moral entrepreneur for the cause of child sexual abuse. He appeared on ABC's *Prime Time Live* as well as on *Oprah*. He received many awards for courage and was named top news-maker of 1997 by the Canadian Press and Broadcast News. His story also inspired a made-for-TV movie entitled 'The Sheldon Kennedy Story' which aired several times, as recently as October 1999. Not only did Kennedy raise awareness of child sexual abuse, but some claim he broke down barriers for men in particular to come forward, given his high profile status in Canada's national sport. Some even claim he uncovered a silent disease which had been plaguing hockey for years. In response to his public statements, men flooded sex abuse hotlines with calls concerning past sexual abuse. In January 1997 alone, various former hockey players came forward to accuse at least three other hockey coaches of sexual misconduct. The most high-profile case following the James scandal was that of Brian Shaw, former head coach of the Edmonton Oilers, who had died several years earlier. In both cases, media coverage focused considerable attention on suggestions that high ranking officials in the

WHL, including team owners, Swift Current Bronco officials, members of the board of directors and WHL governors, were aware of sexual improprieties on the part of the coaches but did nothing in response, implying a 'cover up.' The officials denied these allegations in both the James and Shaw cases.

In February 1997, only months later, another sex scandal rocked the hockey world. Thirty-four year old Martin Kruze, inspired by Kennedy's public revelation, came forward with allegations of sexual abuse against three former Maple Leaf Gardens workers. One was still employed at the time of the allegations. Gordon Stuckless, John Paul Roby and George Hannah (deceased) were accused of luring young hockey fans, including Kruze, into sexual situations at Maple Leaf Gardens with offers of free merchandise during the 1970s and early 1980s. Although suggestions of a pedophile ring were raised and disseminated by the media, police denied that such a ring ever existed. After Kruze came forward publicly, the list of reports by men claiming to have been sexually abused at Maple Leaf Gardens grew steadily until it reached over eighty alleged victims. Both Stuckless and Roby were charged and convicted. Roby was charged with sixty-one counts of sex related offenses. The Crown is presently seeking to have Roby classified as a 'dangerous offender' under the *Criminal Code*. Stuckless was charged and found guilty of twenty-four counts of sex related offenses. Controversy surrounded his sentence of two years less a day, plus three years probation and chemical castration. The Crown later appealed the sentence and it was increased to five years imprisonment. Three days following Stuckless's original sentence, Martin Kruze committed suicide by

leaping off a Toronto Bridge. While never directly blaming Stuckless's sentence for the suicide, the media implied a connection between the two.¹

Not unlike the controversy surrounding the James and Shaw cases, there were allegations that Maple Gardens officials, including general manager Cliff Fletcher and other authorities, as well as Maple Leaf club owners were to blame. They were accused of being aware of the problem at Maple Leaf Gardens and taking no action. Kruze claimed he made officials aware of the problem in 1993 when he sued the Gardens as a result of the abuse and settled out of court with the stipulation that he not go public with the story. Furthermore, Toronto businessman Barry Bingham claims to have written a letter to Maple Leaf Gardens's director Donald Giffin detailing how Stuckless was a convicted child molester.² According to Bingham, the director responded to his letter but did not terminate Stuckless's employment as a backstage helper at the Gardens. Other NHL and former junior hockey players and hockey fans then came forward claiming that it was widely known among staff and players that the abuse was taking place. Maple Leaf Gardens directors denied any responsibility but did assure that there was no longer a problem and that preventative measures would be taken to ensure that such abuse would never occur in the future. Undoubtedly, media and public opinion reflected the sentiment that the reputation of Maple Leaf Gardens, Canada's 'most famous hockey shrine,' had been irreversibly damaged by this scandal. The media continued to follow the hockey sex scandal for the remainder of 1997 as well as into 1998, with coverage including such

¹ For instance, see the conclusion of "Scandal and suicide: A tragic death darkens the Garden's sordid tale" Maclean's November 10, 1997.

² In 1987, Barry Bingham's son Darryl was allegedly sexually assaulted at age thirteen by Stuckless who was his hockey coach at the time. Stuckless pleaded guilty and received a short jail sentence (Tom Fennell, "Grim Tales From the Gardens" Maclean's March 10, 1997).

stories as Stuckless's and Roby's trials, calls for regulation, and Kennedy's in-line skate across the country. However, the bulk of the articles, which dealt mostly with the James case and the Maple Leaf Gardens scandal, appeared in January and February of 1997 and began to decline thereafter. As will be examined in Chapter 2, the timing of this scandal is significant to the notion of the moral panic.

Causes of Child Sexual Abuse

The purpose of this thesis is to explore why the hockey sex scandal elicited so much attention from the public and the media. In other words, I intend to identify some of the factors which contributed to this widespread public attention, a topic which is distinctly different from that which exists in the literature on child sexual abuse, which focuses more on the causes of the abuse itself. The causes of sexual abuse as outlined in the literature and in the media are manifold. There are several theories that address why men molest children, most of which imply some type of pathology. However, in general, such personality and social theories seem to raise more questions than they resolve and as a result, do not provide a consistent understanding as to the object of inquiry and the type of act being perpetrated (Pryor, 1996: 5). Furthermore, given the disputes over the various definitions of child sexual abuse and pedophilia that arise in the literature, it is difficult to gain an accurate portrayal as to the nature of child sexual abuse. During the hockey sex scandal, the media often cited experts who espoused these theories. However, media coverage went beyond such theories to speculate about specific causes of child molestation in hockey. Fingers were pointed, blame was assigned and folk devils were sought out. Some of the causes speculated about in the media included the code of

silence of the officials, the midget draft in junior hockey, the homosexuality of certain hockey coaches and individual pathology. However, the causes of sexual assault against young players, while perhaps considered worthy of attention, is not the object of inquiry in this project. My purpose is to go beyond the causes of child sexual abuse to discover some of the factors contributing to the hockey sex scandal as a moral panic and to explore the significance of the context in which the panic occurred.

Prevalence of Child Sexual Abuse

Many would suggest that the sexual abuse of young hockey players is a problem of epidemic proportions, and judging from the media attention devoted to the issue, it seems a logical conclusion. However, this thesis will attempt to prove that it was not an epidemic and that the 'timely' calls for measures to address the issue and subsequent increases in regulation were both inappropriate and unnecessary. An attempt will be made to prove that the mass hysteria resulting from the Sheldon Kennedy case was a moral panic³, not entirely induced by the objective phenomenon of child sexual abuse but by other social factors. More specifically, my contention will be that three factors were instrumental in contributing to the moral panic: the hyper-masculinity of hockey culture, the shift in concern from girls to boys as potential victims of sexual abuse, and the importance of hockey in Canadian culture. While it is not my intention to diminish the

³ Stated briefly, a moral panic is a condition in which certain individuals or 'folk-devils' come to be defined as threats to society by certain agents. To be defined as a moral panic, there must be a discrepancy between the degree of concern over a certain issue compared with the actual threat it poses. Furthermore, the moral panic implies that there is a fluctuation in the degree of concern over an issue across time. The concept of the moral panic will be discussed in further detail in Chapters 1 and 2.

seriousness of sexual abuse and the consequences thereof, as they are harmful and problematic, I will argue that the concern over the scandal was exaggerated, the calls for regulation were disproportionate and the implications for the issue of pedophilia are numerous and widespread. For instance, in the conclusion, I will suggest that the hockey sex scandal has considerably expanded the definition of pedophilia to include a more elaborate variety of perpetrators, victims and acts.

Child abuse generally and child sexual abuse specifically are not new phenomena even though it may seem that only recently has public concern flourished over these issues. For instance, the *Punishment of Incest Act 1908* in the UK resulted from a moral panic which arose from debates focusing on incest as a geographical problem, being either a sub-cultural practice of isolated communities or another sexual danger in the urban life of the working classes (Bell; 1993: 146). There were concerns about issues such as poor families sleeping in one bed and girls and boys sharing beds. Canadians became concerned about this issue in Toronto around W.W.I. To cite a more modern example, the concern over child sexual abuse has been steadily increasing since the late 1970s in the medical and social services fields (Colten and Vanstone; 1996: 3). In the 1970s, reports of sexual abuse began to increase at a much more rapid rate than any other type of abuse. According to Finkelhor, at this time, sexual abuse had entered the public eye, not due to an increase in cases (which may have actually been decreasing) but because the problem was usurped by certain prominent, vocal groups who were experienced in promoting social problems: the women's movement and the children's protection movement (1984: 3).

Concern once again reached the public consciousness during the 1980s, specifically during 1987, with the events surrounding the Cleveland affair in the U.K.⁴ While the Cleveland affair concerned incest (possibly a resurfacing of the debates surrounding the *Punishment of Incest Act 1908*, although probably not as motivated by class issues as the earlier debates), recent years have witnessed the mushrooming of incidents involving extra-family sexual abuse, the most disturbing of which being those involving adults in positions of authority over children (Colten and Vanstone; 1996) such as cases involving day-care workers, teachers, members of the clergy, scout leaders and sports coaches. Moral panics concerning child sexual abuse over the years inevitably focus on different aspects of the issue and definitions with respect to the nature of the problem are contingent upon the context and the agents involved. Invariably, such panics are indicative of the social anxieties of the time. For instance, the sources of threats to children have evolved over time. These issues will be discussed in more detail in following chapters.

Reasons for the Study

There are myriad reasons why this topic is worthy of study. The main one is that the issue of hockey coaches molesting young players seems to be taken for granted as a

⁴ The Cleveland Affair unfolded in Britain in June and July of 1987. Public attention was aroused by the suggestion of two doctors that an unprecedented number of children in Cleveland County were being sexually abused. At this time, doctors pioneered a new diagnostic technique which sought to identify anal penetration. Hundreds of children were diagnosed as having been abused by their parents. Controversy ensued over whether any abuse had occurred at all and whether this technique was legitimate. Public debates took place. When the matter reached Parliament in July of 1997, the Government demanded an inquiry into the matter. While concern over sexual abuse in Britain had been growing since the late 1970s in the social services field, the general impact of this concern was not apparent until the late 1980s when public attention was aroused by various television programs on the subject of sexual abuse. The public was shocked not so much by the revelation of the existence of sexual abuse but by the apparent magnitude of the problem (Lafontaine; 1990).

social problem⁵ which is prevalent in Canada and which poses an immediate threat to children. By conducting a media analysis and by framing the problem within a social constructionist⁶ framework, I will examine this issue not as an inherent social problem, but as one which has been socially constructed, in part by certain individuals and the media. This is an important issue to investigate because too often social problems are taken for granted, without ever exploring or questioning their origins and the process through which such issues come to be considered significant and worthy of public scrutiny. The volume of media reporting and the accuracy of the stories are often unquestioned. It is important to understand how social problems and moral panics originate as well as who the crucial players are in bringing social problems to the public's attention. It is hypothesized that claims-makers⁷ including a prominent spokesperson, 'experts', as well as the media played a crucial role in defining, perpetuating and regulating this scandal as a social problem. This thesis will contribute to the existing scholarship on moral panics, which is mainly British and American, and also to the scholarship on the social construction and moral regulation of pedophilia, by drawing on existing frameworks such as social constructionism and moral panic theory but by portraying a specific, contemporary Canadian scandal. It will also shed light not only on the topic of child sexual abuse or pedophilia, but also on the wider issue of sexual

⁵ The literature on social problems will be discussed in detail later in this chapter. Stated briefly, a social problem is a condition affecting a number of individuals in a negative way. It is felt something should be done to address the issue. Claims-makers are instrumental in identifying and defining social problems.

⁶ The theory of social constructionism will be explored in detail in Chapter 2.

⁷ I argue, in Chapter 4, that certain actors were directly responsible for the timing of this moral panic. Central to moral panic theory is that they do not arise at random, but are brought to public attention by certain individuals or groups. The objective existence of a harmful condition is not in itself enough to constitute a social problem unless certain steps are taken to label it as such.

politics.

Another reason for exploring this topic is that, according to Colton and Vanstone (1996), the topic of child sex abuse by persons entrusted to work directly with children has attracted little interest from academics. This is a surprising fact since these situations often attract dramatic media attention and calls for increased regulation of such organizations and individuals who are part of them, as well as for the children who are exposed to such risk. The topic of sexual abuse in hockey, as well as in other sports for that matter, has been largely neglected in the literature. The topic is given no attention in sports sociology books and textbooks, perhaps because it was not seen as a problem until very recently. The literature that does exist regarding sexual abuse in hockey is very limited. It consists of a few studies on prevalence and those reports published in response to the hockey sex scandal. There exists one book which examines the topic of sexual abuse in hockey entitled Crossing the Line by Laura Robinson (1998). Most of the book deals with other types of abuse surrounding hockey such as date rape and hazing. The last two chapters are devoted to the Sheldon Kennedy scandal. The first of these is merely descriptive and basically tells the story as cited in the newspapers, with little insight or analysis. The second of these chapters is interesting in that it chronicles the regulation of sexual abuse in hockey, an issue which will be revisited in Chapter 5.

The theoretical framework used in this project will be that of social constructionism and will borrow mostly from Berger and Luckman's 'social construction of reality,' Becker's 'labeling,' Goode and Ben-Yehuda's 'moral panic' and the literature on social problems. It is important to clarify that the purpose of using these theories is

not to conduct a micro level analysis in an attempt to explain the causes of deviance.

These theories will be used to attain a broader level of understanding of why the moral panic occurred on a societal level.

The reasons for adopting a social constructionist paradigm to study this topic are manifold. One reason involves questioning the dominant discourse of pedophilia and suggesting an alternative perspective on the phenomenon. Furthermore, this theoretical orientation will allow for a new sense of perspective with regards to how social problems come to be constructed as such, what causes them, who is affected by them and what the aftermath is, using the Canadian hockey sex scandal as a case in point.

Chapter 1 of this thesis will be devoted to clarifying the theoretical framework underlying the project. In Chapter 2, I will describe the media analysis and its purpose. Trends in media reporting will be explored in order to locate the panic. These trends, as well as the content of the articles found will be analyzed to illustrate the existence of the five indicators comprising the moral panic as advanced by Goode and Ben-Yehuda (1994). Chapter 3 will be devoted mainly to examining the socio-structural factors that were responsible for creating a climate which was receptive to the content of the moral panic. I will examine the content of the moral panic at two different levels of generality. First, I will locate the hockey sex scandal within the broader context of child sexual abuse in general. Secondly, I will introduce the social factors contributing to hockey specifically becoming the site of this moral panic over child sexual abuse. In Chapter 4, I will argue that much of the timing and most of the amplification and diversification of the moral panic can be attributed to certain claims-makers including a prominent spokesperson, certain 'experts', as well as the media. Chapter 5 will focus on what has

resulted from this moral panic in terms of regulation. In the conclusion, I intend to analyze some of the implications resulting from the moral panic and its subsequent regulation.

Chapter 1:

The Social Construction of the Moral Panic

The purpose of this chapter is to clarify the theoretical framework central to this project which is moral panic theory. I will begin by introducing what is meant by the 'moral panic'. To clarify and provide the background for this concept, I will explore the various approaches to social constructionism which I consider to be relevant. By examining these various approaches to the social construction of reality and deviance, I will highlight concepts which are particularly important to my study. One of the key concepts arising from this discussion is that both reality and deviance are subjective and are contingent upon time and space. Following this, I will discuss how these theories apply to the literature on social problems since social problems are similar in nature to moral panics. I will then expand upon the concept of the moral panic and will elucidate it by comparing and contrasting it with the concept of the social problem. Finally, I will briefly discuss the issue of morality given that it is a crucial component of the 'moral' panic.

The Moral Panic

One of the most basic arguments in this thesis is that the hockey sex scandal was a moral panic. According to Cohen, a moral panic is a condition in which

an episode, person or group of persons emerges to become defined as a threat to societal values and interests; its nature is presented in a stylized and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops, politicians, and other right-thinking people; socially accredited experts pronounce their diagnoses and solutions; ways

of coping are evolved or resorted to; the condition then disappears, submerges or deteriorates and becomes more visible (1980: 9).

Sometimes the object of the panic is quite novel and at other times it is something which has been in existence for a long time but suddenly appears in the lime light. The crucial question to ask is not the simple transactional one of why the behaviour is seen as deviant at all. The more relevant question to pose is why the reaction is so intense. The panic must always be contextualized. The foundations of a moral panic must be understood in terms of different levels of generality. At the lowest level, there are those conditions specific to the particular phenomenon in question. More important to examine are the abstract principles at the highest level which can be applied to the sociology of moral panics as a whole. Chapter 3 will address these issues in detail.

Like Cohen, Goode and Ben-Yehuda suggest that, in a moral panic, “a group or category engages, or is said to engage, in unacceptable, immoral behaviour, which presumably causes or is responsible for serious harmful consequences and is therefore seen as a threat to the well-being, basic values, and interests of the society presumably threatened by it” (1994: 31). The feeling following the panic is that something must be done which might include strengthening the social control apparatus.

The Social Construction of Reality

To further clarify the notion of the moral panic, I will explore those aspects of the literature on social constructionism which I consider relevant to my analysis. Social constructionists work within the interpretive sociological tradition, which emphasizes the importance of subjective meaning over objective ‘reality’ in the organization of everyday life. The social constructionist perspective, or societal reaction perspective, concerns

itself with three main issues. The first is the social development of deviant labels across history. The second is the application of these labels to different individuals or groups in certain times and places. Finally, constructionists are interested in the symbolic and practical consequences of the labeling process.

As a prelude to the social constructionist literature and moral panic theory which is at the core of this project, it is crucial to clarify what is meant by the social construction of reality. It is critical to emphasize that simply because the assumption is being made that reality is socially constructed, it does not signify that it is not 'real' to those who perceive it as such. Phenomenology is the study of society "as it appears in the consciousness of its members" (Pfohl; 1994: 355). Phenomenologists like Berger and Luckman, rather than describing social life as a realm of objective reality, view it as constructed in the minds of those individuals experiencing it. These authors, working from a phenomenological approach, explore how reality is socially constructed using the sociology of knowledge. The sociology of knowledge addresses whatever passes for knowledge in a society and how this translates into reality for the average person, whether the information upon which the perception is based is valid or not. Given that only a limited group of people engage in the practice of theorizing or philosophizing about reality, the thoughts and ideas behind knowledge are not as significant as the product of that knowledge (1967: 26). This concept of how 'knowledge' is acquired will be expanded upon later in this chapter when I discuss consensual reality, by which I mean what people take to be reality.

It is crucial to understand that the hockey sex scandal commanded a vast amount of public attention regardless of the label we attach to it. It affected Canadian society on

a public level sweeping across social institutions and also affected individuals, whether it be those directly involved or those indirectly affected with some vested interest in the issue. The facts remain; some players were sexually abused, a behaviour which is widely condemned in our society. The media devoted intense coverage to the issue and the consequences of the scandal are apparent and documented. Whether we look back on this social problem as a folk tale in the future, as we do with the witch trials, the hockey sex scandal constitutes consensual reality at the present time. The scandal was 'real', and 'real' in its consequences. While we may conclude from this thesis that this scandal was nothing more than a moral panic to which Canadians overreacted, that does not change the fact that this scandal affected people's subjective worlds. Kincaid suggests that what passes for knowledge with regards to the issue of pedophilia is based in fear, desire and denial (1992: 3). While this may well be true, and this will be examined in part further on, it does not detract from the fact that the hockey sex scandal was nevertheless a socially accepted phenomenon.

Jenkins (1996) dispels some of the misconceptions associated with social constructionism. To declare that a social problem is constructed does not imply that it is not founded upon perceptions that may have some validity. It is still necessary to question why some behaviour is seen as harmful in certain societies and at certain points in time. In other words, the indexicality of deviance is significant in that the interpretation of deviance is bound to the context in which it occurs (Pfohl; 1994: 356). Moreover, the constructionist literature does not assume that covert agendas lie behind these processes or that problems are somehow artificial dangers invented in order to

divert public attention from the 'real' issues (Jenkins; 1996: 4). These are criticisms which are often leveled against social constructionism.

The Symbolic Interactionist Perspective

Symbolic interaction, which encompasses labeling theory, falls under the umbrella of social constructionism. The symbolic interactionist perspective refers to how individuals react, interpret and define each other's actions. The 'symbolic' component of symbolic interactionism is important because proponents emphasize that humans adjust their behaviour according to the real and the *imagined* reactions of others. Interactionists view society in processual terms, as "a dynamic alignment of people, each acting in relation to how she or he interprets the actions of others, people whose importance contributes greatly to the way we define ourselves and decide upon appropriate lines of action" (Pfohl; 1994: 351). Symbolic interactionism also defines deviance through a sequential model. This signifies that deviance unfolds over time and that the factors which influence the development of deviance change across time.

Plummer (1975) suggests that a crucial analytic variable in the interactionist perspective on deviance is the existence of individuals or groups in society who define certain behaviour as deviant; deviance is not an inherent quality of an individual. Phenomenology challenges any notion that there may exist an absolute reality. From this perspective, deviance is a social construction and takes on variant meanings according to the situation and the individual's actions. More specifically, from the interactionist perspective, sexuality is a social construct which is learned and negotiated through interaction with others. Sexual 'reality' is shaped and constructed by religion,

jurisprudence, laws, power struggles, philosophy, public opinion polls, moral crusades, medical theories, etc. In discussing sexual deviance, questions need to be raised about its causes, characteristics and consequences. Even more important to consider are its agents and targets as well as how deviant designations get established and perpetuated. In the case of child sexual abuse, there is a need to know why some of society's members react with hostility to some child molesters. Not all child molesters are treated with equal disdain. For instance, a woman, a male stranger and a young adolescent who are all accused of abusing a child will no doubt be treated differently. According to Plummer, the pedophile may well be sick, but the interactionist is concerned with how that reality is built, how these attributes come to be significant and how such meanings come to be bestowed upon certain individuals.

The Labeling Perspective

The labeling perspective within the social constructionist or symbolic interactionist orientation has often been used to problematize deviance. As was discussed in the previous section, labeling refers to the process by which some individuals come to be defined as deviant. Becker (1963) suggests that social rules define situations and the kinds of behaviours that are appropriate to them, specifying some individuals as 'right' and others as 'wrong'. When a rule is enforced, the person who is presumed to have broken this rule may be viewed as an 'outsider'. According to Becker, deviance is created by specific agents such as moral entrepreneurs who bestow labels upon certain individuals or groups and then act in ways to ensure these labels adhere to the specified targets. Deviance is not necessarily inherent to the individual. The degree to which an

act will be treated as deviant depends on who commits the act and who has been affected by it. Davis describes the labeling approach as situational and contingent, which indicates that it is “an outcome of official decisions in a particular social context” (1975: 173). She suggests that rules are applied differently based on power. In other words, labels will be the outcome of the class, ethnicity, sex and age of those being labeled as well as those who are doing the labeling.

Strict versus Moderate Constructionism

An important note must be made about the distinction between hard or strict constructionism and moderate constructionism. A critique leveled at social constructionism is that its arguments are circular since all realities are considered equally subjective. Strict constructionism, if there is such a pure position, argues that it is impossible to relate subjective concern and objective conditions because objective conditions do not exist. Everything is socially constructed and everything is equally subjective. The perspective taken in this project is that of Goode and Ben-Yehuda (1994) who argue from the perspective of moderate constructionism. This perspective does not necessarily hold that social problems are defined by the objective severity of conditions. However, it does suggest that objective conditions do exist to some extent, but that definitions are to a large extent not direct reflections of the seriousness of those conditions. They argue that at times, very harmful conditions can fail to be defined as social problems while relatively benign conditions come to be defined as such. While there is no denial that objective conditions do exist, they alone do not determine the public reaction to a social condition or problem. Simply because a crisis is constructed

does not signify that it is imaginary. Even though the media, the public, and legislators are not reacting to the objective conditions of a problem, it does not deny that they exist.

Consensual Reality

According to Mauss (1975), there is no such thing as a single objective definition of reality. Reality is defined by different groups in society. It follows that consensual reality does not exist in any objective sense. However, Mauss dismisses the suggestion that reality can not be defined objectively as insignificant, given that whatever people believe to be real will be real in consequence. Thus, consensual reality is important in that, both at the individual and societal levels, it is the only reality people have at their disposal. Most interact with the reality that they have learned from their social worlds. Given that reality is constructed, it will vary across societies and across history. For instance, some important social problems which existed in the past originating in 'factual' data would not be considered 'real' today. One classic example is the hysteria over the witch trials. Arguably, deviance has always been collectively 'created' in some way because "deviance-defining requires initially some characterization and categorization of types of behaviours and appropriate responses" (Schur, 1979: 416). That is, there must be the idea of witchcraft as well as resulting implications and consequences for witches to be identified and prosecuted.

Mauss suggests that the origins of consensual reality can be categorized into two levels: formal and informal. Formal reality is created by those generally assumed to be authority figures in terms of the facts and statistics they put forth or the expertise they claim to possess. Such reality normally reaches the masses through magazines,

newspapers, television or conversations with others who have knowledge of this information. There was certainly an abundance of such 'authority' figures cited in the media during the hockey sex scandal. Authorities from all quarters including psychiatry, social services and academia shared their 'expertise' and aided in creating the 'reality' of the hockey sex scandal.

Informal reality refers to the truths or facts emanating from folklore, myths and anecdotes (Mauss; 1975: 9). It also refers to knowledge derived from everyday life and social interactions. In other words, informal reality often derives from 'common sense' which can not be attributed to any official source or authority figure. Davis (1975) also suggests that stereotypes shape the collective definition of a problem. Stereotypes, however misconceived, can shape behaviour, particularly when this receives almost continual coverage by the mass media and during social discourse. Informal reality is distinguished from formal reality in that it does not attempt to base 'facts' on empirical or verifiable evidence. It exists as a result of tradition and storytelling. While he does not use the term consensual reality, Lowry supports the view that popular myths play a role in how reality may come to be constructed. He defines a popular myth as a "partial truth, a distortion of reality, a selective perception of much available evidence that permits men to make some general sense out of half-understood and incompletely observed events" (1974: 19). He argues that to the extent that they help individuals make sense of their environment, myths are useful, even in their most distorted form. The difficulty with popular myths is that they often take on the character of total truths and total reality. Assuming these beliefs are grounded in fact, individuals may accept only the information which reinforces this preconceived schema, translating into a self-fulfilling prophecy.

While it would be difficult to prove that this type of reality was as crucial to the hockey sex scandal as was the formal reality, it can be speculated that storytelling, rumors and myths based on popular wisdom were widely present, as in other moral panics.

It may even be suggested that not only were rumors and stories informed by popular wisdom spread in social circles, but that they informed media coverage as well. Popular wisdom often sees the emergence of problems as natural or unavoidable, as the result of evil in the social world, or as a result of consciously evil individuals and their basic inadequacies (i.e. pedophilic tendencies). This view sees social problems as the result of inherent evil within the deviants involved in the problem. Since, in this view, evil compounds evil, it implies that as one evil is left unaddressed, other forms are sure to follow (Lowry, 1974: 26).

A critique leveled against the popular wisdom theory is that problems are seen as rooted in morality rather than scientific or sociological evidence. However, it has been suggested that evil or deviant behaviour shows the same characteristics as normal behaviour in that it is contingent upon time and space. Studies have shown that many of the myths that have often been taken for granted (myths which were often a result of expert evidence), are not based in fact. However, going back to the sociology of knowledge, it is insignificant whether the social problem is based in 'fact' or 'myth' since it exists nonetheless. Furthermore the fact that the hysteria over child molestation is based in morality is taken for granted given that the contention in this thesis is that it was a 'moral' panic. This implies that social problems do exist in the objective realm, whether consensual reality is based on formal or informal reality.

While a differentiation between formal and informal realities may be useful in theory, distinguishing them in practice may be more challenging and even futile. For instance, experts (formal reality) have often propagated myths (informal reality) of child sexual abuse and pedophilia. Moll, writing about pedophilia in 1913, associated it with such atrocities as psychological diseases, unemployment, improper supervision of young girls, premature sexual development, child prostitution, pornography from Latin countries, homosexuality, parents selling their children to pedophiles, and lust murder. According to Plummer (1979), the image of the pedophile as a dirty old man who is a sick stranger and an inhuman monster is a myth and is inconsistent with what is socially accepted at the present time. It is a widely accepted 'reality' today that children are more at risk of being sexually abused within the home than they are outside the home. This is not to suggest that experts maliciously diffuse false information, but to demonstrate that perceptions of truth can and do change over time.

