High Performance Sport versus Participatory Sport and Physical Activity: An Examination of Canadian Government Priorities in Bill C-12, The Physical Activity and Sport Act

Stephanie M.W. Eckert
University of Windsor

Follow this and additional works at: https://scholar.uwindsor.ca/etd

Recommended Citation
https://scholar.uwindsor.ca/etd/258
HIGH PERFORMANCE SPORT VERSUS
PARTICIPATORY SPORT AND PHYSICAL ACTIVITY:
AN EXAMINATION OF CANADIAN GOVERNMENT PRIORITIES IN
BILL C-12, THE PHYSICAL ACTIVITY AND SPORT ACT

by

Stephanie M. W. Eckert

A Thesis
Submitted to the Faculty of Graduate Studies
through the Faculty of Human Kinetics
in Partial Fulfillment of the Requirements for
the Degree of Master of Human Kinetics at the
University of Windsor

Windsor, Ontario, Canada

2010

© 2010 Stephanie M. W. Eckert
High Performance Sport versus Participatory Sport and Physical Activity: 
An Examination of Canadian Government Priorities in 
Bill C-12, the Physical Activity and Sport Act 

by 

Stephanie M. W. Eckert 

APPROVED BY: 

__________________________
Dr. L. Glassford 
Faculty of Education

__________________________
Dr. V. Paraschak 
Department of Kinesiology

__________________________
Dr. S. Martyn, Advisor 
Department of Kinesiology

__________________________
Dr. L. Misener, Chair of Defense 
Department of Kinesiology

5 February 2010
Author’s Declaration of Originality

I hereby certify that I am the sole author of this thesis and that no part of this thesis has been published or submitted for publication.

I certify that, to the best of my knowledge, my thesis does not infringe upon anyone’s copyright nor violate any proprietary rights and that any ideas, techniques, quotations, or any other material from the work of other people included in my thesis, published or otherwise, are fully acknowledged in accordance with the standard referencing practices. Furthermore, to the extent that I have included copyrighted material that surpasses the bounds of fair dealing within the meaning of the Canada Copyright Act, I certify that I have obtained a written permission from the copyright owner(s) to include such material(s) in my thesis and have included copies of such copyright clearances to my appendix.

I declare that this is a true copy of my thesis, including any final revisions, as approved by my thesis committee and the Graduate Studies office, and that this thesis has not been submitted for a higher degree to any other University or Institution.
Abstract

Since the Canadian government became legislatively involved in sport in 1961, it has increasingly privileged high performance sport (HPS) initiatives over those associated with participatory sport and physical activity (PSPA). The emergence of new legislation at the federal level – Bill C-12, The Physical Activity and Sport Act (PASA) – in 2003 brought with it many suggestions that government priorities could be shifting toward PSPA. An examination of selected policies, the legislative process that preceded the passage of PASA, and PASA itself reveals that HPS priorities continue to dominate the federal agenda. Additionally, utilizing an established framework for critical policy analysis, dominant legitimations and attributions were identified. Findings suggest that the most common attributions – a sport dispute resolution centre, access and equity for francophone athletes, and public financial resources for HPS – do not sufficiently address the most common legitimations – reproducing values and maintaining the health, fitness, and physical abilities of Canadian citizens.
This thesis is dedicated to every person who has fought and/or continues to fight for the rights of all Canadians to participate in sport and to be physically active and in loving memory of my Grandma Eckert (1920-2009), whose eternal faith in my ability to get this ‘darn thing’ done has now been satisfied.
I would like to extend my sincerest thanks to all the people who contributed to the completion of this project. I owe much gratitude to Dr. Scott Martyn – without his consistent encouragement and willingness to accommodate my research interests, I may never have pursued this degree or reaped the benefits of this experience. Thank you, Dr. Martyn, for believing in me from the moment we met and for your continued support, guidance, and humour as I tackled the many hurdles that emerged throughout this project.

I am indebted to Dr. Victoria Paraschak, whose contribution to my development as both a student and a person throughout this process cannot be measured. I will forever approach my life with our philosophies of strengths, joy, and love. Many thanks are also due to Dr. Larry Glassford for contributing his time, effort, and input to the development and completion of this thesis.

I extend my utmost thanks to my HK family. The spirit of this faculty, its wonderful administrative staff, especially Diane, Pat, and Cathy, the students for which it stands, and the many pets that liven its hallways is something that will be difficult, if not impossible, to find elsewhere in this lifetime.

I would also like to acknowledge the generous support of the Social Sciences and Humanities Research Council of Canada as well as the University of Windsor.

Finally, I wish to thank my family – Mom, Dad, Sara, Jimmy, and Rob as well as my grandparents, and my many aunts, uncles, and cousins – for their love and tireless support for and interest in my success. Not a day goes by that I don’t realize how incredibly lucky I am to be a part of such a special family.
# TABLE OF CONTENTS

AUTHOR’S DECLARATION OF ORIGINALITY ......................................................... iii

ABSTRACT ....................................................................................................................... iv

DEDICATION ..................................................................................................................... v

ACKNOWLEDGEMENTS ............................................................................................... vi

LIST OF TABLES ............................................................................................................. xi

LIST OF FIGURES .......................................................................................................... xii

LIST OF APPENDICES .................................................................................................. xiii

LIST OF ABBREVIATIONS .......................................................................................... xiv

CHAPTER

I. INTRODUCTION ............................................................................................................ 1

   Historical Representation of the HPS-PSPA ‘Balancing Act’ ...........................................1
   National Unity and International Prestige .................................................................3
   Elimination of NACFAS and the Silencing of a Voice for PSPA ............................. 5
   Jurisdictional Disputes and Failure of the Federal/Provincial Cost-Sharing
   Agreements ........................................................................................................ 8
   Objective Measurement of Sport and Political Recognition .................................12
   Concentrating Funds on an Elite Few .................................................................13

   Consequences of Government Involvement in HPS ....................................................15
   Increasing Financial Dependence and Decreasing Autonomy of NSOs ............. 16
   “Silencing the Voices of Alternative” ..................................................................17
   Mistreatment and Exploitation of Elite Athletes and Alienation of Participants...20
   Compromising Canadian Values and Broader Social Goals ................................24

   The Construction of Problems in the Policy (Legislative) Process ..............................29

   Bill C-12, The Physical Activity and Sport Act: Shifting Priorities? .................... 36

   Endnotes ....................................................................................................................39

II. REVIEW OF LITERATURE ........................................................................................ 49
LIST OF TABLES

Table 4.1 Frequency of level-1 legitimations in the legislative process.........................125
Table 4.2 Frequency of sub-categories within ‘Reproduce Values’ in the legislative process...........................................................................................................................126
Table 4.3 Frequency of level-1 focusing events in the legislative process.......................132
Table 4.4 Frequency of level-1 attributions in the legislative process................................136
Table 4.5 Frequency of level-1 legitimations in PASA and the legislative summary..........152
LIST OF FIGURES

Figure 3.1 Coakley and Donnelly’s seven rationales for government involvement in sport .........................................................................................................................................................89

Figure 4.1 Context surrounding legitimations by spectrum category in the legislative process ..............................................................................................................................................................124

Figure 4.2 Attributions by spectrum category in the legislative process .........................................................136

Figure 4.3 Context surrounding legitimations by spectrum category in PASA and the legislative summary ......................................................................................................................................................150

Figure 4.4 Attributions by spectrum category in PASA and the legislative summary ....................................155
LIST OF APPENDICES

Appendix A ................................................................. How Does a Bill Become a Law?
Appendix B ..... An Adapted Version of Chalip’s Framework for Critical Policy Analysis
Appendix C A Modified Version of Altheide’s Model for Ethnographic Content Analysis
Appendix D ................................................ Legislative Process Timeline/Documents Analyzed
Appendix E .................................................................... Coding Framework
Appendix F ..................................................................... Attribution Categories
Appendix G .......... Missions of Witness Organizations Heard in the Legislative Process
Appendix H ...... Percentage of Legislative Process Afforded to Each Witness and Political Party
Appendix I ....................... Relative Emphasis on Spectrum Categories by Witness
Appendix J ....................... Relative Emphasis on Spectrum Categories by Political Party
Appendix K ................. Changes to PASA between First Reading and Royal Assent
# LIST OF ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAP</td>
<td>Athlete Assistance Program</td>
</tr>
<tr>
<td>AS</td>
<td>Ambiguous Sport</td>
</tr>
<tr>
<td>BP</td>
<td>Balanced Priorities</td>
</tr>
<tr>
<td>CAAWSPA</td>
<td>Canadian Association for the Advancement of Women in Sport and Physical Activity</td>
</tr>
<tr>
<td>CSP</td>
<td>Canadian Sport Policy</td>
</tr>
<tr>
<td>CSS</td>
<td>Critical Social Science</td>
</tr>
<tr>
<td>ECA</td>
<td>Ethnographic Content Analysis</td>
</tr>
<tr>
<td>FASA</td>
<td>Fitness and Amateur Sport Act</td>
</tr>
<tr>
<td>FASD</td>
<td>Fitness and Amateur Sport Directorate</td>
</tr>
<tr>
<td>HPS</td>
<td>High Performance Sport</td>
</tr>
<tr>
<td>NACFAS</td>
<td>National Advisory Council on Fitness and Amateur Sport</td>
</tr>
<tr>
<td>NSO</td>
<td>National Sport Organization</td>
</tr>
<tr>
<td>PAS</td>
<td>Physical Activity and Sport</td>
</tr>
<tr>
<td>PASA</td>
<td>Physical Activity and Sport Act</td>
</tr>
<tr>
<td>PSPA</td>
<td>Participatory Sport and Physical Activity</td>
</tr>
<tr>
<td>QPP</td>
<td>Quadrennial Planning Process</td>
</tr>
<tr>
<td>SDRC</td>
<td>Sport Dispute Resolution Centre</td>
</tr>
<tr>
<td>SFAF</td>
<td>Sport Funding and Accountability Framework</td>
</tr>
<tr>
<td>UK</td>
<td>United Kingdom</td>
</tr>
</tbody>
</table>
Chapter One

Introduction

Since the Canadian government became formally involved in sport in 1961, it has increasingly privileged high performance sport (HPS) initiatives over those associated with participatory sport and physical activity (PSPA). A variety of factors have contributed to the historical classification of HPS as a more worthy federal government endeavour than PSPA. However, the privileging of HPS has wide ranging consequences; it could be argued that the most important of these consequences is the way that this emphasis on HPS has shaped how Canadians have come to know and experience sport and physical activity. Policies and legislation, and the way in which they are developed, play a major role in shaping the views and experiences of Canadians in sport and physical activity. The emergence of new legislation at the federal level – Bill C-12, The Physical Activity and Sport Act (PASA) – in 2003 brought with it many suggestions that government priorities could be shifting toward PSPA. This study addresses these suggestions, and in particular, evaluates the relative emphasis that has been placed on HPS and PSPA in PASA and the legislative process that led to its development.

Historical Representation of the HPS-PSPA ‘Balancing Act’

This is not the first research endeavour that has sought to develop an understanding of how the competing priorities of HPS and PSPA have been addressed within Canada’s sport system. Jay Coakley and Peter Donnelly provide useful insight into the relationship between HPS and PSPA and the relative support that each has received from the Canadian government:
History shows that, when government intervention occurs, priority is often given to elite sport programmes, rather than to general sport participation. Of course, there are exceptions to this, but seldom are elite programmes ignored or given a low priority…This does not mean that mass participation is ignored by government decision makers, but it does mean that it usually has lower priority for funding and support.¹

In support of Coakley and Donnelly’s observation, Anthony G. Church contends that “elite sport interests have gradually taken over the policy process and ensure that the federal government policies focus primarily on achieving excellence at the expense of, or at least in contrast to, participatory sport and physical activity.”²

Furthering this point, an examination of sport in Canada between 1961 and 2002 led Mick Green and Barrie Houlihan to identify “tension between the competing claims of mass participation and elite sport programmes” as one of three key themes that have emerged throughout the history of Canadian government intervention in sport.³ A later publication by Green, through international comparisons, identifies “enduring debates regarding mass participation versus elite sport programmes” as the third of four themes emerging from a “review of sport policy priorities in Australia, Canada and the UK [United Kingdom]” since 1961.⁴ It is evident through these statements that a consensus exists in the literature regarding the elevation of HPS to first priority status on the federal agenda in the areas of sport and physical activity. A number of authors have provided insight as to why this shift toward HPS has occurred.

A review of the literature permits the identification of five main reasons for the greater relative success of HPS versus PSPA in its ability to secure federal funds since the late 1960s: 1) The government’s desire to promote national unity and national prestige; 2)
The early elimination of the National Advisory Council on Fitness and Amateur Sport (NACFAS) and the subsequent absence of a united voice or lobby for PSPA; 3) Jurisdictional disputes between the federal and provincial/territorial governments; 4) The difficulty of measuring the success of investment in PSPA versus HPS and, therefore, the greater relative ability of HPS to attract political credit; and, 5) The greater funds required to reach the masses compared to supporting an elite few.

National Unity and International Prestige

The government’s propensity toward the support of HPS for the purposes of enhancing national unity and international prestige is well supported in the literature. Because the federal government, starting with Pierre Elliott Trudeau’s in 1968, is increasingly viewing high-performance sport as a vehicle for the promotion of national unity and international prestige on the world sporting stage, high-performance sport becomes the priority over mass participation.

Jean Harvey argues that it is true that an emphasis on enhancing national unity intensified in the late 1960s under the Trudeau Administration. Indeed, Green and Houlihan also suggest that the “instrumental use of sport to promote a ‘Canadian identity’” was a “key thread running through the federal government’s increasing influence [in sport between 1961 and 1979].”

When Trudeau started his tenure, he was faced with what Donald Macintosh, Tom Bedecki, and C.E.S. Franks have termed “the national crisis debates of the mid 1960s.”
The Canadian government’s enhanced desire to promote a common Canadian identity reflects concerns over the growing autonomy of the provinces and resultant federal-provincial tensions. Additionally, the threat of separation posed by Quebec further influenced the government’s desire to promote national unity. Finally, the domination of the Canadian economy and culture by the United States of America at this time provided an additional impetus to promote national unity and identity.

Macintosh, Bedecki, and Franks also identified the election of Trudeau as a significant contributor to the government’s growing focus on national unity as Trudeau was an advocate for “a Canada united under a strong federal government.” Trudeau had made an election promise “to investigate amateur sport in Canada” as he believed in the potential for sport to “serve as a powerful source of national unity” through its ability to showcase Canadian accomplishments. While the issue of national unity became apparent in the late 1960s, issues of international prestige actually surfaced a little earlier.

The failure of Canadian athletes to demonstrate success on the international stage, particularly with respect to hockey, throughout the 1950s was hurting the pride of Canadians. The negative impact of these performances on the morale of the Canadian people was confounded by the emergence of the broadcasting of these events on television in Canada. The broadcasting of sporting events only became more prominent as time progressed and technology improved. As Canadians watched their own athletes fail first-hand via television, widespread concerns about national prestige surfaced.
Additionally, the first and second place standings of the United States of America and the Union of Soviet Socialist Republics, respectively, at the 1952 Olympics made it clear that international sport performance could be used as a demonstration of the superiority of a nation’s political ideology.\textsuperscript{18} With Canadians placing seventeenth at those games, the federal government felt that they were doing little to support the fight for democracy.\textsuperscript{19} The government sought to promote and reproduce the value of democracy not only within Canada, but abroad, through excellence in international sport competition. The development of international prestige was, therefore, increasingly important.

The factors described above influenced the government’s desire to initiate the use of sport as a national unifier and a means by which to assert international prestige. The belief that success in international sport could be used for these purposes has only grown over time and has served to justify even greater investments into HPS.

Elimination of NACFAS and the Silencing of a Voice for PSPA

The first seven years after the passage of the Fitness and Amateur Sport Act (FASA) were characterized by relatively passive and indirect attempts to influence sport.\textsuperscript{20} J. Thomas West identified two main components of the Fitness and Amateur Sport Program between 1961 and 1968: 1) the NACFAS; and, 2) the federal-provincial cost-sharing agreements.\textsuperscript{21} NACFAS and the cost-sharing agreements were linked by the Fitness and Amateur Sport Directorate (FASD) – a federal structure intended to coordinate the activities of NACFAS and the federal-provincial network.\textsuperscript{22} However, a number of problems arose with both NACFAS and the federal-provincial cost-sharing
agreements in the early years of the program. These issues contributed to a relatively rapid shift in the way that FASA would be used to guide government intervention in sport in the years that followed.

Originally, FASD was designed to provide administrative support to NACFAS – a volunteer group that has been considered “reasonably representative of the diverse interests of advocates of elite sport, physical fitness devotees, and those who championed mass sport and physical activity programs.”23 The purpose of NACFAS was to advise the Minister of National Health and Welfare on the implementation of FASA.24 This allowed the government to adopt a “hands-off” approach to the development of sport in Canada.25 Highlighting the autonomy of NACFAS in the early years of the Fitness and Amateur Sport Program, Macintosh, Bedecki, and Franks contend that “in the 1960s, sport was of such little importance to the minister of health and welfare, particularly in relation to the rest of his portfolio, that policy matters were left in the hands of the National Advisory Council on Fitness and Amateur Sport.”26 The power afforded to NACFAS to influence Canadian sport policy in the early years of the program would not last long.

As FASD grew in size and became more experienced and competent and as the public warmed to the idea of federal intervention in sport, the government desired a more direct role in the promotion and support of sport.27 To achieve this, the government began to rely more heavily on the bureaucracy of FASD, while paying less attention to suggestions made by NACFAS. It became apparent that the relationship between NACFAS and FASD had not been effectively defined in the legislation, which was causing a significant degree of role conflict.28 This conflict was exacerbated by the
introduction of two new actors, both of whom had a significant degree of power to influence the activities of FASD.

Shortly after Trudeau was elected in 1968, John Munro was appointed Minister of National Health and Welfare and Lou Lefaive was appointed Director of FASD. Collectively, their appointment contributed to the government’s growing emphasis on HPS. Munro “had a strong personal interest in sport and saw its potential to further his own political career” and Lefaive was a strong supporter of the development of high performance athletes. As previously noted, NACFAS consisted of a relatively balanced representation, including advocates of both HPS and PSPA. However, Munro and Lefaive viewed the council as being “dominated by professional physical educators, whose home base was the university and whose bias was towards the development of mass sport and fitness programs.”

It is not surprising, then, that toward the end of the 1960s, NACFAS had lost most of its influence with Munro and Lefaive occupying positions of power in this field. The recommendations of NACFAS were frequently ignored by Munro while those of FASD were privileged. As a result of Munro and Lefaive’s feelings towards NACFAS and a recommendation in the Task Force Report in support of those feelings, the role of NACFAS had been reduced to one of long-range planning by 1969 and it was used as a ‘sounding board’ for proposals made by FASD. As the 1970s progressed, the influence exercised by NACFAS over the development of Canadian sport policy diminished. The implications of this change were great as an impartial voice for the promotion of all levels
of sport and physical activity was almost completely lost, whilst a strong voice for the support of HPS was given the freedom to develop with minimal opposition.

In his review of Australia, Canada, and the United Kingdom, Green concluded that “what is very clear from all three countries is the absence of a voice of any significant volume for the mass participant.” Similarly, Coakley and Donnelly acknowledged the challenges met by PSPA when attempting to secure government support:

Those who represent elite sports often are organized, [and] generally have strong backing from other organized groups… Those who would benefit from mass participation programmes are less likely to be politically organized or backed by other organized groups.

The organized and well supported nature of groups in support of elite sport interests, such as the National Sport Organizations (NSOs), is a result of government support in the form of financial and material resources, the criteria for which require a focus on HPS. From this perspective, it is clear that champions of mass sport participation are disadvantaged by the current system, the consequences of which will be discussed in greater detail later in this document.

Jurisdictional Disputes and Failure of the Federal/Provincial Cost-Sharing Agreements

The promotion and development of PSPA at the federal level was further limited by the fact that the reduction of NACFAS’s ability to influence policy directions was coupled with the failure of the second main component of the Fitness and Amateur Sport
Program: the federal-provincial cost-sharing program. The cost-sharing program had been initiated in the 1962-63 fiscal year following the passage of FASA. It is interesting to note, however, that in the Act itself, there was little “to provide direction as to how the federal government might support programs, particularly in the realm of fitness.” Still, with the development of the cost-sharing agreements, the government had once again adopted a ‘hands off’ approach to the support of sport. The cost-sharing agreements were believed to allow the government to assume a catalytic role, “stimulating existing sport governing bodies and agencies without interfering with their autonomy.”