Critique of the Social Constructionist Perspective

The most substantial critique leveled at the social constructionist perspective which requires a response for the purposes of this study is a structural one. This critique contends that social constructionists have devoted attention to the micro level interactions of the labeling process but have devoted less attention to examining the socio-structural factors of labeling and social control at the macro level (Pfohl; 1994: 389). The social constructionist perspective adopted in this project seeks to avoid this theoretical pitfall because it does not attempt a micro level analysis of deviance in the case of hockey coaches. As Schur suggests, "the labeling approach is much less interested in exploring

why individuals engage in perceived deviation than it is in depicting how, through what social processes, deviance situations and outcomes emerge” (1979: 159). Schur claims that with the rise of social constructionist theory, sociologists have become interested in researching the ‘discovery’ or ‘invention’ of particular aspects of deviance, which are contextualized within the sociocultural, historical and political contexts in which they occur. The theoretical framework of this thesis takes on a macro level analysis which focuses on the socio-structural factors contributing to the panic. Labeling theory will be used to examine the subjectivity of morality and social problems. Despite their drawbacks, societal reaction theories can provide a unique understanding of the dynamics of deviance (Schur, 1979), and arguably, the analysis of morality, social problems and moral regulation.

Social Problems

As a preliminary way of elucidating Goode and Ben-Yehuda’s theory of the moral panic, which is the core theory of this thesis, it is useful to review the literature on social problems as the social problem and moral panic are similar in the constructionist view. Horton *et al.* define the social problem as “a condition affecting a significant number of people in ways considered undesirable, about which it is felt something can be done through collective action” (1997: 2). Sociologists who speculate as to the origins of social problems normally undertake one of two main positions: objectivist or subjectivist.

The Objectivist View of Social Problems

Traditionally, theories concerning social problems have been objectivist in nature. Sociologists subscribing to this orientation see social problems as originating mostly in objective changes in the social structure rather than as resulting from the actions or behaviours of groups or individuals with vested interests. Many subscribing to this view would see social problems as the result of rapid social change in the form of industrialization, urbanization and other technological developments, whether the social problems in question involve deviance or not. This perspective, which is partly based on a functionalist paradigm, views recent economic and technological change as the impetus for the inability of social systems to function as effortlessly as they did in the past and as creating obstacles for those whose values and norms can not easily adapt to new situations. The result is that those who fail to adapt attempt to achieve their goals in ways other than through legitimate opportunities by, for instance, turning to crime or by retreating into alcohol, drugs or mental illness (Merton; 1938). Similar to this Mertonian view is a view described by Horton *et al.* that suggests that it is the social disorganization accompanying rapid social change which is the cause of social problems. Both views assume that in the past, a certain problem either did not exist or was not recognized as a problem. Both views also assume that values, norms and practices were stable and ubiquitous at one point in time.

A similar objectivist approach rests on the notion, like the aforementioned theories, that social problems originate from the social structure. However, rather than blaming rapid social change, it blames the lack of needed change in society. Capitalism is usually reproached either explicitly or implicitly for materialism, imperialism and

racism, factors which are considered serious contributors to the social problems that exist today (Mauss; 1975: 33).

The value conflict approach suggests that society derives its character from values such as, for example, monogamy, democracy, and consensual sex between adults, in the case of Canadian society. Given that modern societies are culturally diverse, different sets of values emerge. As a result, social problems can develop over disagreements concerning proper values and desirable social conditions. This gap in values can create moral confusion, causing some to resort to personal deviation (Horton *et al.*; 1997), a view which is not unlike the Mertonian theory outlined earlier.

The final objectivist view to be considered is that of personal deviation (which is similar to the popular wisdom theory examined earlier), which is also the approach most seen in the media coverage of the hockey sex scandal, whether it be through reporters or the general public. This view and its variants are also espoused by many in the therapeutic field. This approach looks to the motivation of specific individuals whose behaviour and actions are considered to be the cause of social problems (Horton *et al.*; 1997: 23).

Becker (1963) critiques the objectivist view of social problems. He claims that the suggestion that some sociologists can detect the existence of 'objective' social problems, whether they are defined as a problem or not, is problematic. This would necessarily invite the suggestion that if the members of a society have values which come into conflict with a certain social condition, even if they do not regard this condition as problematic, it is a social problem.

To dispel any confusion, my position is that the hockey sex scandal can be considered a social problem or more specifically a moral panic and that this, considering the sociology of knowledge, can be considered to be an objective condition, as I argued above. The problem with using an objectivist perspective, however, is that, like Becker, I do not maintain that the causes of the social problem can be identified objectively, a position which will be clarified in the next section.

Partly due to Becker's critique of the 'objective social problem', the objectivist view of social problems is rejected in this project. An alternative way of conceptualizing the social problem, which is consistent with the social constructionist theoretical orientation, is the subjectivist view, which in its description will address many of the inadequacies of the objectivist stream.

The Subjectivist View of Social Problems

The subjectivist approach to social problems differs from the objectivist approach in several ways. According to Kitsuse and Spector, social problems are "the activities of individuals or groups making assertions of grievances and claims with respect to some putative condition" (1970: 75). This assertion is consistent with the social construction of reality as espoused by Berger and Luckman. Kitsuse and Spector, by using the word 'putative,' suggest that a social problem exists when there is a commonly held belief that such a problem exists, whether it be sociologically verifiable or not.

Deviancy theorists who subscribe to a subjectivist perspective, of which the most influential proponent is Becker, make use of such concepts as interest groups and public opinion. According to Becker (1963), ordinary people (not sociologists or social

commentators) define problems as they relate to their immediate interests and their roles in social life. It is apparent how the hockey sex scandal would have gained so much attention according to this view. Most Canadians have been exposed to the problem of sexual abuse whether it be in their everyday lives, as parents, children, concerned relatives, coaches or hockey fans, indirectly, as consumers of media or through more informal channels like storytelling. Becker stresses the importance of recognizing that social problems are a result of their being constructed as such, but also that the same set of objective conditions which may have prompted a certain social problem can be viewed in a number of ways. Recognizing this has both theoretical and practical implications. The theoretical implication is that it is important not only to consider the objective condition but also the varying definitions of the problem in question by those who hold a vested interest in its definition and the form it will take. These varying definitions will be explored in Chapter 4. The practical implication is that once an issue is defined as a social problem, it will solicit prompt responses by various interested groups.

Most subjectivists subscribe to the view that social problems have a natural history and that the problem is processed through identifiable stages before it emerges as a social problem. Very briefly, the first step involves an issue being identified and defined as a social problem by a certain group. Second, when widespread concern has been attracted to the problem, it must become institutionalized if it is to become a social problem. Finally, a group or organization takes charge of the issue (Becker, 1963).

The major difference between the objectivist and subjectivist views is that subjectivists view 'objective' social conditions as being only minor contributors to the origin of social problems. More specifically the subjectivist contends that "objective

reality may provide to interested people in the society certain data or ‘facts,’ which they, in turn, may interpret according to their own social and psychological constructions. Whatever these objective facts may be, however, they are neither necessary nor sufficient to produce social problems” (Mauss; 1975: 35). The subjectivist view of social problems is more valid than the objectivist view because it highlights that conditions can be considered in a variety of ways depending on the individuals involved in identifying and defining those conditions as social problems. This perspective also emphasizes that problems are contingent upon time and space.

Stages of the Discovery of a Social Problem

The concern over pedophilia not only has implications for the wider issue of child sexual abuse, but also for the realm of sexual politics. The hockey sex scandal has been a debate in terms of sexual ideologies as much as it has been a debate over child sexual abuse in organized sport. While theorists have outlined the natural history of social problems, it would be more useful in our case to employ the model set forth by Mirkin (1999), given that it is more specific to the issue at hand.

According to Mirkin, battles over sexual ideology occur in two phases. The first phase is more covert and harder to detect than the second, and such struggles exist even before issues become politically visible. While this model might be more suited to ‘consensual’ intergenerational sex, its components are very helpful in identifying the stages of the social problem. Mirkin suggests that, initially, there is an overwhelming consensus over controversies dealing with sex. Deviants are not heard by dominant society, nor can they successfully challenge the power structure. This view is challenged

by McRobbie (1994) who suggests that increasingly, folk devils in sexual moral panics have been vigorously defended by pressure groups who play an important role in challenging the dominant view, and what they see as stereotypes and misconceptions concerning these 'deviants'. McRobbie suggests that this was the case during the Cleveland affair when supporters came to the defense of a female doctor who had been an advocate for the so-called abused children. She had been cast as a folk devil by the media but was defended by feminist and other groups. To McRobbie's credit, this has also been the case with the battle over gay and lesbian issues. However, I suggest that the coaches involved in the hockey sex scandal have not enjoyed such vocal support by pressure groups. One reason may be that the folk devils in our case are the hockey coaches who were personally responsible for the victimization of these children (in contrast to a doctor who was not personally responsible for the sexual abuse in the Cleveland affair and the consensual adults involved in the public battle over gay rights).

Phase one conflicts are often depicted using the language of public health crises. The term epidemic is often used and the behaviours in question are characterized as diseases praying upon the innocent. In the hockey sex scandal, media coverage made quite apparent who the innocent victims in this case were and who was preying upon that innocence. The medicalization of deviance can have several implications. One of those implications is that medical language implies that the problem can be treated or cured and that a solution exists and is simply waiting to be discovered. It implies a causal relationship between variables which obscures the fact that social issues contain multiple variables which at best involve correlations.

Next, the mass media produce a stream of articles that take on the dominant view of the problem and silence, demonize and ridicule those who question or challenge this view. During the hockey sex scandal, most articles exposed the horrendous nature of this problem.⁸ Those individuals challenging the panic or those who sought to openly explore the concept of pedophilia were in fact, ridiculed, condemned and demonized.⁹

Psychologists are often cited as experts in situations where normalcy is disputed as in the hockey sex scandal where they were often cited and employed to legitimize the dominant order. It is important to note that social problems such as the hockey sex scandal do not come to public attention immediately and naturally. In Chapter 4, I will explore in detail how particular agents and the news media were instrumental in bringing this issue to public attention.

Phase one conflicts are not viewed as legal conflicts. Sex and politics are seen as being part of two completely separate spheres and the deviant group as having no entitlements to either legal or political rights. In the battle over sexual politics, issues are framed in terms of absolutes. There are no neutral labels, only words such as 'pedophile,' 'child molester' and 'sick monster'. According to Mirkin, because sex is a visible political issue, sexual panics have been a recurrent phenomenon in modern society. In the conclusion, I will examine in more detail how the events in phase one of

⁸ See for example: Mike Board. "Ultimate Trust". Calgary Herald, January 10, 1997. C3.; Catherine Ford. "Give children power to speak out". Calgary Herald, January 10, 1997. A17.; Jody Paterson. "So such thing as consensual sex if adult is in position of trust" Times Columnist, January 14, 1997. A12.; "Victims outraged at two-year term for sex assaults" Times Columnist, October 28, 1997. A8.; Lorne Gunter. "Pedophilia is sick, sick, sick" Calgary Herald, January 14, 1997. A11.

⁹ One columnist denounced and ridiculed gay lobbyist and so-called 'pedophile advocate' Gerald Hannon's alternative perspective of pedophilia (Lorne Gunter, "Pedophile is sick, sick, sick" Calgary Herald January 14, 1997).

the battle over sexual politics contribute to widespread implications for the issue of pedophilia as well as for the wider issue of sexual politics.

The second phase involves a visible political fight like the current battle over homosexual rights. I suggest that no such battle exists as of yet regarding pedophilia. While there have been some more vocal groups in Britain, Canadian society has yet to witness such a public battle.

Differences Between the Moral Panic and the Social Problem

According to Goode and Ben-Yehuda, social problems and moral panics overlap in many ways. Both are based on different interpretations of the situation and both are measured by public concern. In both cases, claims-making occurs regarding the nature and appropriate solution to the problem. While there are many similarities, there are three basic differences which distinguish the social problem from the moral panic. First, an essential component of the moral panic is the construction of the folk devil, who is not a necessary component of the social problem. In the hockey sex scandal, the folk devils are the hockey coaches who were involved in sexual improprieties with the players. Second, in the moral panic, there is a discrepancy between the degree of concern over an issue compared with the actual threat it poses. Finally, the moral panic implies that there is a fluctuation in the degree of concern over an issue across time. Both the second and third differences, along with the other criteria comprising the moral panic, will be established in Chapter 2.

Goode and Ben-Yehuda suggest that the most common approach to the moral panic is the Interest Group theory. This theoretical approach suggests that groups such as

professional associations, police departments, the media, religious groups and educational organizations may have an independent stake in bringing an issue to the forefront. This may be achieved by focusing media attention on a certain issue or transforming the slant of news stories covering it, alerting legislators, demanding stricter law enforcement, instituting new educational curricula, and so on. This issue will be explored in more detail in the Chapter 4 where it will be argued that the media and other claims-makers played a major role in bringing the panic to the public's attention.

Relative versus Absolute Morality

In deconstructing the concept of the moral panic, a few words should be said to clarify its 'moral' component. Morality essentially concerns what is considered 'right' and 'wrong'. According to Schur (1979), deviance is an issue about which certain people feel something ought to be done. However, this often involves disagreement as to the nature of the problem, its solution or even whether or not something should be done. Responses often involve strong emotional reactions over whether something is right or wrong, which inevitably raises moral issues and debates. The crossing of moral boundaries can underlie many crises.

The view adopted in this project, like that of Goode and Ben-Yehuda, is that morality, like reality, can not be objectively determined but is socially constructed. In other words, morality is not inherent in certain types of behaviour. The ideal type of the objective view of morality suggests that if an act is wrong, it will always be wrong, has always been wrong and that the harmful consequences of evil are self-evident. Looking at morality from a relative or subjectivist point of view seeks to understand how and why

behaviour is seen as deviant or wrong and how a condition may be viewed as evil at one time and place but not another. Obviously, such a dichotomy is unsophisticated and does not reveal the complexity of an individual's or community's moral composition. The purpose of using such extreme opposites is merely for illustrative purposes.

Morality, like deviance, is contingent upon time and space. There is no absolute evil in homicide, pornography or pedophilia. According to Goode and Ben-Yehuda, "what is crucial is how the behaviour is defined, judged, and evaluated in a particular context" (1994: 68). They state that some conditions are more likely to result in condemnation than others and the more widespread the condemnation, the more likely that condition or behaviour is to be considered deviant or immoral. It can be determined that such definitions and evaluations exist and are incorporated into collective consciousness. These evaluations should be the departure point with which to examine moral issues. While it is possible to simplify the relativistic view of deviance from a moral point of view by saying that adopting it condones harmful conditions, this would be an inaccurate understanding of the concept of relativity. Simply stating that deviance is contingent upon time and space does not condone an oppressive practice; it simply implies that there may be more than one moral perspective with regards to a certain issue.

The fact that concern over pedophilia is indeed constructed is proven by the fact that the level and nature of concern changes over time and across cultures. Mirkin suggests that like homosexuality, "the concept of child molestation is a culture and class specific modern creation" (1999: 4). While we may consider intergenerational sex to be evil and heinous, it has been accepted and even encouraged in many cultures throughout history.

According to Lafontaine (1990), the sexual abuse of children involves ideas that are rarely questioned because they are seen as fundamental truths rather than as beliefs which can be modified. All members of societies have beliefs about sexuality and the relationship between adults and children. However the content of these beliefs varies across societies which illustrates that such beliefs are contingent upon particular cultures and social arrangements. While it seems that sexual activity between adults and children is universally condemned, it would be inaccurate to imply that this belief is universal. According to Lafontaine, child pornography is produced and widely sold in Western societies. Furthermore, the PIE (Pedophile Information Exchange) in Britain, before it was banned, publicly lobbied that children have a right to explore their sexuality, with adults if they so choose.

Finkelhor (1984) claims that because the problem of sexual abuse has been so readily accepted as a social problem, as opposed to marital or date rape for instance, advocates of this social problem have not been forced to make as much of an effort to argue that sexual abuse is wrong, even though the very label 'sexual abuse' is contentious. One of the key issues regarding sexual abuse is the expansionary tendency of the concept, which will be discussed in Chapter 3. We may well argue that adult-child sexual interaction is abuse, but the most benign interactions between adults and children, like cuddling, risk being enveloped in the category of 'abuse'. Advocates have assumed a moral consensus and as a result have not been forced to examine the moral assumptions of their position since communal morality readily supports their view. The intuitive arguments that are often made against the idea of intergenerational sex are that it is intrinsically wrong and unnatural from a biological point of view; it entails the premature

sexualization of the child; it is harmful; and young people are unable to consent. These points have all been addressed in the literature.¹⁰ However, given that the purpose of this project is not to extol the virtues of pedophilia, suffice it to say that different moral perspectives do exist on the matter. This line of argument is merely intended to be illustrative of the relative nature of morality.

In this sense, morality will be considered at the community level.¹¹ This is where the concept of labeling arises again. In simplistic terms, if the community agrees with the behaviour of an individual, then that person is behaving morally. However, if the behaviour is contrary to community principles, it contravenes communal morality. It can be argued that communities are held together by this communal morality. For the person who is accused of moral deviance, the achievement of this status requires more than a few people in the community. It requires that the individual's behaviour be recognized as deviant by those holding some position of authority. According to Duster, morality has two components. The first is the behaviour in question which is subject to control and the other is the nature of that control (1970: 99). This section on morality is merely introductory and will be discussed in greater detail in Chapter 5 when the issue of moral regulation will be introduced and applied to the hockey sex scandal.

At the risk of being redundant, an important caveat must be made with regards to the moral panic. Simply because a problem or crisis is constructed does not mean that it is imaginary. This means that actual events, some of them objectively harmful, can dramatize claims and heighten social concern about the general conditions that cause

¹⁰See, for example, Leahy, 1996, West, 1974 & 1981, Constantine, 1979, Bernard, 1979, Brongersma, 1988, Sanford, 1982

¹¹ According to Duster, "communities are held together partly by pressure external to actors, partly by a set of beliefs held in common" (1970: 86).

those events. However, to the extent that an increase in concern is accompanied by an actual increase in measurable harm, the condition or problem cannot be considered a moral panic. With regards to the hockey sex scandal, there is no dispute that there was an objective condition, that of sexual abuse, which is serious and harmful to those involved and that fact should not be ignored.

To recapitulate, in this chapter, I have raised the key theoretical issues with regards to my argument that the hockey sex scandal was a moral panic. I have illustrated this by combining the arguments of various theorists which support my view that knowledge, reality and deviance are subjective and relative and that there exists no absolute reality. Deviance is not an inherent quality of an individual but rather is defined differently based on the actors involved, both as targets and as regulators. In taking a moderate constructionist perspective, I do argue that certain objective conditions can exist, but that these objective conditions to a large extent do not determine the attention a particular condition will receive from the public and the media. In discussing the literature on social problems, I have clarified the notion of the moral panic, given that the two are similar in the constructionist view. In this chapter, I have introduced the theoretical background which will support my inquiry into the reasons why the media and the public devoted so much attention to this particular issue. In Chapters 3 and 4 I will explore this argument in detail.

It is not sufficient to merely state that this social condition was a moral panic. In Chapter 2, I will further clarify my argument that this scandal constituted a moral panic by illustrating how the hockey sex scandal satisfies the five indicators of the moral panic as suggested by Goode and Ben-Yehuda and that the objective condition of sexual abuse,

while dramatizing and heightening social concern about the issue, was not the most important factor in bringing this panic to the public's attention.

Chapter 2:

Indicators of the Moral Panic

In the previous chapter, I introduced moral panic theory as well as the social constructionist framework associated with it. In this chapter, I begin by locating the hockey sex scandal. Subsequently, I will illustrate how this scandal can be considered a moral panic by showing the ways in which it meets the five indicators of the moral panic as set out by Goode and Ben-Yehuda. First, to be considered a moral panic, a condition or problem must elicit an elevated level of concern about the behaviour of a certain target group. Second, there must be an increased level of hostility towards the group or individuals responsible for the behaviour in question. Third, there must be widespread consensus that the threat is real and is caused by the accused group. Fourth, a crucial element of the moral panic is the assumption that the number of individuals engaged in the deviant behaviour is greater than it actually is, and that the threat or damage caused by the behaviour is far more substantial than what can be reasonably ascertained in reality. Finally, a moral panic is characterized by volatility in that it erupts suddenly and subsides nearly as quickly.

Methodology

According to Cohen and Young (1981), the media are the main creators of the moral panic and those studying moral panics can not but pay particular attention to the role of the mass media in defining, shaping and regulating social problems. While the media may not self-consciously be engaged in crusading, they are agents of moral

indignation in their own right and their selection and reporting of certain 'facts' and issues are often instrumental in generating public concern, anxiety and even panic. Given the importance of the mass media in constructing social problems, it seems logical that the news media would be the most reasonable context in which to locate the five indicators of the moral panic, which will be the main focus of this chapter. The purpose of the media analysis is twofold. First, trends in media reporting will be explored to locate the moral panic. Second, these trends, as well as the content of the articles found will be analyzed to prove the existence of the five indicators of the moral panic.

The first task is to locate the hockey sex scandal. Fishman (1981), when analyzing the crime wave created by the media with regards to elder abuse, kept a record of all news relating to crimes against the elderly reported from September 1976 to February 1977 in two newspapers. This enabled him to locate the New York crime wave. More specifically, this enabled him to determine when it began, when it ended, and the type of coverage crimes against the elderly received before and after the crime wave period. According to Jenkins (1996) who examined the case of priests as pedophiles, the sheer volume of reporting suggested that this was a story that demanded public attention and official action. Horton *et al.* (1997) suggest that counting the number of articles devoted to a particular topic is an excellent way of measuring public concern about an issue. When numerous articles appear, it is clear that the condition has attracted widespread concern and can be considered a social problem.

The unit of analysis chosen for this study was print media due mainly to the ease in obtaining it over broadcast media. Six newspapers from across the country as well as one newsmagazine were selected through convenience sampling. The newspapers

included The Globe & Mail (Ontario), the Winnipeg Free Press (Manitoba), the Calgary Herald (Alberta), the Times Colonist (British Columbia), Le Devoir (Québec) and La Presse (Québec). Maclean's, a national weekly newsmagazine was also analyzed for content.¹² In terms of content, any articles relating to coaches molesting players entrusted to their care were counted, whether they were news articles, sports articles or editorials. The reason for choosing these particular newspapers was simply to obtain an adequate sample that would represent the provinces in different parts of the country as well as the areas of the country boasting the different major junior hockey leagues: the OHL, the WHL and the QMJHL. It was particularly important to sample newspapers from Western provinces since this part of the country witnessed the birth of the panic.

Knowing Graham James was arrested at the end of November 1996 and that Sheldon Kennedy came forward at the beginning of January 1997, it seemed logical to begin the search in 1996. Locating the articles by sifting through two years worth of daily newspapers was impossible due to time constraints. Thus, to locate the relevant articles in the newspapers, CD Roms containing full-text articles were consulted by entering key words into the computer. The main key words included: "Sheldon Kennedy", "Graham James", "Hockey + Sexual + Abuse". The secondary key words used were the names of other individuals associated with the scandal and who were often cited in the news, whether they be hockey coaches accused of sexual assault, victims or interested parties.¹³ While this technique may not have captured every article, it does

¹² It is important to note that Maclean's magazine is not included in the charts given that there would be no comparison between daily newspapers and a weekly periodical.

¹³ Some of these individuals included perpetrators such as Brian Shaw, Gordon Stuckless, John Paul Roby, Robert Keith Allaby, Rick Therrien, Arnold Douglas White, Ronald French, Jean Begin, Richard Lorne Hall, Duncan Campbell Scott, victims such as Martin Kruze and Jeffrey Mager as well as interested parties such as Gord Kirke.

illustrate the general trend, of which the purpose is to locate the panic and to prove that there indeed was a panic. Moreover, the fact that a variety of newspapers were chosen accounts for a more accurate portrayal of the trend. The following charts provide a visual portrayal of this trend in media coverage.

Media Coverage of the Hockey Sex Scandal (cumulative)

Examining the trend in media coverage, it is sound to conclude that the moral panic over hockey coaches molesting young players peaked in January and February of 1997 with steady, albeit diminished coverage continuing throughout the year, illustrating the institutionalization of the moral panic. This concept of institutionalization will be further explored in Chapter 5. According to the charts, January shows the most pronounced peak since Sheldon Kennedy came forward with his allegations at the beginning of that month. In February, coverage is diminished yet still plentiful since this is when the Maple Leaf Gardens scandal broke. We observe a slight peak later that year in October for two main reasons. The two main events that occurred in October were Gordon Stuckless's sentencing and Martin Kruze's suicide. These two events also prompted other types of renewed media attention such as editorials and articles

concerning regulation. These events accounted for the slight peak in coverage during October 1997.

While the trend is similar for all of the newspapers, it is obvious that some newspapers show higher volumes of reporting. This can be most easily explained through Ericson *et al.*'s (1987) concept of 'simplification'. Simplification occurs when news bureaux report on items containing the most cultural affinity. In other words, the media are more likely to report on items occurring in their own city or province than from other parts of the country (140). This can be easily applied to the data at hand. The Calgary Herald had the highest volume of articles in January when Sheldon Kennedy went public with his story. One of the reasons is that this story unfolded in the Western Hockey League. Another reason was that Graham James was general manager, head coach and part owner of the Calgary Hitmen at the time of his arrest which also explains why the volume for the Herald is higher in 1996 since it was towards the end of 1996 that James was arrested. Furthermore, Sheldon Kennedy had been part of the Calgary Flames in the past. The lowest volume of reporting was in the Québec newspapers, which could be due to geographic, cultural, and language boundaries. The second scandal, which occurred at Maple Leaf Gardens was, not surprisingly, mostly covered by The Globe & Mail due to geographical proximity¹⁴ and also because it is a national newspaper. As with the James case, the French Québec newspapers did not report on the Maple Leaf

¹⁴ However, the numbers may be more inflated due to the fact that there was a large editorial section comprising many letters from the public on the hockey sex scandal during this month. Regardless of these letters to the editor, it still takes the lead.

Gardens story very widely. Both the Graham James and the Maple Leaf Gardens scandals involved either the Ontario Hockey League or the Western Hockey League.¹⁵ The Québec Major Junior Hockey League did not witness a scandal such as those affecting the other two leagues. It is also significant to note that the Calgary Herald and The Globe and Mail were the two newspapers that seemed to have the most first hand reporting and to have staff reporters devoted to the hockey sex scandal. The other newspapers had a noticeably higher proportion of stories taken from the Canadian Press.

Indicators of the Moral Panic

For a moral panic to be present in society, according to Goode and Ben-Yehuda (1994), five crucial criteria must be met, some of which are more easily illustrated than others. These criteria are concern, hostility, consensus, disproportionality and volatility. The remainder of this chapter will be devoted to providing evidence that such a panic did indeed exist with regards to the hockey sex scandal. This will be accomplished by consulting the trends in media reporting already described as well as through a content analysis of the print materials.

Concern

Goode and Ben-Yehuda (1994) suggest that, in order to consider a social problem as a moral panic, there must be an elevated level of concern about the behaviour of a

¹⁵ It is important to note the connection between the OHL and Maple Leaf Gardens; the Toronto Marlboro Major-junior team is owned Maple Leaf Gardens Ltd.. Also, as was mentioned earlier, George Hannah was employed as equipment manager for the Marlboros.

certain target group and that the consequences of that behaviour impact or threaten other members of society. Concern must be assessed in a concrete manner, through for example, public opinion polls, public commentary in the form of media attention, proposed legislation or social movement activity. In our case, it is obvious that the targeted group of individuals is quite distinct. It includes hockey coaches who have been accused of molesting players in their care. This group has been expanded to include individuals associated with hockey such as the Maple Leaf Gardens workers, both groups being defined as part of the larger category of 'pedophile'.¹⁶ We can link concern over the hockey sex scandal to other expressions of concern. There have been different phases of concern regarding child sexual abuse over the years. The most obvious has been the concern about sexual threats to young females. More recently, male victims have become the focus of concern with the publicity surrounding such cases as clergy abuse. Concern over sexual abuse in hockey did not suddenly appear without any prior expressions of anxiety. This prior anxiety contributed to why the media and other agents linked this scandal to the wider context of sexual abuse, an argument which will be explored in further detail in Chapter 3.

Consistent with Goode and Ben-Yehuda's definition, concern over this scandal is manifested in a concrete manner which can be measured. While I have encountered no public opinion polls, public commentary in the form of media attention to the scandals has been rampant. For instance, as we have seen, the Calgary Herald contained

¹⁶ It is important to note that boys were not exposed to the Gardens workers in the same way as players were exposed to coaches. Some of the boys who were abused by Stuckless, Hannah and Roby were alleged to have been part of the Marlboros. However, most were young hockey fans from the outside who were enticed into sexual relationships in exchange for access to buildings as well as merchandise. While the nature of the power relationship is different, it existed in the case of the Gardens workers as it did with hockey coaches.

approximately one hundred articles with regards to the scandal in January of 1997 alone. Calls for regulation, from the public (though editorials), from journalists and from interest groups and ‘experts’¹⁷ have been commonplace in the media since the beginning of the scandal. As will be further explored in Chapter 5, these calls for regulation have been addressed by sports organizations, volunteer organizations as well as the government who have all proposed and instituted measures to address sexual abuse in hockey.

Hostility

The moral panic is characterized by an increased level of hostility towards the group or individuals responsible for the condemned behaviour. These individuals are designated as the enemy and as harmful or threatening to the values and interests of society, and often seen as particularly harmful towards a distinct segment of society. There is a clear dichotomy between deviants and respectable citizens, promoting an ‘us versus them’ theme (Goode and Ben-Yehuda; 1994: 33). According to Mirkin media coverage of deviant sexual groups is always framed negatively and pedophilia in particular is universally condemned, resulting in frank discussions about pedophilia being demonized and ridiculed. Neutral labels are virtually non-existent and those with negative connotations are employed regularly by the media (1999: 12). Moreover, extreme language is used to portray the problem amplifying the harmful and predatory nature of the behaviour (Jenkins; 1998). Similarly to what has mentioned in the previous section, it is likely that hostility already existed within the public consciousness. The

¹⁷ The notion of ‘experts’ as well as their role in this moral panic will be discussed in Chapter 4.

public was probably already concerned, and possibly predisposed to finding fault given that hockey coaches succeeded other authority figures such as priests, teachers and residential workers involved in child sexual abuse panics in recent years.

During the hockey sex scandal, hostility was portrayed continuously throughout media coverage. For example, one columnist suggested that “James is a cunning, calculating man...he breached the ultimate trust, the trust of youth...this was a sick monster preying on children...There should not be one shred of sympathy for Graham James...What he needs to do is shut up, serve his time and never be within a country mile of youths again” (Mike Board, “Ultimate Trust” Calgary Herald, Jan 10, 1997. A3). Other articles reported on events which portrayed public hostility. For instance, many stories described negative public and victim reactions when Gordon Stuckless was sentenced to two years less a day for his role in the Maple Leaf Gardens scandal.

During the hockey sex scandal, a very clear segment of society was seen as responsible for the threat. As mentioned previously, hostile and negatively charged words were often used to characterize ‘them’, the so-called deviant group. Words such as ‘molester’, ‘sexual predator’, ‘pedophile element’ and ‘sexual deviant’ were used regularly in media coverage when describing James and others who were accused of sexually molesting players. There was very much an ‘us versus them’ theme underlying media coverage. This theme was illustrated in such statements as “[t]his month, the sordid world of pedophilia collided with Canada’s most wholesome symbol when a junior hockey coach was sentenced in Calgary to 3- ½ years in prison for sexually abusing two young players, including a 14-year old (Jan Wong, “Aboard the Ottawa 67s Team Bus” The Globe and Mail, Jan 13, 1997. A1). Another expression of this type of

hostility is seen in “let me get this straight. Gordon Stuckless (the sexual deviant) stood before Mr. Justice David Watt (the judge). Judge Watt gives Mr. Stuckless a two-year sentence for pleading guilty to more than 20 counts of indecent and sexual assault. That works out to be 36 days per assault. Sometimes it’s hard to tell which ones are the bad guys” (Marty Cutler, “Hard to tell” The Globe and Mail, Nov 8, 1997. D7).

As was previously mentioned, often a distinct segment of society is perceived to be harmed by the individuals responsible for the condemned behaviour. In the case of the hockey sex scandal, children and youth comprised the segment of society considered most at risk in being harmed or victimized. It is significant that all youth fall into this category since it is not only victimization itself which is threatening, but also the potential of victimization. Likewise, not only are pedophiles to be feared, but also potential pedophiles.

Stemming from the hostility indicator is the belief that the deviant group is responsible for harmful behaviour. There are several instances of the media implying harm, whether it be explicit or implicit. Whether there is objective harm or not, which in itself is difficult to determine, what is significant for the hostility criterion to be satisfied is that there is perceived harm. It seems the harm to the children goes unquestioned. The very term ‘abuse’ implies harm. But the harm, according to the public, media, and experts goes beyond the assumed consequences of childhood sexual abuse. The media widely reported the victim impact statements at Stuckless’s hearing in lurid detail. They also implied a connection between Stuckless’s sentence and harmful consequences to victims. For instance, one editorial reports: “[t]oday, Martin Kruze is dead, having committed suicide after Gordon Stuckless, a former Maple Leaf Gardens employee, was

sentenced to two years less a day in jail for sexually abusing Kruze and some two dozen other boys” (“An unpardonable crime” Calgary Herald, Nov 4, 1997. A13). Similarly, other letters suggest that survivors of sexual abuse suffer problems in adulthood. One letter asks “what about the depression, sleepless nights, years of therapy, dysfunctional relationships that follow for the victims?” (Michael Abraham, “Pedophile’s sentence” The Globe and Mail, Oct 30, 1997. A22).

Consensus

To satisfy the third indicator of the moral panic there must be widespread consensus or at least a certain level of consensus in a given segment of society that the threat is real and is caused by the accused group. The sentiment must be fairly widespread and while not necessarily universal, it must cause concern in a certain segment of society (Goode and Ben-Yehuda; 1994: 34). This criterion, while perhaps intuitively obvious, is more difficult to illustrate. By virtue of the volume and nature of media attention devoted to the topic, it may be suggested that there is a consensus of opinion as to the existence of the problem as well as who the accused group is as well as who the victims are. To expand, it is revealing to look at the angle of stories, editorials and opinion pieces to assess whether a consensus exists. This, of course, is inherently problematic given that the news is edited and that the news media often organize stories according to themes. However, this may be one of the most plausible ways of determining consensus. By examining the angle of the stories and opinion pieces throughout the newspapers, it is clear that victims are favoured while offenders are negatively portrayed, thus supporting the suggestion that there is a dominant consensus.

The fact that Kennedy was the recipient of awards such as the Bill Masterson award for his courage and dedication to creating a centre for sexually abused children, and the fact that Kennedy was named top newsmaker of 1997 by Broadcast News and the Canadian Press may also indicate that there is a consensus with regards to where the public's sympathies lie.

Seeking articles that express dissent is also a logical approach to determining consensus. If there is little dissent, it may be possible to infer consensus. There are only a handful of stories and editorials which question the dominant discourse. Even when the dominant discourse is challenged in any way, it does not involve sympathizing with offenders or criticizing victims. However, it does sometimes involve questioning the magnitude of the threat. Some draw attention to the fact that very few coaches have been accused, proving that it is not a widespread phenomenon.¹⁸ Others question the excessive coverage by the media.¹⁹ On January 15, 1997, *The Globe and Mail* sent out a call for letters concerning the James case. On February 15, 1997, they published those letters. Out of approximately sixteen letters, only three in any way questioned the dominant consensus regarding this scandal. Likewise, in *Maclean's* magazine one collection of letters boasted five letters in favor of the dominant consensus while one questioned it. In the remainder of their coverage, *Maclean's* had two letters, published on March 10 and 31 which were critical of the media coverage of this scandal. Both letters accused the media of focusing on one bad coach while ignoring the majority of volunteers who make good coaches. While this could simply be the result of newsroom editing, it is

¹⁸ For example, see Claire Hoy, "Fear must not be allowed to ruin hockey" *Calgary Herald*, Jan 15, 1997. A15; "Coach-player links not rare" *The Globe and Mail*, Feb 3, 1997. C9

¹⁹ For example, see William Houston, "Truth & Rumours: William Houston's world of sport" *The Globe and Mail*, Jan 30, 97. C12; Mike McLaughlin, "Get a grip" *The Globe and Mail*, Feb 11, 1997. E12

nonetheless revealing that the media would portray the issue in this fashion. It illustrates that, while the media probably do not consciously set out to portray issues in a certain light, they are nonetheless instrumental in defining social problems from a certain perspective. This argument will be explored further in Chapter 4. Thus, since the overwhelming majority of news articles devote more attention to victims' perspectives than to the offenders' views with little dissent, and since victims have been publicly praised for their courage, it can be inferred that a consensus regarding the threat of the hockey sex scandal does exist.

Disproportionality

A crucial element of the moral panic is the assumption that the number of individuals engaged in the deviant behaviour is greater than it actually is and that the threat or damage caused by the behaviour is far more substantial than what can be reasonably sustained in reality (Goode and BenYehuda; 1994: 36). The notion of the moral panic hinges on the indicator of disproportionality. If disproportionality can not be determined, the statement can not be made that a social problem or condition is a moral panic. Disproportionality must be assessed by examining empirical evidence. Of course, we must be cautious when dealing with objective definitions or 'reality' since reality is subjective. However, according to Goode and Ben-Yehuda, "though we must be cautious, modest, and tentative about making statements concerning what is real and true about events in the material world, we nonetheless can be fairly confident that some statements are true and others are false" (1994: 38). Empirical evidence must rest on

degrees of confidence and on the fact that we invest more confidence in certain authorities or statistics than others.

There are four indicators of disproportionality. The first two, that figures are exaggerated and that figures are fabricated, are the most reliable indicators and proving either one of these indicators would be adequate for proving disproportionality. While it would be nearly impossible to assess whether statistics are fabricated in this case, I will attempt to prove that numbers have been exaggerated and I will call in to question some of the data cited by the media. The two other indicators are slightly less reliable but in our case, since both can be supported by evidence, it can increase our confidence level. According to Goode and Ben-Yehuda, the first of these is that the indicator of disproportionality may be said to have been satisfied if “the attention paid to a specific condition is vastly greater than that paid to another, and the concrete threat or damage caused by the first is no greater than, or is less than, the second”. The second is that the test for disproportionality may have been met “if the attention paid to a given condition at one point in time is vastly greater than that paid to it during a previous or later time without any corresponding increase in objective seriousness” (Goode and Ben-Yehuda; 1994: 44).

As I mentioned, there are four indicators of disproportionality. I feel it would be nearly impossible to illustrate the first. As such, I will apply the three others indicators of disproportionality to the media coverage with respect to the hockey sex scandal. First, estimating the prevalence of child sexual abuse is extremely difficult, and estimating the prevalence of sexual abuse against boys is even more arduous given that it is extremely underreported for many reasons which are enumerated in Chapter 3. Few studies of

prevalence exist and those that do suffer from methodological limitations such as poor definitions as to the nature of sexual abuse and, with regards to boys, small sample sizes (Finkelhor, 1984). According to Health Canada (1996), the statistics are different depending on the theoretical framework used, the definition of sexual abuse, and what sources are consulted. Nearly all Canadian statistics on the prevalence of male sexual victimization are based on official data derived from case reports from hospitals, police or CAS. However, these statistics are nonetheless incomplete given that male victimization is greatly underreported.

I suggest that in the case of the hockey sex scandal, statistics are not completely reliable and numbers cited by the media are decontextualized and exaggerated. According to Best (1990), all statistics are products of social processes, and definitions are based on human decisions. It often seems that claims-makers are those who know most about a new social problem. Since child sexual abuse in hockey has been neglected in the past, there is a dearth of official statistics since no agency has been keeping track of them. Given this lack of official statistics, claimants' knowledge becomes authoritative in the public's perspective so that the public may be cautious about undermining this knowledge.

The statistics most commonly cited in the media were general statistics regarding child sexual abuse.²⁰ Other statistics reported on sexual abuse in sport but focused on female athletes.²¹ The statistics most commonly cited by all newspapers were those from

²⁰ Susan Chung, & Susan Danard "Baby Abuse charge made" Times Columnist, March 9, 1997. A1; Gilles Blanchard, "Hockey Quebec se branche sur 'Jeunesse j'écoute': campagne contre le harcèlement and l'agression" La Presse, Oct 17, 1997. S9

²¹ Paul McCrae, "Player brought sport's sex predators out of the shadows" Times Columnist, Jan 21, 1997. A10; Kelly Tayler, & Scott Tayler "Put the power back where it belongs" Winnipeg Free Press, Jan 14, 1997. C1

a study by Sandra Kirby and Lorraine Greaves commissioned by Sport Canada. The statistics from their survey that were repeatedly reported by the media are that twenty percent of surveyed Canadian National team athletes report having sexual intercourse with an authority figure in sport; 8.6% of athletes report they experienced forced sexual intercourse in sport, of which 1/5 of these athletes were under sixteen years of age.²² The media continuously reported these statistics under the guise that this was a high number. In fact, if we divide 8.6% by five, those under sixteen experiencing forced intercourse account for approximately two percent of young athletes. Moreover, this two percent does not differentiate between male and female athletes. This seems to be a case of providing a statistic to the public, and letting it draw its own conclusions, thus decontextualizing the information.

A study by Trocme and Schumaker concerning sexual abuse of children in educational and recreational settings in Ontario was cited only once that I detected.²³ This study framed the issue slightly differently. As will be explored in Chapter 4, information is contextualized differently depending on whose interests are being served. The authors claim that while sexual abuse in such settings is a serious problem, these community settings are far from being high-risk environments for children. Teachers and other recreation staff having sexual contact with children in recreational settings account for about four percent of police investigations and three percent of CAS investigations (1999: 629). Even if we take the higher statistic of four percent (which includes all

²² See for example: Helen Dolik, "FOUL PLAY: Study reveals disturbing number of national team athletes are abused by sports authority figures" Calgary Herald, Jan 13, 1997. D5; James Christie, "Male reports of abuse expected to increase/Men delay coming forward, researcher says" The Globe and Mail, Dec 3, 1996. P13; Brian Cole, "Fearless player" Winnipeg Free Press, Jan 8, 1997. A6

²³ See Gary C. Walters, "Sport and child abuse" The Globe and Mail, March 17, 97. A10

recreational and educational settings, as well as both male and female victims), that number hardly warrants the hundreds of articles generated by the media on the topic. As is reported in one article in the Winnipeg Free Press, Sport Manitoba, police and child abuse experts believe that sexual abuse in hockey is relatively rare (Bruce Owen, "Coaches under lens" Winnipeg Free Press, Jan 4, 1997. A1).

The media use another tactic (whether consciously or not) to portray the problem of sexual abuse as being more prevalent than it is, thus contributing to the exaggeration factor. They work from a broad definition of sexual abuse. For example, given the intense media coverage with regards to this issue, one would expect a high volume of coaches being charged and convicted. In fact, throughout coverage in 1997, across all newspapers examined, no more than twenty hockey coaches were mentioned. The individuals who were most mentioned were Graham James, Gordon Stuckless and John Paul Roby. Of the other coaches, there was seldom any follow-up by the media. While they mentioned that individuals may have been accused, they seldom mentioned whether they were charged, or if charged, whether they were convicted.

While some may still argue that twenty individuals sexually involved with players is a high number, we must account for the fact that most of these individuals were accused of abusing players, not in present day, but over the past thirty years. It would seem that at most, twenty coaches coming to the attention of the media (at a time when the media is seeking out such stories) is not very high. According to Jenkins, as officials begin to address the situation, the number of instances of deviant behaviour increase and are prosecuted, which in turn increases the perception of a spreading epidemic (1998: 139).

The number of victims is even more obviously exaggerated, which is illustrated in the Maple Leaf Gardens scandal. The media were fond of reporting the growing number of victims coming forth claiming to have been victimized by Stuckless, Roby and Hannah. Police were suggesting that the number of victims reached nearly one hundred and abuse phone lines were reportedly flooded with calls from men who had been sexually victimized. The problem with this is that the media were very elusive and vague with regards to these victims. First, many victims coming forth at once (due to a catalyst) does not imply a high volume, if we put this in perspective. As with the coaches, victims were almost all reportedly abused over the past thirty years, not in the present. Furthermore, the media did not convey to the public what the nature of these 'victimizations' was. In addition, they did not tell the public whether any of these accusations resulted in charges or convictions. Again, it seems this was a case of journalists allowing consumers of media to draw their own conclusions. Since the media described the James and Maple Leaf Gardens cases in lurid detail, the public may have been inclined to conclude that all instances of victimization were equally as graphic as the few described by the media. As Mirkin suggests, in battles over sexual politics, definitions are vague and the mildest activities are blended with the most atrocious (1999: 12). Jenkins claims this is not a new device used by the media. He says that in past moral panics concerning molestation, claims were embellished by statistics which suggested that the volume was greater than it actually was and that those same claims linked the most benign cases with the most atrocious, thus expanding the definition of sexual molestation against children (1998: 119).

Second, the indicator of disproportionality may be said to have been satisfied if “the attention paid to a specific condition is vastly greater than that paid to another, and the concrete threat or damage caused by the first is no greater than, or is less than, the second” (Goode and Ben-Yehuda; 1994: 44). According to Jenkins, predators and pedophiles represent a minor component of the real threats faced by children. Sexual threats are outnumbered by other dangers such as physical violence, environmental changes and poverty. However, in the twentieth century, sexual threats by outside predators have attracted a disproportionate share of public attention, possibly because they represent scapegoats for those wanting to protect children (1998: 238). Furthermore, even in the context of sexual abuse, most children are sexually abused in the home as opposed to recreational settings. There are suggestions that boys, more than girls are abused by males outside the home (Nielson; 1983, Lafontaine; 1990). However, according to Trocme and Schumaker, “sexual abuse involving alleged perpetrators who are not part of the child’s family and friendship environment, account for a little less than 1/6 of investigations carried out by the police” (1999: 625).

According to the third criteria of disproportionality, there must be an increased level of attention paid to a certain condition at a certain time even if the ‘objective’ harm has not increased. Looking at the trends, it is obvious that more attention was being paid to sexual abuse in hockey in 1997 than in 1996. Arguably the objective harm had not increased. This can be illustrated by the fact that most victims and perpetrators were identified years after the victimization occurred. Graham James, who was the central figure in the hockey sex scandal was accused of sexually assaulting Sheldon Kennedy

more than a decade ago. Thus, it can be inferred that abuse has been present in hockey on a small scale for years, not necessarily increasing in 1997.

Volatility

In using the term volatility, the final indicator of the moral panic, Goode and Ben-Yehuda suggest that a panic erupts suddenly and subsides nearly as quickly. While some moral panics become routinized or institutionalized in legislation, others vanish without a trace. This indicator is easily illustrated by examining the charts depicting the trends in media coverage. Reporting on sexual abuse in hockey was virtually non-existent in 1996, before James's arrest. The panic erupted suddenly in January and February of 1997 and declined abruptly thereafter. It is interesting to note, however, that media coverage of sexual abuse in hockey did not disappear entirely. This is due to the fact that the panic was institutionalized which accounts for the steady albeit diminished reporting throughout 1997 and 1998 and which continues today. In Chapter 5, I will explore how institutions such as sports and volunteer organizations, as well as government agencies usurped the problem and instituted various measures in order to deal with child sexual abuse in hockey.

In the present chapter, I have shown that the hockey sex scandal was a moral panic by illustrating how the five indicators of the moral panic were satisfied. However, it is not sufficient to merely state that this was a moral panic. It is crucial to discuss why this scandal received so much attention thus rendering it a moral panic. In the following chapter, I will outline some of the factors contributing to its rise to prominence in public discourse during the late 1990s. I will examine this panic at two levels of generality.

First, I will contextualize it within the broader category of 'threats to children'. Second, I will discuss three factors contributing to why hockey became the site for this moral panic over child sexual abuse.

Chapter 3:

Factors Contributing to the Moral Panic

The main focus of this chapter will be on the content of the moral panic, leaving the issue of timing to Chapter 4. The purpose of discussing content is to contextualize the panic and to analyze the reasons contributing to why the hockey sex scandal commanded so much public and media attention. In terms of content, this panic must be examined at two different levels of generality. The first is a broad level whereby we must examine why child sexual abuse in general, and the hockey sex scandal specifically, command so much attention and is deemed a continuous, ubiquitous social problem. We must contextualize the hockey sex scandal within the broader issue of threats to children and more specifically, child sexual abuse. This will be the task of the first part of this chapter. The second part will introduce the social factors contributing to hockey specifically becoming the site of the moral panic over child sexual abuse. I hypothesize that three factors were influential in the development of the hockey sex scandal: the hypermasculinity of hockey culture, the shift in concern from girls to boys as potential victims of sexual abuse, and the importance of hockey in Canadian society.

Moral and Ideological Climate

The choice of child molestation in hockey for the late 1990s moral panic over child sexual abuse was not accidental. Already, child sexual abuse was established as morally wrong and as a broad and ongoing social problem. According to Goode and Ben-Yehuda, “[m]oral panics are aimed at deviantizing entire subpopulations, and

provide vivid illustrations of the clash of different moral universes. Moral panics, therefore, are intimately linked to the basic nature of various cultures” (1994: 198).

While the panic over molestation in hockey was in all probability not consciously created nor chosen at random, certain factors were present in society which created a climate in which such a scandal could thrive.

Goode and Ben-Yehuda suggest that ideologies help delineate the boundaries of symbolic-moral universes and that “[i]n this specific respect, ideologies and morality share a common denominator: they help social actors to utilize ideologically given rationale and justifications” (1994: 199). As part of this ideological climate, moral statements advanced in the anti-sexual abuse rhetoric help to create clear moral boundaries between those who molest children and those who do not, thus stigmatizing the abusers. Symbolic universes clash, inevitably creating conflict. During the moral panic over child sexual abuse in hockey, clear boundaries were established and tension existed between those individuals who were responsible for identifying and defining the problem and the hockey coaches and others who were targeted as folkdevils. It is also significant to note that not all claims-makers define problems in exactly the same way. This tension which can occur between claims-makers will be discussed in Chapter 4.

Child molestation is associated with pedophilia, and whether it be consensual or not, it is against the law and the general public supports that law. Most literature regarding this issue is based on moral arguments as much as it is on technical arguments and supports this dominant view and the moral boundaries which are established. As Goode and Ben-Yehuda suggest with regards to the drug panic, interest groups work within the existing context of moral division by using the media to exploit that factor. As

will be explored in Chapter 4, child sexual abuse was a relatively easy target with which to create a panic and was one which was attractive and familiar to the media.

This moral panic represented an exaggeration of an existing problem rather than the fabrication of a new problem altogether. However, it is important to recognize that the hockey sex scandal must not be cast simply in terms of folk devils and moral panics. As in many moral panics the whole political culture contributes to how they come to be identified and defined as well as how they eventually unfold (McRobbie; 1994: 213). When a social problem first appears, it is hardly ever as novel as it may seem and so it is important to determine the political, social and ideological factors that lead to this new recognition and definition of a problem (Jenkins; 1992: 3). To return to a term introduced in Chapter 1, it is essential to determine what factors lead to the consensual reality surrounding child sexual abuse, bearing in mind that there are many complex relationships and variables which can not be explained through simplistic models. As such, many factors could play a contributory role with regards to why this particular moral panic was identified and pursued.

The literature contains countless interpretations for why society takes such a keen interest in child sexual abuse issues. Some scholars suggest that as a society, we are fascinated with pedophilia. Kincaid (1998) suggests that we are obsessed with pedophilia and that we invest an inordinate amount of time and energy focusing on it and regulating it, and yet the reasons why we do so are unclear. According to Gardner, our interpretations of events are related to our desire to see things in our own way rather than rooted in reality. He also suggests that one of the factors contributing to this mass hysteria is a backlash against the sexual liberation of the 1960s and 1970s. It may also be

that society's reaction to pedophilia is exaggerated due to the previous denial of the phenomenon (1991: 117, 119). It is possible that factors contributing to our fascination with pedophilia and child molestation are as diverse as the religious foundation of society, the changing roles of the family, evolving gender roles as well as the work of social movements including feminists, the child-saving movement and other 'experts'. It is also conceivable that the increase in fear of sexual violence by women during the 1970s and 1980s makes them more sensitive to the potential sexual victimization of their children in the 1990s. Robinson suggests that hockey, in particular, may have become the focus of such a panic as a result of the hierarchical structure of the sport that focuses on expendable bodies and as a result of its abusive and violent culture, which in combination create the perfect place for a sexual predator to hide (1998: 6). It is crucial to bear in mind that given the complexity of social life, countless factors may shape how this moral panic has been constructed. However, only selected factors will be taken up in this project due to its limited scope.

I Contextualizing Child Sexual Abuse

Pedophilia is often constructed as an instance of the wider problem of threats to children, which may in turn add legitimacy to the claims associated with it. For instance, sexual abuse has been constructed as a sub-category of child abuse. While sexual offenses were kept distinct from cruelty to children in the past, they more recently have been drawn together, demonstrating a striking example of the malleability of child abuse. As I will argue in this chapter as well as in subsequent chapters, the malleability of child sexual abuse has several implications with regards to the perpetrators, victims and acts

involved. First, the guilty parties involved in molesting children have been transformed in public discourse throughout the years. They have gone from being strangers, to family members, to trusted members of the community.²⁴ Types of victims have also changed over time. For instance, as will be explored further in this chapter, there has been a shift in focus from girls to boys as potential victims of sexual abuse. Moreover, the nature of the acts involved in pedophilia is transformed so that the most benign acts are linked with the most atrocious. This is problematic because it expands the nature of pedophilia to include acts which may otherwise be considered 'innocent', and can lead the public to infer that all instances of abuse are equal in gravity. In the conclusion of this project, I will clarify how the nature of the perpetrators, victims and acts has been modified by the hockey sex scandal.

More and more kinds of behaviour come to be seen as abusive as they come to be seen as abnormal (Hacking; 1991: 287). To expand upon this link between abuse and abnormality, it is important to reiterate that an act is not necessarily 'abnormal' or 'deviant' until it is identified and defined as such. In the case of the hockey sex scandal, there was no abnormal behaviour occurring in hockey until it was recognized and brought to the public's attention by the media and by other individuals and 'experts'. The use of the term 'abnormal' is very à-propos in this situation given that many of the most influential 'experts' involved in defining this scandal were members of the psychological and therapeutic fields. This is significant since their assumptions

²⁴ While I do not discuss it in this project, the gender of perpetrators has also changed over the years to include women in positions of trust such as day-care workers and teachers. However, I would suggest that the occasional woman who molests a child is not necessarily considered a 'pedophile'. In fact, she may be considered sick and amenable to treatment. Arguably, members of society still espouse an ideology whereby a woman (a mother or potential mother) could not harm children in such a manner.

are often based on a medical model which views behaviours as 'normal' or 'abnormal'. While pedophiles have always been considered 'abnormal', hockey coaches have not been. In the past, junior hockey coaches were normal members of the community like any other. Arguably, as a result of the hockey sex scandal, all hockey coaches have become categorized as potentially abnormal, or at the very least are monitored much more closely, even though a very small percentage of coaches actually molest their players. Those who do molest children are inevitably branded with the master status of pedophile, which illustrates the hostility indicator discussed in the previous chapter.

According to Best, the current interest in threats to children began in the early 1960s with claims about battered-child syndrome and other problems followed thereafter. He claims that it was during the 1970s that sexual abuse joined neglect within the domain of child abuse. Incest and molestation were renamed and became child sexual abuse, implying that sexual contacts between adults and children were harmful. Claims-makers had little difficulty building a consensus that sexual abuse was indeed a social problem. The issue was defined very broadly, horrific examples were presented and minor offenses²⁵ were classified as 'sexual abuse' when they involved children. By the mid-1980s, child sexual abuse was a well-established social problem with its own broad definitions and astonishing statistics (1990: 16).