However, in the late 1960s, the federal government realized “that the federal/provincial cost-sharing agreements were not accomplishing their goals of stimulating mass participation in sport and fitness programs.” Several reasons exist for the failure of this program, but only one relates to issues of jurisdiction. Jurisdictional disputes between the provinces/territories and the federal government had long been problematic. Harvey explains that part of the reason for the long-running jurisdictional disputes in Canada with respect to sport can be attributed to the lack of reference specifically to sport in the constitution. The recurring issue of the federal government encroaching on the jurisdiction of the provinces – in this case, with respect to recreation – particularly in Quebec, contributed to continued conflict between the federal government and the provinces. This conflict was so strongly felt by Quebec that its provincial government chose not to participate in the program until the last year of its operation. As a result of the provinces’ and territories’ efforts to assert their “constitutional authority vis-à-vis the federal government,” the federal government was limited in its ability to monitor the “direction and scope of the joint programs.”
Macintosh, Bedecki, and Franks point out that “by the late 1960s, the federal government had come to the realization that it must either seek other avenues to have any impact on mass sport participation or relegate this responsibility to the provinces and municipalities.”

By this time, the government sought to exert a more direct role over sport and wished “to detach itself from program areas that fell within the jurisdiction of provincial authorities, and to place emphasis on national programs, rather than on programs dealing with individuals, municipalities, and provinces.” In 1970, the program was terminated, with a one-year phase out period to allow the provinces and territories to adjust to the reduced funds. This was not, however, the end of jurisdictional issues that would impact the development of sport in Canada.

The release of the Task Force Report in 1969, with its overwhelming focus on amateur sport, led to a backlash by NACFAS, who argued for a second investigation to examine the state of recreation in Canada. This was the beginning of “a chain of events that led to the federal government’s decision to establish a Recreation Canada division within the Fitness and Amateur Sport Directorate in 1971.” However, this only served to heighten federal/provincial tensions as the provinces were suspicious of the federal government’s desire to intervene more directly in an area that fell strictly within their jurisdiction. Macintosh, Bedecki, and Franks highlight the two main elements of the jurisdictional disputes as they related to the creation of Recreation Canada:

On the one hand, the provinces objected to the limited definition of recreation that the Fitness and Amateur Sport Directorate took, i.e., only those activities that involved a substantial physical aspect. They urged that this definition be broadened in scope to allow greater support to be given to national recreation associations and agencies. On the
other hand, the provinces insisted that mass sport participation and physical recreation programs were primarily the prerogative of the provinces and resented federal government sorties into this domain.\(^{51}\)

In response to these tensions, the Fitness and Amateur Sport Branch made a gradual shift of attention away from recreation and toward fitness, which was believed to align more appropriately with federal objectives like improving the health of the nation.\(^{52}\) By 1980, recreation had been eliminated from the federal agenda as Recreation Canada ceased to exist.\(^{53}\)

It is important to note that at the same time as Recreation Canada was created in 1971, a division called Sport Canada was also established. This resulted in Sport Canada’s freedom to focus its energies almost entirely on the development of HPS, without having to worry about balancing its interests with those of proponents of PSPA.\(^{54}\)

The federal government’s withdrawal from recreation may have allowed the provinces/territories more autonomy and freedom to influence the development of recreation in Canada. However, the government’s retreat from recreation and subsequent focus on HPS had unexpected consequences. As argued by Macintosh:

> In the rush to get on the high-performance bandwagon, the provincial governments abandoned their previously strongly held position as champions of mass sport... and commenced to compete with the federal government for the attention and glamour associated with international sport events.\(^{55}\)

As a result of the provinces’/territories’ newly developed affinity toward HPS, few were left to act in the interests of the masses through the development of PSPA. This has only served to further alienate the interests of advocates for PSPA.
Objective Measurement of Sport and Political Recognition

One element of the early federal/provincial cost-sharing agreement was the provision of scholarships, bursaries, and research-assistance programs in the areas of sport, physical fitness, and recreation. Eric F. Broom and Richard S.P. Baka contend that this funding played a significant role in stimulating the “development of the physical education profession” in Canadian universities in the late 1960s and early 1970s. Physical education programs moved rather quickly “from a practical and professional to a scientific and academic orientation.” These programs acted as a feeder system to the growing federal and provincial sport bureaucracies of the 1970s; their graduates “helped change the concept of sport from an emphasis on competition and struggle between individuals to focus on objective measures of performance and preoccupation with standards and records.” This emphasis on objective measures of performance made the success of interventions in HPS relatively easy to gauge.

In contrast, it is not as easy to measure the success of interventions in PSPA, given the intrinsic nature of the benefits of participation. Coakley and Donnelly contend that those who represent elite sports... can base their requests for support on visible accomplishments achieved in the name of the entire country or community. Those who would benefit from mass participation programmes... are less able to give precise statements of their goals and the political significance of their programmes.

Macintosh, Bedecki, and Franks support this contention in saying that “because of its high visibility, high-performance sport... had the potential for a much more attractive political pay-off than did mass sport and fitness programs. But for sport to be an effective
unity symbol, greatly improved performances by Canadian athletes in international events were necessary. Therefore, the potential for political recognition associated with the support of HPS warranted further investment. Meanwhile, PSPA was once again disadvantaged in its ability to secure federal funds as the government is less able to showcase its accomplishments in such an area given the difficulty of measuring the outcomes of interventions. This highlights the importance of the attainment of political recognition in influencing the government’s decision to intervene in any particular area.

Concentrating Funds on an Elite Few

The desire of the Canadian government to ‘get the most bang for its buck’ brings us to the final major reason for why HPS became a more attractive avenue for government intervention shortly after the introduction of FASA in 1961. As argued by Macintosh, Bedecki, and Franks,

Federal government attempts to promote mass sport and fitness programs in the 1960s had been frustrated by...the magnitude of this task relative to the resources available. Success in high-performance sport, however, could be attained by focusing federal funds more narrowly on fewer people and could be easily verified in quantitative terms.

Indeed, the second, and likely the most detrimental, aspect of the cost-sharing program (beyond the issue of jurisdiction) was the problematic way by which funds were allocated to the provinces and territories. In the second year of the program and until the program ended in 1970, a sum of $35,000 was made available to each province. In addition, what was left of the $1 million that was available for the entire program annually would be
allocated to each province or territory on a per capita basis. Those remaining funds weredistributed under the condition that the provinces would cover forty percent of the costs of any initiative, while the federal government would supply the remaining sixty percent. These funds were to be used to extend or increase existing provincial programs. Depending on the size and financial situation of the province, this had different, but consistently negative, implications.

Smaller, and thus, poorer provinces struggled with this funding structure as their programs were not well established and they could not muster up enough money to cover their share of any federal contribution to extend those programs. Even the larger and wealthier provinces were unable to fully utilize the funds available because they had pre-established programs into which they had already invested significant amounts of money. To extend those programs beyond their existing capacity would require further significant investment. Such funds were unavailable given the need to support the programs that already existed. As a result of these difficulties, considerable discrepancies existed between the funds allocated to the provinces and territories and the actual expenditure of those funds by the provinces and territories. While federal support was available in theory, the provinces and territories were unable to access that support and maximize its potential in practice, given the unrealistic funding structure that had been designed to implement the program. Though the federal/provincial cost-sharing program has long since been terminated, the practice of concentrating a limited supply of funds on an objective that has the greatest political recognition potential still holds true.
The five factors previously described have combined since the 1950s to make HPS an increasingly attractive investment option for the federal government as compared to PSPA. Evidence of such investments can be found in programs like: *Game Plan ’76*; the Athlete Assistance Program (AAP) that had its origins in the early 1970s; *Best Ever ’88*; Sport Canada’s Quadrennial Planning Process (QPP) of the 1980s and its Sport Funding and Accountability Framework (SFAF) that began in the mid 1990s; and, more recently *Own the Podium 2010*. All of these programs were designed to ensure Canada’s success at the Olympic and Winter Olympic Games and in other international competitions. Such investment is unprecedented in the area of PSPA. The government’s prioritization of HPS over PSPA and the associated funding decisions made by the government are not without consequences.

### Consequences of Government Investment in HPS

A number of problems exist with the current sport system in Canada as a result of the government’s prioritization of HPS. Some of these issues include: the financial dependence of sport governing bodies on the federal government and their subsequent loss of autonomy; the loss of a voice for and the subsequent exclusion of the masses or the ‘non-elite’ in sport; the mistreatment and exploitation of elite athletes; and, perhaps most importantly, the inevitable compromise of traditional Canadian values that accompanies an overemphasis on performance oriented objectives.
Increasing Financial Dependence and Decreasing Autonomy of NSOs

Green and Houlihan contend that “a significant consequence of increasing federal involvement in elite sport was the declining autonomy of NSOs,” which they attribute to “dependence on government for financial support.” The government took rapid steps to address criticisms that surfaced in the 1969 *Task Force Report*, which pinpointed the “kitchen table” style of management that had been used by the NSOs for decades as a major contributor to the failure of Canadians in international sport. In 1971, the government established the National Sport and Recreation Centre in Ottawa, which provided free accommodations at a central location with administrative and other support services for Canadian NSOs. This structural change was the first major step toward what Whitson and Macintosh have called the “technical and bureaucratic rationalization” of Canadian sport, which intensified in the late 1970s. Green argues that “the key theme to emerge from [his] review [of sport policy in Canada] is the long-standing emphasis on the discursive construction of sport policy around a technical and bureaucratic approach to high-performance sport programmes.” Funds were also provided for the hiring of full-time staff members in support of NSO operations. Though NSOs were entirely autonomous in their decision-making capacity before these changes occurred, it is not surprising that they were drawn to the idea of receiving additional funds from the government to further the ends of their organizations.

This led to a dependence of NSOs on the resources of the federal government, and thus the requirement that they adhere to funding criteria set out by Sport Canada. The dependence of NSOs on the federal government was not immediate. However, by 1986 a
study of sixty-six NSOs led to the finding that “fifteen relied on the federal government for more than 85 per cent of their total revenues and thirty-five for between 50 and 85 per cent.”\textsuperscript{80} The dependence of NSOs on federal resources has been problematized by a number of authors for relatively obvious reasons.\textsuperscript{81} Harvey contends that “the government plays an increasingly prominent role in the governance of Canadian sport, namely through the imposition of strict conditions and criteria as part of the financial support it provides to NSOs and national multi-sport and service organizations.”\textsuperscript{82} As the government seeks to attain political credit through international success in high-performance sport, it bases the majority of its funding on criteria associated with that objective. Only those organizations that demonstrate potential to best meet government objectives, such as winning medals at Olympic Games, are granted the funding that they request. The government specifies how those funds may be used, which are rarely earmarked for PSPA initiatives.

“Silencing the Voices of Alternative”

Bruce Kidd argues that “in the case of Canadian high performance sport,… state assistance comes at the cost of silencing the voices of alternative within civil society.”\textsuperscript{83} Whitson and Macintosh argue that while the professionalization and centralization presume that the ‘presupposed system goal’ of Canadian sport organizations is the production of success in international competition…, there are other voices within Canadian sport …who see one purpose of NSOs as the promotion of participation in their sports, and who do not want to see this role sacrificed in a concentration of resources on ‘high performance.’\textsuperscript{84}
However, these voices are silenced when NSOs are unable to obtain financial support from the government in the pursuit of participation-related ends.

Evidence of these concerns can be found in Whitson and Macintosh’s 1989 study of six relatively high-profile Canadian NSOs. In their interviews with fifty-four leaders of these NSOs, Whitson and Macintosh discovered that some respondents expressed concerns about the changes and tensions which Sport Canada funding criteria and planning systems, oriented as they were to the production of performance, were producing in their sports. What they were searching for, moreover, was not an elimination of support for elite athletes, but rather a better balance between elite needs and the rather different needs of others who were not yet elite, or indeed had no elite aspirations.\(^{85}\)

These concerns persist, as found by Green in his 2004 study of three Canadian NSOs. One of Green’s interviewees pointed out that without even setting a policy to indicate a focus on HPS was the primary objective, Sport Canada was able to establish a focus on HPS through the strict funding criteria set out by the SFAF.\(^{86}\)

The consequences of this system are embodied in a statement by Green regarding the asymmetry of power and control that has resulted from Sport Canada’s funding practices:

the bureaucratic control systems (e.g., the QPP and SFAF) are not only mediated and operated in a depersonalized manner by the establishment of an objective system of incentives for appropriate behavior (funding for medal-winning success) but also by penalties for inappropriate behavior (funding reductions for the failure to win medals).\(^{87}\)
As a result of having to meet these funding criteria, NSOs are left with little choice but to abandon efforts related to sport at the grassroots level.

Additionally, there is a conflict of interest inherent in the activities of the government-hired and -paid representatives of the NSOs. Macintosh, Bedecki, and Franks, highlight the root of this problem:

Because the salaries of these bureaucrats are paid largely by government funds, the loyalties of the executive, technical, and program directors are divided between representing the views of their respective organizations and respecting the wishes and directions of the government agency that supports them. This fact has contributed substantially to acquiescence to the federal government’s penchant for promoting high-performance sport and to the disappearance of an independent voice for amateur sport.88

This statement makes clear the difficulty faced by leaders and employees of Canadian NSOs in representing the interests of mass sport and participation at the grassroots level.

Issues associated with dependence on government funds are not the only reasons that an ‘alternative voice’ for sport has been lost in Canada. Green acknowledges that a further consequence of the “technical and bureaucratic rationalization” of the Canadian sport system “was to redefine sports issues so that normative questions were/are presented as technical ones, thereby disqualifying the views of lay people.”89 In other words, as the production of performance grew in importance, value-based and practical questions lost significance. Additionally, it became difficult, if not impossible, for experienced, but uneducated, sport leaders to appear legitimate in a sport policy arena dominated by bureaucrats educated in technical programs. Whitson and Macintosh specify that the “various steps intended to rationalize and streamline the policy-making process – the
professionalization of national sport organizations, the restructuring of volunteer representation, and the rationalization of responsibility within a performance-oriented system – all contribute to the marginalization of those who would defend non-elite interests.” Therefore, it is not surprising that a progressively more HPS oriented system has led to progressively less emphasis on PSPA.

Mistreatment and exploitation of Elite Athletes and Alienation of Participants

It is no surprise that with the intense training schedules and thus, major sacrifices, required by elite athletes, the development of these athletes as people is questionable at best. Kidd argues that “at the highest levels of competition, the dominant pattern remains pathological, as the all-embracing pressures to perform stunt athletes intellectually and socially, and cripple them physically and emotionally.” The life of an elite athlete, even at some lower levels of competition, often lacks balance; training requirements cause athletes to give up things like school, career opportunities, other extra-curricular activities, and a social life. As argued by Patrick H.F. Baillie, “the dedication and commitment that many see as necessary for success in sports may result in a narrowing of focus, with education and social goals becoming subordinated to athletic achievement.”

The intellectual development of elite athletes is often stunted by the denial of their right to make decisions for themselves, or to at least be a part of the decision making process as it relates to their development as athletes and as people. Debra Shogan observes that an athlete’s submission to the disciplinary technologies perceived as necessary for success in sport may cause him or her to be labeled a dupe. Similarly,
Lynn Kidman contends that “the traditional leadership style [adopted by coaches] has given coaches a licence to ‘exploit’ their position of power by taking the choice and control away from the athlete,” which is sometimes mistakenly considered imperative to coaching success. Kidman advocates for an athlete-centred approach to coaching, which she argues “promotes a sense of belonging, as well as giving athletes a role in decision making and a shared approach to learning.”

The role of government in taking the power of decision away from athletes is also noteworthy. Kidd argues that “the athlete is no longer ‘subject’ of his/her own activity, sharing the planning and conduct of the athletic endeavour with teammates and coach, but the ‘object’ of an elaborate scientific bureaucracy.” Indeed, once an athlete enters into a contract, such as the AAP, with Sport Canada, his or her activities are largely regulated by a strict set of rules. Should an athlete fail to comply with those rules, his or her contract and subsequent support may be threatened. Kidd notes that “coaches have used the threat of withdrawal [of funding and benefits] to discourage athletes from taking part-time jobs, travelling and sightseeing after major competitions, and getting married.” As a result of their one-track focus on HPS and their propensity to be well disciplined, many athletes emerge from their athletic careers without the decision-making skills necessary to navigate through their lives beyond sport. Additionally, having not attended school in many cases, athletes often retire without the necessary education and skills to compete for a decent job, rendering them less able to make a wage great enough to support themselves and their future families.
Socially, elite athletes are also disadvantaged given their limited ability to socialize outside the context of training and competition. Often, their interactions are limited to those that they have with their coach and family members, which are relationships in which power imbalances are evident. As a result, elite athletes may not develop the social skills necessary to interact at a level comparable to their non-athlete peers. Closely associated with social development is the concept of moral development. It might seem reasonable to believe that investment in HPS would contribute positively to the reproduction of values given that sport has historically been associated with superior moral development. However, research suggests that performance oriented environments, or those in which winning or being the best are emphasized, actually contribute to amoral and aggressive team behaviour, as well as less respect for rules, officials, and conventions\(^99\) in addition to a perception that unsportsmanlike play is acceptable.\(^100\) In contrast, research also suggests that sport participation in a mastery or task-oriented environment, such as PSPA, is associated with team norms with greater disapproval of amoral and aggressive behaviours as well as greater respect for rules, officials, and conventions.\(^101\) Therefore, to optimize the social and moral development of sport participants, it would be wiser to support PSPA.

With respect to the physical aspect of HPS, it is widely believed that HPS athletes are the healthiest in the nation. However, research suggests otherwise. Kelly Friery points out that “elite-level athletes undergo training regimens that place them under chronic stress, increasing susceptibility to injuries and overtraining.”\(^102\) Consequently, competitive athletes often retire young, and proceed to “become members of the normal population, [where] they contribute to the overall health and sedentary behavior of [their
nation], sometimes unwillingly through injury.”103 There seems to be consensus among researchers that the benefits of prior participation in sport are not maintained if activity does not continue beyond retirement.104 Therefore, it would be wiser to support participation in a form of physical activity that is sustainable throughout the lifespan, such as PSPA.

It is not surprising, given the incredible emphasis placed on the production of performance, that the psychological and emotional demands placed on elite athletes have the potential to be debilitating. Indeed, many athletes experience burnout, or “a response to chronic stress of athletic competition that can be characterized by feelings of emotional exhaustion.”105 Ronald E. Smith contends that “elite athletes have dropped out of sports at the peak of their careers, maintaining that they are ‘burned out’ and that participation has become too aversive for them to continue.”106 While interventions by sport psychologists are available to assist with the development of coping skills, Kidd argues that “the ‘competitive mindset’ is constructed with the help of the sports psychologist, often without regard to the implications for long-term mental health.”107

An inevitable event in the life of an athlete is his or her retirement from sport.108 Baillie contends that “the special issues posed by the retirement of athletes exist because of the intensity of involvement and commitment of identity that athletes often make to achieve success in their sports.”109 Indeed, when athletes retire from sport, many feel as though they have lost a part of themselves. Baillie argues that “for some athletes,…the centrality of sport in their social, personal, financial, recreational, and vocational lives may also make retirement more problematic than for traditional workers.”110 While some
athletes may transition through retirement with few problems, those who do not may be impacted by their previously intense focus on sport for years to come.

While the above provides support for the argument that elite athletes are largely exploited in the interests of national objectives like “national unity” and “international prestige,” it is also important to recognize the resultant damage that occurs at the other end of the spectrum of sport participation. As a result of the way that gifted athletes are nurtured and idolized throughout their development, many other potential sport participants may be discouraged from participation. A system that tailors to the needs of only the most talented participants may result in a decreased desire to be active through sport by less talented individuals. Indeed, Eduardo M. Cervelló, Amparo Escartí, and José F. Guzmán observe that the most commonly cited reasons for dropout in sport include: “conflict of interest, not having fun, low perception of ability or the excessive demands of competition.”111 Likely at least a partial result of the current system’s focus on excellence, the sport participation rate in Canada is relatively low at thirty-six percent.112 Additionally, sixty-three percent of Canadians are not active enough to achieve health benefits.113 Given these startlingly low participation rates, it is important that the Canadian government develops a system that is inclusive of all potential participants, regardless of their abilities.

Compromising Canadian Values and Broader Social Goals

Macintosh, Bedecki, and Franks state that “one of the central reasons for federal government involvement in sport in 1961 was to provide sport and physical activity
participation opportunities for *all* Canadians.”114 However, they argue that “this objective… has all but been ignored in the rush to develop a corps of elite “state” athletes.”115 Under the current Canadian sport system, issues of inequality persist on the basis of social determinants like ability, age, gender, race or ethnicity, socioeconomic status, and sexual orientation, among others. This occurs despite the presence of a dominant ideology in Canada regarding the facilitation of equal opportunities for all.116

Access to federal resources is dependent upon an athlete’s ability to achieve a certain level of skill as defined by “objective results” in national or international competitions according to the carding criteria of the AAP.117 Funding programs like the QPP and the SFAF are also heavily weighted toward the support of HPS over PSPA.118 The requirement that a sport participant must reach a certain level of competition to be rendered worthy of government support draws attention to a number of issues.