Expanding Definitions

Admittedly, the category of sexual abuse has expanded to include behaviours that

²⁵ Minor offenses can include those such as exhibitionism. More significant is that some interactions with children which are not criminal offenses such as bathing and shows of affection could potentially be enveloped within the category of abuse.

would have been regarded as mere nuisances thirty years ago. According to Kincaid, society constantly expands definitions, partly because we suppose we have grown more sensitive to such offenses, and partly because the expansions feed the discourse. Often, for the sake of maintaining these claims, facts and figures which are inconsistent are ignored (1998: 78).

Not only must we locate the issue of child abuse, but we must also locate the role of the folk devil within expanding definitions. As mentioned previously, the pool of potential child molesters now does not only include dubious middle-aged male loners but distinguished members of the community such as parents, aunts and uncles, priests, women, teenagers, children themselves, and even hockey coaches. According to Jenkins, the pedophile is no longer the pathetic child molester. He is now more threatening; he is sophisticated and well-organized (1992: 71). Kincaid claims that "while we maintain the monstrous and perverse criminality of the act, we also move to make it universal and inevitable" (1998: 14). Not only has the range of potential pedophiles expanded, but so has the range of potential victims. Both boys and girls are equally vulnerable. As I will discuss later in this chapter, there has been a shift in concern from girls to boys as potential victims of child molestation. Boys were neglected as victims and potential victims in the past. Cases such as the clergy abuse scandal helped to catapult male sexual victimization into public discourse. Moreover, not only are current victims at risk but past victims of molestation seem to be coming forward with claims, as in the clergy abuse and the hockey molestation cases. In addition, with the increasing popularity of the internet, the problem takes on global proportions.

During the late 1980s, threats to children came under intense scrutiny. This was influenced by widespread concern about issues such as child abuse, pornography, incest, kidnapping and child molestation. This concern was manifested in the media, through public opinion polls, through the legal system, and depicted in novels, movies and public service messages (Best; 1990: 2). While these different threats may seem only loosely connected, it is significant that they would be linked; this illustrates the expansionary nature of 'threats to children'. Combining various threats, whether they be closely linked or not, has the effect of making each threat seem more serious than if it were considered in isolation. I will explore this phenomenon in further detail later in this chapter.

The construction of pedophilia is demonstrated through its evolving typifications.²⁶ For instance, in the late nineteenth century, the focus was on the helpless victim and the perverted aristocrat. In the 1970s, pedophilia was associated with the 'coming out' and claim to liberation of gay men who were sexually interested in the young. In the late 1980s, the focus turned to the vulnerability and protection of the victim rather than on the character of the abuser (McIntosh; 1988: 9). Arguably, the 1990s have been characterized by a focus on victims as well as the character of abusers, particularly with regards to abuse at the hands of those entrusted to work with children such as teachers, members of the clergy and coaches.

²⁶ According to Best (1990), changing typifications of pedophilia are important because the different images emphasize different features of a problem and thus influence the responses to the problem (6), like for instance, punishing the guilty or protecting the innocent. I will expand upon how this discourse influences responses to social problems in Chapter 5.

The Significance of Children as Potential Victims

Since the late 1970s, there have been many scandals focusing on sexual predators. As has previously been mentioned, several panics were particularly concerned with threats to children. Jenkins suggests that this might be explained through symbolic politics. Focusing on children changes the legal and moral environment since children are seen as being unable to freely consent to sexual activities. By focusing on children, it would be impossible to claim that actions were victimless or consensual as in the case of pornography or homosexuality, for instance. Thus, in the 1980s, moral campaigns became focused on such crimes as pedophilia and child pornography, with claims-makers arguing that great harm resulted from these activities and that the crimes were the work of organized groups. Focusing on sexual offenses or deviant behaviour against children automatically raised the threshold of victimization, which would not be possible had only adults been involved (1992: 10). Best suggests that child-victims were important symbols in these campaigns and concern for protecting children from predators has become an overriding theme in debates regarding social problems (1990: 6).

Another explanation as to why focusing on children would create such an uproar is that sexual abuse, or any sexual interaction with children for that matter, conflicts with our social ideology or consensual reality regarding childhood innocence. In other words, merging sexuality with childhood innocence offends our sensibilities. Western democracies are very much child-centered. Childhood was invented in the late eighteenth century to occupy a “empty psychic and social space” (Kincaid; 1992: 11). It is important to note that the innocent child was indeed constructed. Kincaid suggests that the dominant view of the Victorian child as being innocent is overstated. He claims that

the image of the innocent child was not all that common in the nineteenth-century. This view of the innocent child is more likely a very late-Victorian or more modern imposition (1998: 73). Kincaid suggests that by insisting so vehemently that children are innocent, pure and asexual, we have unwittingly laid the groundwork for the opposite to occur, which is experience, corruption and eroticism. According to Hunt (1998), this ideal of the sexually innocent child implies that sexual knowledge is acquired from some external source. As such, by creating this idealistic image of the child we have created a necessary subversive evil who would prey on this innocence. Trying to separate the child and sexuality have resulted in the opposite effect (Kincaid; 1998: 4). Mirkin (1999), like Kincaid, suggests that in the twentieth-century we have moved in different directions with regards to childhood sexuality. The author compares our construction of children today to that of nineteenth-century women who were viewed as innocent and non-sexual. By insisting on this innocence, we have expanded the definition of what is considered to be sexual. Many behaviours which were previously viewed as non-sexual, like many forms of touching, are now considered to be sexual. In trying to protect children from exploitation and danger, we have eroticized them.

To expand on what has been implied in this section, the discourse surrounding the ideal of childhood may have some bearing on the social construction of pedophilia. Jenks suggests that the age of sexual maturity is very malleable and thus liable to the impact of changing social and economic patterns (1996: 86). This in turn determines what law and public opinion consider deviant regarding appropriate sexual activity with young people. According to W. Stainton Rogers and R. Stainton Rogers, the current tendency is to see all sexual relations between adults and children as sexual abuse (1992:

179). However, they would agree with Foucault that we are far from being repressive about child sexuality. We voice concern about childhood sexuality and yet we are fascinated by it.

Kincaid (1998) suggests that Freud may have in fact paved the way for the contemporary crisis. He puts forth the hypothesis that in sexualizing the infant and then making that infant sexually latent as he or she grows older, Freud's work may have influenced the discourse surrounding childhood sexuality. To clarify, while Freud does suggest that children are sexual beings in their own right and was arguably a pioneer in the area of child sexuality for putting forth this controversial claim, he does suggest that there comes a time in a child's maturation that his or her sexuality becomes dormant or latent. Extrapolating from this claim, one could argue that adults engaging in sexual activity with children who are at this stage can disrupt a child's natural sexual development.

The view of children as being in possession of a distinctive nature which is innocent, vulnerable and dependent makes the link between childhood and violence particularly problematic. According to Kitzinger, the 1980s and 1990s witnessed a growing consciousness of child abuse which challenged traditional beliefs concerning childhood. These campaigns emphasized a certain discourse surrounding childhood. Presumably, everyone is familiar with images associated with childhood and child abuse on television, in newspapers and in child protection leaflets. Such images often include visual and aural cues which portray childhood as surrounded by such things as picnics, teddy bears, and soft melodies which emphasize the fact that the victim of abuse is a child and that childhood itself is a crucial issue in terms of victimization. Childhood is

not defined by age per se, but by these qualities which are inconsistent with violence and assault. The quality which is seen as stolen from children when they are abused is their innocence. Childhood is presented as a time of play and freedom and as an asexual, peaceful existence protected within the family (1997: 166, 168). Kitzinger disputes such functionalist claims suggesting that they are ethnocentric and unrealistic assumptions. The norms and values upon which this ideal of a safe, happy and protected childhood are built are distinctive to the social preoccupations and priorities of capitalist countries (1988: 78).

According to W. Stainton Rogers and R. Stainton Rogers, the 1980s were dominated by a discourse of control in contrast to the discourse of release which characterized the 1960s. Consistent with this more recent trend, the spotlight concern over children and sex shifted from a gaze of informed liberation to a gaze focused upon the danger of adult sexual misuse and abuse of children (1992: 165). According to Jenks, "the erotic in adult-child relationships has been newly articulated in relation to the axes of purity and danger though, as Freud discovered, it has never been a dimension of human experience to speak its name too loudly" (1996: 87).

Thus, it is evident that childhood has not always been depicted as it has been in recent times. Jenks suggests that the panic over child abuse has expanded near the end of the twentieth-century, not because of any significant change in the manner in which we relate to children but because of the changing patterns of personal, political and moral control in social life which have in turn affected our perception of childhood (1996: 86). Likewise, Hunt argues that this return, during recent years, to the focus on childhood sexual innocence has occurred because the sexuality of children has been problematized

by changes in the social relations between children and adults (1998: 615). According to Best, modernization has increased adults' concern for children's well-being since parents now have fewer children and thus have more at stake. Society is now more likely to view children as priceless, lovable, vulnerable and innocent beings to be cherished (1990: 3).

Pedophilia as an Instance of a Wider Problem

According to Jenkins, panics are closely connected to each other and thus can not be understood in isolation, but rather must be considered as interlinked, complex incidents. New perceptions of pedophilia can only be seen as a sequence of developmental stages. For our purposes, there are two main reasons for this. The first is that the public is particularly sensitive to generalized dangers after a successful panic. Secondly, there is a cumulative nature to constructing social problems. If one campaign is successful, the public may be predisposed to accept claims advanced with regards to similar issues. Jenkins claims that in the United States, from 1983 to 1985, there was heightened media and public concern about 'loosely linked menaces' such as serial murder, child sex-rings, missing children, satanic cults and ritualized child abuse. It often appears as though problems are defined and publicized within a relatively short period of time and become visible during so-called periods of 'crisis' (1992: 13-14).

Tracing the construction of the problem is more complex than it may seem. It takes much perspective and it is crucial to take into account the influence of other issues and movements. According to Jenkins, "problem construction is a cumulative and incremental process, in which each issue is to some extent built upon its predecessors, in the context of a steadily developing fund of 'socially available knowledge'". It is unwise

to consider scandals in isolation from each other. Later panics would not have the power they did had it not been for the fact that they were built upon the memories and perceptions resulting from earlier panics. Each panic grows out of issues and problems from the years and decades preceding it. Jenkins advocates the necessity of “an approach to social problems that is at once holistic and historical in nature” (1992: 13, 14).

Associating child sexual abuse with other menaces, whether they be loosely linked or not, is an effective means of constructing a social problem. The connection can amplify the threat or make it appear worse than if it were considered in isolation. In the following paragraphs, I will examine some of the threats with which pedophilia has been associated such as homosexuality and child pornography, sex rings as well as multiple homicide and rape.

Homosexuality and Child Pornography

The focus on pedophilia has been, in the past, an effective tool for attacking both homosexuality and leftist politics (Jenkins; 1992: 75). The classical typification of homosexuality in the late nineteenth-century and the early twentieth-century was not on consenting adults but on the seduction of minors. As such, even though the term pedophile refers to adults who are sexually attracted to children of either sex and thus implies no link with homosexuality, this connection was made in the past. In addition, the connection was made in modern times in popular stereotypes and myths and was reinforced by the actions of some groups involved in the gay rights movement. This is significant because during the 1970s, pedophilia was associated with the liberation of gay men (McIntosh; 1988: 9). In Britain, a closely related issue at this time was the debate

over the Pedophile Information Exchange (PIE) which also led to speedy action over child pornography. During the late 1970s and throughout the 1980s, campaigns against child pornography and PIE were mounted and PIE was publicly denounced and its leaders prosecuted and convicted of conspiracy to corrupt public morals (Jenkins; 1992: 75). The connection, or causal effect, between child pornography, homosexuality and pedophilia is often taken for granted. The child abuser and the pornographer come to be viewed as practically one and the same.

PIE was seen as evidence that child pornography was not simply a private matter but that it had consequences for society at large and specifically for the molestation of children. The PIE served to familiarize the public with the word pedophile, but not in the most flattering light. Connotations of organized criminal activity were associated with the organization. Those advocates who sought to lower the age of consent or who advocated open discussions on the issues of children's sexuality such as the Campaign for Homosexual Equality (CHES) were depicted as advocating and promoting pedophilia (Jenkins; 1992: 75).

Thus, homosexuality has been associated with pedophilia in general. More specifically, with the hockey sex scandal, the media often insinuated connections between homosexuality and the molestation of young boys in hockey. Perhaps this is not surprising given that the scandal involved a purely homosocial environment, in which all perpetrators and victims were male. While sometimes downplaying the matter, the media and the public certainly made no attempt to conceal the fact that both Graham James and Brian Shaw were gay.

Child Sex Rings

Also beginning in the 1970s was an increased public perception with regards to the existence of child sex rings, posing a challenge to police and social service agencies. Again in the 1980s, child sex rings were perceived as problematic and special legal reforms were instituted in Britain. The media were especially effective in proliferating the threat of the sex ring. They suggested that these rings were numerous and well-defined. They had a tendency to exaggerate the scale and structure of the rings in order to depict a more threatening enemy whose apprehension would be perceived as a substantial achievement.²⁷ The media also emphasized the geographical extent of the rings as stretching across borders, which may have contributed to the concern over pedophilia also being associated with xenophobia (Jenkins; 1992: 29-30).

Examples of perceived sex rings include those which were thought to be operating in South Leeds in Britain during the early 1980s as well as in London in 1987 (Jenkins; 1992: 82). A contemporary Canadian example of a perceived sex-ring receiving national media attention was the Martensville case which unfolded during the early 1990s in Saskatchewan. Nine people, including five police officers were charged with what was said to be a child sex abuse ring operating out of the home and day-care centre of Ron and Linda Sterling. Only the Sterlings' son and a female young offender were found guilty but these charges were later reversed on appeal (Dale Eisler, "A Cautionary Tale" Maclean's, Feb 10, 1997). It is no surprise how authorities and the public could have been swept up by these allegations. As I suggested in Chapter 2, the public can be

²⁷ These efforts are not unlike those involved in other cases such as drugs, child pornography, gangs, and the trafficking of women for the purposes of prostitution. Great efforts were made in these cases to prove a possible international network and even a conspiracy.

predisposed to finding fault when a certain case follows other cases of similar nature.

Since the media were already familiar with the concept of the sex ring, it is perhaps not surprising that this issue would arise yet again during the hockey sex scandal. During the Maple Leaf Gardens scandal, the media insinuated that a sex-ring was operating. Police dismissed any such suggestions.

Multiple Homicide and Rape

More recently, new attitudes towards rape and multiple homicide have contributed to a transformation in traditional perceptions of the exploitation of children. Pedophilia has been associated with sexual violence in general and serial murder in particular (Jenkins; 1992: 86). By 1983, shocking new charges began to surface in certain US communities. The new problem, which was eventually labeled ritual abuse, involved groups of adults molesting children. Critics argued that there was little evidence to substantiate such claims. Nonetheless, these publicized cases expanded the domain of child sexual abuse and contributed to the expanding view of threats to children (Best; 1990: 73). W. Stainton Rogers and R. Stainton Rogers cite information suggesting that whereas 'true' ritual abuse such as Satan worship is extremely rare, it is not uncommon to associate elements of ritual and evil with the sexual abuse of children. The notion of ritual abuse serves to exemplify how childhood is depraved by both sexuality and evil (1992: 28). Unlike the issues of homosexuality, child pornography and child sex rings which were associated in some way with the hockey sex scandal, I see no evidence that multiple homicide and rape were associated with the scandal. However, discussing

multiple homicide and rape does serve to illustrate the more general link between pedophilia and other threats to children.

International Influence on Canadian Moral Panics

Most of the literature on moral panics regarding threats to children tends to be either British or American. As was previously mentioned, the focus on serial murder and serial rape in Britain enhanced public awareness of possible linkages with apparently unrelated crimes such as pedophilia, child sex rings, child pornography, incest, ritual abuse and missing children. Like Britain, the United States has also experienced scares concerning child abuse and abduction, serial murder, Satanism and ritual abuse. Thus, the choice of child sexual abuse for the development of a new moral panic was obviously not a Canadian creation given that such panics have been commonplace in the United States and Britain in the past.²⁸ Jenkins claims there are obvious parallels between British and American panics over threats to children. An explanation advanced for the similarities is imitation. The American media and experts were crucial in influencing British perceptions about threats to children. According to Jenkins, American influences can be detected in most advanced English-speaking countries like Canada, which has been strongly influenced by American concerns about issues involving child sexual abuse. A possible reason for this influence is the hegemony of American mass media and consumer culture. In other words, influences can traverse borders through low channels which include the mass media and popular culture. An example of how low channels

²⁸ Canada has, in all probability, been the site of numerous panics with regards to threats to children as well, including clergy abuse, but the chronology is not as thoroughly documented as it is in Britain and the United States.

influence other countries is that all major foreign news sources have US correspondents and have access to the American wire services. In terms of popular culture, novels and magazines as well as television and movie content in foreign countries are often American (1992: 219-221).

Not only are other English-speaking countries influenced by American media, but they can also be influenced by higher channels. For instance, when problems or issues are identified in Britain and arguably in Canada, experts may interpret them through the available literature, which is often dominated by American research. As a result, the American experience comes to be seen as normative. Furthermore, publications are often marketed in both countries by multinational conglomerates (Jenkins; 1992: 222).

It is probably not a coincidence that the moral panic over child sexual abuse in hockey emerged in the wake of previous international social problems. I will draw a brief outline of the concerns over day care and clergy abuse which have plagued the United States and Canada in the recent past, highlighting one in particular: clergy abuse. These two panics were not exclusively Canadian, but as I have already discussed, panics tend to traverse borders and thus I suspect that panics occurring in other 'similar' countries contribute in some way to how and when Canadian moral panics unfold. For instance, in the section on the clergy abuse scandal, I discuss how the American and Canadian media coverage of this scandal were similar in nature. The American coverage of its scandal provided the Canadian media with a framework on which to base the coverage of its own similar panic.

Recent Panics Involving Abuse of Authority

Recent years have witnessed the proliferation of scandals involving those entrusted to work with children. There has been much media attention recently to sexual abuse cases involving scout leaders, teachers, day care workers²⁹ and other adults working with children in the community and this has left many parents worried about their children's safety. Unfortunately the scope of the problem and the effectiveness of proposed strategies to combat the problem are poorly understood. Some studies indicate that the cases are few and far between and others indicate that the problem may be of epidemic proportions (Trocme and Schumaker, 1999: 639).

Case in Point: Clergy Abuse

One particular moral panic involving abuse by those entrusted to work with children which has received an inordinate amount of media attention is clergy abuse. The reason it will be examined in more detail than any of the other panics is because it holds the most in common with the hockey sex scandal and is particularly relevant due to its Canadian dimension. After briefly outlining the parameters of the panic, I will proceed to

²⁹ In recent years there have countless cases reported in the media concerning sexual abuse in day care. The McMartin Case featured stories which suggested that workers in a preschool in California were accused of ritual abuse and manufacturing child pornography (Jenkins, 1996: 90). In Canada, the Martensville case unfolding in the early 1990s received national attention. Sexual abuse in day-care has been constructed as a danger that parents need to be aware of and also as a problem which police and other agents of social control need to address. However, according to Finkelhor, the impression that day care constitutes a particularly dangerous site for sexual abuse is probably not rooted in reality. Reports of sexual abuse have increased in all quarters, not just in day care settings, but also in the home, the school and recreational settings. Furthermore, the number of children in day care is also rising at a rapid rate, and it should not be surprising that day care has become increasingly conspicuous (1998: 25). There are several factors which may have contributed to this panic. The classic one is that parents, mothers in particular, feel guilty about leaving their children in day-care and their anxieties are easily stimulated by any hint of institutional abuse. It may be suggested that the McMartin case consisted of an alliance of local parents and police conducting a 'witch hunt' for guilty parties. Similarly, early in the Martensville investigation, an internal police memo warned officers to be alerted to satanic cults engaged in the trade of children (Dale Eisler, "A Cautionary Tale" *Maclean's*, Feb 10, 1997).

draw the similarities between the two panics to illustrate how the clergy abuse scandal was a precursor to the hockey sex scandal in terms of both its timing and its content.

Since the 1980s, there have been many cases in which members of the clergy have been sexually involved with young people, some of which have resulted in charges and convictions. Between 1983 and 1987, more than 200 priests or religious brothers were reported to the Vatican Embassy for sexually molesting youth. Between 1982 and 1992, approximately 400 priests were reported to church or civil authorities for similar actions (Berry; 1992: ix). Clergy abuse is an example of a social problem that underwent exponential growth, receiving virtually no attention from the media before the mid-1980s and then becoming a major focus of public concern (Jenkins; 1996; 3). The problem was also construed as a sexual crisis in the Catholic Church (Sipe; 1995). While clergy abuse is most certainly not a new phenomenon, it has only recently come to public attention in the last two decades due to the high volume of media reports on the subject and the increased public attention it has attracted. By the 1990s, reports of sexual abuse by priests had become commonplace in news coverage. The Gauthé affair³⁰ contributed to establishing the stereotypical characteristics expected of the 'clergy abuse' offender and shaped reporting of scandals that broke between 1984 and 1986 (Jenkins; 1996: 36).

The Newfoundland cases were the first of the new wave of scandals which occurred from 1989 to 1992. These scandals gained so much attention that the American media paralleled these Canadian stories to their own stories of clergy abuse. The post-

³⁰ In 1985, Gilbert Gauthé, a Roman Catholic priest in the United States was charged and tried for child molestation. He was suspected of molesting children since the early 1970s and charges included forcible abuse and child pornography. He allegedly molested over one hundred boys in four parishes from 1978 to 1983. The story was widely reported over the next two years and was used as an illustration of the serious nature of child sexual abuse and how perpetrators could be any trusted member of the community (Jenkins; 1996: 34).

Gauthe scandals had a snowball effect, in that intense reporting and news coverage encouraged past victims, real or imaginary, to recognize the nature of their past experiences and to come forward with their stories. In January 1988, Father James Hickey was charged with multiple sex crimes involving adolescent boys during his 18 year career as a parish priest. He was charged with and pleaded guilty to twenty counts of sexual assault, indecent assault and gross indecency. His case became a media sensation due to the fact that he was one of Newfoundland's most celebrated priests. In the early months of 1989, the Mount Cashel scandal involving the Christian Brothers, also in Newfoundland, hit the Roman Catholic church (Harris; 1990: xxi). Many men came forward more than thirty years after these incidents to accuse Brothers from the St. Joseph's Training School for Boys of sexually abusing them during their childhood. To date, more than a thousand former wards of the Christian Brothers have come forward with allegations of sexual misconduct. Also, more than thirty Brothers and former Brothers have come forward to tell their stories. They have been charged with more than 200 crimes, ranging from assault causing bodily harm to indecent assault and buggery (Henton and McCann; 1995: back cover).

Despite the fact that the underlying factors contributing to the crises are quite different,³¹ clergy abuse and sexual abuse in hockey have much in common to say the least. The similarities are striking, particularly with regards to the nature of the abuse, the media's portrayal of the scandals as well as the interests involved. For this reason, I contend that clergy abuse was a precursor to the hockey sex scandal and in a variety of

³¹ Some factors suggested in the literature as contributing to the clergy abuse sex scandal gaining so much attention are: compulsory celibacy, the anti-sexual stance of the Catholic Church, the anti-Catholic and anti-clerical imagery and rhetoric in history and the expanding definition of child sexual abuse (Jenkins, 1996).

ways contributed to its acceptance as a social problem, in terms of both timing and content. In terms of timing, the hockey sex scandal occurred a short time after the clergy sex abuse scandal and given that media reporting on the issue was commonplace even after the clergy abuse scandal began to decline, the panic was still fresh in the public's mind and was a theme familiar to the media.

One of the most general similarities between the two scandals is that they both involved issues of abuse of trust and authority by individuals entrusted to work with youth, and boys in particular. Both scandals involved environments that were homosocial in nature; mostly males were involved both as perpetrators and as victims. In terms of the clergy abuse scandal, the focus was often on altar boys. Sipe claims that while clergy members who abuse children are evenly divided between homosexual and heterosexual orientations, homosexual encounters are approximately four times more likely to come to the attention of parents and authorities (1990: 162). Likewise, during the hockey sex scandal, it was often reported by the media that Graham James and Brian Shaw were gay. At least one case of clergy abuse, the Porter case³², did not involve children but rather adolescents males and males in their early twenties (Jenkins; 1996: 78). Likewise, Graham James was accused of abusing Sheldon Kennedy between the ages of fourteen and eighteen. Moreover, like James, Shaw, Roby, Hannah, Stuckless and others, Gauthe was accused of molesting multiple boys over a long period of time. Finally, in the case of clergy abuse, group cases were seen as particularly harmful to the church's reputation because they implied that pedophilia was institutionalized within the clergy (Jenkins; 1996: 45). This was also the case in the Maple Leaf Gardens case where

³² James Porter's prosecution and trial unfolded during 1992 and 1993 for incidents which had occurred in Massachusetts during the 1960s (Jenkins; 1996: 14).

the media attempted to forge a link between the three employees who were abusing hockey fans. In both cases, this may have been a strategy used to imply a more threatening and organized enemy.

The Newfoundland scandal had a distinctly Canadian angle, as did the hockey sex scandal, and both received considerable attention from Canadian media. The media were crucial players in bringing these scandals to public attention and making them seem as threatening as possible. The Gauthier and Porter cases provided a template against which the media could contextualize the problem and also provided them with a reference point to all subsequent cases and instances of abuse (Jenkins, 1996: 14). Graham James provided the media with this reference point in the hockey sex scandal. In the case of the clergy abuse scandal, the media emphasized the role of the church authorities in contributing to the problem. The Gauthier affair led the public to the realization that church authorities already possessed knowledge of the incidents of abuse but that it was kept covered up. There were also suggestions that warning signs had been present for decades (Jenkins, 1996: 35-36). Such insinuations were also continuously present in media coverage of the hockey scandal. The media would report that officials had been aware of the problem for years but had covered it up. Media also suggested that hockey culture (i.e. hypermasculinity, midget draft, etc.) was itself a cause of sexual abuse in hockey. Another similarity between the two cases in terms of media representation was that both Canadian cases resulted in made-for-television movies. The Newfoundland case resulted in a program entitled "The Boys of St. Vincent" and the Kennedy scandal was portrayed in "The Sheldon Kennedy Story".

The two scandals were also similar with respect to the interest involved.

Arguably, both scandals broke resulting from the actions of prominent spokespeople, both of whom were former victims. In the Newfoundland case, that person was David McCann and in the hockey sex scandal, that person was Sheldon Kennedy. Both incidents prompted a snowball effect whereby a flood of past victims came forward as a result of these spokespeople's disclosure of their victimization. Experts, such as psychologists, medical professionals and attorneys were active in claims-making about the issue of clergy abuse as well as in the hockey sex scandal. Finally, as a result of the nature of the abuse, the media reports and the interest groups, both the Church and hockey organizations were under intense pressure to introduce reforms to curb the abuse, which included both superficial reforms as well as reforms challenging the underling structure of both 'institutions'.

II Factors Contributing to Hockey as a Site for a Panic Concerning Child Sexual Abuse

We have examined the factors which contribute to pedophilia or child sexual abuse as an ongoing social problem. By examining these factors, child sexual abuse may be contextualized in time and space. In addition to these factors, there are others which offer a more complete explanation as to why hockey was the site for this particular moral panic. The remainder of this chapter will be devoted to exploring the specific level of the hockey sex scandal. While various factors may have influenced the development of the hockey sex scandal, it is hypothesized that three were of particular importance: the hypermasculinity of hockey culture, the shift in concern from girls to boys as potential victims of sexual abuse, and the importance of hockey in Canadian society. While any

one of these factors may not seem very powerful on its own, it is the cumulative nature of these factors which is significant.

The Hypermasculinity of Hockey Culture

The hypermasculinity of hockey culture is an umbrella factor encompassing two sub-factors which will each be examined regarding their influence as to why this scandal commanded so much attention from the public and from the media. These two sub-factors are the traditional, stereotypical characteristics of masculinity associated with hockey as well as compulsory heterosexuality and homophobia.

The world of North American professional hockey is characterized by certain traditional, stereotypical characteristics associated with masculinity. Minor hockey is a site where boys are initiated into the realm of masculinity which is largely unaffected by new changes in the gender order. According to Gruneau and Whitson, “masculine identity is pursued as an urgent task by most boys, and sports, especially sports involving strength and aggression, are among the surest ways of staking claim to masculine status” (1993: 196). Sports are a cultural practice and a site where males learn stereotypical masculine traits and where such characteristics are reproduced (Theberge; 1989: 253). Or, as Pronger suggests, sports are “an apprenticeship in masculinity” where boys are initiated into manhood and a “forum in which they can realize their place in the orthodoxy of gender culture” (1990: 17, 19). Sports are a vehicle through which traditional ideas about masculinity in Western cultures such as aggression, domination, violence and physical prowess are transmitted. If this initiation into manhood, which is considered to be a widespread rite of passage for many boys in Canadian society, is

threatened by sexual abuse, it is conceivable that it would gain much attention from the public and the media.

Being initiated into manhood requires that boys learn from older males. In particular, men must learn to avoid all that is feminine. Thus, adhering to male stereotypes is fueled not so much by wanting to be 'manly' but rather by not wanting to be feminine (Sabo; 1985: 4). Social institutions devote considerable energy to teaching sex appropriate roles and distinguishing appropriate from inappropriate behaviours and actions. According to Grubman-Black, "it is this desire for boys to meet the expectations of the male role that is often exploited by the perpetrator" (1990: 3). This is particularly problematic given that a boy's positive self-image as a male often stems from admiring a role model. When that role model abuses his power and sexually molests the boy, it can be damaging to the victim's self-concept and can result in an identity crisis. The boy's definition of masculinity becomes distorted and the victim may feel that he will never measure up to widespread accepted definitions of masculinity which are held by the public and portrayed through the media. Most male rape victims portrayed in the media have been, according to Grubman-Black, "negative examples of current views of traditional masculinity" (1990: 8).

All of this constitutes the masculine mystique which is, according to Kimbrell, "the dysfunctional and reductionist modern mythology about the nature of men" (1995: xiv). This is an ideal which is rampant and systemic throughout society. While its pervasive nature is not necessarily noticed on a daily basis, it is nonetheless destructive for both men and women. The media have been crucial in defining and perpetuating modern definitions of masculinity.

Historically, the exclusion of women from hockey has also contributed to making hockey distinctively masculine (Gruneau and Whitson; 1993: 191). The men who developed and promoted the sport ensured that only males would participate. Females were actively discouraged from participating, by denying them adequate facilities and ridiculing their attempts (Kidd; 1987: 253). As a result, it is a game modeled on aggressive masculinity. According to Gruneau and Whitson, “[a]t its best this model of masculinity defines the real man as a decent person of few words, but with a powerful sense of his own abilities and the toughness and physical competence to handle any difficulties that might arise; a man that people respect and look up to but don’t dare cross; a man who generally respects the rules that govern social life, but knows how to work outside them if necessary” (1990: 191). In contrast, Kidd suggests that sports in general “perpetuate patriarchy by reinforcing the sexual division of labour” (1987: 255) by implying that men and women are from different worlds. Messner concurs that sports such as hockey provide a context where masculinity, perhaps more aptly described as violent masculinity, is rehearsed and reproduced (1990: 215). One of the reasons why hockey may still be considered a man’s game is because it is one of the few remaining domains in which men can exercise aggression and physical intimidation without incurring negative consequences (Gruneau and Whitson; 1993: 192). Sports serve to stabilize their role as dominant in the gender order. This is exemplified through the media’s portrayal of sports which serves to support the domination of men and which promotes “hegemonic masculinity and the continued marginalization of the masculinities” (Messner; 1990: 215). Allowing girls to gain access to boys hockey teams would affect this traditional rite of passage for boys and the domain of hockey as a

training ground for masculinity. It would also reduce the areas in life where male solidarity can be rehearsed. Hockey has traditionally been a sport that separates men from women.

Other qualities associated with hockey are strength and aggressiveness. The suggestion that hockey is not a sport for the weak is demonstrated by Stan Fischler, author of Hockey's Toughest Ten, when he contends that "there may be athletes *as* tough as professional hockey players, but there are none tougher" (1974: vii). His support for the hockey 'tough guy' is further illustrated by his chapter headings which include, for instance: 'Keith Magnuson, The Brainy Basher', 'The Plager Brothers, Gang Warfare', 'Ken Hodge, the Intimidator', and 'Fred Shero, Architect of Ice Violence'.

Like professionals, young hockey players are encouraged to be strong, both physically and mentally. As a result, showing any sign of vulnerability is discouraged. To illustrate, playing while injured is often either implicitly or explicitly encouraged. Minor and junior hockey players, taking the lead from NHL players, are taught discipline through their bodies by being urged to play in spite of pain. Even though the coaches may not explicitly force young players to play while injured, they experience pressure nonetheless. They learn through experience and by observation that they are expected to play despite their injuries since it is a part of hockey subculture which becomes unavoidable the longer a player is involved in organized hockey (Vaz; 1982: 37). Boys quickly learn that enduring pain is courageous and they are expected to endure such pain in silence. The same holds true for emotional anguish. Those who are too 'emotional' run the risk of being labeled as weak or feminine (Sabo; 1985: 10).

Not only do players learn that they often have to play with pain and endure emotional turmoil in silence, but in being initiated into hockey subculture, they also learn that they must be aggressive and must confront high risk, physical situations (Vaz; 1982: 102). Violence and hockey go hand in hand and are part of North American folklore. To some, violence in hockey including such behaviours as fighting and intimidation are seen as crucial dimensions of hockey culture. Canadian players learn that aggression is not only respected but is also expected. To illustrate, there is an extensive market for video compilations with titles such as 'Hockey's Greatest Fights'. Athletes who gain reputations as 'hitters' gain a certain level of respect which may stabilize an otherwise unstable male identity (Messner; 1990: 207). This aggressive behaviour stands in contrast to hockey in other countries. Don Cherry often defends the aggressiveness of Canadian hockey players while characterizing European players as 'sissies'. Gruneau and Whitson suggest that "the celebration of violence in sport, like the celebration of the tough guys who are its champions, is a way of publicly reiterating the apparent common sense of this hegemonic masculinity--something that registers viscerally to a great many men even as it is being contested all around them" (1993: 196). Strength, power, aggression and violence are taken to be the hallmarks of masculinity (Robinson; 1998: 59).

This particular factor is important in amplifying the hockey sex scandal because sexual abuse is incompatible with the traditional characteristics associated with masculinity. Since hockey players have always been considered strong and aggressive, it is contradictory and even somewhat shocking for them to come forward and publicly admit to enduring physical violations and emotional grief as a result of sexual abuse.

The second category to be discussed under the heading of hypermasculinity is compulsory heterosexuality and homophobia. While they are distinctly homosocial environments, the assumption underlying hockey and most male dominated sports is that everyone is heterosexual (Pronger, 1990: 2). Given this assumption, 'gay' becomes defined as derogatory. Boys who are not as aggressive as others may have their heterosexuality questioned by being called 'fags' or 'sissies'. Males are encouraged to continuously prove this heterosexuality, which occasionally results in disaster. While it would be problematic to generalize and it is important to bear in mind that such issues transcend the world of sport, there have been allegations of sexual assault against many members of hockey teams which, according to Gruneau and Whitson "provide a glimpse of a misogynistic dimension to hockey's rituals of mateship and male bonding" (1993: 121). In addition, the authors also suggest that "some sport subcultures allow for the rehearsal of male anxieties and aggressiveness in ways that celebrate sexual adventure and conquest as necessary components of masculine identity" (1993: 121). Not only is this true of older males, but it is also true for boys. The social aspects of sports for young males and adolescents often involve a preoccupation with relationships with girls (Pronger, 1990: 33). According to Sabo (1985), within the male subculture of sport, sexual activity is very important and boys learn that being interested in heterosexual sex, where men are the initiators and the aggressors, is a prerequisite for manhood. Arguably, the fact that some boys were sexually abused in hockey environments may have instilled a fear in parents and other members of society that this would interfere with their 'normal' heterosexual development.

While there is no difference in the performance of homosexual and heterosexual athletes, our culture still associates sports with heterosexuality and “because homosexuality and athletics express contradictory attitudes to masculinity, violation and compliance respectively, their coexistence in one person is a paradox, the stuff of irony” (Pronger, 1990: 2). There is a fear of homosexuality and any display of affection or emotion between men may be seen as feminine and should be avoided at all costs. Asserting one’s homosexuality challenges fundamental beliefs about sports, and athletes who challenge the rules to compulsory heterosexuality are viewed suspiciously. This may play a role in why the hockey coaches involved with molesting children commanded so much attention. Not only were they sexually abusing players, but they were also gay, thus violating a fundamental belief about the heterosexuality of hockey subculture.

Shift in Concern From Girls to Boys as Potential Victims of Sexual Abuse

Another factor which may have contributed to the depth of the moral panic over the hockey sex scandal is that there seems to have been a shift in concern with regards to who is presumably threatened by child molesters. Traditionally, females have been the focus of attention with regards to sexual abuse. The feminist and child protection movements first brought the issue of child sexual abuse to the attention of the public. Their focus, however, was on adult female victims of rape and child incest victims who were mainly girls, thus excluding male victims (Nielsen, 1983: 139). According to Porter, boys are now being recognized as a sizeable group in need of help as a result of the proliferation of sex-offender and victim treatment programs (1986: 2). However,

Health Canada argues that, in many respects, men today are in the position women were in twenty-five years ago (1996: 9).

The suggestion that males have been consistently neglected as victims of sexual abuse is illustrated in various way. It is confirmed by the lack of information on the issue, the fact that female pronouns are systemic in referring to child sexual abuse, the silence with regards to male victims (Porter, 1986: 30), the absence of male-centered assessment and treatment and the current discourse on 'family violence' which is synonymous with violence towards women (Health Canada, 1996: 8).

The sexual victimization of boys has been neglected for cultural and public policy reasons. This is in part due to the fact that boys are more likely victimized by individuals who are not family members and so they do not receive top priority from child protection services, who focus mostly on incest (Porter, 1986: 29). Furthermore, until recently, clinicians saw very few cases of sexual abuse against boys, and the few cases that were encountered were treated as exceptional. Given that few people had any knowledge concerning the abuse of boys, there was little pressure to pursue the matter. In recent years, however, the increase in cases in clinical settings has contributed to a greater interest with regards to the issue of sexual abuse against males (Finkelhor, 1984: 151).

This new recognition does not detract from the fact that traditionally and in present day, sexual abuse against boys has been grossly underreported (LaFontaine, 1990: 85). The reasons for this are manifold. The tradition of masculinity holds that males should keep problems to themselves and not become emotional. The ways in which male victims respond to abuse directly relates to how they view masculinity. If they abide by a very rigid role of masculinity, it will be all the more difficult for them to

come forward with the truth about the abuse since this may be viewed as their failure in achieving masculine status, particularly if the perpetrator was another male (Porter, 1986: 29). Not only will they not confide in adults, but they will not confide in male friends due to the implicit rules defining male interaction. Becoming too close to another male friend might prompt questions about sexuality and may “exacerbate homophobic responses” (Grubman- Black; 1990: 73). It seems as though boys have more to lose by reporting sexual abuse than do girls.

Similarly, the gender role expectations in society contribute to another reason why boys have been neglected as victims of abuse. The traditional view of sexual abuse has been that victims were female and that perpetrators were male. Furthermore, males are expected to be aggressive, courageous and independent while girls are rewarded for being passive and dependant. Given these dichotomies in society, deviations either way are often frowned upon or considered shameful (Porter, 1986: 29). Male victims of abuse risk a lot to challenge the status quo but are under more pressure to remain silent about their experiences (Health Canada, 1996: 11). This could be why Sheldon Kennedy’s story was seen as newsworthy since it conformed with an emerging theme but was still novel and sensational, given its context within a hockey environment. Sheldon Kennedy coming forward was hailed as courageous and he was seen as responsible for uncovering a problem which had plagued not only hockey players for years, but also other men who had been sexually abused.

Another reason why boys feel hesitant about coming forward, is that in the case of male on male abuse, there is often an element of homophobia. Given that homosexuality remains a negative stigma among male peer groups, boys may be reluctant about

reporting sexual abuse fearing that they may be labeled as 'queer'. There is also a fear that the boy may have been turned into a homosexual. This fear is particularly prominent if the boy is young and struggling with his own sexual identity (Porter, 1986: 11). Since there remains in our society a rampant fear of homosexuality, parents being concerned about this stigma may decide not to report incidents, choosing instead to ignore them (Lafontaine; 1990: 85). As a result, boys may be prevented from ever discussing their experiences and may be condemned to years of silent suffering. Even when males do report their experiences, there are few supports in place to help them in their recovery (Health Canada; 1996: 35).

This shift in concern from girls to boys was not first recognized with the emergence of the hockey sex scandal. One of the incidents which may have contributed to this shift in interest could have been the clergy abuse scandal mentioned earlier. It may have created a climate for a similar scandal to flourish. It is significant that these allegations, which in both cases happened years ago, did not come to the attention of the public until the 1980s and 1990s. While there may be no upsurge in sexual abuse among the clergy and among hockey coaches, we are now sensitized to it and more vigilant about its occurrences. According to Loftus, "increased sensitivity to the whole arena of sexual exploitation is probably the key to understanding the apparent rise in incidence" (1989: 9). Even though it is unlikely that either of the scandals had been consciously constructed as a male sexual abuse issue, both portray this shift in concern.

Importance of Hockey in Canadian Culture

The sport of hockey is extremely important in our culture and it is essentially a part of life and everyday experience in Canada. It is part of our collective memory and “acts as myth and allegory in Canadian culture” (Gruneau and Whitson; 1993: 13). Redmond suggests that sport has now become a significant part of leisure and no other sport has so affected Canada’s athletic culture than hockey (1989: 81). It is Canada’s game and could also be considered to be “Canada’s national theatre...where each night the stuff of life is played out: ambition, hope, pride and fear; love and friendship, the fight for honour for city, team, each other, themselves” (Dryden and MacGregor; 1989: 101). According to Dryden and MacGregor, “thousands play it, millions follow it, and millions more surely try their best to ignore it altogether” (1989: 9). Hockey is portrayed through every media outlet and is synonymous with winter. Hockey is “part sport and recreation, part entertainment, part business, part community-builder, social connector, and fantasy-maker” (Dryden and MacGregor; 1989: 9). They even go so far as to suggest that hockey “has taken on life’s purposes and ambitions; it suffers life’s conflicts and temptations, its weaknesses and abuses. It has become indistinguishable from life itself” (Dryden and MacGregor; 1989: 267). Even though hockey is only one sport played in Canada, it radiates something unique. It goes to the core of what it means to be Canadian.

Dryden and MacGregor also suggest that hockey plays a factor in community building and that it creates a bond between individuals. It connects local communities through volunteer work, entertainment and sociability. It connects broader communities by bringing together fans who follow professional teams, thus creating a national

network. They argue that “links, bonds, connections-young-old, past-present, East-West, French-English, men-women, able-disabled; things in common, things to share, they matter. And that is why hockey matters” (1989: 266). Kidd and Macfarlane suggest that hockey bridges not only the cultural and geographical distances between us but the social and economic ones as well (1972: 12). Hockey is what all boys have in common and while participation in hockey is not universal, it is extremely widespread.

Not only does NHL hockey contribute to our culture, but so does minor hockey. Minor hockey leagues are where it all begins. Like professional hockey, minor hockey is also associated with community building. In Canada, hockey has become an activity which takes place on a large scale, involving masses of children and their parents. Kidd and Macfarlane claim that Canada is “[a] country of 250 000 kids getting up at 7 o’clock on Saturday morning for a game in a dingy concrete clock arena, dreaming of the day when their red, white and blue Canadiens hockey socks will be real instead of the kind anyone can buy out of the Eaton’s catalogue” (1972: 4). While ten of thousands pursue the dream, only some reap the rewards and make it to the NHL. Those who do make it are extolled as heroes, as embodiments of hard work, individualism and upward mobility which are qualities cherished in Western capitalist countries.

The media play a large role in creating this national community for hockey. ‘Hockey Night in Canada’ has a long tradition. Through this television programme, Canada watches players grow throughout the season and throughout the years. ‘Hockey Night in Canada’ is essentially “Canada’s longest running drama series” (Dryden and MacGregor, 1989: 127). Approximately six million fans watch hockey during the regular season, with the number increasing to ten million during the playoffs. It was the

Saturday night audience that helped launched the CBC with a “ready-made national audience” (Kidd and Macfarlane; 1972: 10). Lives are scheduled around ‘Hockey Night in Canada’. Political party campaigners and even churches take care in accommodating this ritual. The connection between the media and sports is very important and will be explored in further detail in Chapter 4 when analyzing why the media devoted so much attention to the phenomenon.

One of the reasons why hockey, and minor hockey in particular, is seen as so important in Canadian culture is because it is perceived as having beneficial effects on children. One of the most important people contributing to making hockey an enjoyable experience for youngsters is the coach. Not only do coaches teach them the necessary skills but perhaps their greatest contribution is that they develop a love for the game among the players. They support the young people and provide them with adult role models, other than parents and teachers, who share their enthusiasm for the game. As teachers, they encourage youngsters to strive for excellence and to enjoy success and deal with failure. Successful coaches teach values such as perseverance, the meaning of effort, humility, the worth of character, the power of kindness, honesty, cooperation, patience and the joy of competitiveness. Unfortunately, it takes only one bad coach to destroy the image of thousands of good coaches. Given this traditional view of the coach, Graham James created quite an uproar when he was accused of abusing his role as a teacher and role model. He may have essentially caused parents and society at large to question the safety of the hockey arena which had always been taken for granted. In the past, parents did not worry about leaving their children in the hands of the hockey coach who was entrusted to teach and care for their children.

The rhetoric associated with minor hockey relies on a functionalist notion of sports. Functionalist theory focuses attention on the ways in which sports contribute to personal growth and the preservation of social order at all levels. Those subscribing to such a view of sports study such issues as the relationship between sport participation and good character and sports integration in groups, communities and societies. They focus on how sports contribute to social cohesion and achieving goals and how sports are an inspiration for individuals and societies (Coakley, 1994: 28-29).

The most popular line of thought associated with this view is that sports build character. This is a widely accepted basis for encouraging children to participate in sports, for funding sports programs and for promoting events. Historically, it was believed that providing young men with organized sport outside the school system would build character and turn young boys into gentlemen (Barman, 1989: 235). Such programs were influenced by concern for individual boys, as well as concerns about the social order and Christian values. It is often thought that sports provide an outlet for children as a means of discouraging them from participating in delinquent acts. Many believe that sports are good preparation for dealing with issues in everyday life since they involve victory and defeat and provide opportunities to deal with success and failure. Playing minor league hockey is an activity which allows youth to develop relationships with teammates, providing them with their first social group outside the family. Organized sports are an important tool in socialization and in instilling values and habits such as cooperation and competition, moral behaviour, leadership and initiative, independence, positive self-concepts, strong identities, sportsmanship, and responsibility.

Hockey players have in large part become Canadian folk heroes which may be why Sheldon Kennedy was given a public platform and captured the attention of the nation. Similarly, Maple Leaf Gardens is seen as an important representation of Canadian culture. Given the importance of hockey in Canadian culture, it is not surprising that a scandal which threatens to corrupt the innocence of the game should command widespread attention. From a functionalist perspective, perhaps Kennedy was especially newsworthy because he persisted in hockey to play in the NHL despite the molestation. Thereby, Kennedy avoided any imputation of being 'soft' or even 'queer'. By virtue of media attention, hockey is broadcasted internationally reaching a large viewing audience who would be especially interested in such a scandal. If we accept the notion that hockey is such a distinctive part of our culture, it is not difficult to see how such a scandal might gain so much attention.

In this chapter, I explored the factors contributing to the depth of the moral panic over child molestation in hockey. I illustrated that the hockey sex scandal did not arise at random but came to public and media attention because it fit within the existing frameworks of threats to children and child sexual abuse which were already familiar social problems. Furthermore, I demonstrated why hockey specifically became the site for this moral panic over child sexual abuse. It is significant that it was not sports in general nor was it any other specific sport which came under public scrutiny. Child sexual abuse is far from being exclusive to hockey. However, hockey became the focus of this panic because of three specific factors which, in combination, account in large measure for the attention it received in relation to other sports. While all of these factors contributed to creating a climate in which the moral panic over child sexual abuse could

flourish, they do not explain why the hockey sex scandal began when it did. In the next chapter, I will explore the issue of timing by examining some of the claims-makers including a prominent spokesperson, 'experts', as well as the media who were involved in helping construct this panic and who were crucial in bringing it to public attention.

Chapter 4:

The Role of Claims-Making in the Moral Panic

To understand a moral panic, it is crucial to deconstruct it in terms of its content as well as its timing. In Chapter 3, I suggested that certain specific socio-structural factors were responsible for creating a climate which was receptive to the content and partially responsible for the timing of the hockey sex scandal. As such, Chapter 3 was mainly devoted to examining the content of the moral panic at two different levels of generality, leaving the timing of the panic to the present chapter. Examining the content of the moral panic allowed for an understanding of child sexual abuse as an ever-present social problem. In addition, I examined the location of the hockey sex scandal within the wider context of child sexual abuse, and in particular, the reasons why hockey specifically became the site for this moral panic over child sexual abuse. The present chapter will expand upon this understanding and will suggest that not only are socio-structural factors important in deconstructing the moral panic, but so are the actors involved. While certain social factors were indirectly responsible for the timing of this moral panic, as was seen in Chapter 3, I will argue in this chapter that the actors involved were directly responsible for bringing this panic to the forefront.

Examining the issue of timing suggests the need to respond to two important questions: Why did the scandal begin when it did? Why did it persist for a certain period of time? To answer these two questions, it is crucial to look to the individuals interested in perpetuating the hockey sex scandal. According to Goode and Ben-Yehuda, to understand the timing of a moral panic we must “bring active, living actors into our analysis, that is, microsociological variables, such as moral universes” (1994: 185).

Some scholars, like Becker, locate the cause of social problems mainly in the activities of specific individuals or groups, adopting a 'top-down' approach to identifying social problems. Others like Gusfield locate the cause of social problems in the social structure and community tension. The perspective adopted in this project is located at neither extreme but rather is situated between these two approaches. Specifically, I will argue that much of the timing of the panic can be attributed to certain claims-makers including a prominent spokesperson, 'experts', as well as the media.

Theories of Claims-Making

Goode and Ben-Yehuda suggest three theories of the moral panic, the most common being the Interest-group Theory. This theory suggests that groups such as professional associations, police departments, the media, religious groups and educational organizations may have an independent stake in bringing an issue to public attention. They accomplish this by focusing media attention on a certain issue or by slanting news coverage in a particular direction. These groups invariably demand stricter law enforcement and other various forms of regulation to deal with the problem (1994: 138-139). In this project, the interest group perspective is favoured over the Grassroots Model and the Elite-engineered Model.

The Grassroots model suggests that panics originate with the general public and that concern is widespread even if it is perhaps misdirected. The expression of concern among claims-makers and the media is merely a reflection or manifestation of the concern felt by the public. In other words, this model advocates that claims-makers and the media can not fabricate concern where none exists initially. The reason this model is

insufficient for our purposes is because claims-makers and the media play a large role in disseminating information to the public and thus play a major contributory role in creating the panic. In the case of the hockey sex scandal, it was not until certain claims-makers came forward that concern rippled throughout society.

The Elite-engineered Model is rejected because it is too simplistic and conspiratorial. This model suggests that an elite group deliberately undertakes a campaign to generate concern about a certain issue that is not necessarily harmful to the public as a whole. It is suggested that such a group does this in order to divert public attention away from the real problems of society so that the public does not focus on undermining the interests of the elite (Goode and Ben-Yehuda; 1994: 135). This view is also rejected since it does not account for the complexity of interactions in society and unrealistically portrays the 'elite' as a mysterious well-organized group able to manipulate public perception over certain issues. Moreover, certain conditions which are the subject of moral panics do reflect 'objective' harmful conditions to a certain extent, as established in Chapter 1.

The Role of Claims-Makers in Constructing Reality

While it is important to look to the socio-structural factors which create the climate for certain conditions to become problems, this alone is inadequate to deconstruct the moral panic. As social constructionist theory suggests, deviance is the product of a process which involves the responses of others to the behaviour in question. As was mentioned in Chapter 1, deviance is contingent upon time and space. Given that deviance is not necessarily inherent to certain actions, the role audiences have in defining conditions as problematic is crucial to moral panic theory. According to Kitsuse (1962),

deviance, put simply, is a three step process in which either individuals, groups or society at large interpret a certain behaviour as deviant, define those individuals who behave in such a manner as deviant and finally, treat them according to what they consider appropriate. According to Goode, an audience is either an individual or a group of individuals who observe and evaluate an act, condition or individual. The audience determines whether something or someone is deviant. Goode claims that deviance is a “relational or transactional term that spells out a certain kind of relationship between an act and specific audiences” (1994: 102). These audiences can include the following: society at large, significant others, as well as official and organizational agents of social control.

While these claims by Kitsuse and Goode are good starting points in that they point out the role of the audience in constructing reality, they seem rather general. For instance, in the case of the moral panic over hockey coaches molesting players, it would be insufficient to simply state that society at large condemned the behaviour, which resulted in the panic and the regulation thereof. As I explained in Chapter 3, there is more at stake than simply stating that a behaviour is defined as deviant and requiring a response. It is important to examine why it commanded so much attention, which I tried to explain by looking at the socio-structural factors contributing to the popularity of the hockey sex scandal. In addition, simply stating that society at large condemned the behaviour is too simplistic.

Spector and Kitsuse warn against the common sociological practice of referring to how ‘society’ defines certain behaviours or conditions. They suggest that, rather than speaking of society in the abstract, it is more accurate to locate the specific organizations,

groups and individuals who make claims and propose certain definitions and solutions.

The reason why looking at claims-makers is so important is because I am not conducting an inquiry into a condition but rather a social problem, which is defined as “the activities of individuals or groups making assertions of grievances and claims with respect to some putative condition” (1977: 7-8, 75). In other words, as I set out in the Introduction, I am interested in why a certain condition, being molestation in hockey, became a social problem and subsequently a moral panic, rather than an examination of the condition itself. The only way to accomplish this is by looking at the combination of the underlying socio-structural factors as in Chapter 3 and particularly by looking to the actors engaged in claims-making activities. A social problem or a moral panic can not exist without a certain degree of concern by a segment of society. In the societal reaction perspective, no behaviour is inherently deviant. However, certain deviant behaviours such as murder and rape are viewed as criminal in most societies. What is variable is the way in which the behaviours and actions are responded to by certain individuals or groups in terms of legislation and enforcement. According to Goode and Ben-Yehuda, many laws are passed and enforced not only because they protect society in general or because there is a unanimous agreement over their moral correctness, but because they represent the ideologies and interests of a certain segment of society (1994: 86).

Claims-Making and Consensual Reality

As was concluded in Chapter 1, the general ideologies and interests of a society can be determined to a certain extent. While I contend that there exists such thing as consensual reality which translates loosely to ‘public opinion’, it is important to discover

where this reality stems from. It would be nearly impossible to assess informal consensual reality given that it is based on informal sources such as myth and rumor.³³ However, formal consensual reality stems from individuals or institutions that are generally regarded as authorities. The public is impressed by 'facts' which originate from such authorities. In the case of the moral panic, as in other cases, claims-makers are the authorities who possess such information. Furthermore, the mass media play a crucial role in spreading the 'consensus' or 'common stock' of reality (Mauss; 1975: 10). There is some skepticism as to whether the public opinion or 'reality' is as molded by media interpretations as is often claimed. It is suggested that individuals may be more influenced by informal reality, such as by friends or family, rather than media constructions of reality. However, others suggest that the news media and the claims-makers with greatest access to the media are instrumental in creating the reality surrounding social problems (Molotch and Lester, 1981). Whatever the influence of the media (a debate which will be examined in detail later in this chapter), there is no doubt that they do play a central role in disseminating information and ideas, thus spreading consensual reality. The reason for revisiting this concept is to highlight the fact that some of the public's perceptions will be based on formal consensual reality stemming from the media and experts, even though the proportion of that influence is not readily determined. This illustrates the importance and the role of authorities in partly shaping public perceptions and the 'reality' of certain social problems.