Assuming that it is true that Canadian sport policies should be designed in a manner by which all Canadians have equal access to sport, such a requirement fails to acknowledge at least four critically important realities: 1) all people are not born with the same degree of natural ability and talent and are therefore unable to reach a level of competition necessary to obtain funding; 2) even if all people were equally talented at baseline, they are not all raised in families of equal socioeconomic status and are therefore not offered the same opportunities to facilitate their development and competitive success; 3) athletes eligible for the required level of competition and subsequent funding typically fall within the age category of young adults, which implies that children, middle-aged adults, older adults, and the elderly are typically ineligible for
support; and, 4) the HPS environment is one in which issues surrounding gender, sexuality, and race, still prevail.\textsuperscript{119} Therefore, at the very least, the criteria for funding under the AAP, the QPP, and the SFAF are, or at the very least have been, discriminatory on the basis of ability, socioeconomic status, age, race, sexuality, and gender.

Mick Green argues that “of concern…is that the inexorable pursuit of sporting excellence on the international stage is one in which broader social goals associated with sport become routinely subordinated to the production of performance.”\textsuperscript{120} Similarly, Whitson and Macintosh contend that “in the results oriented world view which now prevails at official levels in Canadian sport, the equity issues (including regional inequities) which are central to other Canadian social policy debates are simply less important than the perceived requirements of Canadian competitiveness abroad.”\textsuperscript{121} Further supporting these arguments, Kidd suggests that “almost two decades of neo-conservative fiscal policies have made it extremely difficult for public institutions to maintain sport and physical education programs for their traditional middle-class clientele, let alone respond to those most in need.”\textsuperscript{122} It is clear from these arguments that Canadian values of equity and equality are being compromised in the name of HPS.

Additionally, as a result of the pressure to perform that is placed on athletes in order to receive funding, they are resorting to unethical means by which to sustain or exceed performance standards. This refers primarily to issues of doping in sport, which were first brought to light in Canada following the 1988 Ben Johnson doping scandal at the Seoul Olympics. The Canadian government responded to this dilemma by establishing the Commission of Inquiry into the Use of Drugs and Other Banned Practices Intended to
Increase Athletic Performance, which culminated in the *Dubin Report*, named after Justice Charles Dubin who chaired the Commission. The significance of this report is supported by Church’s contention that the Dubin Report “came to dominate the federal sport policy sector and the sport delivery system in Canada.”  

Similarly, Green argues that “the Dubin Inquiry not only had significant repercussions for anti-doping policy, it also stimulated a wider reflection on the fundamental values underpinning Canada’s sport delivery system.” Indeed, after Dubin’s assertion that there was “a moral crisis” pervading HPS in Canada, the federal government responded by appointing the Minister’s Task Force on Federal Sport Policy, which produced a report entitled *Sport: The Way Ahead* in 1992.

*Sport: The Way Ahead*, also known as the Best Report for its Chairman, J.C. Best, acknowledged the debate going on in Canada over the value of HPS:

One circular debate that has plagued sport throughout its history is the competition between high-performance and recreational sport. Most discussions deal in absolutes, such as the trade-offs between high-performance and recreational sport. But this is not the only issue the Task Force has heard regarding high-performance sport. Why do we support high-performance sport at all? Are Canadians comfortable with the pursuit of excellence and its links with winning and high-performance sport? Are we too demanding in our definitions of success and winning? Do we appreciate the difference between “being the best you can be” and “being the best”?  

It is interesting to note, however, that the Task Force, while acknowledging this debate, downplayed its legitimacy in its suggestion that “debate about high-performance sport versus recreational sport is a non-productive, polarizing and misleading debate.” As an alternative to these types of debates, the Task Force recommended a shift “to a dialogue
about our physical culture in Canada and how we can support an array of physical activity opportunities ranging from recreational participation through organized competitive sport to high-performance sport.”

While the Task Force did not recommend a departure from support for HPS despite concerns that were voiced in consultations and submissions (and in particular, the Dubin Report) regarding the values that underlie the pressure to perform, it did provide a vision for values that it believed should guide the Canadian sport system. It was their vision that the Canadian sport system be accessible, athlete-centred, equitable, fair, guided by shared leadership, and values-based. Interestingly, there does not appear to be any specific mention of the Ben Johnson doping scandal in the report, but as demonstrated by the list of values just noted, fairness is given special mention as an independent value as well as being addressed first under the “values-based” heading. Here it is assumed that fairness implies anti-doping, among other things.

Additionally, the Task Force advocated a less performance oriented definition of success when they argued that

Canadians place unrealistic expectations on high-performance athletes and their sports. We do this by accepting a very narrow concept of success, usually portrayed by winning a gold medal at world level games. We create planning models in our sport organizations that have a high, if not exclusive, priority on the achievement of athletic success. We ignore athletic developments between games and then act as armchair enthusiasts and critics of world championships or Olympics. We create enormous expectations of selective individuals whom we ask to carry the hopes of a nation.
Unfortunately, while these observations are accurate and the Task Force made recommendations to counter them, its desire to preserve the HPS end of what they called the ‘sport continuum’ may be hindering a values-based and process oriented (rather than results oriented) approach to sport in Canada.\textsuperscript{132} Instead of supporting a withdrawal of resources from HPS and toward PSPA to achieve some degree of balance between the two, the Task Force advocated for the provision of needed resources at all levels of the sport continuum.\textsuperscript{133} Such a recommendation fails to take into account that limited resources exist and that the government cannot simply pull a new pool of resources out of nowhere. Not surprisingly, now, seventeen years later, a performance oriented approach to the support of sport in Canada persists. It could be argued that the Task Force’s failure to acknowledge the need for a shift toward PSPA and away from HPS was a wasted opportunity at a time when, given the Ben Johnson affair and the compromised state of Canadian values, a shift may have been more welcome.

**The Construction of Problems in the Policy (Legislative) Process**

The development of policy\textsuperscript{134} is a complex process, which is traditionally understood to involve a great deal of interaction and debate among policy makers and sometimes other stakeholders as well. However, this belief in the idea that policies are developed through a rigorous process of interaction and debate has led many people to adopt a certain level of complacency with which they accept sport policy. Such complacency allows these policies to go unchallenged despite the fact that, in many cases, the outcomes of these policies have negative implications for those who do not challenge
them. Given the potential for sport policies to shape sport programs and the resultant social impact that those programs will have, some authors argue for a critical approach to the analysis of sport policy and the process that leads to its development.¹³⁵

Laurence Chalip argues that “policies do not emerge as rational choices from an array of fully elaborated alternatives. Rather, they are the product of socially constructed claims and definitions.”¹³⁶ Similarly, Michael P. Sam does not consider “the ideas that emerge from a policy formulation exercise…as neutral, objective statements.”¹³⁷ Instead, he contends that policy ideas are “social constructions, strategically portrayed for the purposes of persuasion”¹³⁸ and that they “serve to support some interests and institutions over others.”¹³⁹ Given these assertions, it is necessary to critically analyze policy deliberations to determine how ideas, problems, and solutions are constructed in the policy process and subsequently, how some ideas become privileged over others.

Chalip contends that “policy analytic techniques can be useful to sport managers in both public and private settings…[and that] the nature of sport policy debates requires the development and application of hermeneutic (i.e., interpretive and critical) methods for policy analysis.”¹⁴⁰ Likewise, Sam’s work is “situated within the tradition of hermeneutics – where ideas are themselves considered interpretations (of society, of the way things are, should be, and so on).”¹⁴¹ Indeed, in the work of both Chalip and Sam, the key to understanding the policy process and its outcomes is realizing that interpretations of the words used in policy deliberations as well as policy documents vary widely. Often strategically presented in an ambiguous way, the same word may represent two very different agendas, but is open to interpretation and subsequent manipulation by those in
positions of relatively greater power. Supporting this contention, Sam argues that the way “ideas are translated into action (if they incur any action at all) depends on how they are interpreted.”

Further to this, Sam suggests that it is through the ambiguity of policy ideas that agreements in the policy arena are facilitated. Given that policy development has been described as “a struggle over alternate ‘realities’ and thus closely linked with the use of rhetorical language, argument, symbolic, and strategic representation,” it should follow that it is a process wherein agreements are not easily reached. Indeed, Sam contends that because policy ideas are representative of values and ideals, they also serve to illumine policy elements “that are contentious, debatable, and political.” For example, as demonstrated through an examination of the historical representation of the HPS-PSPA balancing act, the theme of national unity and identity is one that has gained significant legitimacy in policy development in Canada. Yet, the goal of national unity by its very nature fails to recognize the importance of regional differences and ethnic diversity that pervade Canadian culture.

By identifying national unity as an ambiguous, but theoretically desirable, policy goal, policy-makers are able to reach agreement to the extent necessary to advance the policy in question. As argued by Sam,

regardless of their “truth,” dominant ideas thus provide adherents with compelling assumptions and arguments. Indeed in policy and politics, the ambiguity of these ideas ensures some level of cooperation among varying interests, for on the surface, ideas like efficiency and equity appear to have few opponents. Consequently, it is the critical
interpretation of these ambiguities that is of utmost importance. A strong example of how policy idea ambiguity can lead to solutions that, superficially, are agreeable to all, is found in Sam’s study with regards to the interpretation of the term ‘leadership.’

While submissions and consultations from members of Regional Sport Trusts had “demanded better leadership from the central agency (the Hillary Commission), their comments seemed to reflect a general discontentment with the agency’s performance, rather than a demand for any real shift in power and authority.” However, instead of acknowledging the performance weaknesses of the Hillary Commission and thus its inability to effectively lead New Zealand sport, demands for better leadership were interpreted as a call for the Hillary Commission to assume a more dominant and controlling role in the New Zealand Sport system. Because no definition of leadership had been outlined in the policy process, the response to these demands included recommendations for “centralized decision-making structures in general and for a stronger central government presence in particular” as well as stricter funding guidelines for sport-related funding. None of these solutions addressed the inadequacies of the Hillary Commission that had been identified in submissions and consultations, but the ambiguity of leadership as a policy idea made it possible for it to be used in a way that was desirable to policy-makers while concerns of other stakeholders could be ignored.

A similar example is seen in the case of Canada, where ‘sport development’ represents an ambiguous policy idea that has frequently been used in the policy process. As noted by Whitson and Macintosh, ‘‘Sport development’ can mean different things,
according to one’s political objectives and one’s understanding of the purposes of sport (and of government support for sport). While many representatives of provinces and NSOs, as well as other policy-makers view sport development as “the promotion of participation” and the provision of opportunities for participation, others contend that it is more appropriately the “early identification of talent and the provision of enrichment programs.” These are two very different goals, which presented under the same policy idea have the potential to facilitate agreement in the policy process. Notably, Whitson and Macintosh argue that “when talent development becomes the priority, not only are conflicts for resources set up (e.g., for staff time), in which mass sport and recreation have usually lost out, but the messages which surround sport change for most of those involved: officials and coaches, as well as participants.” Therefore, it is clear that while agreement may be reached during policy development, the outcomes of that policy have the potential to spark debate given their entirely different meanings.

Another important aspect of the policy process is the ability of dominant ideas or policy goals to lead to the interpretation of some ideas as counterproductive and therefore, less legitimate or worthy of attention than others. An example of this can be found in Sam’s assessment of New Zealand’s desire to make its sport system more efficient. He acknowledges that “efficiency as an idea did not represent absolute, technical, or objective criteria from which to enact change. Rather, it represented a political interpretation of which benefits (and which costs) were considered important.” For example, he points out that the regional diversity of New Zealand’s sport system was vilified as “patch protection” or “irrational parochialism” and those who attempted to defend these interests were perceived as “hindrances to efficiency and progress.” Sam
argues that by its very nature, a dominant policy idea like efficiency has the power to exclude legitimate concerns like regional diversity from policy deliberations given that addressing such issues would slow the policy process, thereby making it ‘inefficient.’

Sam contends that “it is at the level of ideas where policy makers include, exclude, interpret, or challenge policy goals and problems, as well as conceptions of their causes and solutions.” He suggests that policy ideas deserve attention given their potential to reflect public values and the demands of interest groups and their ability to shape the expectations of the public. While Sam looks more broadly to dominant ideas that emerge through the policy process, Chalip looks more specifically at what he has termed legitimations, focusing events, and attributions.

Chalip argues that the primary objective of critical policy analysis is “not merely to describe the logic of policy debates,” but to “identify points of illogic, to facilitate criticism of the driving assumptions, and to locate significant considerations that have been excluded from policy deliberations.” The ultimate goal of the analysis advocated by Chalip is to facilitate social change in the interests of those who have been or might be excluded in the policy process. This is done through the identification of legitimations, focusing events, and attributions in the policy development process. Chalip’s concept of legitimations is similar to Sam’s concept of policy ideas. Legitimations can be understood as the broader objectives that the government hopes to achieve through their actions or the rationales for government involvement. Chalip contends that “legitimations provide the rationale for policies and thus circumscribe what policies seek to attain, and more importantly, what policies do not seek to attain.” Chalip encourages the critical
policy analyst to first identify those matters that have been included in the legitimations, and then to identify those matters and stakeholders that have been excluded.

Focusing events have been described as “symbolic representations of the policy concern.” As several policy issues compete for attention on the federal agenda, focusing events draw attention to a particular policy concern and thus serve to encourage federal intervention in the specified area. The importance of focusing events cannot be overemphasized as without the public attention and criticism that often follows these types of events, government attention and action (at least of a hasty nature) is unlikely.

Together, legitimations and focusing events contribute to the generation of problem definitions and the subsequent problem attributions that guide policy formulation. Chalip states that “attributions specify the cause of the social problems to be redressed.” If the cause of a problem is misdiagnosed, it is reasonable to assume that the proposed policy actions will not correct the problem. The main purpose of attribution critique is to acknowledge the proposed solution(s) and its (their) ability to contribute to the achievement of the broader social goal, or the legitimation that warranted action in the first place. Often, several possible solutions are overlooked in the interests of those with relatively greater power and at the expense of those with relatively less power. Decisions to follow through on these proposed solutions are often based on social constructions about what a particular action might be able to achieve, even though such beliefs may not be supported in the literature.

The ability of policy-makers to move forward with such policy actions, particularly in an uncontested policy arena, has significant implications. As argued by
Sam, “the propensity for the ideas from [policy] reports… to become unquestioned in the long term is thus most significant of all. Through such formal processes, policy ideas can become institutionalized in the minds of future policy makers – despite the fact that ideas may have gained their legitimacy largely in conjunction with hegemonic practices like the shaming of opponents…”\(^\text{163}\) History plays an important role in the way that policy ideas, legitimations, and attributions are perceived – the longer these elements of the policy process and policies themselves remain unchallenged, the more legitimate they become.

Chalip contends that “legitimation critique and attribution critique facilitate scrutiny and appraisal of social constructions by clarifying the assumptions upon which policy proposals are based. The resulting analysis suggests pivotal concerns that have not been addressed, and key stakeholder groups whose interests warrant examination.”\(^\text{164}\) Similarly, Sam argues that “rather than viewing policy making as a neutral, pragmatic activity, such critical views acknowledge the role of dominant interests (and their ideas) in ostensibly setting the agenda and defining issues.”\(^\text{165}\) Therefore, it is the responsibility of sport managers to challenge the assumptions that underlie policy development within and outside of their organizations. This is necessary so as not to contribute to the reproduction of policy ideas that privilege some members of society (and usually those who are already privileged) at the expense of others.

**Bill C-12, The Physical Activity and Sport Act: Shifting Priorities?**

While HPS has traditionally received the bulk of government funding, Green suggests that a shift towards a participation focus is evident in PASA as well as the
Green attributes much of this shift to growing health care concerns that have forced the government to carefully consider its “‘balancing act’ of priorities – between support for elite sport and Olympic glory and mass participation programmes to improve the health of the nation.” Significantly, Green suggests that “the growing problem of increasing obesity in young people appears to be the key driver behind this emerging shift in government policy rather than any explicit concern to balance support for elite sport with provision for sporting and physical activity opportunities for its intrinsic qualities alone.” Regardless of the underlying reason for the shift, Green warns that caution must be taken to not overemphasize the extent of the shift toward a participation focus.

Green’s scepticism regarding the extent of the shift toward participation is based on more recent funding decisions made by the federal government that demonstrate ongoing disproportionate support for HPS at the expense of PSPA. Notably, in the 2005-06 fiscal year, it was announced that a budget of $140 million would be made available in support of both HPS and PSPA initiatives. However, only $5 million of that $140 million – or a meagre 3.6% – was specifically earmarked for participation initiatives.

Similarly, Coakley and Donnelly acknowledge that despite physical activity having been identified within Bill C-12 “as a determinant of health,” the government has failed to produce “any tangible policies and actions” to redress the issue of low sport participation and physical activity rates among Canadians. This research will not examine the implementation of PASA and related programs. However, Green’s and
Coakley and Donnelly’s suggestions that government actions are not consistent with their intentions highlights the need for an analysis of the discourse surrounding the development of PASA to provide insight into what the intentions of the federal government actually were with respect to HPS and PSPA. This is of particular importance as it is unclear on what methodological framework Green’s conclusions with respect to a shift toward participation in CSP and PASA were based.

Building on the observations of Green, Coakley and Donnelly, Church contends that Bill C-12 might “represent a shift by the federal government away from a focus on high-performance sport and redirected towards sport participation.”\(^\text{173}\) However, this observation was based on a content analysis of PASA and its legislative summary using simple counts of the terms ‘participation’ and ‘excellence’ that indicated there may be more emphasis on participation in the new legislation.\(^\text{174}\) Recognizing the limitations of such a superficial approach, Church acknowledged the need for a more thorough content analysis.\(^\text{175}\)

Green’s failure to clearly outline the means by which he came to a conclusion regarding a shift toward participation in PASA, combined with the insufficient analysis on which Church’s conclusions regarding the perceived priorities of PASA were based, provide the justification for this study. This research fills a gap that currently exists in the literature through a detailed content analysis of the materials produced through the process that led to the passage of PASA, as well as the legislation itself. This analysis is hoped to contribute to a more thorough understanding of government intentions with respect to support for HPS and PSPA.
Endnotes


2 Anthony G. Church, “Pressure Groups and Canadian Sport Policy: A Neo-Pluralist Examination of Policy Development” (PhD Dissertation, University of Western Ontario, 2008), 3.

3 Mick Green and Barrie Houlihan, *Elite Sport Development: Policy Learning and Political Priorities* (London, UK: Routledge, 2005), 50. The other two themes were: 1) “increasing federal government intervention legitimised, initially at least, by an emphasis on ‘national unity;’ and 2) “an increasing emphasis on the discursive construction of sport policy around a technical and bureaucratic approach to high performance sport programmes.”

4 Mick Green, “Olympic Glory or Grassroots Development?: Sport Policy Priorities in Australia, Canada, and the United Kingdom, 1960-2006,” *The International Journal of the History of Sport* 24, no. 7 (2007): 941. The other three themes were: 1) “central/federal government intervention into the sport policy sector;” 2) “discursive construction of sport policy discourse around the language of rational/technocratic processes;” and 3) “while grassroots participation rates remain persistently low, political aspirations to utilize sport and physical activity programmes to achieve health benefits will remain problematic.”


9 Ibid., 44.

10 Ibid., 45.

11 Ibid.

12 Ibid., 46.

13 Ibid., 57.


20 Ibid., 30.


22 Ibid.


24 Broom and Baka, “Canadian Governments and Sport,” 11.


26 Ibid.

27 Ibid., 40, 156.

28 Ibid., 31; Broom and Baka, “Canadian Governments and Sport,” 11.

29 Macintosh, Bedecki, and Franks, *Sport and Politics in Canada*, 156.

30 Ibid.

31 Ibid., 64.

32 Ibid., 186.

33 Ibid., 71.

34 Ibid; Broom and Baka, “Canadian Governments and Sport,” 12.

35 Macintosh, Bedecki, and Franks, *Sport and Politics in Canada*, 40, 158.

36 Ibid., 158.

37 Green, “Olympic Glory or Grassroots Development,” 945.


41 Ibid., 28.

42 Ibid., 40.


45 Ibid., 34.

46 Ibid.

47 Ibid., 73.


50 Ibid., 102.

51 Ibid.

52 Ibid., 103.

53 Ibid.

54 Green and Houlihan, *Elite Sport Development*, 42. According to Munro, Sport Canada “was to provide Canadians with an opportunity to pursue excellence in competitive sport, and to improve the level of Canadian performances in international sport competitions. Recreation Canada, in contrast, was to provide all Canadians with opportunities to participate in physical recreation and to improve their fitness levels.” John Munro, *Sport Canada/Recreation Canada: Report Presented to the National Advisory Council for Fitness and Amateur Sport* (Ottawa, ON: Department of National Health and Welfare, 1971), 26 quoted in Macintosh, Bedecki, and Franks, *Sport and Politics in Canada*, 79.