³³ An example of informal consensual reality based on myth and rumour is the widespread belief in UFOs and extra-terrestrials. Such myths can be perpetuated in communities through informal channels like storytelling. They can also be perpetuated through popular culture in television programmes and books. There are thousands of WebPages regarding UFOs on the internet so that such rumours and stories take on global proportions.

To recapitulate and expand, central to the moral panic theories is the notion that moral panics and social problems do not arise at random, but are brought to public attention by certain individuals and/or groups. Social problems do not exist objectively, but rather are socially constructed. In other words, the objective existence of a harmful condition is not itself enough to constitute a social problem unless certain steps are taken to label it as such. First, a group of people must define a condition as problematic. Secondly, they must be concerned about it and be able to attract widespread concern to it and finally, they must encourage or take steps to correct it. A social problem can not exist without individuals or groups engaging in some sort of claims-making activities with reference to the condition in question (Goode and Ben-Yehuda; 1994: 88, Becker; 1963: 12). Jenkins suggests that there are many possible explanations for the manufacture of social problems but that interests always play a crucial role (1992: 3). According to Spector and Kitsuse, one of the roles of claimants is to “construct notions about the ‘abuses’ of the conditions they find onerous, assign blame, and locate officials responsible for rectifying the conditions” (1977: 83). According to Best, most claims-making begins with either victims, activists or experts who supposedly have some specialized knowledge about a condition. They are referred to as primary claims-makers and they must compete within the social problems marketplace for public awareness, official recognition and resources (1990: 87). Later in this chapter, I will discuss how claims-makers interact with the media for a share of this market.

Claims-Making and Child Sexual Abuse

When a group succeeds in bringing an issue to the public's attention and in convincing a broad segment of society that the problem is grave in nature and in consequence, it is disseminating its worldview and ideological stance. This is achieved by either raising awareness of a newly discovered issue or by imposing their interpretation of a problem which is already recognized (Jenkins; 1998: 8). According to Best, when a social problem becomes established and media coverage begins to decline, claims-makers make new claims to expose additional facts which help keep the problem in the forefront and keep it newsworthy, thereby holding public and media attention (1990: 65). Because the process of constructing a social problem begins with a condition which represents a serious threat to accepted social values, claims-makers try to link problems with other conditions they see as harmful or threatening, so that "the original incident is used to support a moral or political lesson and the narrative is embroidered with appropriate cultural cross-references" (Jenkins; 1998: 8). While molestation in hockey was a seemingly new threat, it expanded upon themes which had already been articulated in the media. Claims-makers linked child molestation in hockey, not with a different social problem but rather nestled it within the larger ambit of child sexual abuse, a well established social problem with well-established harmful consequences. It was part of a larger trend whereby the focus shifted from females to males as potential victims of sexual abuse but where the perpetrators remained male.

Jenkins (1998) argues that different groups of activists involved in claims-making about children have aligned themselves by drawing attention to the issue of child molestation. Moreover, the same groups and ideologies can be identified in each

different campaign over child sexual abuse. He suggests that child welfare societies, social workers, psychiatrists and therapists, women's groups, prosecutors, law-enforcement bureaucrats and members of the mass media are groups which can be identified as advocates in each successive campaign. I will not attempt to trace this continuity of activism, in part due to the dearth of information on moral panics over child molestation in Canada. However, I will outline some of the professional groups involved in this panic later in this chapter.

That there is a continuity in activism does not imply that concern over issues of child molestation is stable across time; concern has fluctuated considerably during the past one hundred years, both in terms of the level of public fear as well as in terms of the sources of threats. Jenkins explains these fluctuations in terms of a competitive marketplace model. In his analogy, he suggests that a product will be attractive to an audience depending on how well retailers' packaging appeals to the consumer. The products, while boasting different packaging across time, remain fairly constant; their success in gaining market share depends on the demographics and tastes of consumers, which can fluctuate over time (1998: 215-216). This has been the case with the hockey sex scandal. The product, child sexual abuse, remains a fairly constant threat across time. However, the packaging in this case attracted a large market share, not because there happened to be sexual abuse in a junior hockey league, but precisely because it was hockey. As was seen in Chapter 3, hockey plays a central role in Canadian culture. In addition, as will be seen later in this chapter, sports and hockey in particular, captivate a large share of media attention in Canada, not to mention a large male viewing audience.

Claims-Makers' Interests

Not all claims-makers have the same motives with regards to the claims they put forth. Often claims-makers and experts use the media not only to advocate for solutions with regards to the problem but also to help define it. Claims-makers obviously have reasons for making claims that are beneficial to themselves or to their professions. They must justify their positions, but in doing so, face a double problem. On the one hand, they must demonstrate to others that a problem exists or still exists to justify their ongoing interest and to continue to captivate media attention. On the other hand, they must show that their attempts at alleviating the problem are effective and worthwhile (Becker, 1963), particularly when they are seeking funds or government resources, for instance. Claims-makers often advance solutions they believe will appeal to public interest, even though such solutions may be ineffective such as demands for harsher punishments.

It would be erroneous to imply that all of these groups and individuals define and interpret problems in the same manner. Becker suggests that the same set of objective conditions, which are often the impetus for the construction of a social problem, can be interpreted differently by various groups. As was suggested in Chapter 1, this can have both theoretical and practical implications, mostly in terms of regulation which will be further examined in Chapter 5. Each of the claimants have their own reasons for putting forth claims and offering solutions. Different groups emphasize different theories of criminal behaviour; for example, police and prosecutors would favour mostly a law and order perspective, emphasizing punishment and deterrence. Psychologists and therapists focus more on the rehabilitative model. Claims-makers such as politicians might

promote claims consistent with what they feel is public opinion in order to further their interests in getting re-elected. As a result, their perspectives can often be quite conservative.

Obviously, not all claims-makers carry the same weight. Those with more power and resources are better able to define issues and have their solutions implemented. Historically, claims-makers stood to benefit³⁴ from claims made about threats to children, and the number of claims-makers increases with each panic. While a panic might begin with allegations by small groups or individuals, as was the case in the hockey sex scandal, the media eventually usurp the problem and disseminate it nationally, with the clear message that the alleged events are the manifestation of a sex crime problem (Jenkins; 1998: 219).

Categories of Claims-Makers

Often claims-makers come in the form of experts or authorities on certain issues. Most of the 'experts' associated with the moral panic over sexual molestation in hockey fall into two main categories. While I could speculate as to the reasons why certain experts came forward with claims about this panic, this could result in attributing false motives to individuals. As such, I will only name certain claims-makers and since they mostly fall into two groups, the general motives and characteristics in the literature of those particular groups will be mentioned.

³⁴ For example, during the 1970s, given the alarming rate at which child exploitation seemed to be rising, police agencies received enhanced powers, various other agencies were solicited to help deal with the problem and new agencies were created. These agencies had vested interests in justifying their crusades by defining child abuse as alarming and rising in frequency (Jenkins; 1998: 220). In constructing child exploitation as an epidemic, such agencies essentially justify their jobs and demands for increased resources.

Police and prosecutors are groups who are eager to demonstrate their willingness to fight crime and protect vulnerable citizens, and “the successful prosecution of an egregious abuse case gives visibility to the official responsible and may even smooth the path of political advancement” (Jenkins; 1998: 218). Furthermore, this helps them gain more resources and increase their budget to further aid them in ‘fighting crime’. With regards to the media, the police act as ‘promoters’ of crime news by helping to make it available to journalists (Sherizen; 1978: 212). Also, in terms of public perception, police are at the forefront of the criminal justice system and state control efforts. As such, they play a crucial role in terms of symbolic politics and “are within the major sphere used by citizens to access the state as a moral agent” (Ericson *et al.*; 1987: 58). While police no doubt have an interest in eliminating deviance, it is probably more typical for police to have a more detached view of their jobs. Paradoxically, police may also have an interest in promoting deviance precisely in order to fight against it. If there were no deviance, there would be no need for police. While they may be concerned with the content of rules, they are more interested in enforcing those rules, as enforcing those rules provides them with employment, a profession and a ‘raison d’être’. In other words, it provides them with a justification for their jobs, as is the case in all professions (Becker; 1963: 156).

During the hockey sex scandal, most of the affected provincial police departments had spokespeople who had links to the media. In Calgary there were Inspectors Peter Copple and Brian Bell and in Regina there was Cpl. Dave Hoeft. The most popular police spokesperson in the media was Toronto Officer Dave Tredrea. The police were active in using the media to accomplish two main goals. First, they were instruments for

disseminating factual information about the investigations. Second, they were involved in promoting and fueling the panic. They often called for other victims to come forward with their stories of abuse. In addition, Detective Brian Bell of the Calgary police said that “the case sent a wakeup call to organized hockey in Canada, but it could have been louder. I don’t think this sentence [that of James] sends enough of a message to other people out there with similar agendas (Rick Monifa, “James Jailed: former hockey coach pleads guilty, sentenced to 3 ½ years: Two of his former players were abused 350 times” in Calgary Herald Jan. 3, 1997. A1). In this way, they were also active in designing the problem, not merely enforcing the laws.

Other groups which have been active in the area of sexual deviance ever since the early sexual psychopath laws, are psychiatry and therapy.³⁵ The issue of child sexual abuse allows them to demonstrate their expertise. It has also led to a widespread tendency to medicalize social problems. Since the 1950s therapeutic assumptions have been commonplace in educated society (Jenkins; 1998: 217). Most of the experts involved in claims-making about child sexual abuse in hockey during the scandal were from the therapeutic community.³⁶ The experts who were cited most often by the media were Danielle Aubry (executive director of Calgary communities Against Sexual Abuse), Sandra Kirby (professor) and Lorraine Greaves (director of the Centre of Research on

³⁵ Concern about sexual psychopaths emerged during the 1930s and again in the 1950s (Best; 1990: 5). According to Jenkins (1998), psychiatrists’ and therapists’ movement against sexual psychopaths not only gave them an opportunity to demonstrate their expertise but also “helped to consolidate the wartime gains of the psychiatric profession” (217).

³⁶ Some of the experts from this group were: Micheal King, the Foothills Hospital psychologist, Merry Miller, Calgary Sports psychologist, Marilyn Gill, psychologist at Calgary Counseling Centre, Cal Botteril, Calgary Flames sports psychologist, Chris Bagley, social work professor, Sue Charlston, clinical supervisor for Jewish family services, Robbie Babins-Wagner, executive director of the Calgary Counseling Centre, Sandra Stark, athlete counselor, Sue Wilson, sport psychologist, Karyn Kennedy, Program coordinator for the Metropolitan Toronto Special Committee on child abuse and Ann Peel, chairwomen of Athletes Canada.

Violence Against Women and children in London, Ontario). Greaves and Kirby were the authors of a study on sexual harassment and abuse in sport commissioned by Sport Canada and were cited either together or separately.

The characteristic all of these psychologists and therapists have in common is that their 'claims' fall into two main categories, both of which could serve their own interests or legitimize their work in some way. The first category involves defining the problem. Some claims involved the scope of the problem. Many mentioned that this type of abuse is not unique to hockey and that it is just the tip of the iceberg. Others described how there has been a shift in concern with regards to male victims who were neglected in the past. Still others suggested statistics outlining the scope of the problem. The second category of claims involved calls for regulation of all sorts such as education, public inquiries, parental vigilance and screening, just to name a few.

From this perspective, using Becker's term, those claims-makers and 'experts' representing the therapeutic/psychiatric fields as well as police services might be both rule creators and rule enforcers. As Becker suggests, these individuals must define the problem in such a way that there exists a problem for them to be involved in. It is significant that the issue of sexual abuse against boys is relatively new since it means that the topic requires definitions and individuals to study it. Second, their profession is legitimized as both groups either call for or are involved in regulation. These groups' interest in keeping this problem at the forefront in terms of both problem definition and regulation may account in part for the volume of media coverage as well as for the length of time media reported on this scandal.

Moral Entrepreneurs

Single individuals can also be important in creating social problems by means of their charisma, eloquence or empathy (Mauss; 1975: 18). According to Jenkins, the current claims-making over child protection issues is different from its predecessors in that it emphasizes the experience of victims. He also claims that for the first time in history, millions of individuals, mainly but not exclusively women, have constructed their identities in terms of experiencing sexual victimization. As a result, support from 'survivor' movements has strengthened the claims of therapists and counselors, with whom 'victims' have aligned themselves (1998: 234).

The timing of this moral panic was entirely contingent upon one prominent spokesperson: Sheldon Kennedy. Looking at the trends, it is obvious that the media did report on James's arrest November 1996, but it was not until January 1997 when Kennedy came forward that media coverage exploded. Kennedy could be characterized in many ways: as a prominent spokesperson, a solitary claims-maker, and perhaps even a moral entrepreneur. As was seen above, moral entrepreneurs or crusading reformers can be divided into two categories: rule creators and rule enforcers. For the crusading reformer, there are existing rules which are unsatisfactory due to some profound, disturbing evil. The prototype of this reformer is a righteous person operating from an absolute ethical stance who feels nothing can be right in the world until something is done to change the said condition. I would argue that Kennedy does not necessarily fit this prototype but does possess many of the other characteristics of the moral crusader, whether his primary intention was to be characterized as such or not.

Becker (1963) suggests that not all crusading reformers are self-righteous meddlers who want to force their morals on others; many have humanitarian intentions. For instance, some reformers feel that their reforms will prevent certain kinds of exploitation of one person by another. Whether he intended to become an activist for child sexual abuse or not, by coming forward as a victim proclaiming that he wanted to help sexually victimized children by building a ranch or by seeking media attention through his in-line skate to raise funds for this ranch, Kennedy ultimately became a moral entrepreneur for the cause of child sexual abuse. He gained media attention by urging other victims to come forward, by appearing on talk shows, by speaking to children, by being named top-newsmaker of 1997 and by turning his story into a made for television movie. The moral crusader is more concerned with ends that means. Thus, when it comes to drafting specific rules, experts usually take over (Becker, 1963). Kennedy may not be the typical moral crusader as in the case of the prohibitionist, for example. In fact, some may think the moral crusader is too harsh a term and perhaps too purposive. However, I would suggest that the face of the moral entrepreneur is changing or even that the moral entrepreneur can have many faces. Arguably, the victimization or 'survivor' movement is gaining prominence and prominent spokespeople who have experienced victimization are becoming more involved in activism. Such 'survivors' of sexual victimization are much more respected and applauded now than they have been in the past. There seems to be less shame in coming forward, which may be in part due to the women's movement. In addition, the more male victims who come forward, the more socially acceptable it becomes for them to publicly discuss their experiences of sexual victimization.

In this case, a spokesperson rather than a group or 'expert' was probably most effective in bringing this issue to public attention. This is due to the fact that, not only was he a spokesperson, but he was also a victim and someone who was closer to the public than an authority or expert. The public, as a result, may have vested more support in him or identified with him more deeply. The fact that he was a hockey player, a position which is highly valued in Canadian society, is also another reason why this issue gained so much attention from the public. If Kennedy had not come forward, while there may have been some concern over Graham James, there would not have been a moral panic over the issue. Arguably, Sheldon Kennedy coming forward has had many positive consequences. His public affirmation may have reduced the shame of men coming forward. It may also have reduced the stigma of sexual victimization for young boys who consider him a role model. These are consequences regardless of Kennedy's motives. On the other hand, Kennedy coming forward with his story of sexual abuse has also inadvertently had some negative consequences, which will be outlined in the Conclusion.

The Role of the Media in the Moral Panic

Like the claims-makers already discussed, the media play a crucial role in the moral panic. As was suggested in Chapter 3, the media are the main players in the moral panic (Goode and Ben-Yehuda; 1994: 343). However, it would be a mistake to assume that child sexual abuse is a mere creation of the media. While they do play a major role in constructing such social problems, some argue that news organizations are also responding to a sense of urgency experienced by other groups in society, such as claims-makers. In this sense, the main role the media would be to legitimize social problems

(Best; 1989). Before analyzing this role the media play in creating and defining the moral panic, it is crucial to examine the debate in the literature with regards to the role of the media in constructing the reality surrounding social problems. There are two main schools of thought involved in this debate. The first suggests that the media are passive players in disseminating information with regards to social problems. The second is that the media play an active role in constructing social problems. In other words, according to Shoemaker and Reese, “the extent to which we see the mass media as distorting the world outside depends on how we envision the media acting. Some conceptions treat the media as passive transmitters of events; others view the media as taking a far more active role in manipulating or ‘constructing’ reality”.

The channel idea suggests that the media are merely “pipes or conduits through which bits of information flow—neutral transmitters of messages, linking senders to receivers” (Shoemaker & Reese; 1996: 33). This model suggests that messages are transmitted without being transformed and that the media have no intentions of influencing the audience through their messages. Therefore, any effects that the media’s message may have on the audience are due to the audience’s characteristics and not due to anything that may have occurred to the message while it was in the ‘channel’.

Likewise, Cohen and Young describe the Commercial Laissez-Faire approach as a model which is mostly subscribed to by journalists themselves. Those subscribing to this model argue that since there are a variety and diversity of information and views in the mass media, it is unlikely that manipulation by the media can occur. They argue that it is the public, as consumers, who “actively select or selectively perceive those media which already fit existing positions and preconceptions” (1981: 10). Thus, while individuals’

opinions and views might be reinforced, they are rarely transformed completely. In fact, day to day contact with friends and family are more important in influencing attitudes. The news and the journalists who portray events do so objectively by reproducing the real world as accurately as possible (1981: 15).

However, even if we were to accept this version of events, it is obviously technically impossible to reproduce all the events that occur and to tell all stories, given time and resource constraints. The media must actively select which information to portray based on what will be of interest to the public (Cohen and Young; 1981: 15). Thus, the second school of thought views the media as active agents in constructing the reality of social problems and moral panics. Cohen and Young contrast the Commercial Laissez-Faire model with the Mass Manipulative model in which “the public is seen as an atomized mass, passive receptacles of messages originating from a monolithic and powerful source” (1981: 10). However, they argue that both of these versions of the media’s role are too exaggerated and simplistic. The media are neither as passive or as active as these models would suggest. Regardless, the position I take, which is consistent with that of Cohen and Young’s, is that the media do construct reality in some form. The mass media manufacture and reproduce images and they provide the “guiding myths which shape our conception of the world and serve as important instruments of social control” (Cohen and Young; 1981: 9). This role is extremely complex since they neither supply information and entertainment to a passively captive audience nor do they conspire to implant attitudes into the minds of their audience. The news is manufactured by journalists who interpret and select stories to fit into pre-existing categories which are the “product of the bureaucratic exigencies of news organizations and the particular

concentration of media control and ownership” (Cohen and Young; 1981: 97). Often the organizational and practical features of the newsroom promote a perspective through which events are ultimately distorted in some way and that in the process, news messages can do more than simply inform the reader, they can also transform the meaning and significance of events (Altheide; 1974: 24-27). In order to make news, media personnel must interpret reality and engage in storytelling rather than merely reflect reality and gather facts (Ericson *et al.*; 1987: 9).

This does not imply a Mass Manipulative model since this ‘selection’ does not necessarily involve conscious manipulation or overt censorship; rather, it is the unconscious process of interpreting events in terms of an ‘acceptable world view’. Even if the media do not consciously and explicitly implants ideas into the public consciousness, the images and moral interests they portray promote certain ideologies such as heterosexuality and consensual adults sexual relationships as ideological norms and exclude other more ‘deviant’ lifestyles.

In translating and transforming claims, the media become secondary claims-makers. According to Best, secondary claims “are efforts to persuade, subject to rhetorical analysis” (1990: 88). While journalists claim objectivity, every news story seeks to offer a convincing construction of reality. While most news stories accept the primary claims made by claims-makers, the reporting of these claims is shaped by the conventions and organizational processes of newswork. Thus it is important to examine the media since the public does not often receive information directly from the claims-makers but rather the messages are mediated through the mass media.

As such, in terms of their ability to choose what to convey and the captive audience to whom they convey it, the media are one of the most important institutions in society today. The media are in large part responsible for defining what constitutes social problems and how they should be addressed. The media often accomplish this by focusing on certain dramatic incidents of criminal victimization of vulnerable citizens such as the elderly and children (Ericson *et al.*; 1987: 70). Particularly, in the last decade, media coverage of alleged events of child molestation has skyrocketed so that such offenses are believed to be commonplace in society likely to affect almost any family (Jenkins; 1992: 9).

Claims-Makers, the Media and Society

Claims-makers need a medium through which to convey their ideas, particularly in such a competitive marketplace. As such, they often can not disseminate their claims without the help of the media, especially when they have limited resources. Press coverage helps make claims-makers competitive. By giving press coverage to claims-makers, the media help bring issues to public attention, generating concern about certain problems and supporting claims-makers' views. However, it is important not to assume that coverage is automatic for each and every claim that is put forth. The press is unable to cover all claims since it also has limited resources. Given this fact, the press prioritizes stories based on novelty, drama and on other criteria of newsworthiness (Best; 1990: 87-88). These criteria will be examine in some detail further on in this chapter.

The relationship between the media, society and claims-makers is by no means simplistic. Suggesting that claims-makers use the media to convey their interests is not to

imply that this is a uni-directional relationship; in fact, it is reciprocal. While the claims-makers use the media to bring their claims to public attention, journalists provide information to the public regarding who the key power holders, claims-makers and 'authorized knowers' are in creating knowledge. The journalist holds the position of being able to translate organized life. Working in conjunction with claims-makers, the media are central players in mapping moral territory. They do this with the help of authorized knowers who are "well placed in their respective organizations to offer the demarcations of symbolic boundaries which in turn provide the very basis of cultural classification and order to social life" (Ericson *et al.*; 1987: 60). Journalists draw on key spokespeople in the hierarchy of credibility to emphasize what they believe to be the most significant problems with respect to deviance issues and how these problems should be addressed (Ericson *et al.*; 1987: 7).

In addition, the media and 'society' are intertwined and influence each other. Even though there are organizational processes involved in newsmaking, they do not exist apart from society. Presumably, the media contribute to and are shaped by the wider social order. It is necessary to take into account how these different levels of interaction influence each other in order to understand the process of newsmaking (Ericson *et al.*; 1987: 27). According to Ericson *et al.*, "the news media have been shown to use the symbols of the dominant culture... focusing on deviance or 'bad news' as a means of establishing a consensual paradigm for society as a whole" (1987: 30). According to Cohen and Young, the media's influence is not uni-directional since there are certain choices available to the public even if these choices are narrowly defined within social reality. While the audience can make certain decisions as to which

frameworks to accept, they can rarely escape that such frameworks do exist. As stated previously, the interaction between the public and the media is not simple and we must “direct attention not to a set of straightforward stimulus/response mechanisms, but a series of human mediations and definitions of the message” (1981: 339). A further illustration of how the public influences media coverage is through advertising. At the present time, Canadian newspapers receive over three quarters of their revenue from advertising and it usually accounts for approximately sixty percent of space in newspapers (Ericson *et al.*; 1987: 33).

I agree with McRobbie’s critique of the traditional notion of the moral panic in that it assumes “a clear distinction between the world of the media and the world of social reality” (1994: 217). She also critiques the notion of the balance of relations that sociologists saw as existing between the media, the agents of social control, the folk devils and the claims-makers. In fact, the interplay between each of these groups is very complex and fluid. In recent times, there has been a diversification, amplification and expansion of the mass media. As such, society and the media can not be viewed as separate entities (1994: 201). The media are as much a part of social reality as any other social institution. The public does not live in ‘unreality’ while they read the newspapers, only to tune into reality when not being exposed to the media. As McRobbie suggests, “[i]ndeed perhaps there is no pure social reality outside the world of representation. Reality is relayed to us through the world of language, communication and imagery” (1994: 217).

Newsworthiness

As was mentioned previously, spokespeople and claims-makers must compete in the marketplace of ideas in order to have their claims taken up by the media. Coverage cannot be taken for granted. One of the key questions that arises from this discussion is why the media covered this topic at all. I suggested in Chapter 3 that the panic came to public attention due to certain socio-structural factors. In addition to these factors, there are other reasons why the media devoted so much coverage to this scandal and for so long, which are more specific to newswork. First, the hockey sex scandal is consistent with the criteria of newsworthiness as outline by Ericson *et al.* and others. Second, in terms of content, the hockey sex scandal is consistent with two topics which are widely covered by the media: crime and sports.

Ericson *et al.* describe five main criteria of newsworthiness: Simplification, Dramatization, Personalization, Themes and Continuity and Consonance. First, simplification refers to how an event “must be recognizable as eventful, and yet relatively unambiguous in its meaning” (1987: 140). In terms of the Graham James and Maple Leaf Gardens cases, there was little ambiguity in terms of what the problem was, who was involved and that the problem needed to be addressed in some form. Simplification also refers to cultural and geographic proximity, which was discussed in Chapter 2. To reiterate, the closer the event both culturally and geographically, the more coverage it will receive.

Dramatization refers to the fact that there is a threshold below which an event will not be reported which varies according to such factors as the availability of other stories and cultural proximity (1987: 141). This scandal obviously was above the threshold for

reporting which can possibly be attributed to the nature of the scandal (child sexual abuse), the site of the scandal (junior hockey) and its geographic location (Canada; Calgary and Toronto).

The third criterion of newsworthiness is personalization. Personalization refers to how events are portrayed in terms of the key individuals involved. Ericson *et al.* argue that personalization “is a necessary part of the imputation of moral fault, and news organizations interested in finding fault and forcing accountability are therefore bound to personalize” (1987: 141). Another aspect of personalization is the identification of the victims and the dramatization of their plight, as a way of generating sympathy as well as pressure for regulation and social control. In the case of the hockey sex scandal, this media technique was used effectively. Graham James personified evil as the primary key folk devil with others like the Maple Leaf Gardens workers and subsequent accused coaches bearing the brunt of moral outrage. Likewise, individuals such as Sheldon Kennedy and Martin Kruze were identified as key victims and their stories were vigorously reported by the media in lurid detail. In this case, not only were experts and community members pushing for regulation but the key ‘victim’ was also involved in activism of this sort.

The fourth criteria, themes and continuity, were examined in part at the beginning of this chapter and essentially comprised the first part of Chapter 3. The media prefer to use recognizable frameworks in order to understand and contextualize particular events. As such, an item will be considered more newsworthy if it is consistent with previous events of a similar nature. According to Ericson *et al.*, an event which is newsworthy “is not that which is new, but that which fits into a familiar frame or into the existing

knowledge of news discourse” (1987: 143). According to Fishman, newswriters create crime waves by seeing themes in the news. Crime waves can be defined as “little more than the continued and heavy coverage of numerous occurrences which journalists report as a single topic” (1981: 102). The news theme allows the journalists to cast an event as an instance of something. While each story on its own might not merit attention, as a collective, such events become newsworthy when they are perceived as a common theme. Crime themes become crime waves when different media report on the event in question. As I suggested in Chapter 3, this scandal fits the theme of child sexual abuse which has been a social problem for some time. The media have focused their attention on the different sites where this type of abuse of authority occurs such as the clergy, with the Mount Cashel case as well as daycare with the Martensville case. In Chapter 3 I examined some of the similarities in reporting between clergy abuse and abuse in hockey. For instance, certain predictable factors are associated with media coverage such as multiple-victim cases, cases where the abuse is of long duration and cases with easily identifiable victims and perpetrators.

The final criterion is consonance and it refers to how the significance of events are often prejudged by reporters whereby the reporter can visualize the outcome and can make that outcome apparent regardless of what else transpires. Surette defines consonance as “how an event ties in with prior news themes and expected public images and explanations” (1992: 58). According to Ericson *et al.* as well as Surette, consonance is often associated with the ‘expected unexpected’ so that “ordinary coverage of deviance and control also provides tales of the unexpected, albeit framed with consonance and continuity so that they appear as the expected unexpected” (Ericson *et al.*; 1987: 148).

The case of the hockey sex scandal can certainly be described as the expected unexpected. It was expected since child sexual abuse is a theme which is recognized as a serious social problem. The aspect which makes it newsworthy is the 'unexpected' site in which it occurred: hockey.