59 Ibid.
60 Ibid.


62 Macintosh, Bedecki, and Franks, Sport and Politics in Canada, 163.

63 Ibid., 162-163.

64 Broom and Baka, “Canadian Governments and Sport,” 14.

65 Ibid.

66 Macintosh, Bedecki, and Franks, Sport and Politics in Canada, 33.

67 Ibid. A program qualified as “existing” if it had been established prior to or during the base year of the program (i.e., 1961-62).

68 Ibid.

69 Ibid.

70 Ibid.

71 Ibid.


73 See for example, Kim Bercovitz, “Canada’s Active Living Policy: A Critical Analysis,” Health Promotion International 13, no. 4 (1998): 325. Bercovitz provides a summary of funding as assigned to Sport Canada versus Fitness Canada between 1971 and 1993. Funding ratios of resources provided to Sport Canada versus Fitness Canada range from 3:1 to 9:1 during the specified period.

74 Green and Houlihan, Elite Sport Development, 45.

75 Macintosh and Whitson, The Game Planners, 18.

76 Ibid.


78 Green, “Olympic Glory or Grassroots Development?” 943.

79 Macintosh and Whitson, The Game Planners, 18.


Whitson and Macintosh, “Rational Planning vs. Regional Interests,” 437.

Ibid., 439.

Green, “Power, Policy, and Political Priorities,” 384.

Ibid., 385.


Green, “Olympic Glory or Grassroots Development?” 943.

Whitson and Macintosh, “Rational Planning vs. Regional Interests,” 436.


Ibid., 11.


103 Ibid.


109 Ibid.

110 Ibid., 401.


115 Ibid.

116 The Canadian Human Rights Act states: “All individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated, consistent with their duties and obligations as members of society, without being hindered
in or prevented from doing so by discriminatory practices based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or conviction for an offence for which a pardon has been granted.” Canada, “Canadian Human Rights Act,” Department of Justice of Canada, http://laws.justice.gc.ca/PDF/Statute/H/H-6.pdf (accessed June 24, 2009).

117 Canadian Heritage, Sport Canada Athlete Assistance Program, 5-3.

118 In order to obtain funding through the Best Ever ’88 Program, NSOs were required to adhere to the Quadrennial Planning Process (QPP). The QPP were four-year plans that “required NSOs to identify performance targets and to specify the material and technical support systems (from training camps and centres of excellence to coaching and paramedical arrangements and research programmes) necessary for the achievement of each set of targets.” Green and Houlihan, Elite Sport Development, 43-45.

With a similar performance orientation, the Sport Funding and Accountability Framework (SFAF) is sixty percent weighted to high performance sport for funding allocations. One interviewee in Green’s study acknowledged that the funding criteria of the SFAF served to control the objectives and actions of the NSO in question toward an HPS orientation, despite the lack of policy to indicate that such a direction was to be taken by NSOs. Green, “Power, Policy, and Political Priorities,” 384.


120 Green, “Olympic Glory or Grassroots Development?” 921.

121 Whitson and Macintosh, “Rational Planning vs. Regional Interests,” 446.


123 Church, “Pressure Groups and Canadian Sport Policy,” 124.

124 Green, “Olympic Glory or Grassroots Development?” 932.

125 Charles Dubin, Commission of Inquiry into the Use of Drugs and Banned Practices Intended to Increase Athletic Performance (Ottawa, ON: Ministry of Supply and Services Canada, 1990), 520.


127 Ibid.

128 Ibid., 28.

129 Ibid., 41.

130 Ibid.

131 Ibid., 27.

132 Ibid., 26.

133 Ibid.
The term ‘policy’ is used here as it appears in most of the current literature, despite the fact that this thesis will focus on a legislative process rather than a policy process. Legislation and policy are understood to be different in the sense that legislation has legal repercussions – it includes “rules that are enforced or backed up by the threat of coercion.” (Robert J. Jackson and Doreen Jackson, An Introduction to Political Science: Comparative and World Politics, Fourth Edition (Toronto, ON: Prentice Hall, 2003), 53). Given that failure to comply with policy does not have any consequences under the law, the ultimate outcomes of legislation and policy are different. In spite of their different outcomes, the process that leads to legislation and policy is quite similar. Of course, the legislative process is more formal than the policy process in that it must follow the steps outlined in appendix A. However, the factors or elements that compose the policy process – such as those identified by Chalip (i.e., operative legitimations, focusing events, problem definitions, problem attributions, and decision frames) – are evident in the legislative process as well (Laurence Chalip, “Policy Analysis in Sport Management,” Journal of Sport Management 9, no. 1 (1995): 5).


Sam, “What’s the Big Idea?” 194.

Ibid., 193.

Ibid., 194.

Chalip, “Policy Analysis in Sport Management,” 2.

Sam, “What’s the Big Idea?” 194.

Ibid., 192.

Ibid., 191.

Ibid., 192.

Ibid., 193.

Ibid., 199. The Hillary Commission for Recreation and Sport (later the Hillary Commission for Sport, Fitness, and Physical Leisure) was a “quasi-autonomous non-government organization [[later a Crown agency], which]... emerged from 1987 onwards as a highly visible institution in New Zealand sport” (195).

Ibid., 201.


Ibid.

Ibid.
As outlined in a previous endnote, Chalip’s earliest framework for critical policy analysis included five elements of the policy process – operative legitimations, focusing events, problem definitions, problem attributions, and decision frames, though only three are used in this study (Chalip, “Policy Analysis in Sport Management,” 5). In a later publication, Chalip narrowed his framework to the analysis of two main components – legitimations and attributions (Chalip, “Critical Policy Analysis,” 314). This study utilizes the most recent version of Chalip’s framework, in addition to the ‘focusing events’ component of his earlier framework. The ‘attributions’ component in the most recent framework encompasses both problem definitions and problem attributions. ‘Focusing events’ were included as it was found that events emerged in the legislative process, which were worthy of analysis. Finally, ‘decision frames’ were not analyzed since they are “abstractions” that represent the values and belief systems – or biases – of decision makers (Chalip, “Policy Analysis in Sport Management,” 5). These contribute to how opinions and information do or do not influence policy outcomes. Interviews would be required to analyze decision frames with confidence, which is beyond the scope of this study.
171 Ibid.


173 Church, “Pressure Groups and Canadian Sport Policy,” 184.

174 Ibid.

175 Ibid.
Chapter Two

Review of Literature

This literature review has been divided into three main sections: Historical Representation of the HPS-PSPA ‘Balancing Act;’ Construction of Problems in the Policy (Legislative) Process; and, Bill C-12, The Physical Activity and Sport Act: Shifting Priorities? Each of these sections provides an overview of the significant literature that relates to the three sub-problems addressed within this study. The first section provides a review of the literature as it relates to the historical development of the HPS-PSPA balance. This section has been further divided into two sub-sections as the historical literature can be categorized into descriptive works and critical works. The second section provides an evaluation of literature relating to critical policy analysis. This assisted the researcher in her critical analysis and interpretation of the legislative process that led to the passage of PASA and PASA itself and was used to enhance the discussion of findings. The third and final section of this literature review surveys those authors that have suggested a shift toward PSPA is evident in recent years and provides an evaluation of the methods they used to reach their conclusions. Together, these sections help to develop an understanding of how this study contributes to extending the existing body of knowledge.

Historical Representation of the HPS-PSPA ‘Balancing Act’

A survey of the literature as it relates to the history of government priorities with respect to HPS and PSPA permits the identification of two main categories into which most works fall: 1) Primarily historical-descriptive works that provide detailed...
documentation of key events, actors, and other forces that led to the advancement of HPS on the federal agenda, and 2) Other works that, while adding to the history of Canadian government involvement in sport through description, provide more critical perspectives on the Canadian sport system and the consequences that have resulted from its focus on HPS. The assessment of descriptive works provided below will set the stage for the assessment of more critical works that will follow.

Observing a Shift toward HPS

It is likely that the most extensive and comprehensive example of the first category described above is William D. Hallett’s 1981 doctoral dissertation, *A History of Federal Government Involvement in the Development of Sport in Canada: 1943-1979.*

Hallett’s contribution to our understanding of how the involvement of the Canadian government in sport evolved over the temporal period he studied cannot be overemphasized. Over the course of almost nine hundred pages, Hallett provides a detailed description of key policies and actors that impacted the development of sport in Canada. Through a historical-descriptive methodology, Hallett concludes that the federal government began to assume a more direct role in sport following the 1969 *Report of the Task Force on Sport for Canadians.*

By its very nature, Hallett’s extensive review of what was actually a period of 112 years – contrary to the title of his work – likely precluded a more critical approach to his study of government involvement of sport in Canada. It is clear from his dissertation that Hallett was aware of what he called “a constant state of flux vascillating back and forth
from broad objectives related to recreation and fitness to objectives related to high
performance competitive sport at the international level.”3 However, despite his
awareness of a growing emphasis on HPS and a decreasing emphasis on PSPA
throughout the 1970s,4 Hallett does not appear to problematize this shift in priorities or its
potential implications for the way Canadians would come to know sport and physical
activity thereafter.

Another prominent, detailed and historical description of government involvement
in sport as it transpired following the passage of FASA is Donald Macintosh, Tom
Bedecki, and C.E.S. Franks’ *Sport and Politics in Canada: Federal Government
Involvement Since 1961.*5 Macintosh, Bedecki, and Franks’ awareness of shifting
priorities toward HPS after the passage of FASA is evidenced by the following statement:

One of the central reasons for federal government
involvement in sport in 1961 was to provide sport and
physical activity participation opportunities for all
Canadians. This objective, however, has all but been
ignored in the rush to develop a corps of elite “state”
athletes.6

Like Hallett’s work, Macintosh, Bedecki, and Franks contribute significantly to the
development of the story of how government priorities on HPS and PSPA came to be in
Canada through a description of key actors, policy documents, events, and forces.
However, only the last chapter provides a critical perspective on these developments and
the analysis provided is relatively brief and superficial.

Macintosh, Bedecki, and Franks acknowledge in the final chapter of their work
that “of primary concern is the preoccupation of federal and provincial governments with
elite sport and the need to focus on broadening participation opportunities for all
Canadians. Additionally, some of the reasons for the growing emphasis on HPS are identified, such as: the government’s desire to enhance national unity and identity; the politicization of sport; the government’s tendency to build massive sport facilities to host major international sport events that have limited legacy potential; the professionalization and rationalization of sport through the growing Canadian sport bureaucracy; the shift in values that underlie sport; and finally, the decreasing autonomy of NSOs and increasing influence of the federal government on the development of sport policy in Canada.

While the insights of Macintosh, Bedecki, and Franks are valuable in this regard, it is important to note that the majority of their book is devoted to a historical-descriptive analysis of the HPS-PSPA balance in Canada, rather than one that is critical.

Macintosh, Bedecki, and Franks’ analysis concludes in the 1980s and a hiatus of such comprehensive works addressing the history of Canadian sport policy is apparent until 2008. With the coming of Anthony G. Church’s doctoral dissertation, “Pressure Groups and Canadian Sport Policy: A Neo-Pluralist Examination of Policy Development,” the recess in the literature from these types of works came to a close. Church’s work expands on the descriptive works of Hallett and Macintosh, Bedecki, and Franks by synthesizing their findings and presenting them through a neo-pluralist lens. Church also goes on to fill the gap between 1987 and 2006 by providing a historical-descriptive analysis of the Canadian sport system and related policies and legislation during that temporal period.

Hallett’s and Macintosh, Bedecki, and Franks’ findings serve to reveal the government’s growing prioritization of HPS since Bill C-131 as a function of key actors
and broader social forces and events. Church’s study delves a little deeper by explaining the government’s tendency to favour HPS through the provision of attention and resources using “an inductive theoretical approach.”\textsuperscript{11} More specifically, Church contends that

\begin{quote}
\textit{as the Canadian federal government has become increasingly involved in setting formal public policy for sport and physical activity, the policy process has increasingly given primacy to elite sport interests; thus, the policies developed reflect the status of the policy actors in the decision-making process.} \textsuperscript{12}
\end{quote}

Church takes a more critical approach to his historical analysis than that of the previous authors by highlighting the importance of collective agency and power in the policy process. However, like the previous two works mentioned, the broad temporal period covered in Church’s study precluded the possibility of more in-depth analyses of particular policies or pieces of legislation and the processes that led to their development.

Hallett and Macintosh, Bedecki, and Franks’ work are the most well known with respect to the descriptive history of the development of sport policy and legislation in Canada and it is likely that Church’s work will follow suit with the passage of time. All three works provide detailed analyses covering several years of policies and programs initiated by the government, which almost inevitably led to the observation that HPS has emerged as the government’s first priority since the passage of FASA. However, none of the above works offers an in-depth analysis of the HPS-PSPA balance in any particular policy or piece of legislation or the process leading to its development. While it is beyond the scope of this thesis to provide such an analysis of all past policies and legislation in
Canada identified in the above publications, it does aim to fill this gap with respect to the most recent piece of sport and physical activity legislation in Canada.

Other valuable and frequently cited historical works regarding the development of sport policy and legislation in Canada as it concerns Bill C-131 and beyond include: Victoria Paraschak’s 1978 master’s thesis, “Selected Factors Associated with the Enactment of the 1961 Fitness and Amateur Sport Act”\(^\text{13}\) and Eric Broom and Richard Baka’s 1978 contribution to the CAHPER Sociology of Sport Monograph Series, *Canadian Governments and Sport*.\(^\text{14}\) Once again, these works are primarily historical in nature and serve to contribute to the identification of significant events and actors that impacted the progression of federal involvement in sport in Canada.

Paraschak’s work is of particular interest to this study given her use of House of Commons Debates as a major source of data in her investigation of the factors that led to the development of FASA in 1961. Additionally, because her study focused on the factors that led to the development of FASA, rather than developments in sport thereafter, Paraschak’s work provides a valuable starting point from which to understand the original balance between HPS and PSPA. Of particular interest is the struggle through which HPS finally found its place on the federal agenda after years of being brushed aside as an area unworthy of government intervention.\(^\text{15}\) More specifically, Paraschak’s work makes clear the necessity at the time of FASA’s passage that sport be linked to fitness to legitimate government intervention into HPS.\(^\text{16}\) An understanding of this starting point highlights the extent of the shift that has occurred since the passage of FASA given that the link
between HPS and PSPA has almost completely disintegrated and that HPS has since taken the ‘front seat’ on the federal agenda.

Broom and Baka’s work is also a valuable historical piece that highlights developments in sport policy between the passage of FASA and its publication in 1978. As with previously noted publications, however, Broom and Baka’s analysis is purely descriptive and fails to provide a critical perspective of the evolution of federal involvement in sport in the period under study.

Early studies like Hallett’s and Macintosh, Bedecki, and Franks’ were critical to the development of an awareness of the growing imbalance between HPS and PSPA. With that awareness, more recent works have tended to adopt a more deliberate focus on the HPS-PSPA balance (or lack thereof). Some of these include: Mick Green and Barrie Houlihan’s *Elite Sport Development: Policy Learning and Political Priorities* and Mick Green’s *Olympic Glory or Grassroots Development?: Sport Policy Priorities in Australia, Canada and the United Kingdom, 1960-2006.* Church’s previously mentioned dissertation also appears to have been designed with strong convictions about the HPS-PSPA imbalance. Each of the above authors problematizes the link between HPS and PSPA.

Through a comparative analysis of sport policies and programs in Australia, Canada, and the UK between 1961 and 2002, Green and Houlihan highlight the growing emphasis on elite sport in Canada during that period. Like previous historical-descriptive studies, they identify several key events and actors that contributed to the prioritization of HPS over PSPA as time progressed. Green and Houlihan conclude that
“elite sport development and achievement on the one hand and mass participation and club development on the other are deeply incompatible functions within the policy frameworks current in Australia, Canada and the UK.” While this perspective is critical of the current system and acknowledges the imbalance and inappropriateness of the link between HPS and PSPA, the study itself is mostly descriptive and its problematization of the government’s enhanced emphasis on HPS at the expense of PSPA is limited.

In slight contrast to this approach, Green provides a more critical perspective in Olympic Glory or Grassroots Development?: Sport Policy Priorities in Australia, Canada and the United Kingdom, 1960-2006. While still providing a descriptive analysis of the progression of federal support for elite sport, here, Green problematizes “the capacity of (primarily state) actors to redefine the parameters of what is socially, politically and economically possible for others.” In other words, he argues that

On the one hand, the application of scientific expertise to public policy issues, and the restructuring of policy-making processes so that expert opinion is afforded greater weight, promises more informed policies. On the other hand, the assumed need for scientific/technical advice and expertise in defining sport issues helps to depoliticize the prioritization of elite sport at the expense of gender, class and regional inequalities in Canadian sport, as well as those related to mass participation programmes.

Green argues that “it would be unwise to dismiss concerns that the inexorable pursuit of sporting excellence on the international stage is one in which broader social goals associated with sport [like mass participation] can become routinely subordinated to the production of performance.” Still, his analysis is relatively limited from a critical
perspective. As with previously mentioned works, Green also fails to provide an in-depth analysis of the policy process that led to these developments.

Like the study proposed here, Church’s study critically examined the policy process; however, his work was focused on the evolution of government policies in sport and physical activity as a result of the relative influence of various policy communities and pressure groups in the sport policy arena. These groups vie for particular policy interests, such as HPS and PSPA. Of significance to this study is Church’s conclusion that the development of “two very different, and highly unequal, policy communities: the more influential elite sport community and the poorly funded and less prominent mass sport community,”26 contributed to the greater relative emphasis that has come to be placed on HPS. Church argues that “sport-for-all and sport excellence are two very different pursuits with very different impacts, yet they are so often grouped together by Canadian sport stakeholders under the ambiguous label of sport.”27 Furthermore, like Green and Houlihan, Church criticizes the government’s continued efforts to link HPS and PSPA, contending that the “marketing of a unified sport system flew directly in the face of a clearly dichotomous sport policy sector.”28

All of the aforementioned works are the most prominent in the field of descriptive histories of the evolution of government involvement in sport and sport policy in Canada. While some provide critical perspectives, most of these are fairly limited and are not the primary purpose of the work. In contrast, the works mentioned below are primarily designed to be critical of the Canadian sport system for a variety of reasons.
Criticism and Problematization of the Canadian Sport System and its Focus on HPS

Several authors have approached the government’s focus on HPS with a critical lens, identifying the negative implications of this shift for both those involved in the HPS system and those who are excluded by it. While critical works tend to take a variety of different approaches, they all tend to problematize many of the outcomes and thus, consequences, of the Canadian HPS system and attempt to provide less obvious explanations and insights into how the system has evolved to its current state. These insights commonly identify issues of power imbalances and inequities in both the policy making process and the system that results from it.

Significant contributions were made to the literature by David Whitson and Donald Macintosh with their 1989 article, *Rational Planning vs. Regional Interests: The Professionalization of Canadian Amateur Sport* and in Macintosh and Whitson’s 1990 book, *The Game Planners: Transforming Canada’s Sport System*. Through a series of interviews with the several leaders and former leaders of various NSOs, both of these publications identified the “technical and bureaucratic rationalization” of the Canadian sport system as problematic. In particular, Macintosh and Whitson highlight the fact that

the Canadian government’s increasing commitment to international success, as manifest in the creation of Sport Canada and the growth of an increasingly sophisticated sport system, was producing regular and systematic conflicts with other official goals of Canadian social policy. These social goals included commitments to reducing regional inequities, to equalizing opportunities for women and for francophones, and to improving access to cultural
and recreational opportunities among low-income Canadians.\textsuperscript{32}

The cultural and recreational opportunities that Macintosh and Whitson argue are largely being neglected by the current system include endeavours such as PSPA.

Macintosh and Whitson largely attribute the evolution of the Canadian sport system into the performance-based structure it has become (and the subsequent neglect of PSPA-related initiatives) to the professionalization of the Canadian sport bureaucracy. They criticize the focus on production of performance that has been central to the education of these professionals in Canadian universities. In particular, they suggest that “when their education has downplayed and even excluded the study of social and philosophical issues, it is scarcely surprising that the new Canadian sport bureaucracy has not been active in the defence of “sport for all” or much concerned with equity or ethical issues.”\textsuperscript{33} They also argue that the depoliticization of the policy making process, whereby “questions that have political and normative implications...[such as equity issues] are represented as technical questions,” serves to disqualify the views of lay people “who would defend non-elite interests.”\textsuperscript{34} This criticism aligns with the suggestion put forth in the introduction of this document that the voice for the non-elite community has largely been silenced in the policy-making process.

Further to this, Whitson and Macintosh conclude that the professionalization of the Canadian sport system has taken power away from the volunteer community whose interests are balanced relatively evenly between HPS and PSPA. Whitson and Macintosh acknowledge that their interview respondents were not searching for “an elimination of support for elite athletes, but rather a better balance between elite needs and the rather
different needs of others who were not yet elite, or indeed had no elite aspirations.” This perspective is in contrast to that of the professional sport bureaucracy whose education has led them to emphasize performance measurements and records as the ultimate goals of sport, which has ultimately led them to support HPS at the expense of PSPA.36

Whitson and Macintosh also suggest that the rational planning funding models (at the time, the QPP) on which the Canadian sport system is based favour elite interests.37 A more recent study by Mick Green, Power, Policy, and Political Priorities: Elite Sport Development in Canada and the United Kingdom, confirmed this finding and further problematized this issue with respect to both the QPP and a more recent “planning dictate,” the SFAF.38 Green’s finding that the SFAF is sixty percent weighted toward HPS for funding allocations is worthy of note.39 Whitson and Macintosh found that as a result of a concentration of resources on HPS, many PSPA oriented programs and services were cut back.40 An example of these cutbacks is evidenced in Whitson and Macintosh’s work. Indeed, their interviews revealed complaints about the redefinition and elimination of PSPA related jobs within various NSOs – mainly by smaller provinces.41 All of the above developments are criticized for taking away from the interests of PSPA in the Canadian sport system.

Further criticism has been directed at the impact that this performance-driven system has had on athletes and their rights in much of Bruce Kidd’s work. Three particularly relevant works by Kidd include: “The Elite Athlete,” a book chapter included in Not Just a Game edited by Jean Harvey and Hart Cantelon;42 “The Philosophy of Excellence: Olympic Performance, Class Power and the Canadian State,” a book chapter
included in *Philosophy of Sport and Physical Activity: Issues and Concepts* edited by Pasquale J. Galasso; and, finally, “Confronting Inequality in Sport and Physical Activity,” the first journal article featured in *Avante.* In each case, the focus of the work tends to lie within HPS, given the emphasis placed on athlete’s rights in a system so closely aligned with production of performance. However, these findings drive the reader to question the value of HPS and the treatment of the state athlete in such a system.

All of the aforementioned publications tended to focus on the development of the HPS system in Canada. In contrast, Kim L. Bercovitz’s *Canada’s Active Living Policy: A Critical Analysis,* offers a critical perspective from a slightly different (and rare) angle. Bercovitz focuses on the Canadian government’s efforts to promote PSPA, and more specifically, the concept of ‘Active Living.’ Bercovitz suggests that the Active Living policy and philosophy that was born out of Fitness Canada in the late 1980s and early 1990s is one that the government used “to justify the rapid retreat of the welfare state from social responsibility for fitness and health.” She criticizes the government’s use of the discourse of ‘Active Living’ – including terms like ‘lifestyle,’ ‘empowerment,’ and ‘community and collaboration’ – as a means by which “to conceal power imbalances between government officials, practitioners and the community.”

It is important to note that Active Living was conceived within Fitness Canada before 1993, when responsibility for fitness was transferred to Health Canada. However, it is likely that the philosophy of Active Living – which assigns blame for being inactive to the individual rather than the state – pervades sport policy development within the Canadian Heritage Department and sport legislation development in the House of
Commons and the Senate. Therefore, Berkovitz’s critical perspective and insights are still highly valuable to this study.

It appears from a review of literature relating to the history of government involvement in sport that in the earlier works, authors tended to focus on how the government enhanced its influence in sport and subsequently, HPS. As the field has progressed, an awareness of the growing imbalance between priorities of HPS and PSPA is evident in the literature. With this awareness, more recent works – mainly those beyond the late 1980s – have attempted to expand upon the early descriptions of the government’s growing emphasis on HPS by providing critical perspectives into these issues. Supporting this shift in the literature, Kidd calls on “Canadian sports scholars...[to] continue to contribute to the problematizing of the dominant paradigm and the development of humane alternatives in research, teaching, media interviews and in interventions.”48 He suggests that “this task is essential to sound, inclusive public policy formulation, and the development of a critical constituency that will demand it.”49

An awareness of the need for critical research drove the author of this study to adopt a critical approach to this research endeavour. While critical perspectives on these issues are expanding, the vast majority of authors in this area have not placed the HPS-PSPA balance at the forefront of their research objectives. More specifically, they have failed to address this imbalance in detail in specific policies and pieces of legislation due to their desire to cover incredibly broad temporal periods. This study addresses these gaps in the literature through a careful examination of the HPS-PSPA balance in a specific piece of legislation – PASA – and within a narrow temporal period – 2002-2003.50
The Construction of Problems in the Policy (Legislative) Process

The second sub-question of this thesis necessitates an examination of the legislative process that led to the passage of PASA. A government document entitled *Inside Canada’s Parliament*, allowed for the definition of “legislative process” for the purposes of this study and the subsequent identification of documents that must be included in the analysis. However, it is important to note that literature identified here generally relates to a policy process rather than a legislative process in the field of sport. While these processes are different in that the legislative process follows a formal sequence of debates and committee meetings while no formal process exists for policy development, the elements proposed by Chalip for policy analysis are also evident in the legislative process. This study examines the discourse within the legislative process that led to the passage of PASA and it is this discourse analysis that has been applied in the critical sport policy analysis literature. Therefore, the scholarly publications mentioned below are decidedly relevant to this study, even though the term ‘policy process’ is used instead of ‘legislative process.’

The number of publications in which critical policy analysis has been performed as it relates to sport is fairly limited, but the quality of these publications is outstanding. The seminal works of Laurence Chalip and Michael P. Sam have contributed to the identification of a framework by which to analyze the discourse surrounding the development of sport policy. Chalip’s first major publication in this area suggests a multi-component framework for critical policy analysis. However, in a more recent publication, Chalip refines this analysis significantly and suggests that critical policy analysis involves two types of critiques: legitimation critique and attribution critique.
The value of this type of critique is in its ability to reveal not only the problems and solutions that have been identified by policy-makers, but also those problems and solutions that were left unconsidered. Additionally, the logical links (or lack thereof) between identified problems and suggested solutions are scrutinized. In doing so, this framework contributes to the identification of the underlying assumptions that guide the policy-making process and highlights the fact that such assumptions tend to favour those in positions of power (i.e., policy-makers). Chalip argues that critical policy analysis can be used as a tool to help mobilize “policy stakeholders by rendering the requisite scrutiny of social problems and policies.” In other words, people outside the policy-making arena may become empowered to fight for better policies that account for their interests once they realize the ways that they have been disadvantaged through the traditional policy process.

Similarly, though more generally, Sam highlights the importance of ideas in the policy-making process, given their ability to shape, delimit, and circumscribe the findings and recommendations of policy-makers. Importantly, Sam argues that it is the interpretation of these ideas that ultimately results in the way that ideas are translated into action. Further to this, he contends that in the policy process, ideas are presented ambiguously in the name of fostering agreement among policy makers. This idea ambiguity has major implications for the implementation of any given policy due to the fact that policy-makers might agree upon an idea in theory, while having completely different interpretations of its meaning. Like Chalip, Sam acknowledges that ideas are “constructions that serve to support some interests and institutions over others.” Sam also contends that broad and ambiguous objectives serve to influence the way that
problems are framed in the policy process; he suggests that other ideas that emerge in the policy process “are embedded...within the policy ideals that contextualized them as problems.”

Both of these works provide the framework necessary to effectively scrutinize the way in which problems were defined in the legislative process that led to the passage of PASA and the solutions that were subsequently designed to address them. While the samples in these works are not Canadian, other authors have successfully used these frameworks in the context of Canadian sport. Depending upon the biases and assumptions of the researcher, this framework can be used to address a variety of different issues. So far it has been used to study sport and recreation policies and how they have or have not taken into account the best interests of high performance athletes and youth athletes in Canada, new immigrants to Canada, and indigenous peoples in Canada.

However, Chalip’s framework has yet to be used to analyze federal sport legislation in Canada, and particularly PASA. Additionally, while Chalip’s framework has been used to address the subpopulations listed above, it has not yet been used to address the interests of the general sport participant population in Canada (i.e., the great majority that do not qualify as elite athletes and thus, fail to receive government support for their PSPA endeavours). This study was designed to address this gap in the literature.
Bill C-12, The Physical Activity and Sport Act: Shifting Priorities?

The final sub-question of this research project addresses the relative emphasis on HPS and PSPA in PASA. It has been suggested by a number of authors that priorities have shifted at the federal level and that the government has expressed a renewed desire to improve physical activity levels in Canada through PSPA. However, the types of methodologies on which these suggestions are based leave room for improvement. The first known assertion regarding a shift in priorities is found in Mick Green’s article, *Power, Policy, and Political Priorities: Elite Sport Development in Canada and the United Kingdom*. Here, Green states that “we have witnessed a change in federal emphasis over the past 3 to 4 years.” This observation was based on a series of interviews and on the rhetoric of the Canadian Sport Policy and PASA. The merits of the findings from each of these methods are discussed below.

In an interview with Green, a leading Canadian academic sports analyst suggested that the government was looking to redirect the focus that previously lay on HPS. This might suggest a shift in priorities, but as Green notes shortly thereafter, “ambiguity remains in respect of attempts to implement the federal government’s widening social objectives for sport.” In an interview with a Sport Canada official, Green also found that there was confusion and a lack of role clarity over how Sport Canada would address the “participation angle” that had made its way onto their mandate through the Canadian Sport Policy, despite having never been there before. It is important to note that both of these interviews took place prior to the passage of PASA; therefore, while it may be accurate that a shift is apparent in the Canadian Sport Policy, it is unclear as to whether
Sport Canada officials and academic sports analysts felt a similar shift was evident in PASA.

With respect to Green’s assertion that a shift in priorities is “embodied in the rhetoric of the new Canadian Sport Policy and Bill C-12, *An Act to Promote Physical Activity and Sport,*” uncertainty remains as to how Green measured this change. The proposed study is not designed to draw conclusions regarding the extent to which government priorities have shifted as this is beyond the scope of this study. However, it will allow for suggestions about how these priorities compare on the federal agenda in the most recent piece of sport legislation in Canada.

Around the same time as Green first suggested a shift in priorities, Jay Coakley and Peter Donnelly surmised that the Canadian government has demonstrated its recognition of a need to address obesity, inactivity, and general health issues based on an excerpt from PASA. However, it is this author’s contention that one excerpt does little to communicate the overall balance of PSPA to HPS in PASA. A more in-depth analysis of the entire piece of legislation is necessary in order to make conclusions about its intended purpose. Indeed, Coakley and Donnelly argue that the government’s recognition of these needs has failed to translate into “tangible policies and actions.” Again, this study will not aim to evaluate the implementation of PASA, but it will attempt to determine its intended purpose.

In another article published three years later, Green once again suggested that “a shift towards initiatives around participation and the potential links between sport and health policy is evident in [The Canadian Sport Policy and PASA].” This time, his assertion was based on findings from interviews that took place around the same time as
the interviews used in the previous publication (and thus, pre-PASA), as well as reports
and policy statements released by the federal government. The interviews of interest
suggested that Denis Coderre (then Secretary of State for Sport) had grown aware of a
need to improve sport participation due to health concerns in addition to being pressured
and encouraged to enact change in this area. However, just because there is evidence
suggesting Coderre had been made well aware of these issues does not imply that he
would enact notable changes. Therefore, this evidence is not sufficient to imply a change
has occurred or that PSPA has been emphasized to a greater degree by the federal
government, particularly in PASA.

The reports Green used to support his conclusions include: Strengthening Canada:
*The Socio-Economic Benefits of Sport Participation in Canada*; *Investing in Sport
2005 Federal Budget, Sport Funding in Canada*. Each of these documents was produced
after the passage of PASA and thus, permits conclusions about the implementation of
PASA rather than the original intentions of PASA. While it is promising that such reports
are being produced, this thesis addresses the balance of priorities as it stands within
PASA and the legislative process that led to its passage, rather than its outcomes.

Finally, consideration must be given to Anthony G. Church’s suggestion that a
shift has occurred toward a greater focus on PSPA, a conclusion that he based on a
relatively basic content analysis of PASA. In his content analysis, Church counted the
frequency of two words: ‘participation’ and ‘excellence.’ Through this analysis, Church
concluded that ‘participation’ had been stated more frequently than ‘excellence,’ which
suggested a shift in priorities. However, to effectively measure the balance between
these competing priorities conveyed within PASA, it is necessary to consider other related words that could very well result in different findings. To address this methodological shortfall, the proposed study will take an interpretive approach, utilizing an emergent coding scheme that allows for the inclusion of words that may not have initially been considered important. It is hoped that this study will answer Church’s call for a more thorough content analysis of PASA, in addition to analyzing the legislative process that led to its passage.

Despite the suggestions made by each of these authors that a shift in priorities is evident from the Canadian Sport Policy, PASA, and more recent government actions, all of them warn that this shift should not be exaggerated. Such warnings relate to a lack of tangible outcomes, particularly in the way of funding, in the interests of PSPA. While outcomes are not measured here, this study attempts to establish the original intentions of the federal government regarding the priorities of HPS and PSPA as they emerged from PASA and the legislative process that led to its development.
Endnotes


2 While the focus of Hallett’s dissertation was on the period following the passage of FASA in 1961, almost three hundred pages of his document were devoted to providing a historical examination of Canadian federal government involvement in fitness and sport beginning with Confederation in 1867.


4 Ibid., 799.


6 Ibid., 171.

7 Ibid., 177.

8 Macintosh, Bedecki, and Franks, Sport and Politics in Canada.


10 Ibid., 37. This study was completed through a critical lens rather than a neo-pluralist lens because its main focus is to determine the intentions of the federal government as a whole, and whether those intentions address or fail to address its broader objectives. Neo-pluralism, by its very nature, denies “that government acts with a unity of purpose” (Church, “Pressure Groups and Canadian Sport Policy,” 9). This study recognizes that various interests compete during the legislative process and provides insight into a variety of priorities advanced or discouraged by different parties and witnesses, but it also appreciates that when legislation is passed, it occurs under one united government.

11 Ibid., 9.

12 Ibid., 3.


16 Ibid., 98.


19 Church, “Pressure Groups and Canadian Sport Policy.”

20 Green and Houlihan, *Elite Sport Development.*

21 Ibid., 189.

22 Green, “Olympic Glory or Grassroots Development?”

23 Ibid., 944.

24 Ibid.

25 Ibid., 945.

26 Church, “Pressure Groups and Canadian Sport Policy,” 266.

27 Ibid., 259.

28 Ibid., 260.


32 Macintosh and Whitson, *The Game Planners*, 123.

33 Ibid., 134.

34 Ibid., 131; Whitson and Macintosh, “Rational Planning vs. Regional Interests,” 436.

35 Whitson and Macintosh, “Rational Planning vs. Regional Interests,” 439.


37 Whitson and Macintosh, “Rational Planning vs. Regional Interests,” 439.


40 Whitson and Macintosh, “Rational Planning vs. Regional Interests,” 439.
Ibid.


Ibid., 319.

Ibid.


Ibid., 16.

While some documents will be examined outside of this time period (i.e., those mentioned within the legislative process that led to the passage of PASA) to answer the first sub-question in this study and to provide background for the rest of the study, the data that will account for the main component of this research will fall within the legislative process, which took place between 2002 and 2003.


Ibid., 313.


Ibid., 192.

Ibid., 193.

Ibid., 194.

Ibid., 196.


Golob, “Recreation Policies and Programs”.

Tehiwi, “What is the Spirit of Our Gathering?”


Green, “Power, Policy, and Political Priorities,” 384.

Ibid.

Ibid.

Ibid.

Ibid.

Ibid.

Ibid.


Ibid.

Green, “Olympic Glory or Grassroots Development?” 934.

Ibid.

Church, “Pressure Groups and Canadian Sport Policy,” 184.
Chapter Three

Methodology

Statement of the Problem and Sub-Problems

Many studies have revealed the federal government’s growing interest in and support for high performance sport (HPS) since the passage of Bill C-131.\(^1\) Much of this work has also acknowledged that increased government intervention into HPS has resulted in decreased support for participatory sport and physical activity (PSPA).\(^2\) This research initiative extends that work through an examination of the relative balance between government support for HPS and PSPA in the Physical Activity and Sport Act (PASA) as well as the legislative process and selected policies that led to its development. Ultimately, it is hoped that this research will generate further inquiries that challenge the dominant ideology of the government that has consistently placed HPS in a more privileged position than PSPA in Canada. This Master’s thesis project addresses the following question:

Is the Canadian Government’s prioritization of high performance sport (HPS) and participatory sport and physical activity (PSPA) consistent with that expressed in the Physical Activity and Sport Act (PASA)?

This research question was further delineated into three sub-questions so that it could be answered effectively. These questions include:

1. What has been the relative emphasis on HPS versus PSPA in past legislation and selected policy documents?

2. What is the relative emphasis placed on HPS versus PSPA through the legislative process that led to the passage of PASA?

3. What is the relative emphasis placed on HPS versus PSPA in PASA?

To promote a shared understanding of the issues under study and the results that emerged from answering the above questions, several terms must be operationally
defined. These include: ‘high performance sport;’ ‘participatory sport and physical activity;’ ‘Canadian Government;’ ‘past legislation;’ ‘selected policy documents;’ and, ‘legislative process.’ However, before these terms are defined, it is necessary to define ‘sport’ at its most basic level.

Sports have been defined as “institutionalized competitive activities that involve rigorous physical exertion or the use of relatively complex physical skills by participants motivated by personal enjoyment and external rewards.” However, Jay Coakley and Peter Donnelly acknowledge the challenges that exist in defining sport this way. They argue that such a definition may privilege certain sports or physical activities (i.e., those that are organized and competitive) over others in terms of what is considered legitimate and worthy of attention by researchers and governments that choose courses of action based on the findings of those researchers. This approach has the potential to privilege certain groups over others depending on their respective interests in the types of sports or physical activities that they wish to pursue. Still, this definition is a fairly accurate representation of the way that sport is defined and understood in Canadian society.

When it comes to defining sport for the purposes of guiding research initiatives that focus on government involvement in this area, the above challenges are confounded by the complexity of jurisdictional responsibilities for sport at the federal level. For this reason, only the federal department to which the sport portfolio has been formally assigned at any given time will be considered in this study. Responsibility for the broader issue of physical activity will only be considered where physical activity has been formally linked to sport. Therefore, prior to 1961 (i.e., before the passage of the Fitness and Amateur Sport Act (FASA)) and after 1993 (i.e., when the Fitness and Amateur Sport Branch was dissolved and physical activity was moved to Health Canada), federal
departments and the policies and programs for which they are responsible outside of the sport portfolio will not be considered.

To fully understand the way that the Canadian Government has emphasized HPS and PSPA over time, one must first understand the difference between these two areas of intervention. It is helpful to distinguish between and to define HPS and PSPA based on the goals of participation in each. James E. Thoma and Laurence Chalip point out that the goal of HPS, which they refer to as “elite sport,” is the pursuit of “competitive excellence.”6 In contrast, they define participatory sport, which they call “Sport for All,” as “participation for its own sake, for which the personal enjoyment and the physical benefits of sport are the goals.”7 These definitions are considered appropriate and will be used throughout this research initiative. It is important to note that HPS is often used interchangeably with terms like ‘elite sport,’ ‘elite amateur sport,’ and ‘sport excellence,’ while participatory sport is often referred to as ‘sport for all,’ ‘mass participation,’ or ‘grassroots sport.’ These terms may also be used through the course of this study in a similar fashion.

‘Participatory sport’ and ‘physical activity’ have been coupled together for this study given the similarity of the benefits they offer and the goals that drive people to engage in them.8 The definition of physical activity in research and policy has evolved considerably since intervention into this area was first considered a federal responsibility. Kim Bercovitz points to the broadening definition of physical activity from a largely prescriptive exercise model, where progress could be assessed on the basis of performance-related fitness measures, to a more “inclusive” and “moderate” model that incorporates diverse activities of varying degrees of intensity.9 This research employs the broadest and most modern definition of physical activity, thereby including any activities
that involve physical exertion, from non-traditional forms of physical activity like gardening and stair climbing to more traditional forms of exercises like running and lifting weights at the gym. Here, physical activity is linked to, but distinguished from participatory sport. This has been done to ensure that physical activities that may not fall within the accepted definition of sport are included given their contribution to health benefits.