In addition to these five criteria of newsworthiness, there is another major reason why the media reported so widely on this scandal. The hockey sex scandal was consistent with two other topics which are always newsworthy: crime and sports. Crime and crime control are popular topics reported on by the mass media. In Canada, approximately eleven percent of the Canadian Press datafile is comprised of stories that relate to crimes or accidents. This percentage increases sharply when items relating to crime control and administration of criminal justice are considered. According to Sherizen, crime is the third largest category of subjects covered by newspapers (1978: 208). Moreover, studies have shown that the media focus predominantly on solved crimes, which may be one reason why the hockey sex scandal was attractive (Ericson *et al.*; 1987: 44-45). According to Surette (1992), the media overemphasize crime and also focus heavily on the details of specific individual crimes, as in the case of child sexual abuse in hockey. The selective portrayal of crime by the media plays an important role in shaping how the public perceives and understands crime, deviance and criminal justice responses, and as a result, the official definition of crime (Roshier; 1981: 40).

There has always been a special relationship between the media and sports. For decades, 'Hockey Night in Canada' has been CBC's most popular television show and by the early 1960s, it had been drawing audiences in the millions. This program has had one of the largest viewing audiences of any program on Canadian television. While sports

made up only a handful of programs in the 1950s, they have now become an omnipresent part of television (Harvey and Cantelon, 1998: 178). Goldlust explains the importance of the relationship between sport and television:

Such a broad range of programmes incorporating sport directs us to the central role that television has come to play as the self-appointed guardian and interpreter of the sporting culture. The commitments of time and resources television assigns to sports are significantly more substantial than to almost any other area of contemporary life, with the possible exception of news and current affairs (1987: 87).

Sport has been a key element of programming since the 1950s when the CBC established studios in Toronto and Montreal. By the 1970s, it was discovered that sports provided a good way of fulfilling government stipulated Canadian content requirements (Hall *et al.*; 1991: 139).

Another reason why sports are attractive to the media is that they are a guaranteed daily newsmaker. Newspapers can not always depend on major news events such as murders, elections or disasters but they can always depend on sports results, and thus on readership. In sports, plots are ready made and always in large supply. (Koppett; 1981: 56). According to Hall *et al.*, in most major North American newspapers, more daily coverage is given to sports than any other topic. The sports section is widely read and accounts for approximately thirty percent of the total circulation for metropolitan newspapers. This is significant to the hockey sex scandal because, arguably, the sports section attracts a majority male readership. Male readership is important to the panic given the shift in concern from female to male victims of sexual abuse which may result in men experiencing this scandal more deeply.

In conclusion, the timing of this moral panic was directly contingent upon the actors involved. Even though certain socio-structural factors existed which provided a climate which allowed the panic to flourish, it would never have come to the public's attention had it not been for the individuals involved. Claims-makers did not choose this panic at random. Moral entrepreneurs, 'experts' involved in the therapeutic and police services fields as well as the media have always played a role in moral panics over child sexual abuse. While Sheldon Kennedy was responsible for igniting the panic, the other claims-makers, including the 'experts' and the media, were responsible for keeping the panic alive over time. Experts have always been involved in activism in issues involving child sexual abuse and have benefited in some way from their involvement. The media have acted both as promoters of the panic as well as channels through which claims-makers could promote their views. The media chose to devote so much of their coverage to this scandal for several reasons; the hockey sex scandal met certain criteria of newsworthiness such as simplification, dramatization, personalization, themes and continuity, and consonance. The hockey sex scandal was also consistent with two other topics which are always newsworthy: crime and sports. While the rise of moral panics has received some attention in the literature, there has been very little attention given to the aftermath of moral panics. In the next chapter, I will explore the nature of moral regulation as well as the specific forms of regulation that have ensued from this moral panic over child sexual abuse in hockey.

Chapter 5:

The Moral Regulation of Child Sexual Abuse in Hockey

In previous chapters, I have discussed the concept of the moral panic and its application to the hockey sex scandal. I explored the underlying factors contributing to the popularity of this panic as well as the actors involved in defining it and bringing it to public attention. The focus of this chapter is on what has resulted from this moral panic in terms of regulation. Society's moral repugnance towards certain social issues is manifested in various fashions. According to Goode and Ben-Yehuda (1994), following a panic, there is the feeling that something must be done, whether it includes strengthening the social control apparatus or more intense public hostility and condemnation. However, even if there is widespread agreement that a problem exists, there is substantial debate concerning the proper solution. Legislation is only one option. Other solutions may include education, prevention or treatment. In the case of pedophilia, it would be difficult to dispute that we have spun quite an extensive web of regulation.

While the rise of moral panics has received some attention, there has been very little attention given to the aftermath or the demise of the moral panic (Goode and Ben-Yehuda; 1994: 224). The issues of demise and impact of the moral panic are intimately linked in terms of the nature of their impact, whether they produce substantial and long-term social change or whether their impact is more fleeting as in the case of fads. Goode and Ben-Yehuda suggest four questions to help sharpen our inquiry: The first question is whether moral panics have an impact on the society in which they take place by

generating formal organizations and institutions, and whether they leave an institutional legacy in the form of laws, agencies, groups, movements, and so on. This question implies two possible outcomes of the moral panic. The first is that it can either end leaving little long-term legacy, effectively disappearing without a trace stimulating no new laws, social movements or institutional transformation. On the other hand, the concern expressed during the moral panic may be captured, routinized or institutionalized into long-lasting social change. The second question is: If the moral panic does have an impact on society generating social change and leaving an institutional legacy, what specifically, is the nature of that legacy? Institutional change can include all or some of the following: new laws, policies, social movements, government agencies, etc. The third question is whether moral panics transform the informal normative structure of a society. By informal structure, the authors refer to views of right and wrong or visions of reality. The final question involves the nature of that transformation, if indeed the panic does change the informal normative structure of society (1994: 225). For the purpose of this inquiry, any institutional transformation either in the formal or informal sectors of society will be termed 'moral regulation'. In this chapter, by looking at the nature and forms of moral regulation, those involved in carrying it out, as well as its targets, I will address the preceding questions and suggest that this moral panic was not trivial in its effects nor was it inconsequential in its impact.

The Nature of Moral Regulation

To my surprise, the term 'moral regulation' has proven to be a very elusive concept in the literature. While there are specific proponents of moral regulation, they

mostly engage in theoretical debates about moral regulation and its origin, failing to define the precise nature of the term. Reviewing the literature surrounding this debate and engaging in it are not the purpose of this chapter.³⁷ At first glance, it may seem that the term 'moral regulation' is ill-suited for an inquiry into child sexual abuse in a contemporary context. The concept is used mostly to study attempts at regulating morality in an historical context (e.g. prostitution and masturbation in the nineteenth-century). Furthermore, child sexual abuse is not the traditional type of inquiry that the literature on moral regulation directs its focus (see, for example, Valverde; 1994). By the same token, moral regulation has not traditionally been the framework in which the regulation of child sexual abuse has been examined. I contend that the reason for this is not because it is an inappropriate framework but simply because child sexual abuse is rarely seen as a moral issue and because the regulation of child sexual abuse is rarely called into question or problematized.

Hunt provides a good working definition of moral regulation and his definition and elaborated theory, sometimes expanded upon by other scholars, will be employed in this chapter. While other scholars such as Durkheim, Foucault, and Corrigan contribute important themes to the literature on moral regulation, the scope of this chapter does not allow a direct examination of their work. In any case, Hunt's concept of moral regulation is informed by these and other theorists. Hunt suggests that "[m]oral regulation projects are an interesting and significant form of politics in which some people act to

³⁷ Corrigan, P., "On moral regulation: some preliminary remarks" *Sociological Review* 29(2), 1981. 313-333.; Valverde, M. & L. Weir, "The Struggles of the Immoral: Preliminary Remarks on Moral Regulation" *Resources for Feminist Research* 17(3), 1988. 31-34.; Ruonavaara, H., "Moral Regulation: A Reformulation" *Sociological Theory* 15 (3), 1997. p.277.; Dean, M., "'A Social Structure of Many Souls': Moral Regulation, Government, and Self-Formation" in Valverde, M. (ed.) *Studies in Moral Regulation: The Two Paths* (Toronto: Centre of Criminology and Canadian Journal of Sociology, 1994)

problematize the conduct, values or culture of others and seek to impose regulation upon them” (1999: 1).

Some authors such as Valverde and Weir (1988) as well as Strange and Loo (1997) have suggested that the terms ‘moral’ and ‘regulation’ as components of ‘moral regulation’ are difficult to define and can be ambiguous. Valverde and Weir suggest that the meaning of ‘moral’ is very elusive. In the nineteenth-century, the term referred to what we would now refer to as the social or the psychological. The term ‘moral’ is ambiguous because its contemporary common usage implies a more restricted range of meanings. The word ‘regulation’ is equally ambiguous since some authors like Corrigan tend to assume that the state is the central agency of moral regulation thereby obscuring the relationship between state and non-state agencies as regulators (1988: 31). Given these ambiguities, these terms require elucidation before continuing this discussion.

The ‘moral’ element of moral regulation involves a normative judgment by an individual or group that a certain behaviour or conduct is inherently bad, wrong or immoral and that the behaviour is harmful in some way (Hunt; 1999: 7). To expand upon this definition, Strange and Loo describe morality as an “evaluation or a means of distinguishing between goodness and badness” (1997: 4). Thus, morality involves not only a judgment about the wrongness of a behaviour, but also as it is compared with some type of norm. As a result, “notions of morality dictate behavioural ideals and simultaneously condemn the failure to uphold those ideals” (1997: 4). The term ‘regulation’ is also a familiar term which requires a more accurate definition. To give an accurate illustration as to the nature of regulation, it is necessary to describe what the term excludes. According to Strange and Loo, until recently, social scientists favored the

term 'social control' to describe the state's control or omnipotence. This term is problematic since it implies that the state or 'society' itself has complete control over its citizens. In fact, state agencies are not the only means by which behaviour is regulated. While government agencies, like branches of the criminal justice system are in the business of regulating individuals, so are other organizations such as churches, schools and families (1997: 5). Hunt also rejects the notion of social control as interchangeable with moral regulation. His objection is similar to Strange and Loo's but he expands by making the central issue that of agency. Hunt suggests that agency is central to processes of governing and regulating and that the term social control obscures that fact by relying on the general all-encompassing term of 'society' or 'society in general' as an entity capable of regulation (1999: 18). This is consistent with Spector and Kitsuse's (1977) view that was elaborated in Chapters 1 and 4, which suggests that social scientists must avoid the broad use of 'society'. Hunt, like Spector and Kitsuse, suggests that it is critical to uncover the specific individuals or groups who engage in regulation as well as those who become its targets. This notion will be illustrated in more detail further in this chapter when I discuss who was responsible for the regulation of child abuse in hockey and who were its targets.

At this time, it might also be useful to explore the term governance since it has and will appear in this chapter. The term derives from Foucault's studies on governmentality in which he emphasizes activities directed at shaping and guiding the conduct of others. Governmentality implies an expanded concept of government where the role of the state is de-emphasized and in which non-legal actors play a role (Hunt and Wickham, 1994). Hunt and Wickham develop a new sociology of governance,

expanding upon Foucault's conception of government, in which they emphasize the process of attempting to "control or manage any known object" (1994: 78). Hunt and Wickham also advance the notion of 'governing others' and 'governing the self' which will be explored in more detail further on. It is important to note that moral regulation is a form of governance. The reason for using the term 'moral regulation' is for simplicity's sake. The concept of governance is extremely broad, as it was intended to be, and I feel that the term 'moral regulation', as part of the concept of governance, is more specific and amenable to my topic given that it emphasizes the 'moral' component of governance. This is of particular importance given that I am discussing moral regulation in response to a moral panic.

To expand upon this notion, a few words are in order to justify my choice to use the concept of moral regulation as a response to the moral panic. Hunt rejects the concept of the moral panic because of its tendency to imply a "negative normative judgment" (1999: 19). He suggests that the 'panic' component of 'moral panic' implies that the response to a social problem is exaggerated. He warns against "any self-righteous ascription or irrationality to projects of moral regulation" (1999: 19). He claims that assuming that moral regulation is borne from irrationality could lead to a conspiracy theory in which the actors involved in bringing the panic to the public's attention might be seen as intentionally creating the panic. Hunt then cautions the researcher to avoid starting out from concepts espousing such assumptions. I agree with Hunt's suggestion that there is, when using moral panic theory to understand social problems, the danger of ascribing irrationality to projects of regulation. In the case of the hockey sex scandal, it would be erroneous to suggest that all of the actors involved in

claims-making and who were concerned about the sexual abuse of children in hockey, including experts and the media, as well as most members of society in general,³⁸ were irrational. However, I do contend that the concern was disproportionate, as I mentioned in Chapter 1. While I do not suggest that there is any value-free sociology and in fact suggest the opposite in adopting a constructionist perspective, I believe that I came to that decision based on fairly 'objective' criteria. Furthermore, as a researcher, I tried to remain objective throughout my project by avoiding any negative normative judgments about the panic. I was also cautious in not implying a conspiracy theory when discussing the actors involved in the moral panic over child sexual abuse in hockey. However, I do contend that not only was the concern over sexual abuse in hockey disproportionate, but in addition, the moral regulation of this scandal can be subject to criticism in terms of its consequences. I believe that I escape the accusation of a negative normative judgment in critiquing the regulation aspect of the moral panic given that I will not criticize the regulation itself but rather its forms.

A few additional points must be made about the nature of moral regulation before we conclude this section. One is that, as Hunt suggests, "regulatory activity speaks to us of the anxieties and concerns of its period" (1999: 1). In other words, moral regulation, like all issues of morality, is contingent upon time and space. The anti-masturbation campaign was very popular in the nineteenth-century; while it may seem trivial to us today, it was very serious issue at the time. Likewise, the campaign against child sexual abuse by trusted members of the community was non-existent at that time given that public concern over this issue did not surface until very recently. It is interesting to note

³⁸ While I am cautious about using the concept 'society in general', I am using the term in accordance with the 'consensus' indicator in Chapter 2.

however, that other campaigns against child sex abuse have surfaced periodically over the years, but that the nature of these panics have changed according to the anxieties of the period in which they occurred.

Another point, according to Ruonavaara is that the concept of moral regulation is restricted to those forms of regulation that do not involve the use of force. It aims at changing how people see themselves and their 'ways of life', and it fosters persuasion rather than coercion (1997: 290). While I agree that many forms of moral regulation are persuasive rather than coercive, I would not agree that all moral regulation is merely persuasive, as Ruonavaara suggests. For instance, when moral regulation involves the use of the law, it can be considered coercive.

Another point about moral regulation, which was hinted at earlier in this chapter, is that it can be initiated by many different agents; the state is not always central in engaging in projects of moral regulation. This concept, as it applies to the moral panic over child sexual abuse in hockey will be explored in further detail in a later section of this chapter.

Finally, studying moral regulation is not merely an historical enterprise. It can be used to study contemporary issues. According to Hunt, there are a "series of persisting traditional moral problems, often with new names, which continue to occupy political and legislative attention" (1999: 2). This is particularly important in our case. While child sexual abuse as we understand it today was not necessarily the target of moral regulation in the past, this issue may be considered a reincarnation of past social problems. This notion will be expanded upon in the next section.

The Regulation of Sexuality and Childhood

At first glance, it may seem that the concept of moral regulation is inappropriate for an inquiry into child sexual abuse. Many would argue that child sexual abuse does not involve a moral debate, but is a crime and inherently wrong or immoral. However, as I have already established in Chapter 1, child sexual abuse is a moral issue, and like other issues of sexuality, it is constructed as such. It is contingent upon time and space, and is consequently subject to moral regulation. In fact, both sexuality and childhood have a long history as subjects of moral regulation.

Sex has always occupied a significant share of public attention and sex and morality have been inextricably linked for the at least the last two hundred years (Hunt; 1999: 21). Sexuality is a visible political issue and policy decisions targeting sexuality often mobilize and have a great impact on society. It is important to stress the link between sexuality and politics since dominant political ideologies still reflect the notion of sex and politics as existing in different spheres, a notion which needs to be replaced (Mirkin; 1999: 18).

Sexual panics against specific groups are recurrent throughout history. Valverde suggests that sexuality, including “prostitution, immoral amusements, and other public manifestations of vice” (1991: 24), was the main target of the social purity movement and was targeted not only from a moral standpoint but from a public health perspective (1991: 19). Projects of the social purity movement involved producing pamphlets, books and lectures which incited people to govern not only their own, but others’ sexual habits in order to remoralize both the individual and the nation. While social purity was mainly aimed at sexuality, it was also a “campaign to regulate morality, in particular sexual

morality, in order to preserve and enhance a certain type of human life” (1991: 24). It was not simply a campaign for the sake of regulating and punishing.

Children have always been subject to moral discourses because “the association between ‘children’, victimization and innocence was deeply imbricated in popular culture” (Hunt; 1999: 204). Still today, children represent innocent victims falling prey to scandals involving abuse of power such as those including hockey coaches, thus expanding and further solidifying the label ‘pedophilia’. As Hunt suggests, and as I discussed in Chapter 1, it is interesting that moralizing discourses should revolve so intimately around childhood innocence when the concept itself is problematic. While social discourse has persistently constructed children as innocent, it has also sexualized them. Hunt suggests that social anxieties surrounding childhood and adolescence have always been present. He also states the significance of targets becoming younger. I would suggest that in the case of sexual abuse in hockey, it is significant that the trend is moving in the opposite direction, focusing on older children. I will expand on this trend in the concluding chapter.

Historically, not only have children in general been the subjects of surveillance, but their sexuality has also been the target of regulation. Since sexual desire was perceived as a very dangerous force in need of subduing, the case was worse if it involved children. In the mid-nineteenth-century, masturbation, particularly among boys, was a popular vice and in the 1920s fears about sexual promiscuity among young people took centre stage. An important goal of regulating such behaviour was self-governance (Valverde; 1991: 28).

Many panics are and have been concerned with threats to children. According to Jenkins (1992), this can be explained in terms of symbolic politics. As I mentioned in Chapter 1, the focus on children fundamentally changes the moral and legal environments, since, by definition, children can not legally consent to sexual activity. Thus, in the 1980s, campaigns were directed not so much against homosexuality and pornography but against pedophilia and child pornography. Focusing on children automatically meant that deviant behaviour crossed a higher threshold of victimization than if only adults were involved.

According to Hunt, it is important to contextualize child abuse and to recognize that its variants are intimately connected with the social anxieties of its time. The way in which those involved are constructed throughout history is crucial in understanding the discovery of different variants of child abuse. For example, perpetrators have shifted from being strangers to friends and family members (1998: 615). While today's campaigns are different from those in the nineteenth-century, there are similarities between the two in terms of the nature of moral politics. For instance, campaigns directed at the sexual victimization of women and children are reminiscent of the calls for sexual purity and action against 'white slavery'. Furthermore, new classes of the sexually dangerous like pedophiles serve today what the dangerous classes served in the nineteenth-century. Today's pedophiles and rapists have replaced the nineteenth-century seducers and white-slavers (Hunt, 1999: 2, 6).

The Response to the Moral Panic

The regulation of pedophilia in general takes many forms: it can involve incarceration, lengthy prison terms, therapeutic treatments, post-incarceration detention, tracking devices, prevention programs for children and dangerous offender laws, just to name a few. As I mentioned at the beginning of this chapter, the result of a moral panic can either be that it leaves no legacy to speak of or that it becomes institutionalized in law and social policy. When widespread concern has been aroused, this concern must be embodied in some sort of organization or institution if the social problem in question is to reach lasting significance as a defined social problem (Becker, 1963). In the case of the hockey sex scandal, the latter was the case. As was suggested in Chapter 1, not only is this social problem a child sexual abuse problem but it is also an example of the battle over sexual politics (Mirkin, 1999). I would contend that while the first phase of the battle involved defining the issue, the regulation of the issue is illustrative of the second phase which involves political and public debate, and arguably regulation. In this section, I will discuss the response to the hockey sex scandal. Unfortunately, it would be beyond the scope of my thesis to discuss all forms of regulation that occurred throughout the country. For this reason I have chosen certain forms of regulation, both at the national and provincial levels as well as legislative and non-legislative responses, which will illustrate the different forms of regulation that ensued from this panic.

Government Legislation

According to Hunt (1999), it is interesting to explore the role of the law in projects of moral regulation. In our case, there has been little change in the law as a

result of this panic, despite the law and order discourse which seems to permeate society. Certainly, existing laws were enforced. For instance, Sections 150 through 154 of the *Criminal Code* involve sexual offenses against children and sections 271 through 273 involve sexual assault, whatever the age of the victim. Graham James and the Maple leaf Gardens workers were charged with various sexual offenses. When each of the perpetrators were sentenced, there inevitably was public outcry concerning the length of the sentences. The media, through their own reports as well as letters to the editor, conveyed that the sentences received by these offenders were too short in duration. However, despite these calls for longer sentences, no legislative changes were made. Upon appeal, Gordon Stuckless's sentence was made harsher, but this was well within the sentencing guidelines for that particular offense. In terms of punishment, there is one sentence which may have set a new Canadian precedent. Stuckless was sentenced to chemical castration. Even though it was apparently voluntary, it was thought to be the first sentence of its kind handed out to a sexual offender in Canada.

Another legislative change that occurred as a result of the panic is Bill 31, otherwise known as Christopher's Law, in memory of Christopher Stephenson who, according to the news release, was brutally murdered at age eleven by a pedophile released on federal parole. Christopher's Law would provide a registry of pedophiles and sex offenders. It is an Ontario Government initiative (the Federal Government refused to establish a nation-wide registry) which would aid police in monitoring sex offenders in their communities. Under Christopher's Law, persons residing in Ontario who were convicted of sex offences³⁹ committed anywhere in Canada would be required to register

³⁹ Offenses include the following sections of the *Criminal Code*: 151, 152, 153(1), 155(1), 160(1)(2)(3), 163.1 (2)(3)(4), 170, 173(2), 271, 272(1), 273

with the local police within fifteen days of their release from custody and provide a current address. They would also be required to do the same if they move, and on a yearly basis. The information would only be available to police. In the event that the individual fails to comply or purposely provides false information, the penalty could include a \$25 000 fine and/or one year in jail, with every subsequent offense meriting two years less a day in prison (see www.gov.on.ca/MCZCR/english/about/b051099c.htm).

As of April 4, 2000, Christopher's Law had reached third reading

(www.ontla.on.ca/Documents/StatusofLegOUT/Session1stat.htm#Bill31).

The concept of a sex offender registry is not a new one. According to Kincaid (1998), in the United States, there exist such systems as library records, a special 900 hot line giving out the names of forty thousand child molesters and registration requirements that now apply in most states. Megan's Law (1994) and other similar pieces of legislation have resulted in a nearly nationwide set of tracking devices in the US. The difference in the United States however, is that accessing the databank of convicted child molesters is at everyone's fingertips. Logging on to sites such as www.sexoffenders.net allows the public to access the names and addresses of all those who have been convicted of sex offenses towards children in certain states. Some states have been helpful enough to provide the public with pictures of the offenders and maps depicting the exact locations of their residences. Here in Canada, the Children's Aid Society in Toronto operates a child abuse registry which contains the names of convicted sex offenders ("Grim Tales from the Gardens" [Maclean's](#) March 10, 1997).

In terms of legislative activity, it can be noted that section 153 of the *Criminal Code* was clarified before the hockey sex scandal broke and was interpreted as applying

to coaches. In 1996, the Supreme Court of Canada ruled that a teacher having sexual relations with a student automatically breached his responsibilities as an authority figure. This dispelled any vagueness surrounding section 153 of the *Criminal Code*. The implications are clear for coaches, as they are also in positions of trust or authority (“Coaching, Trust, and Sex”; 1997).

Most of the regulation that ensued from the moral panic over child sexual abuse in hockey was not legal in nature. It might be more appropriately categorized as policy oriented. According to Trocme and Schumaker, “while criminal legislation should in principle provide sufficiently clear restrictions on sexual contact with children, formal policies can provide useful additional limits” (1999: 633). In addition, according to the Harassment and Abuse in Sport Collective, formal policies should be adopted by sports organizations for the following reasons. First, they are an effective deterrent to harassment in the sports environment. They also provide a means by which complaints can be heard and dealt with. They are the best legal defense should an employee, member or athlete lodge a complaint. Moreover, they help the organization to maintain a safe and healthy environment for employees and members and avoids the indirect costs of harassment which can include low morale, high turnover, absenteeism and stress (www.harassmentinsport.com/policies/whyopl.html). The explosion of recent media and expert attention to cases involving sexual abuse of children by those in positions of trust has left many members of society concerned about children’s safety. In response, sports federations and other volunteer organizations have developed policies to prevent future abuse.

Sports Organizations

Sports organizations have instituted new policies in response to the moral panic. Some individual teams have adopted their own measures. For instance, officials of the Sarnia Stings have established a 24-hour sexual abuse hotline for their players and the owners of the Owen Sound Platers have appointed a respected local police officer to act as a confidant to any player in need of advice (“Are Your Kids Safe?” Maclean’s February 10, 1997).

At the national level, on January 20, 1997, the Canadian Hockey League (CHL) which is the umbrella organization for the OHL, QMJHL and the WHL, commissioned the ‘Players First Report’ authored by sports lawyer Gord Kirke to confront the issues of harassment and abuse within the CHL. The goal of the report was not to investigate past complaints but to be preventative in nature.⁴⁰ I will highlight its most pertinent recommendations.

One of the recommendations is to appoint a Players First committee which would oversee the implementation and administration of the ‘Players First Policy’. Kirke also recommends the implementation of a screening procedure in the process of hiring employees and recruiting volunteers. This would include police records checks; the use of the federally operated Canadian Police Information Centre and the Automated Canadian-United States Police Information Exchange System; the requirement that each applicant or volunteer have three references; the idea that players and parents would be able to evaluate the employees and volunteers during the season, and that the CHL monitor the advancements made in psychological testing.

⁴⁰ This lengthy report can be viewed at www.chl.ca/PlayersFirst/home.html.

In addition, Kirke recommends that the CHL take all reasonable steps to initiate a comprehensive education program for players and employees. This program would encourage and promote early family and school-based education programs in the areas of harassment, abuse and discrimination. In addition players and employees would be subject to a separate component of the educational program which would address lifestyle issues such as racism, homophobia and drug and alcohol abuse. The CHL is also encouraged to provide counseling for players and employees who have suffered from harassment, abuse or discrimination. Moreover, the CHL will forge a relationship with a nation-wide toll free telephone service to serve employees and players who wish to disclose harassment or abuse.

Like the CHL, the Canadian Hockey Association (CHA) launched its own prevention kit aimed at younger players at the end of May 1997. It included a cutout puck telling children what signs to look for in terms of abuse, a pamphlet aimed at older children and parents outlining harassment issues, a 1-800 number for the Kids Help Phone to allow players in crisis to speak with trained counselors, and poster and bag tags to be used as part of a public-service campaign to help make kids more aware of the potential dangers (Robinson; 1998: 212-213).

Volunteer Organizations

The largest amount of regulatory activity ensuing from the panic has come from the volunteer sector. The Collective Action to Address Harassment and Abuse in Sport, or more commonly known as the Harassment and Abuse in Sport Collective, was formed in 1993, following the Fifth Estate broadcast of a program about abuse and harassment in

volleyball, swimming and rowing. A working group was formed composed of: CAAWS (Chair), Sport Canada, Volleyball Canada, CIAU, Athletes CAN, The Canadian Sport Council, the CPCA and CAC as well as Status of Women Canada. It now includes approximately forty members. Its action plan includes working on the following: policies and guidelines, screening mechanisms, complaint management, athletes information and victim support, education within the sports community, broad based education campaigns, research and systemic issues. Their website, www.harassmentinsport.com/Collective.html, includes information for athletes, coaches and parents and was updated to address the issue of sexual abuse in hockey. Also on behalf of the Collective, The Centre for Sport and Law is available as a first point of contact regarding harassment or abuse complaints. In-coming calls are dealt with on the basis that they involve some legal or quasi-legal complaint (www.harassmentinsport.com/sportlaw1.html).

In 1997, the Collective also compiled a handbook entitled Speak Out!... Act Now! A Guide to Preventing and Responding to Abuse and Harassment in Sport (www.harassmentinsport.com/handbook.html). It includes sections on developing policies and procedures, screening personnel as well as prevention guidelines for personnel, parents/guardians, sports premises and referees and officials. It also includes a section directing interested individuals to available resources at the national, provincial and local levels.