Responsibility for sport has varied considerably over the years. For the purposes of this study, ‘Canadian Government’ refers to the department or branch of the federal government responsible for sport at any given time in Canadian history. Following the passage of the FASA, the sport portfolio was assigned to the Minister of National Health and Welfare. Responsibility for sport shifted to a number of different departments in the late seventies and early eighties. The sport portfolio moved a total of four times between 1979 and 1982, from Health and Welfare to Secretary of State, onto Labour, back to Secretary of State, and finally back to Health and Welfare. Sport remained in Health and Welfare until 1993 when a massive government restructuring process took place during a period of budgetary restraint. At that time, responsibility for sport was assigned to the Canadian Heritage Department of the Government of Canada, while responsibility for the broader field of physical activity shifted to Health Canada. The Canadian Heritage Department and Health Canada continue to maintain their responsibilities for these areas today.

The federal government had been legislatively involved with physical activity through the Unemployment and Agricultural Assistance Act of 1937, the Youth Training Act of 1939, and the National Physical Fitness Act of 1943. However, sport was not formally recognized as a legitimate government concern through legislation until 1961.
with the passage of Bill C-131, or FASA. For this reason, within this research initiative, ‘past legislation’ refers only to FASA. Since PASA is the first piece of legislation relating to sport since FASA, no other legislation was analyzed.

Since the passage of FASA, several policy documents related to sport and physical activity have been developed and released. Given the extensive number of documents in existence, for the purposes of this research, ‘selected policy documents’ includes only those policy documents mentioned in the legislative process that led to the passage of PASA. This list emerged from a detailed content analysis of the materials produced throughout that process.

As described in Inside Canada’s Parliament, ‘legislative process’ refers to a three-step process whereby a bill becomes a law. This process includes: 1) passage through the first House; 2) passage through the second House; and, 3) royal assent by the Governor General. The ‘first House’ may be the Senate, though bills are usually first read and passed in the House of Commons. In both Houses, a five-step process is followed. An overview of this process is provided in appendix A; it includes the first reading, second reading, committee stage, report stage, and third reading of the proposed bill.

**Theoretical Framework**

Many historians, including those who have previously examined sport policy in Canada, have struggled with the concept of incorporating social theory into their research endeavours. Peter Burke argues that “theory can never be ‘applied’ to the past. What theory can do, on the other hand, is to suggest new questions for historians to ask about ‘their’ period, or new answers to familiar questions.” The critical social science (CSS)
paradigm that guided this research largely contributed to the development of the research questions that are addressed. Although CSS is not directly ‘applied’ to the findings of this research project, the value of the results is enhanced through the critical lens advocated by CSS. This work extends the literature in the area of CSS and responds to Wendy Frisby’s argument that CSS “has been underused in sport management at great cost.” 19

To understand how CSS contributed to shaping the questions that drove this research project, one must first understand the goals that fuel and the assumptions that underlie CSS. W. Lawrence Neuman contends that social scientists operating within CSS intend “to uncover the real structures in the material world in order to help people change conditions and build a better world for themselves.” 20 Frisby asserts that the goal of research within CSS “is to promote social change by challenging dominant ways of thinking and acting that benefit those in power.” 21 Further to this, Joe L. Kincheloe and Peter L. McLaren suggest that confronting injustices through CSS is a critical step toward empowering individuals to strive for social change. 22 It is clear through these statements that the primary goal of CSS is to advance social change, ultimately to establish a more even playing field in the interests of those with comparatively less power. This is achieved through a complex process that involves the deconstruction of dominant ideologies and the subsequent empowerment of those who are disadvantaged as a result of those ideologies.

The first major assumption inherent within these objectives is that people exist in a social world where their values and beliefs have been shaped through social interactions with one another. Power imbalances influence these interactions and subsequently the socially constructed beliefs that are derived from them as the beliefs of those in power tend to dominate public discourse. Through social interactions, people develop
‘naturalized’ beliefs about “what they do and why they do it.” Such beliefs eventually cause people to place boundaries on their perceptions about their capabilities and what is possible within the scope of those capabilities. Anthony Giddens refers to this concept as ‘practical consciousness.’ Within CSS, a person’s practical consciousness is believed to be malleable; social scientists in this area hope that education about how one’s actions have been bound by his or her socially constructed beliefs in the past will empower that individual to challenge the ‘status quo,’ thereby extending the expectations of what he or she believes to be possible. Chalip articulates the concept of empowerment through education clearly as it applies to policy analyses more specifically:

If the disadvantaged are to benefit fully from participation in policy formation or policy implementation, they must first disavow the legitimacy of social diagnoses that sustain their disadvantages. In order to sway policy, they must disallow paternalism, and must champion their own contributions to processes of defining and redressing social problems. Empowerment requires a transformation from victim to agent (cf. Kieffer, 1984). In order to take a critical role in policy formulation and implementation, those who seek to be empowered must learn to critically analyze the policies that shape their social world. This is why critical policy analysis is a tool of empowerment.”

A second major assumption of CSS is that there is an underlying problem with the existing social order; unequal power relations pervade the cultural, economic, and political context in which Canadians live and work. These power imbalances have been produced and reproduced over time and are said to be “historically and deeply entrenched.” It is suggested that those in power work to control and sustain the ideologies that most benefit their interests. Additionally, many of those with comparatively less power tend to ‘passively’ accept the decisions of those with greater
power. However, by not challenging those decisions, these people are actively contributing to the reproduction of unequal power relations.

Another assumption of CSS is inherent in the objective that aims to challenge the dominant ideologies that benefit those in power as an initial step toward a larger process of social change. From this we can surmise that from a CSS perspective, as long as the ‘status quo’ remains unchallenged, the interests of those who do not benefit from dominant ideologies will not be served and social change in their interests will not occur. The realization that one’s interests are not being served to the same extent as the interests of others may provide the motivation necessary to challenge dominant ideologies and achieve greater equality.

The assumptions that underlie this research are consistent with the assumptions of CSS. Firstly, the researcher assumes that the way Canadians have come to know sport and physical activity has been developed through social interaction. Since the late 1960s, Canadians have been exposed to a sport system that places HPS and the highly skilled athletes that make it possible on a pedestal above PSPA. As a result, many Canadians consider HPS to be the ultimate way to practice and participate in sport, despite the fact that in most cases, this belief is working against them. Consider, for example, the declining rate of participation in sport in Canada; “participation in sport declined from 45% in 1992 to 28% in 2005.” Through my personal experiences with sport and physical activity as a coach and participant, I have come to believe that this decline is a result of a system that prioritizes those who are highly physically skilled or talented above those who are not.

It is my contention that the belief of many politicians that investment in HPS will ‘trickle down’ and benefit PSPA at the grassroots level is crushing the participation
system and the participatory spirit of the people within it. Through decades of interaction with the HPS model, Canadians of all skill levels have internalized the belief that if one is not highly skilled at a particular sport or physical activity, he or she need not participate. This belief is learned by participants, parents, coaches, and administrators through several recurring themes in sport, such as: performance errors that result in less play time; fewer development opportunities for those who do not show potential; funding that is distributed only on the basis of competitive success; and negative behaviours of coaches and parents. When confronted with a system that primarily supports the needs and fosters the skills of only those Canadians who have demonstrated the potential to win medals, it is not surprising that participation rates continue to drop. Health and physical activity promoters are grappling with the challenge of getting Canadians more active to reduce obesity levels and health care costs. However, in their way stands a deeply rooted system that only values a small minority of the Canadian population. As someone who wishes to contribute to the promotion of physical activity for Canadians of all skills levels, these are the assumptions that led me to pursue this research.

Through their ability to shape sport policies and legislation, politicians and bureaucrats influence the way that Canadians know and practice sport and physical activity. In this case, those in the upper echelons of the federal government seem to be most interested in perpetuating an image of strength and success on the international stage, which they believe is done most easily through HPS. Given the emphasis that is placed on measuring progress and success of policies and programs, PSPA is a less desirable field to pursue as it is difficult to measure the success of such programs. This approach neglects the interests of the majority of the Canadian population, who in addition to facing traditional barriers to participation in sport and physical activity, like
lack of time and money, may not even be physically talented enough to pursue a career in HPS.

Through an in-depth analysis of the discourse in and surrounding PASA, this research initiative uncovers the priorities of the federal government with respect to the relative emphasis that it places on HPS versus PSPA. It is hoped that this information will be used to help educate the general public so they might understand how their sport and physical activity interests and needs are being represented at the federal level. Consistent with CSS, I hope that developing and disseminating an understanding of this information will empower Canadians whose needs are not addressed in the Canadian sport system (i.e., the majority of Canadians) to challenge the current social order as it relates to sport and physical activity. The first step toward a larger process of social change requires that the ideologies that contribute to the exclusion of the majority of Canadians from the Canadian sport system be exposed and challenged by those who are excluded. This research aims to address the first of these objectives – exposing the dominant ideologies that underpin PASA and the process that led to its development – through a methodological framework proposed by Chalip.

**Methodological Framework**

Chalip contends that “the disempowered become empowered to penetrate the policy arena when they first explain their social world, and then criticize it.” 31 Through Chalip’s framework for critical policy analysis, this research unveils and scrutinizes the dominant ideas that served to delimit the content of PASA and the legislative process that culminated in its development. With a specific focus on references to HPS and PSPA, Chalip’s concepts of legitimation critique and attribution critique are used to identify the
rationales that legitimized government action as well as the solutions that were proposed and/or accepted to address each rationale. Additionally, a component of Chalip’s earlier proposed framework— that is, focusing events — will be utilized to aid the analysis of the data under study. With an understanding of this information, it is hoped that Canadians who do not benefit from the current legislation and the resultant sport system will feel compelled to challenge the ideologies that keep them in a less privileged position.

Chalip’s most recent framework for critical policy analysis requires the identification of the “key attributions and legitimations that direct and constrain policy options.” A graphic representation of an adapted version of Chalip’s framework is included in appendix B. Legitimations can be thought of most simply as the rationales that drive policy formulation; they demarcate the objectives that policies are intended to achieve, while simultaneously demonstrating those objectives that are considered less worthy of attention. Chalip divides the process of legitimation critique into two stages; first legitimations must be identified and then they must be evaluated or criticized. The process of criticism is further divided into an examination of the logic behind the legitimations as well as an acknowledgement of the matters and stakeholders that were omitted by the legitimations.

Focusing events have been described as “symbolic representations of the policy concern.” As several policy issues compete for attention on the federal agenda, focusing events draw attention to a particular policy concern and thus serve to encourage federal intervention in the specified area. In other words, focusing events have the ability to highlight particular legitimations, thereby bringing them to the forefront of the policy process.
Attributions are considered to be the components of policy formulation that define problems and “specify the cause of the social problems to be redressed,” and thus the actions or solutions required to redress those problems.\textsuperscript{38} Like legitimation critique, attribution critique simultaneously allows for the identification of the gaps in the policy development process by acknowledgement of the actions that were not considered to be valid solutions to the problems at hand.\textsuperscript{39} The recognition of what has been omitted through policy development is critical to understanding how a set of dominant ideas can contribute to shaping policy while other equally legitimate ideas may be overlooked.\textsuperscript{40} Chalip contends that “legitimation critique and attribution critique facilitate scrutiny and appraisal of social constructions by clarifying the assumptions upon which policy proposals are based.”\textsuperscript{41}

A major aim of this research was to understand the assumptions surrounding HPS and PSPA that circumscribed the development of PASA. To extract this information from the data, David L. Altheide’s concept of qualitative (or ethnographic) content analysis (ECA) will be used.\textsuperscript{42} ECA is a twelve-step process that can be sub-divided more simply into five stages following the delineation of the research problem (see appendix C).\textsuperscript{43} The first step involves a decision about what types of documents to use to address the identified research problem and how to define the unit of analysis.\textsuperscript{44}

Secondary sources, including texts and journal articles, provided background information and context for this study in addition to contributing to its practical and theoretical justifications. While these types of sources are valuable and will be used to help validate findings as the research process continues, Arthur Marwick contends that “[a] historical work is deemed scholarly and reliable according to the extent to which it is based on ‘primary’ sources, the basic, raw, imperfect evidence.”\textsuperscript{45} In agreement with this
contention, several primary sources constituted the bulk of material that was used to pursue the objectives of this study. The majority of these documents were either sponsored or created by the federal government.

This study entailed a thorough examination of PASA and the documents associated with the legislative process that led to its passage. Given the definition of ‘legislative process’ provided earlier, the materials that were analyzed include the House of Commons Debates, Senate Debates, committee meeting minutes and the associated committee meeting reports that preceded the royal assent of PASA.46 A list of the documents analyzed is available in appendix D. Additionally, five sport-related policies that were mentioned within these documents were examined. Given the public nature of the legislation development process in Canada, all documents required for the completion of this project were publicly available online and/or in the Leddy Library at the University of Windsor. The accessibility of these materials allowed data collection to proceed with relative ease.

Given that the first sub-question required that the selected policy documents under study be identified in the content analysis used to answer the second and third sub-questions, the methods by which the second and third sub-questions were answered are addressed here first. When performing a content analysis, it is possible to choose from a variety of different units of analysis within the identified documents.47 The choice to use a particular unit of analysis is largely dependent upon the quantitative or qualitative nature of the study. This study incorporated both quantitative and qualitative components in its analysis.

To establish an understanding of the relative emphasis that was placed on HPS versus PSPA in the identified documents, frequency counts of references to HPS and
PSPA, as well as ‘ambiguous sport’ (AS), ‘balanced priorities’ (BP) and ‘physical activity and sport’ (PAS), were calculated for each document. These categories will collectively be referred to as “spectrum categories” throughout this document. References to spectrum categories were organized by political party or organization within each document.

Frequency counts were used to help organize the data and to provide additional support for the author’s findings about the relative emphasis on HPS versus PSPA. This was done in an effort to reduce the potential impact of researcher bias on the outcomes of the study. Adding depth to this analysis, legitimation and attribution critique were performed in relation to references made to the previously identified categories. For these purposes, the most basic unit of analysis chosen will be themes, or “a simple sentence, a string of words with a subject and a predicate.”

Through the use of full sentences, the researcher was able to understand the words in greater context than would have been possible with the simple coding of individual words. Paragraphs were not used as the unit of analysis given that various issues were typically covered in a single paragraph; such an approach could have glossed over what may otherwise have been valuable data. While data was coded by sentence, on some occasions the classification of a sentence by itself was not possible. Therefore, surrounding sentences were used to help provide context so that each sentence could be coded as accurately as possible.

For the purposes of this research, Altheide’s model for ECA has been adapted, combining the second and third stages. The second stage of ECA involves a concurrent process of protocol development and data collection. This occurred concurrently with the third stage of ECA – data coding and organization. Stages two and three were combined as the researcher felt that these stages could not reasonably be separated given
the inductive and reflective nature of the study. Additionally, separating these stages would have reduced the efficiency and effectiveness of the data coding and organization stage.

Unlike quantitative content analyses that are performed from a more positivist approach and involve the use of an *a priori* coding scheme, the creation of ECA protocols are a major part of the research process and will “emerge over several drafts” as data collection proceeds.\(^5\) This is often referred to as emergent or inductive coding.\(^5\) Using this approach, protocols are quite short and have few pre-determined codes at the outset of the research.\(^5\)

Emergent coding was used here so as not to limit the scope of the data that could be analyzed. Altheide contends that “qualitative document analysis relies on the researcher’s interaction and involvement with documents selected for their relevance to a research topic.”\(^5\) Therefore, it is beneficial for the researcher to continually adapt the coding scheme as coding proceeds and the researcher expands his or her knowledge base of the topic under study. Similarly, Bruce L. Berg argues that “the development of inductive categories allows researchers to link or *ground* these categories to the data from which they derive.”\(^5\) In other words, emergent coding allows for the inclusion of words not initially considered relevant prior to the coding process.

To aid in the protocol development process and in the organization of data, NVivo 8 was used. NVivo 8 is a content analysis software program that allows the researcher to categorize, store, and retrieve data with relative ease. Appendix E includes the framework that was used to help develop the protocol. This framework was developed through a pilot study, which included a sample of the data that was examined in this study.\(^5\) Each statement was first coded by political party or organization.\(^5\) Following that, statements
were coded into one of five tree nodes that represented each spectrum category. Each sentence was then coded into one of three tree nodes: legitimations, focusing events, or attributions. Legitimations and focusing events were sub-divided into the seven rationales for government involvement in sport suggested by Coakley and Donnelly (see figure 3.1). An additional tree node, ‘other,’ was available for any themes that emerged and did not fit into Coakley and Donnelly’s list. Attributions were sub-divided using an entirely emergent coding scheme as the researcher considered it best not to limit the possible solutions proposed by the federal government by using an *a priori* coding scheme.

| 1 | To safeguard the public order; |
| 2 | To maintain health, fitness, and physical abilities among citizens; |
| 3 | To promote the prestige and power of a group, community, or nation; |
| 4 | To promote a sense of identity, belonging, and unity among citizens; |
| 5 | To reproduce values consistent with the dominant ideology in a community or society; |
| 6 | To increase support for political leaders and government; and, |
| 7 | To promote economic development in the community or society. |

**Figure 3.1. Coakley and Donnelly’s seven rationales for government involvement in sport**

Because protocol development was an ongoing process, the researcher reviewed the data periodically to ensure that codes were representative of the data under study. This approach allows “missing or underrepresented categories [to be identified] so that adjustments can be made with the remainder of [the] sample.” The protocol development process was structured in the following manner. Through the pilot study, a list of categories for legitimations, focusing events, and attributions was allowed to emerge. The category list from the pilot study was used to develop a basic coding
framework on which to begin the present study. For the present study, all data was
manually coded during initial examination and a running list of emergent categories of
legitimations, focusing events and attributions was compared and combined with the list
from the pilot study. After all documents had undergone initial examination, the list of
legitimations, focusing events, and attributions was reviewed and refined.

The coding tree was designed to allow for as much specificity as possible, while
also allowing broader statements to be coded where more specific information was
lacking. Within legitimations, focusing events, and attributions, the broadest categories
are referred to as level-1 categories. For legitimations and focusing events, this includes
Coakley and Donnelly’s seven rationales and the ‘other’ category. For attributions, level-
1 categories that emerged include: ‘Improve Administration;’ ‘Align with Other Policies;’
‘Enhance Capacity;’ ‘Enhance Excellence;’ Enhance Interaction;’ ‘Enhance
Participation;’ and, ‘Philosophies for Change.’ Each of these categories contained
anywhere from one to three levels of subcategories, depending on specificity of
references. See appendix F to view all categories that emerged.

The list of categories was inputted into NVivo 8 as the coding framework and was
used to code all data throughout the second reading. The pilot study combined with the
manual coding phase of this study afforded two opportunities for themes to emerge. The
NVivo coding phase was also meant to provide opportunities for themes that may have
been missed or considered irrelevant through the initial reading to be identified. However,
the framework developed through the manual coding phase proved sufficient to
accommodate the second reading and associated coding of the data.

After all data had been coded using NVivo 8, the frequency of references within
all political parties, organizations, spectrum categories, and all sub-categories included
within legitimations, focusing events, and attributions were tabulated. These values were used to guide qualitative analysis and to provide additional support for qualitative findings.

In order to answer the first sub-question of this research project, it was necessary to keep track of and organize the past sport-related policies and legislation mentioned within the legislative process. To accomplish this, a free node was created into which these items were coded. Once identified, these policies and legislation were analyzed in a purely qualitative manner. The researcher chose not to use quantitative analysis for this portion of the study given that the quantity and length of the policy documents was unknown at the outset of this research. Due to the time constraints placed on this project, it would have been unrealistic to attempt to quantitatively analyze these documents in addition to all the documents included in the legislative process. Instead, the policy documents were read and analyzed relative to the priorities they were used to support or reject throughout the legislative process. Additionally, the major recommendations of each policy were assessed to establish the relative emphasis that each document placed on spectrum categories.

The fourth stage of ECA involves an analysis of the data that has been collected. Altheide describes data analysis as a process “of extensive reading, sorting, and searching through your materials; comparing within categories, coding, and adding key words and concepts; and then writing minisummaries of the categories.” This description highlights the complex and reflective nature of the data analysis process. It also demonstrates the inherent difficulty of separating this stage from stages two and three. Analysis was ongoing throughout protocol development, data collection, data coding, and data organization. However, a distinct stage of summative analysis occurred towards the
end of the research process once all materials had been examined. This involved the examination and assessment of the ‘big picture.’ This was distinct from the analysis that occurred earlier in and throughout the study in that the researcher sought to answer her research questions with the knowledge of all subsets of data available for consideration. The analysis of the data in this study assumed both a quantitative and qualitative approach.

Firstly, the frequency of references to each spectrum category was tabulated and frequency ratios for each sub-set of data (e.g., House of Commons and Senate Debates by date, committee meeting minutes by date, PASA, etc.) were calculated. To answer the research questions outlined at the beginning of this chapter, the emphasis on HPS versus PSPA was compared between past legislation and selected policy documents, the legislative process that led to the creation of PASA, and PASA itself. To answer the main research question from a quantitative perspective, frequencies calculated for the legislative process that led to PASA were combined and compared with those calculated for PASA itself. The qualitative analysis of past policy documents and legislation was also compared to the contents of PASA to answer the main research question.

While frequency counts provided insight into the number of times that spectrum categories were addressed in the aforementioned documents, they provided little information about the contexts in which such statements were made. Chalip’s framework was imperative here to develop an understanding of the rationales and solutions offered as they related to spectrum categories. NVivo 8 helped to speed the process of identifying relationships and differences within and between various themes that emerged from the data. The insight offered by this type of analysis added greater depth to the results of this
study and helped to establish potential future directions for the creation of sport and physical activity legislation and policy in Canada.

The final stage of Altheide’s process for ECA is the reporting stage. This stage was relatively straightforward and culminated in the results and discussion sections that are included in this thesis. Additionally, the researcher recognizes the importance of reporting to those that may be interested in or affected by the results of this study. This is a critical aspect of the process of social change; in the absence of information that sheds light on social injustices, people will be less likely to challenge the status quo.

To facilitate a common understanding of the issues addressed in this study, it is the researcher’s intention that the results will be disseminated to academics and policy makers who, with this information, might use their respective powers to act as agents for change. Results may be shared through conference presentations, publications in academic journals, and consultations with policy makers.

More importantly, the researcher hopes to reach the general Canadian population as they are affected by the current legislation and policies in place so that these people might feel compelled to challenge the current system. The typical media by which many academics report their findings are inaccessible to the general public due to issues of illiteracy, or simply literacy that is not at a level comparable to that of the academic population. For this reason, the researcher hopes to report findings in at least one source of popular culture, such as a magazine or newspaper article. Care will be taken to communicate findings using language that is accessible to all. The multicultural and differently abled qualities of the Canadian population may also require that results be translated and/or communicated via different means to ensure a shared understanding by all interested parties.
Limitations

The most obvious limitations of this study were the use of the researcher as an instrument, the validity of the materials studied, and the funding and time constraints placed on the production of a thesis. The results of qualitative research, and particularly qualitative content analysis, rely heavily on the researcher’s interaction with the materials under study. Gratton and Jones contend that “content analysis generally involves the researcher determining the presence, meanings and relationships of certain words or concepts within the text.” The critical role that the researcher plays in the research process leaves him or her open to criticism, typically by those who advocate for quantitative research. Indeed, Bryman and Teevan acknowledge that qualitative research is often criticized for its reliance “on the researchers’ often unsystematic views (and values) about what is significant and important…”

There is no doubt that my belief in the value of sport and physical activity for all rather than only for those talented enough to compete at the highest levels led me to pursue this research. My belief that the federal government has an important role to play in the facilitation of sport and physical activity opportunities for all was also a driving force behind this research. However, the methods in place are designed to prevent, or at the very least limit, the possibility of my bias towards PSPA from significantly impacting the results of this study. When uncertainty arose over which priority was represented in any given statement, I erred on the side of caution by placing it in the category that opposed my bias toward PSPA (e.g., if I was unsure of whether something belonged in HPS or AS, I put it in AS).

As with all historical research, a limitation of this study lies in the question of whether or not the materials under study are indeed a true representation of the events as
they transpired. Wiggins and Mason contend that “historians must be cognizant of the fact that all historical documents are only partial glimpses into the past and that some information is often either intentionally or unintentionally left out of written and oral accounts.”Because the researcher was not in attendance at the House of Commons Debates, Senate Debates, and associated committee meetings, she cannot be sure of the accuracy of the statements published from these events. There were examples where debates became heated and the use of “inaudible” became more frequent in the transcription. While it is possible that the remarks were not heard, it is more likely that the remarks were considered inappropriate for inclusion. However, it is hoped that from a transparency perspective, the government has been honest and as accurate as possible in its representation of the legislative process through the published documents under study.

This study was also restricted by the financial constraints imposed upon the researcher. These constraints made the hiring of a second coder unreasonable. While having such help may have increased the reliability of the study and decreased the extent to which researcher bias impacted the results, it was simply not possible for the purposes of this study.

Finally, there are tasks that were not taken on in this study that the researcher acknowledges would have enhanced the potential for discovery through this research (i.e., interviews and a complete review of all policies and legislation since sport was introduced as a federal priority). However, the temporal period imposed on the researcher’s pursuit of a master’s degree has limited the breadth of this study. As such, it is acknowledged that a number of questions may remain unanswered.
Delimitations

A number of delimitations were placed on this study to maintain its manageability. The main delimitations that circumscribed this study include the chosen temporal period, the genre of the materials under study, and the omission of policies and legislation related to Health Canada. The majority of the documents studied were delimited by the temporal boundaries placed on the study. While it would have been interesting to study the relative emphasis placed on HPS and PSPA in all official documents since 1961, when sport was first introduced as a federal priority, such a task is unrealistic for the purposes of this research project. Additionally, it would have been unreasonable to study those documents that preceded the introduction of sport onto the federal agenda, given the study’s focus on the relative emphasis being placed on HPS versus PSPA. It would be impossible to compare these priorities as HPS was not yet established as a federal priority through legislation.

The primary temporal period under focus in this study includes April 2002, when Bill C-12 (initially read as Bill C-54) was first read in the House of Commons, until March 2003, when Bill C-12 received royal assent. The section on selected policies and legislation goes as far back as 1961 with the passage of FASA. However, the documents analyzed that emerged between 1961 and 2002 are not considered the focal point of this study. It is also important to note that documents produced after PASA received royal assent were not studied here despite the fact that these might have offered insight into the implementation of PASA and related outcomes. Given the time constraints placed on this study, the temporal period chosen by the researcher is considered appropriate.

The second major delimitation of this study is its focus on political debates. The politics surrounding the passage of legislation in Canada make it difficult to determine if
the views expressed in the debates are those of the individual presenting them or of the party they represent. While further examination into these issues through interviews would provide greater depth to the data interpreted from the documents, the researcher has opted to not conduct interviews given the financial and time constraints previously discussed. Additionally, the researcher’s decision to not examine other archives or newspaper articles is considered appropriate given the definition of the legislative process in Canada and the hundreds of pages of material already contained within the examination of that process.

Finally, the researcher chose to focus on only those documents mentioned that were associated with the department responsible for the sport portfolio at any given time. This was thought to delimit the scope of policies and legislation under study. In other words, the researcher recognized that valuable policy and legislation could exist in support of PSPA through Health Canada since responsibility for physical activity was transferred there in 1993. However, as the study progressed, the only Health Canada-related document mentioned was the Canada Health Act. A brief review of this document reveals that only one reference to fitness and no references to physical activity or sport exist in this act. Therefore, this delimitation is not considered to have significantly limited the results of this study.
Endnotes


2 Church, “Pressure Groups and Canadian Sport Policy”; Green, “Olympic Glory or Grassroots Development?”; Green, “Power, Policy, and Political Priorities”; Green and Houlihan, Elite Sport Development; Macintosh, Bedecki, and Franks, Sport and Politics in Canada; Macintosh and Whitson, The Game Planners; Whitson and Macintosh, “Rational Planning vs. Regional Interests”.


4 Ibid., 8.

5 Church, “Pressure Groups and Canadian Sport Policy,” 34.


7 Ibid.

8 One cannot separate physical activity from participatory sport because physical activity is an inevitable part and one of the main goals of participation in sport. The researcher has also attached ‘physical activity’ to participatory sport, though it has been identified in its own right, because it is separately identified in the title of PASA. The title of this legislation indicates that Canadian Heritage and the Sport Department within it continue to be formally concerned for and associated with physical activity, despite the broader field of physical activity having moved to Health Canada in 1993.


10 Note that ‘sport’ has been used here rather than ‘sport and physical activity.’ This is consistent with the definition of sport provided earlier in this chapter.

11 Macintosh, Bedecki, and Franks, Sport and Politics in Canada, 31.

12 Ibid., 131.

14 Bercovitz, “Canada’s Active Living Policy,” 322.


24 Ibid.


27 Ibid.

28 To accept anything is to exercise agency. While people who just accept things without challenging them are often deemed ‘passive,’ it is important to understand that they have actively chosen to be that way. This explanation is important if we are to hold people accountable for their actions and how those actions reproduce the ‘status quo.’

29 Green, “Power, Policy, and Political Priorities,” 378.


This amounted to more than 400 pages of data.


All but one of these categories was developed through a pilot study for this thesis, wherein it was discovered that a continuum from PSPA to HPS was evident. These categories are differentiated as follows:

- Statements falling within PSPA demonstrated a clear emphasis on one of either participatory sport (this includes statements referring to sport participation, mass sport, sport-for-all, grassroots sport, and other similar terms) or physical activity, or a combination of both;

- On the continuum of participation, PAS is one step away from PSPA. The PAS category was used to signify those statements that made reference to both physical activity and sport, but where no indication of the level of sport was included or where both levels of sport were emphasized equally. These statements were interpreted as being purposefully general and thus inclusive for the sake of minimizing conflict and facilitating agreement;

- The BP category actually emerged through the manual coding phase of the current study as opposed to the pilot study. This category was developed to recognize those statements in which a desire to support the whole sport continuum was evident. In these statements, it was clear that a concern existed for investment at all levels of the Canadian sport system and that an important relationship was believed to exist between opposite ends of the spectrum;
The AS category was developed to encompass those statements that refer only to sport (i.e., with no reference to physical activity), but where the level of sport could not be determined. Once again, ambiguity was assumed to have been used to minimize challenges to the proposed legislation. The AS category is assumed to be one step closer to HPS than the PAS category given AS’s exclusion of the term ‘physical activity;’

Finally, the HPS category included all statements in which an emphasis on HPS (this includes references to elite sport, elite athletes, excellence, and other related terms) was evident.

49 Berg, “An Introduction to Content Analysis,” 312.

50 Altheide, *Qualitative Media Analysis*, 25.

51 Ibid., 27.


53 Altheide, *Qualitative Media Analysis*, 27.

54 Ibid., 24.


56 The materials analyzed in the pilot study included: the House of Commons Debates and the Senate Debates surrounding the second reading of PASA in each house; PASA; and, the legislative summary of PASA.

57 Some statements were not coded as they were irrelevant to the identification of priorities. For example, throughout the legislative process, there was a great deal of discussion surrounding the technicalities of drafting and amending legislation. These types of references did not contribute any insight into government priorities and were, therefore, not coded.


59 Altheide, *Qualitative Media Analysis*, 41.

60 Altheide, *Qualitative Media Analysis*, 23.

61 Ibid., 43.

62 Altheide, *Qualitative Media Analysis*, 23.

63 Ibid., 24.


Chapter Four

Results

HPS versus PSPA in Past Legislation and Selected Policy Documents

An examination of the legislative process permitted the identification of five policy documents and one piece of legislation relevant to the development of the Physical Activity and Sport Act (PASA). The majority of these documents were released in the five-year period that preceded the passage of PASA. This period began with the release of Sport in Canada: Leadership, Partnership and Accountability – Everybody’s Business, more commonly referred to as the Mills Report after its Chair, Dennis Mills, in 1998 and ended with The Canadian Sport Policy in 2002. However, two of the documents identified – the Fitness and Amateur Sport Act (FASA) and the National Recreation Statement – fall outside of the immediate period leading up to PASA and date back to 1961 and 1987, respectively. The context in which all of the documents were referred to throughout the legislative process permits an understanding of the role that each document played in the development of PASA. An examination of the primary recommendations of each document and how those recommendations were used to promote certain interests in the legislative process provides insight into the government’s emphasis on spectrum priorities.

The Fitness and Amateur Sport Act (1961)

FASA was referred to several times throughout the legislative process in both the House of Commons and Senate Debates and the Sub-Committee and Standing Senate Committee Proceedings. The various members of parliament, senators, and witnesses
that referred to FASA did so in an effort to justify the development of modernized legislation. The arguments made were often hinged on the fact that FASA was forty years old and was no longer appropriate to address modern issues. For example, Senator Francis Mahovlich stated, “This bill is long overdue. It will replace the Fitness and Amateur Sport Act, 1961, which has served the government well but is no longer adapted to today’s reality.”

Mahovlich later expanded on this point, arguing that when the Fitness and Amateur Sport Act was adopted more than 40 years ago, the government was not faced with the current challenges created by globalization, new technologies, advances in medicine, biotechnologies and the importance of broadcast rights, all of which have complicated the participation in and the management of sport.

While Mahovlich’s statements referred to how the environment had changed rather than specifying what it was about FASA that needed to change, others provided more insight.

An examination of the discussions of actors regarding the need to replace FASA and the ways by which PASA was perceived to be better adapted to ‘today’s reality’ provides a sense of what these actors believed was missing in FASA. Dick Proctor of the NDP party argued:

The bill would replace the old act which was passed in 1961. It positions physical activity as a critical determinant of health, which is extremely important. It responds to the expectations of the sporting community. It harmonizes with other industrial countries and entrenches the government’s objectives related to physical activity and sport, and facilitates alternative dispute resolutions in sport.
Proctor’s concerns echoed those of Paul DeVillers, Secretary of State (Amateur Sport), which had been expressed at an earlier meeting. Where FASA was directly referenced, others suggested that it also needed to be modernized to facilitate “the participation of under-represented groups, including girls and women, in the Canadian sport system” and to encourage private sector support of sport. Based on these references, it appears that FASA was relevant to the legislative process not because of what it contained, but because of what it lacked. Unlike the other policies that will be discussed herein, government representatives and witnesses referred to FASA in the context of what needed to change rather than the parts of it that were valuable and worth retaining in the new legislation.

Based on the perceived relevance of FASA to the legislative process, FASA was analyzed with special attention directed to the presence or absence of the priorities identified above. It was also assessed in terms of its overall emphasis on priorities in the high performance sport (HPS)-participatory sport and physical activity (PSPA) spectrum. There are indeed no references to health, under-represented groups, private sector support for sport, or alternative dispute resolution in FASA. The absence of these items provides support for the way they were used within the legislative process to justify the development of modernized legislation. Whether or not PASA successfully modernized FASA in terms of the aforementioned priorities is an issue that will be discussed later.

The most obvious difference between FASA and PASA is the replacement of the term ‘fitness’ with ‘physical activity’ and ‘amateur sport’ with ‘sport.’ While these terms have different meanings, for the purposes of the analysis of FASA, ‘fitness’ will represent
our contemporary interpretation of ‘physical activity’ and ‘amateur sport’ will do the same for ‘sport.’ An examination of FASA reveals a fairly balanced emphasis on spectrum priorities. Nine of the ten priorities listed under ‘Objects and Powers’ refer to both fitness and amateur sport, while only one of the ten suggests an emphasis on HPS. This one reference occurs where the Act states that in furthering the objects of FASA, the Minister may “provide assistance for the promotion and development of Canadian participation in national and international sport.” The section that establishes the National Advisory Council on Fitness and Amateur Sport is equally balanced, designed to address both ends of the HPS-PSPA spectrum.

The balance found within FASA between the competing priorities of HPS and PSPA is not surprising, given that Canadians were not initially supportive of government intervention in sport. Paraschak argues that at the time FASA was being developed, fitness was used as a “rationale for government involvement into elite sport.” In 1969, the Task Force on Sports went as far as to suggest that fitness was used as a convenient association by which to get sport in the door and onto the federal agenda. Indeed, Macintosh, Bedecki, and Franks contend that the “marriage of convenience between amateur sport and physical fitness, although at first glance a compatible one, was subsequently to prove to be illusive.” Therefore, the relatively equal emphasis on HPS and PSPA priorities in 1961 is largely a function of the surrounding social and political environment that was unsupportive of excessive government intervention in sport.
The National Recreation Statement (1987)

Resolute that respect for provincial and territorial jurisdiction must be clearly indicated in PASA, Robert Lanctôt of the Bloc Québécois made reference to the National Recreation Statement on two occasions throughout the House of Commons debates. He stated:

The Bloc Quebecois insists that the goals and missions provided for in this bill be achieved in a context of total respect for the jurisdictions of Quebec, the other provinces and the territories. We are adamant about that and will continue to be. It is a fundamental requirement which is self-evident.

We would remind hon. members that the federal government has always recognized Quebec's responsibility as far as recreation and health are concerned. It did so back in 1987 with the National Recreation Statement. Lanctôt argued that to prevent unnecessary “duplication and redundancy,” regarding not only recreation, but arbitration and the issuance of bursaries and fellowships, respect for jurisdiction should be clearly indicated in all of the ‘whereas’ statements in the preamble.

An examination of the National Recreation Statement provides support for Lanctôt’s use of this document to justify respect for provincial/territorial jurisdiction. Indeed, the document clearly indicates the federal government’s recognition of provincial jurisdiction in recreation:

There is a clear and necessary role for the federal government in the field of recreation, although it is recognized that the primacy of jurisdiction for recreation rests with the provinces and territories. In fulfilling its
responsibilities assigned by the Constitution, the federal government must take action that will affect the broad scope of recreation... It is understood that in order to reduce duplication and to make better use of public resources, the federal government will, wherever feasible, coordinate its programs with those of other governments, in order to provide an optimum environment for Canadians in which to improve their quality of life.\textsuperscript{18}

Given that the National Recreation Statement deals entirely with recreation, PSPA-related initiatives are the only major priority within this document. However, it is important to note that the federal government has used its recognition of provincial/territorial jurisdiction over recreation to justify its retreat from PSPA-related objectives. Therefore, in spite of the National Recreation Statement’s PSPA focus, it does not necessarily indicate federal prioritization of PSPA. Also, as previously indicated, the provincial governments have followed suit in their retreat from PSPA and their increasing affinity for HPS, leaving PSPA a major priority for neither level of government.\textsuperscript{19}


The Mills Report was referenced by various actors throughout the Sub-Committee and Standing Senate Committee Proceedings. It was recognized as the first step in a five-year process that led to the establishment of PASA. Tom Jones of AthletesCAN stated:

With the production and release of the Mills report, we really saw the context of the active, healthy nation being set up. It began the unprecedented, two-year process of consultation across the country. It led to the establishment and endorsement of a national sport policy, and it has now led to where we are today with this legislation.\textsuperscript{20}
It is clear from this statement that the release of the Mills Report was perceived as a valuable starting point from which to begin the process of modernizing FASA. The Mills Report was also used throughout the legislative process to support various priorities, including: recognition of and respect for the Official Languages Act; the establishment of a separate department for sport and physical activity; and, the reduction of inactivity to minimize health care costs.

Throughout the entire legislative process, Robert Lanctôt was a vehement supporter of the addition of a clause within PASA to ensure respect for the Official Languages Act. To support his argument, he highlighted his past call for respect for official languages by citing the Mills Report:

I believe we must take the opportunity afforded by this act on sport to entrench compliance with the Official Languages Act in its preamble. That’s essential in my mind, particularly since the 16 recommendations [of the Commissioner of Official Languages] which are supposed to have been complied with since April 2001 have not yet been complied with. That’s why I’m making this such an issue, as I also did with the Mills report. There must absolutely be a guideline on this matter.21

The sixty-fourth recommendation in the Mills Report suggests that “the Government of Canada ensure the development and delivery of services and programs in both official languages.”22

Where Lanctôt made ‘such an issue’ of this is found in the Bloc Québécois’ Dissenting Report that appears in the back of the Mills Report. Here, the Bloc Québécois criticizes this recommendation by stating, “As a crowning irony, the Sub-Committee notes that this measure would cost nothing. The Bloc Québécois considers that on this
point the Sub-Committee is right: pious wishes never do cost much.” Still, Lanctôt made use of the Mills Report as best he could to promote the inclusion of a reference to the Official Languages Act in PASA, a priority that is fairly neutral on the HPS-PSPA spectrum.

Several actors supported the establishment of a separate department for sport and physical activity, two of them tying that recommendation back to one found within the Mills Report. Tom Jones stated that AthletesCAN wanted “to reinforce the importance... of merging sport and physical activity under the same ministry and the creation of a department of physical activity and sport,” which he reminded the government had been “called for in the Mills Report in 1998.” The forty-fifth recommendation of the Mills Report suggests that

“The government establish a separate department responsible for sport in keeping with the significant role of sport in Canadian society. The mandate of this department would include the development of high-performance athletes as well as sport for all and responsibility for mobilizing and coordinating all the resources involved in the Canadian sport sector.”

Again, this recommendation and the context in which it was raised are both fairly balanced with respect to priorities of HPS and PSPA.