Another major initiative created in response to the hockey sex scandal was an Ontario Government initiative. While this may seem inappropriately categorized under the volunteer organization section, I do so because, while the project is funded by the

government, it is headed by a voluntary organization. The Ontario Government, after the hockey sex scandal, commenced an initiative including a handbook entitled Making it Safer (www.gov.on.ca/MCZCR/english/about/b051099a.htm), Christopher's Law and the Ontario Screening Initiative (OSI) (see www.volunteer.ca/dev/projects/osi/project_overview.html or www.gov.on.ca/MCZCR/english/citdiv/voluntar.osi.htm). We have already discussed Christopher's Law. The handbook, as of today, is delayed in publication.

The OSI, funded by the Government of Ontario through the Ministry of Citizenship, Culture and Recreation, is a short-term intensive project dedicated to changing organizational attitudes and behaviours about screening and is aimed at high priority organizations. Volunteer Canada was chosen to head this campaign because of its history of leadership in screening via the National Education Campaign on Screening (launched in 1994 by the Federal Government) and its strong network of screening experts and trainers associated with Ontario Volunteer centres. The screening procedure involves the following steps: (1) Determine the risk, (2) Write a clear position description, (3) Establish a formal recruitment process, (4) Use an application form, (5) Conduct Interviews, (6) Follow up on references, (7) Conduct Police Record Checks, (8) Conduct orientation and training sessions, (9) Supervise and evaluate, and (10) Follow-up (www.harassmentinsport.com/Handbook/Sec2ch1.html). According to Trocme and Schumaker, the development of staff and volunteer screening mechanisms is considered by many institutions to be the best approach to preventing child sexual abuse (1999: 635).

The Regulators

After revealing the forms of moral regulation ensuing from the moral panic over child sexual abuse in hockey, it seems logical to discuss both the regulators involved as well as the targets of this regulation. Inferring from the previous section it might seem obvious who falls into each category. However, upon further inspection we notice that the lines between each are blurred.

Before continuing, it is important to understand the role of the state since its role in governing sexual behaviour is very complex. In the case of child sexual abuse the state regulates directly, through legislation on child abuse and by pursuing other legislative projects such as Christopher's Law. It also regulates indirectly through various forms of family support, through funding of volunteer organizations and through educational strategies. Some would suggest that the state is at the centre of projects of moral regulation (for example, see Corrigan; 1990). However, history shows us that voluntary organizations (and in our case, sports organizations as well), in many cases, become the agents of enforcement so that they effectively become quasi-state apparatuses (Weeks; 1981: 84). As Hunt suggests, the term moral regulation implies that a wide array of different social forces are at work in articulating projects outside the mainstream of politics and government institutions. At times, these projects become so successful that they are forced upon the state (1999: 2). In addition, he suggests that there is a 'pluralism of authorities', which is illustrative of the sociology of governance. The art of governing is not restricted only to those institutions that purposefully set out to engage in governmental activities. Many institutions from the family to schools and sports organizations engage in governing.

As in the past, the state has not always been at the centre of projects of moral regulation. Valverde (1991) argues that during the nineteenth-century, a major source of regulation was the social purity campaign. The state could not have been the main protagonist in the social purity campaign since the movement was only partially concerned with restricting certain types of behaviour and conduct. While the state may be responsible for those coercive modes of regulation involving the legitimate use of force and thus be privy to invoking legal sanctions, it can only persuade citizens to internalize certain values if they are fully supported by the family and volunteer organizations. I contend that this is still the case today.

According to Valverde and Weir, not only are volunteer organizations a possible source of regulation during moral reform campaigns, they are essential. Such organizations can not be seen as “mere pawns of the state engaged in doing its dirty ideological work in puppet-like fashion” (1988: 32). Volunteer organizations often have their own agendas and are not always in ideological coexistence with the state, even when they receive most of their funding from the government. While it may seem that the Ontario Government was instrumental in the moral regulation project that ensued from the panic, it might be more accurate to describe its role as reactive. As was illustrated in the previous section, the provincial government commissioned Volunteer Canada who had already been involved in screening in the past. While the government supported efforts through funding, arguably Volunteer Canada may have undertaken such initiatives on its own with or without the funding, as did the Collective, which was instrumental in policy-making. Furthermore, Volunteer Canada designed the project and was instrumental in implementing it and ensuring its success.

Hunt suggests that moral regulation can originate from a variety of social positions; it originates from above, from the middle and from below. Regulation from above is usually state-sponsored. Regulation from the middle originates from non-dominant groups. In the case of the aftermath of the hockey sex scandal, regulation ensued mostly from above and from the middle. While regulation from below may be more difficult to identify, I would suggest that such regulation was instrumental in internalizing certain morals at the community level. For instance, all of the letters from the public condemning the actions of the perpetrators as well as their calls for regulation had a certain ‘moralizing’ effect. Hunt suggests that regulation from below has been manifested in community members posting names and addresses of pedophiles in their neighbourhoods. We can see evidence of this in the support for a sex offender registry, which might be viewed as an interesting combination of regulation from above and from below.

In discussing those in charge of regulation, the term ‘movement’ is often invoked.

According to Hunt,

moral regulation movements form an interconnected web of discourses, symbols and practices exhibiting persistent continuities that stretch across time and place. The deep anxieties that are roused and stirred in moral politics involve the condensation of a number of different discourses, different fears, within a single image (1999: 9).

Furthermore, Hunt (1999) suggests that such movements establish an umbrella effect “whereby they secure support from an array of otherwise diverse political and ideological trends” (9). A reform movement might be said to be successful if it is able to bring different trends together under such an umbrella. In using the term ‘movement’ to address such issues as sexual victimization and by focusing on the umbrella effect, it is

easy to see how different groups align themselves toward a common goal. Likewise, Goode and Ben-Yehuda suggest that while short-term panics will rarely be very influential in reaffirming moral boundaries, a series of panics revolving around the same issue over an extended period of time will more likely to bring about institutional change (1994: 228). In Chapter 4, I explored how different claims-makers align themselves in order to add strength to their cause. I also suggested, by looking at Jenkins, that there is a continuity in claims-making. I did not expand on that issue since it was outside the scope of this project. Likewise, while briefly mentioning the term ‘movement’ in this chapter, I will not pursue the topic any further, nor will I attempt to uncover such a movement as underlying the moral regulation of the hockey sex scandal. In my opinion, such a project is better suited to an historical inquiry, where the researcher can distance himself/herself from the social issue at hand. It was probably easier to outline the social purity movement in retrospect. Whether or not the organizations involved in regulating this moral panic over child sexual abuse have been instrumental in other similar panics in the past or in the future could be the subject for research in a future project. However, as was mentioned in previous chapters, the ideological discourse which is present at a certain given time is instrumental in shaping social problems. This is also true for moral regulation. The discourse surrounding child sexual abuse will be examined in more detail at the end of this chapter.

The Targets

In discussing the targets of this particular project of moral regulation, rather than asking who the targets were, it might be more appropriate to question who the targets

were not. It is easy to assume that the targets are obvious. Some might suggest that the targets are the perpetrators, the so-called pedophiles. In fact, it seems that only a small component of the regulation following this panic is aimed towards these individuals. Most of the regulation is proactive rather than reactive in nature. While it does seek to prevent pedophiles from 'infiltrating' hockey, it seems geared more towards protecting children than punishing offenders. In a way, it seems the hockey coach as pedophile is a mere symbol (as was the lurking stranger, the family member, the priest) in the ever-continuing quest at regulating or 'protecting' children from sexual abuse.

As I mentioned at the beginning of the chapter, children have often been the focus of moral regulation. They can be focused upon as active agents as in the anti-masturbation panic of the nineteenth-century or more recently in the Dodd case (a so-called 'child-killer'). They can also be focused on as victims as in the recent panics over child sexual abuse. When thinking of regulation, the words 'coercive' and 'intrusive' often come to mind. As was mentioned in the first part of this chapter, moral regulation is often more 'persuasive' than coercive. However, parents may feel that they have little choice when confronted with the panic over child molestation in hockey. Likewise, coaches are not required to submit to screening procedure unless, of course, they wish to practice their trade. It might seem, at first glance, that the policies developed in order to 'protect' children are not at all intrusive or coercive. However, it is important to note that the 'suggestions' emphasized in these policies in terms of how to protect children involve almost constant surveillance. Not only does this involve parents monitoring their children but also children monitoring themselves and both parties constantly being on guard for inappropriate behaviour. According to McRobbie, "moral panics are frequently

means of attempting to discipline the young through terrifying their parents” (1994: 199). In this case, parents also become the subjects of regulation. This is illustrated in the Volunteer Canada’s section on steps parents can take to protect their children. While this may seem neither intrusive nor coercive, it is reminiscent of the child-rearing booklets from the past. In addition, coaches and referees are to be under surveillance by parents, children and officials. All those who work with children are targets of sex abuse regulation, not just pedophiles. It is easy to see how the lines between regulator and regulated become blurred. It seems that everyone involved is simultaneously the regulator and the target of regulation, whether it be by others or by themselves. It sometimes seems as though the individuals at fault in this abuse scandal are lost in the regulation component of the panic while all those who have committed no crime are affected by the regulation. The hockey sex scandal has contributed to a very complex web of surveillance. It is a very subtle form of coercion in that it is omnipresent and involves continuous observation and supervision of individuals, most of whom are ‘innocent’ in that they do not, through any overt actions, merit this type of surveillance. It is this omnipresence which makes this type of surveillance both coercive and intrusive. The boundaries between the public and private spheres are blurred so that groups and individuals both at the macro and micro levels of society are monitored by each other.

As Hunt suggests, an important theme in moral regulation involves the link between governing others and governing the self (1998: 578). Governing the self means that individuals are to “take responsibility and make choices for their own ‘self-constitution’” (Hunt; 1999: 3). As we have seen in the aftermath of the hockey panic,

not only has the state been involved in governance, it has trickled down to the micro level of government within organizations, within the family and within the self.

Discourse

To conclude this chapter, I would like to say a few words on how moral regulation takes its form. New concepts of child abuse in the 1970s transformed attitudes toward offenders and hence the nature of interventions required to reduce the problem. Prior to the 1970s, treatment rather than incarceration was the most advocated solution to the problem of pedophilia since it was seen as a relatively trivial and non-threatening symptom of sexual inadequacy. Sexual acts with children were seen as isolated occurrences and moral failings that could be deterred or discouraged with clinical help. Today, the pedophile is seen as being resistant to cure and deterrence. Defining child sexual abuse as widespread, persistent and extremely harmful has serious policy implications (Jenkins, 1992).

According to Jenkins (1998), each era witnesses intense reaction to 'crime waves' and moral panics promoted by officials and politicians favoring law and order causes. During these periods, action is demanded against offenders and such action is favoured by the public and law enforcement agencies. For instance, in the aftermath of the Dodd and Klaas cases, nearly all states have undertaken a fundamental revision of their laws concerning sex offenders, which include harsher sentences and long-term incapacitation. This is contrasted with scholars and officials in the 1950s and 1960s who underplayed the scale and seriousness of sex offenses and urged a movement away from punitive measures. By the early 1970s, it was the legislation that applied to sex offenders that was

portrayed as requiring immediate attention, as opposed to the sex offender himself. It was felt at the time that the laws reflected outmoded sexual prejudices and that they were unrealistic and repressive. It was thought that when sex offenders were identified, they were not the monsters of popular mythology, but rather docile individuals who did not merit the attention that was devoted to them. After the mid-seventies, the discourse concerning sex offenders was again transformed. Public opinion moved in the opposite direction, with most believing in sex offenders being major threats to women and children. By the mid-1980s, the abuse panic was at its peak and new legislation was adopted at both the federal and state levels, with measures including protection of abused children and sex offender registries, which reflected a belief that child abuse required extreme measures perhaps at the expense of individual liberties. The climate of the 1990s proved to be harsher and the need to control sex offenders was treated with added urgency. This meant that there was a renewed willingness to experiment with solutions that were, at one time, deemed extreme. Chemical castration, reminiscent of the earlier twentieth-century sterilization laws, was one of these measures. It is likely that these American ideologies traversed geographical boundaries to influence the Canadian responses to pedophilia.

Although it has been established that the dangerous stranger is the least of our worries in terms of a likely source for child molestation, there is still no consensus concerning the best means for prevention. While evidence suggests that child abuse is perpetuated by friends and family, it seems that responses to address the issue place the blame on outside forces with psychopaths and pedophiles. Amongst all the possible solutions, including psychological, educational and social interventions, official

regulation often takes the form of penal sanctions by the criminal justice system (Jenkins; 1998: 236). According to Jenkins, Americans favor the 'justice' solution because it is so much easier to identify a problem as being caused by one person or group who can be subject to some official sanction as opposed to a myriad of factors, not as easily addressed.

According to Goode and Ben-Yehuda designating certain conduct as criminal serves at least three purposes. First, it legitimates a certain group's definition of right and wrong. Second, it symbolizes the respectability of one category over another. Finally, it punishes members of one group engaging in a behaviour which is defined as wrong by another group. Criminalizing a certain behaviour allows one group to impose its symbolic moral universe upon another. Groups attempt to legitimize their views by inserting them into the legal system (1994: 78).

As I mentioned in previous chapters, social problems exist because they are defined as such and the same objective conditions can be defined in many different ways. We examined the theoretical implications of such multiple definitions when we looked at the different types of claims-makers involved in constructing issues. The practical implications of multiple definitions of social problems by various groups result in a plurality of suggestions for how it may be solved (Becker; 1963: 10). As we have seen in Chapter 4, according to their ideological perspectives and interests, different groups emphasize different elements of an issue and thus arrive at different conclusions with regards to policy recommendations. The belief that child sexual abuse is widespread and harmful has obvious implications for policy-making. Many jurisdictions have turned to increasingly harsh solutions involving lengthy periods of incarceration.

As we have seen in this chapter, most of the forms of regulation in response to this particular panic were not legal in nature and were not enacted as part of the criminal justice system. As such, the regulation does not seem to fit with the type of 'law and order' discourse which is thought to pervade society; a discourse which results in harsh penalties for offenders. While I would not suggest that the overall trend of regulating child abuse is not harsh, I do contend that the responses to this panic do not reflect this dominant discourse. I believe the responses in this case are due more to the practical implications of multiple definitions of social problems as Becker would suggest. In other words, as we saw in Chapter 4, most of the claims-makers involved in defining and shaping the issue of child sexual abuse in hockey were members of the psychological community including psychologists, therapists and community workers. As a result, it is possible that the regulation that ensued from this panic, which included social policy and surveillance, are a result of the type of claims-making involved. The focus on the victims of child abuse rather than on the perpetrators is also consistent with this hypothesis.

In conclusion, as Goode and Ben-Yehuda suggest:

A close examination of the impact of panics forces us to take a more long-range view of things, to look at panics as social processes rather than as separate, discrete, time-bound events. Moral panics are a crucial element of the fabric of social change. They are not marginal, exotic, trivial phenomena, but a key by which we can unlock the mysteries of social life (1994: 229).

In this chapter, I explored the nature of moral regulation and how it takes its form. I have illustrated the reasons why moral regulation is an appropriate framework for studying child sexual abuse. I have also discussed the forms of regulation that ensued from this panic. The moral panic and its subsequent regulation have resulted in

institutional change such as in the case of Christopher's Law, formal policies in sports organizations and the usurpation of problems by volunteer organizations. I have also demonstrated how this panic and its regulation have resulted in informal changes in the normative structure. This type of transformation has manifested itself in the increase in informal methods of surveillance at different levels of society such as sports organizations and the family. The blurred boundaries between the regulators and the targets in this panic have contributed to this increased level of surveillance. Several implications have resulted from this moral panic and its subsequent regulation. In the conclusion, I will explore some of these implications.

Conclusion:

Implications of the Moral Panic and its Regulation

In this project, I have examined the theory of social constructionism and how it applies to the moral panic over child sexual abuse in hockey. Through a media analysis, I have demonstrated that a panic did in fact occur with respect to this scandal. I located the panic in the larger context of child sexual abuse and I suggested that this panic occurred as a result of certain socio-structural factors as well as the claims made by certain individuals, groups and the media. Finally, I explored the nature of the regulation that ensued from the panic. To conclude this project, I would like to analyze some the implications resulting from the moral panic and its subsequent moral regulation.

In terms of the implications, I will discuss some the consequences that have or may have occurred as a result of the moral panic over child sexual abuse in hockey. As with all social change, consequences can be either intended or unintended. For instance, in terms of the moral panic itself, one of the positive, intended consequences has been a greater sensitivity to harassment and abuse in sports, and hockey in particular. Sheldon Kennedy has arguably lessened the stigma for male victims to disclose sexual abuse due to his status as a NHL hockey player.

A more latent consequence is that this moral panic has magnified the definition of 'pedophilia'. The category has been expanded in terms of the victims and the perpetrators involved as well as the nature of the acts. While the term 'pedophilia' refers to a specific psychiatric definition, the term is often invoked in popular discourse and media interpretations as encompassing all forms of sexual activity between adults and

children, regardless of whether the interactions are ‘consensual’ or not. According to Loftus (1989), the term pedophilia is the media’s choice to describe almost all incidents of sexual activity when a minor is involved. With regards to the victims, while sexual abuse is illegal no matter the age of the child, the discourse surrounding the hockey sex scandal often included the word ‘pedophile’. It is in this manner that I consider the term in this section. The first significant trend regarding victims in this scandal is that they are hockey players, a category of children that was not necessarily considered at risk before the scandal. Secondly, as I hinted at in Chapter 5, rather than seeing a trend towards younger victims, the opposite has occurred with regards to this scandal. A Maclean’s article stated: “There may be some consolation for the victims, one of whom was *only* 14 when the sexual abuse began” (“Betraying a Trust” Maclean’s January 13, 1997; emphasis added). According to the DSM-IV (1994), pedophilia involves recurrent fantasies, sexual urges, or behaviours involving sexual activity with prepubescent children, generally below the age of thirteen. Sheldon Kennedy was abused from ages fourteen to eighteen. Most would consider this age range to be adolescence, not childhood. Mirkin suggests that there is a trend whereby six- year-olds and thirteen-year-olds are grouped into the same category of ‘child’, so that “images of intergenerational sex acts that take place with pubescent and post-pubescent teens are routinely projected back onto very young children” (1999: 12). Similarly, according to Jenkins, the English language lacks the vocabulary for discussing adults who engage in sexual acts with minors and the available terms make little distinction between whether the minor is a small child or an older teenager (1998: 7). As such, when the public reads about

pedophilia or child sexual abuse in hockey or in other sports settings, they may assume that the victims are young children, when in fact they may be older teenagers.

The category of the pedophile has also been expanded. In the past, the pedophile was thought to be a dangerous stranger. The focus then shifted to incest and fathers and other family members were considered likely perpetrators of abuse. More recently, the definition has expanded to include trusted members of the community as potential threats to children. These members of the community have included priests, daycare workers, teachers, and now added to the list are sports coaches. Essentially, regulation extends to all those who work with children. For instance, teachers are afraid to physically console little children and sports coaches are worried about touching players in order to correct their form. This increases surveillance in all areas of life. Children and their parents, must now be vigilant at home, at school, in church and in the hockey arena. Essentially, they must be on guard at all times. As such, there is surveillance in all social institutions whether they are in the public or the private spheres. Such surveillance is carried out by all members of society towards all members of society, particularly towards those who work with children. These individuals engage in governing others, but more importantly, engage in governing themselves, in constantly questioning their behaviours and actions. They do this in order, not to disprove guilt, but to maintain innocence during a time when members of society are anxious about child molestation by trusted members of the community and, as a result, are hyper-vigilant and predisposed to finding fault in their actions.

The nature of pedophilia has also been expanded as result of this panic. While pedophilia is described as 'sexual interest in the young', it seems it now also includes

sexual molestation, where there is no issue of consent. Furthermore, as Jenkins states, “the new perceptions [are] reflected in the language used by both experts and popular opinion, in which the term pedophile describe[s] virtually anyone who ha[s] been sexually involved with a minor and contain[s] ever more sinister connotations of obsession and violence” (1998: 190). This implies that the term pedophilia combines the most benign activities with the most atrocious, blurring the distinction between the two. In the same way as young children are merged with adolescents, the mildest forms of sexual activity and even non-sexual activities are merged with the most atrocious (Mirkin; 1999: 12). As was mentioned in Chapter 2, the media often described the most atrocious acts during the scandal, leaving readers to form their own conclusions regarding the nature of other instances of abuse. Another way in which the category of pedophilia or sexual abuse has been expanded is that it involves not only present cases of abuse, but also, and arguably more so, past cases. In the case of the hockey sex scandal, as with clergy abuse, most incidents eliciting publicity occurred in the past, nearly twenty years ago. This can skew our impression of the prevalence of child sexual abuse. Most likely, there has not been an upsurge in abuse in these sports organizations but rather an increased sensitivity towards such issues (Loftus; 1989: 9).

I would now like to discuss some of the implications of the regulation of this moral panic. In terms of moral regulation, one might suggest that the laws and policies that have resulted from the panic serve to punish offenders and protect children, and rightfully so. However, there have been criticisms directed towards the forms of regulation. This does not negate the activities of regulatory agencies and does not in any way imply that their concerns were irrational. As was determined in Chapter 2, the

concern over the hockey sex scandal was disproportionate to the 'objective' harm it caused. By virtue of this fact, it seems logical to conclude that subsequent regulation may be disproportionate as well. As I mentioned, at most, ten individuals associated with hockey were charged with sexual abuse within a twenty year period. While policies against abuse and harassment in any organization will probably not cause any harm, the breadth of these policies as a result of the scandal as well as the legislation that ensued may have been slightly exaggerated. As Lowry (1974) suggests, a few cases can not be used as a basis for adequate across-the-board analysis and social planning.

Furthermore, many of the specific measures adopted, while holding great symbolic value, will not have much effect in practice. For instance, the educational programs and prevention programs suggested in the different policies, like the 'Players First Policy', usually imply a wide variety of potential offenders. This could result in instilling widespread fear in children of both family and non-family members. These programs also engender confusion in most children in terms of distinguishing between appropriate and inappropriate touching. According to Gardner,

Although one could argue that these programs have indeed contributed to the prevention of child sex abuse, the identification of some sex abusers, and the protection of those children who were actually being abused, there is no question that much harm has been done as well via churning up and promulgating of sexual fantasies and the contribution thereby that they make to the false sex abuse phenomenon (1991: 17).

Another problem with prevention programs for children is that, while they have proven successful in helping children to disclose abuse, the extent to which they translate into skills that children can use to protect themselves is not clear (Trocme and Schumaker;

1999: 634). In response to the moral panic over child abuse in hockey, many parents decided to remove their children from existing hockey programs. According to Trocme and Schumaker, “this is particularly alarming since research demonstrates that participation in recreational activities provides children with important protective factors against sexual abuse including self-esteem and skills development, relationships with adults outside the home who may act as role models and confidants, and relationships with peers” (1999: 631).

Likewise, the ‘Players First Policy’ section on restricting contact between players and coaches could have adverse effects that may put children at higher risk. According to Trocme and Schumaker, physical touch is an important way of expressing caring. Many sexual abuse programs attempt to teach children about appropriate touching. If children are not exposed to ‘good touches’, it may be difficult for them to distinguish between good and bad touches. Guidelines that recommend avoiding situations where players and coaches be alone may potentially be problematic because they can limit opportunities for children to disclose abuse. The authors question whether such guidelines are in place to protect children or if they serve mostly to protect adults who fear being accused of inappropriate behaviour (1999: 634). Another issue to consider is that traditional prevention programs may not be suited to older children and teenagers and as such would need to be modified to suit their needs. A further problem I see with the education section of the ‘Players First Policy’ is the lifestyle component. This implies that the CHL is authorizing itself not only to teach abuse and harassment issues to young people, but that they have the right or responsibility to educate them in other areas of life that do not relate to hockey or abuse. This extends their gaze over young people.

There are also problems with the screening component of most of the policies mentioned. One of the steps of the screening process as described by Volunteer Canada is to conduct face to face interviews. Such interviews are intended to allow employers to screen out applicants whose motivations appear suspicious. Unfortunately, characteristics claimed to be descriptive of pedophiles are not trustworthy. In addition, pedophiles have experience in concealing their interests toward children. In terms of reference checks, another step in the screening process, pedophiles are unlikely to request a reference from someone who is aware of their deviant sexual interests. Police record checks screen out only applicants with prior convictions for child molestation. While such checks will identify convicted offenders, most offenders are unknown to police, and most of those known to the police are never convicted. Furthermore, molesters can trick the system by misspelling their names. There is also a problem with a sex offender registry; it places extreme limits on an individual's liberty. It seems that sexual offenders are the only ones who are monitored so closely, and effectively still punished after they have served their sentences. This speaks to the times we live in and the threats we concern ourselves with. For these reasons, while a wide array of screening procedures have been adopted, their usefulness is limited. They are intrusive and have not proven to be effective. Even if Graham James had been subject to a record check, he would not have been identified since he was never convicted of child molestation. Screening may have been adopted in part to appease the public, but it may not meet its expectations. The benefits must be weighed against the limitations. It may be fruitful to place more emphasis on improving mechanisms for detecting and supporting children who disclose abuse (Trocme and Schumaker, 1999: 635, 638). Furthermore, the goal of screening

mechanisms is to deter pedophiles from becoming hockey coaches. This mistakenly assumes that pedophiles infiltrate hockey. As we have seen in past cases, child molesters were already there.

According to Trocme and Schumaker, the evidence “shows that the problem is serious enough to warrant further research, but that not enough is known about the problem to justify the implementation of extensive screening programs and no-contact practices that may rob children of caring adult involvement” (1999: 638). Child sexual abuse is undoubtedly a serious problem in need of a solution. However, according to Jenkins, examining past crises over sex crimes illustrates that claims tend to exaggerate and distort and that as a result, the policy responses “exhibit the classic signs of panic legislation, namely, poor conception and drafting, overly broad scope, and inadequate consideration of likely side effects” (1998: 6). The area of child molestation has repeatedly produced panic responses during the past hundred years which diverts attention away from the original problem and diverts resources away from measures that might actually assist in protecting children.

In summary, child sexual abuse in hockey did occur. My purpose in this thesis was not to diminish that fact. My purpose however, was to demonstrate that this condition did not evolve into scandal or a moral panic simply as a result of the objective condition of sexual abuse. While there are many reasons why child sexual abuse in hockey can be considered a moral panic, central to this claim is the suggestion that the attention bestowed upon the issue of child sexual abuse in hockey was disproportionate to the objective harm it caused.

Sexual abuse occurs in all areas of life and in all sports. There are specific reasons why the public was predisposed to accept this specific moral panic. First, child sexual abuse by those entrusted to work with children was already an established social problem. Scandals such as those involving day-care workers and members of the clergy may have predisposed the public to be more receptive to another similar panic. It also fit within the larger category of 'threats to children' such as child pornography and sex rings. Second, hockey itself became the site for this panic because it is a hypermaculine culture which may be incompatible with sexual abuse, its participants are mostly boys, and hockey plays a important role in Canadian identity and culture. While any of these factors, considered in isolation, might not be significant, it is the combination of these factors which is crucial.

These factors alone were not enough to catapult this panic onto the public scene. Claims-makers were crucial actors in bringing this issue to public attention. Sheldon Kennedy sparked the panic by coming forward with his allegations against Graham James. Two months later, Martin Kruze came forward to break the second scandal at Maple Leaf Gardens. All the while certain experts, through the media, defined this issue as serious and in need of response. The media were involved not only as passive reporters of the news but as active constructors of this moral panic.

In part due to the actions of these claims-makers, the government, sports organizations and volunteer organizations responded to the problem with legislation and social policy. This panic also increased informal responses such as the level surveillance in all sectors of society, not only with respect to offenders but also potential offenders including all those who work with children. It has increased the level of self-governance,

not only for those who work with children but also for children themselves and their parents. A complex web of regulation and surveillance has resulted from this panic in which all members of society are more vigilant about sexual abuse.

This panic has also had implications for the definition of pedophilia. It has expanded the term to include perpetrators, victims and acts which had not previously been included in the definition. In terms of both concern over the panic as well as its subsequent forms of regulation, I have demonstrated that they were disproportionate to the actual harm caused and may have been exaggerated. Regulators responded not to the condition itself but rather to the panic surrounding that condition.

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