On one occasion, an estimate provided in the Mills Report was used to justify investment in physical activity on the grounds that such an investment would minimize health care costs. Paul DeVillers argued:
It is also an investment to counter inactivity, which is a growing, and worrying, trend. Lack of physical activity is costly for our country. As stated in the Mills report, if we reduced inactivity by 10 per cent, we would save approximately five billion dollars a year in health care costs. Furthermore, according to some studies, the lack of activity is responsible for the death of over 20,000 Canadians each year. We must vigorously fight inactivity and Bill C-12 provides us with the tools to do so.²⁷

This estimated five billion dollars in health care savings was used in the preamble of the Mills Report to justify the recommendations that followed.²⁸ The context in which this recommendation was presented in the legislative process gives no indication of how the government intends to “reduce” and “fight” inactivity, thus uncertainty exists as to whether this suggestion supports HPS or PSPA interests. However, within the Mills Report itself, reference is made to “encouraging sport and physical activity,” indicating a fairly balanced approach.²⁹

An examination of all recommendations presented in the Mills Report reveals that the majority of suggested solutions would fall within the ambiguous category of physical activity and sport (PAS). However, where solutions were more specific, HPS-related solutions significantly outweighed those that were specific to PSPA. Additionally, the majority of recommendations that were tied to federal funds were those associated with HPS. However, it is interesting to note that the only PSPA-related recommendation that was tied to federal funds – a child sport tax credit – accounted for approximately fifty-six percent of all funds tied to recommendations.³⁰ Therefore, while the Report seems to have addressed all levels of sport in some way, more solutions were HPS-related, but more funds were associated with PSPA. Thus, it is classified as a fairly balanced document.
Official Languages in the Canadian Sports System (2000)

Commonly referred to throughout the legislative process as the Report of the Commissioner of Official Languages, *Official Languages in the Canadian Sports System* was referenced multiple times, most often by Robert Lanctôt. This report was used for two main reasons. Firstly, it was used to highlight problems associated with the respect of both official languages in the sport system. Lanctôt stated:

In her report, the Commissioner of Official Languages referred to the results of an indepth [sic] investigation of the use of French and English in the Canadian sports system. Her conclusion was that not only did the process of selecting Canadian teams represent a major obstacle to francophone athletes, but that the problem existed far earlier than the final team selection process. It is a problem that has been around for some time and it is time steps were taken to ensure respect of the rights of francophone athletes to receive services and coaching in the language of their choice.\(^3\)

Secondly, the report was used to draw attention to the government’s failure to act on the recommendations contained within it in the two years that followed its release and preceded the commencement of the legislative process. Lanctôt argued:

The Bloc Quebecois has been calling for a long time for implementation of the 16 recommendations made by the Commissioner of Official Languages. Her report is already two years old. We are still demanding their immediate application. In fact, acknowledgment of the francophone athlete issue is the central point of our demands, as it has been from the start, both in the House of Commons and in the sports subcommittee.\(^4\)
It should be noted that while Lanctôt criticized the government’s neglect of this issue on several occasions, Dyane Adam, Commissioner of Official Languages, clarified that such an argument could not be validated until a follow-up study was complete.

When we did our study, there were problems in national organizations, as you know, in terms of delivering services to the athletes in both official languages. We will be doing the follow-up to our study this summer, and we will be in a better position to find out about Monsieur Lanctôt’s earlier comment that none of these recommendations were implemented. I’m not in a position to say that yet, because we haven’t done a follow-up on this.33

It is beyond the scope of this study to evaluate the implementation of the report recommendations at that time to determine the validity of Lanctôt’s arguments. However, it is interesting to note that just months after the passage of PASA, Adam released a follow-up report stating that of the fifteen recommendations directed at Sport Canada three had been implemented and nine had been partially implemented.34 The sixteenth recommendation in her original report had been directed at the Treasury Board and it, too, had been partially implemented.35 Therefore, Lanctôt’s consistent arguments that the Commissioner’s recommendations had been neglected, which were used to justify the inclusion of a clause in PASA in respect of official languages, were not well-founded.

The Report recommendations were raised in the context of both HPS and PSPA; Lanctôt indicated that while one of the major concerns was the language barrier in the selection of national team athletes, barriers to athletes and participants originated earlier in the athlete-development process.36 However, of the sixteen recommendations in the Commissioner’s report, seven – or forty-three percent – were specifically related to HPS.
These dealt with official language expectations for the Sport Funding and Accountability Framework, the Athlete Assistance Program, major games, national team coaches, and essential medical services and orientation programs at national sport centres. The rest of the recommendations were non-specific on the HPS-PSPA spectrum. The official languages audit methodology of the Treasury Board was addressed. Other issues included: the official language requirements of Sport Canada’s management positions; program officers; policy statements; staff; National Sport Organization expenditures; coaching manuals; and coach training. One recommendation also highlighted the need for the provision of centralized linguistic services for sport organizations. Based on the relative emphasis of all recommendations, *Official Languages in the Canadian Sports System* seems to be largely weighted toward HPS.

**Building Canada through Sport: Towards a Canadian Sports Policy (2001)**

Although *Building Canada through Sport: Towards a Canadian Sports Policy* was only referenced once within the legislative process, it played an important role in the development of the Canadian Sport Policy, and subsequently, PASA. *Building Canada through Sport* proposed a sport policy for Canada that would later be discussed at the National Summit on Sport. This document contains the first official reference to three of the four major goals found in the Canadian Sport Policy: 1) enhance participation; 2) enhance excellence; and, 3) build capacity. However, within the legislative process, this
The document was only referred to in the context of using physical activity and sport to improve social cohesion.\(^{42}\)

More specifically, Dyane Adam made reference to *Building Canada through Sport* to advance the idea that physical activity and sport could be used “to forge closer links among various stakeholders and to bring together participants from both official languages [sic] communities.”\(^{43}\) Within *Building Canada through Sport*, several references are made to the value of sport to address issues of identity, belonging, and unity. For example, it states that “Sport is considered an essential tool for nation building and can lead to the promotion of national identity, and enhancing our sense of community and citizenship.”\(^{44}\) Sport is also recognized in the document as a place where communities can be celebrated, stories shared, and lessons learned.\(^{45}\) Sport’s ability to “bring young people into contact with each other and other communities” is also praised.\(^{46}\) Finally, sport is described as “a great connector and... the first shared topic of common interest” for many Canadians.\(^{47}\)

None of the examples listed in the document refer specifically to the ability of sport to unite members of both official language communities. However, it is easy to understand why Dyane Adam made such an inference given that sport is generally promoted for its ability to unite all Canadians and overcome cultural barriers of all kinds, including those that are language based.

The suggested solutions or priorities within *Building Canada through Sport* were not referenced in the legislative process so their contextual HPS-PSPA emphasis cannot
be evaluated. However, the context surrounding the legitimation of identity, belonging, and unity suggested by Dyane Adam was relatively balanced. Adam refers to both physical activity and sport in spite of the fact that physical activity was not mentioned in *Building Canada through Sport* when referring to identity, belonging, and unity. Though the level of sport that supposedly contributes to identity, belonging, and unity is not specified within *Building Canada through Sport*, it is interesting that ‘sport’ appears in the absence of ‘physical activity.’ This implies that physical activity is not believed to contribute to the promotion of identity, belonging, and unity. As expressed, this belief could serve to justify investment in sport, but not in those physical activities that fall outside the definition of sport.

The Proposed Canadian Sport Policy section included at the end of *Building Canada through Sport* suggests relatively well-balanced priorities. The two main policy goals – participation and excellence – appear to be equally emphasized as they are referred to as “dual policy goals.”48 An emphasis on “the full spectrum from initial entry to high-performance” is evident among the majority of the seven themes proposed to build capacity for both participation and excellence.49 The only two themes that clearly demonstrate prioritization of HPS are the need for an efficient process to resolve disputes in sport and the need to support the hosting of major sporting events.50 Therefore, overall, *Building Canada through Sport* is considered a well-balanced policy in terms of its relative emphasis on HPS versus PSPA.
Canadian Sport Policy (2002)

Throughout the legislative process, the 2002 Canadian Sport Policy was referred to in a variety of contexts. The Canadian Sport Policy provided an impetus for revitalized legislation, as it was argued that FASA was no longer representative of the modern sport reality found within the new sport policy. Somewhat ironically, however, it was more often used to demonstrate government support for various priorities that were absent in PASA. When members of parliament, senators, or witnesses raised concerns about unspecified priorities before the Sub-Committee and Standing Senate Committee, they were reminded that the Canadian Sport Policy was “entrenched” in PASA. Therefore it was generally considered that if something appeared explicitly in the Canadian Sport Policy, it need not be explicitly stated in the legislation to be legitimate.

For example, Senator Cordy expressed his belief in the importance of physical activity in the schools and he asked Paul DeVillers how the government would ensure “that someone will take charge and really promote physical fitness of Canadians.” DeVillers replied that PASA “entrenches into law the Canadian Sport Policy, which specifically provides for physical activity in schools.” Though PASA lacks reference to the federal government’s intention to assist the provinces with physical education or other physical activity programs in the schools, DeVillers contended that PASA demonstrates support for physical education indirectly through the Canadian Sport Policy. Though physical education falls within provincial jurisdiction and it could be argued that it does not have a place in federal legislation, issues of access and equity for minorities and under-represented groups absolutely warrant federal government action.
When Senator Fairbairn raised concerns about the absence of specific references in PASA to under-represented groups like women, aboriginals, and people with disabilities, DeVillers assured her these groups would be addressed given their explicit mention in the Canadian Sport Policy:

By the entrenchment of the Canadian Sport Policy, we get into the provisions of the policy that lists four specific groups: women, Aboriginals, persons with disabilities, and visible minorities. Those are the four under-represented groups in the Canadian sport system identified in the Canadian Sport Policy.

That “plank” in the Canadian Sport Policy is a reminder to all involved in the Canadian sport system that those groups need to be fully represented...

It is clearly the government’s intention to ensure that the groups we mentioned, and all Canadians, are included.55

Again, the Canadian Sport Policy served to relieve the government of any overt responsibility for these issues within PASA.

Similarly, when Senator LeBreton expressed concern that PASA would be “a sport-focused bill with not so much emphasis on the physical activity” of Canadians, Paul DeVillers once again fell back on the Canadian Sport Policy:

[Physical activity and sport] are equal in the Canadian Sport Policy. The four planks are equal — participation, developing capacity, cooperation, and excellence. Any time we put one against the other, we are missing the point.56

It is interesting in each case described here that, while the Canadian Sport Policy compelled the government to modernize FASA to align its priorities with the new policy,
parts of it were actually used to justify the exclusion of certain modern priorities from the new legislation.

In other cases, the Canadian Sport Policy was used to justify and reaffirm the government’s commitment to priorities that were included within PASA. Examples include: addressing issues related to the official languages; setting and upholding high ethical standards, particularly with regards to doping; and, establishing the Sport Dispute Resolution Centre (SDRC).

Based on the context in which the Canadian Sport Policy was referenced throughout the legislative process, it is clear that it was used primarily to support the inclusion of HPS-related priorities like provision of services for French-speaking athletes, anti-doping, and dispute resolution. When it came to PSPA, however, the Canadian Sport Policy enabled the government to justify the exclusion of issues like support for physical activity in schools, access for under-represented groups, and the promotion of physical activity, more generally. The way the Canadian Sport Policy was used here might imply that a greater emphasis had been placed on HPS within it; however, that is not the case.

An examination of the Canadian Sport Policy reveals a well-balanced approach to both HPS and PSPA. Inclusive language is found throughout the policy in respect of all levels of sport, as well as physical activity more generally. For example, the policy states that its “vision is intended to... address the sport continuum from entry to excellence.” Additionally, under the first goal of “Enhanced Participation,” the policy maintains that “initiatives, programs, and resources will be directed to the broadest possible
participation, ensuring quality and accessibility for, and the inclusion of, all communities in Canada.” It is worthy of note that the Canadian Sport Policy also specifies the “athlete/participant-centred” (as opposed to just “athlete-centred”) nature of the policy-, program-, and procedure-development process.

Finally, the four pillars of the Canadian Sport Policy – participation, excellence, capacity, and interaction – are given equal emphasis in the document. Each priority is afforded one page and consists of a description of the goals associated with that priority and five ways by which those goals may be achieved. While the policy itself is relatively balanced, it is noteworthy that under the “General Roles and Responsibilities” section of the policy, the federal government’s role is described in the following way:

The federal government supports high performance athlete, coach, and sport system development through national sport organizations, national sport centres, and multi-sport organizations; provides direct aid to athletes; supports the hosting of national and international events; ensures access to essential services in English and French and the inclusion of targeted under-represented populations in sport; contributes to policy and program coordination amongst governments; and promotes Canadian sport and its values in international circumstances.

Four of these six points are clearly HPS-focused, while the emphasis of the remaining two – ensured access to essential services for both official language groups and under-represented populations as well as the coordination of government efforts in sport policies and programs – is unspecified. Also importantly, no mention of promoting participation is included within the federal role. Therefore, in spite of the balanced nature of the policy as
a whole, there is still evidence of the federal government’s continued prioritization of HPS above PSPA-related initiatives.

An Emerging Balance in Policies

A review of the six documents described here reveals that for the most part, the legislation and policies mentioned in the legislative process were relatively well balanced in terms of their respective emphases on HPS and PSPA initiatives and priorities. This, however, does not necessarily reflect federal priorities. The balanced nature of FASA is representative of the social and political environment during the time in which it was developed, given that federal intervention in sport remained a sensitive issue; had FASA been weighted too heavily toward HPS, the legislation would have met serious resistance. By highlighting provincial jurisdiction for recreation, the National Recreation Statement, though largely weighted toward PSPA, justified the retreat of the federal government from recreation and toward HPS-related endeavours. The Report of the Commissioner of Official Languages was largely weighted toward HPS, focusing mostly on mobilizing French-speaking athletes in the HPS system. Finally, the Mills Report, Building Canada through Sport, and the Canadian Sport Policy were legitimately well balanced, giving support to past suggestions that the federal government could be shifting priorities, renewing its interest in PSPA.65 However, the importance of the federal role, as defined in the Canadian Sport Policy, must not be overlooked. In spite of an apparent concern for PSPA that emerged from the policies preceding the legislative process, the federal
government’s continued fixation on HPS would become evident throughout the legislative process and within PASA.

**HPS versus PSPA in the Legislative Process**

To determine the relative emphasis that was placed on HPS versus PSPA throughout the legislative process, the context in which legitimations were presented was classified by spectrum category (i.e., HPS, AS, BP, PAS, and PSPA). Additionally, the nature of the solutions (or attributions) offered was classified on the same scale. The results of the analysis of the legislative process will be presented in the following format: a discussion of the context in which legitimations most often appeared and how that context was coded on the HPS-PSPA spectrum; a description of the most commonly cited legitimations; a description of the most commonly cited focusing events; a discussion of the overall HPS-PSPA spectrum emphasis of attributions; and, finally, a description of the most commonly cited attributions and how they address or fail to address the most commonly cited legitimations and focusing events.

**Legitimations in the Legislative Process**

Legitimations, or the broader objectives or rationales for government involvement in any level of sport or physical activity, cannot be classified on the HPS-PSPA scale. It is the way those objectives are achieved (i.e., attributions or solutions) that highlights government priorities. As such, the context that surrounded legitimations was used to
assess the tone of the legislative process in terms of how much emphasis was placed on HPS versus PSPA.

Most often, legitimations were presented in the context of PAS (n=237, or approximately 33% of all legitimations) and HPS (n=233, or approximately 32% of all legitimations). The high frequency of PAS-related context partly reflects the lack of priority-specific discussion surrounding the legitimations. For example, Paul DeVillers argued at the first meeting of the Sub-Committee that it was necessary that FASA be modernized to keep up with other countries that had already modernized their legislation.66 Here, the desire to keep up with other countries, which was categorized under ‘Power and Prestige,’ was presented in terms of neither HPS nor PSPA and was therefore coded as PAS.

Another example of this is found in an observation by Chuck Strahl of the Canadian Alliance that government dollars seem “to go wherever the political... Let’s be kind and put it this way: There’s a risk that whatever is most politically advantageous will find its way into that spending envelope.”67 This statement was coded under ‘Support for Political Leaders and Government,’ but once again, specified neither HPS nor PSPA interests. Therefore, like the previous example, it was also categorized under PAS.

In many cases, physical activity and sport were mentioned in combination, still showing no emphasis on either end of the spectrum. For example, Raymond Côté of Sports-Québec, appearing as a witness before the Sub-Committee, stated, “We know the effects of sport and physical activity with regard to values, society, and health.”68 This
type of reference, in addition to being categorized under the two rationales to which it refers, was coded under PAS.

As noted above, HPS-related context surrounded legitimations almost as frequently as that related to PAS. An example of this is found in Chuck Strahl’s assertion that “We take national pride in our traditional sports, whether it be men’s or women’s hockey, for example, or whether we come home with Olympic medals and world championships.”

Slightly less often, legitimations appeared in the context of PSPA (n=188, or approximately 26% of all legitimations) and even less often in AS (n=67, or approximately 9% of all legitimations). No legitimations were presented in the context of balanced priorities (n=0). A pie chart in figure 4.1 depicts the relative proportion of context surrounding level-1 legitimations associated with all spectrum categories.

![Figure 4.1 Context surrounding legitimations by spectrum category in the legislative process.](chart)

HPS – High Performance Sport
AS – Ambiguous Sport
BP – Balanced Priorities
PAS – Physical Activity & Sport
PSPA – Participatory Sport & Physical Activity
An analysis of the legitimations themselves provides more insight into broad government objectives and how they fit into the context of spectrum categories. The most commonly cited level-1 legitimations across all spectrum categories included: ‘Reproduce Values’ (n=190); ‘Health Fitness and Physical Abilities’ (n=167); and ‘Identity, Belonging, and Unity’ (n=104). See table 4.1 for values of all level-1 legitimations.

Table 4.1 Frequency of level-1 legitimations in the legislative process.

<table>
<thead>
<tr>
<th>Level-1 Legitimation</th>
<th>Frequency (n)</th>
<th>Frequency (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safeguard the public order</td>
<td>55</td>
<td>6.72</td>
</tr>
<tr>
<td>Maintain health, fitness, and physical abilities</td>
<td>167</td>
<td>20.39</td>
</tr>
<tr>
<td>Promote prestige and power</td>
<td>68</td>
<td>8.30</td>
</tr>
<tr>
<td>Promote identity, belonging, and unity</td>
<td>104</td>
<td>12.70</td>
</tr>
<tr>
<td>Reproduce values</td>
<td>190</td>
<td>23.20</td>
</tr>
<tr>
<td>Increase support for political leaders and government</td>
<td>39</td>
<td>4.76</td>
</tr>
<tr>
<td>Promote economic development</td>
<td>71</td>
<td>8.67</td>
</tr>
<tr>
<td>Other</td>
<td>125</td>
<td>15.26</td>
</tr>
<tr>
<td>Total (N)</td>
<td>819</td>
<td>100</td>
</tr>
</tbody>
</table>

The importance of reproducing values represented twenty-three percent of all legitimations. A variety of subcategories were developed within ‘Reproduce Values’ to determine which values were most strongly emphasized through the legislative process. The most commonly cited specific values included ‘Learning and Personal Growth’ (n=33, or approximately 14% of specific values), ‘Fairness, Fair Play, and Ethical Decision-Making’ (n=32, or approximately 13% of specific values), and ‘Linguistic Duality’ (n=32, or approximately 13% of specific values). All specific values that
emerged within the ‘Reproduce Values’ category are listed in table 4.2 with associated frequency counts.

Table 4.2 Frequency of sub-categories within ‘Reproduce Values’ in the legislative process.  

<table>
<thead>
<tr>
<th>Values</th>
<th>Frequency (n)</th>
<th>Frequency (%)</th>
<th>Values</th>
<th>Frequency (n)</th>
<th>Frequency (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accountability</td>
<td>15</td>
<td>6.28</td>
<td>Health and well-being</td>
<td>25</td>
<td>10.46</td>
</tr>
<tr>
<td>Competitive process</td>
<td>8</td>
<td>3.35</td>
<td>Learning and personal growth</td>
<td>33</td>
<td>13.81</td>
</tr>
<tr>
<td>Discipline &amp; hard work</td>
<td>8</td>
<td>3.35</td>
<td>Linguistic duality</td>
<td>32</td>
<td>13.39</td>
</tr>
<tr>
<td>Equality &amp; equity</td>
<td>22</td>
<td>9.21</td>
<td>Passion, enjoyment, and participation for its own sake</td>
<td>8</td>
<td>3.35</td>
</tr>
<tr>
<td>Fairness, fair play, and ethical decision-making</td>
<td>32</td>
<td>13.39</td>
<td>Personal excellence and achieve potential</td>
<td>13</td>
<td>5.44</td>
</tr>
<tr>
<td>Family</td>
<td>15</td>
<td>6.28</td>
<td>Value and respect diversity</td>
<td>5</td>
<td>2.09</td>
</tr>
</tbody>
</table>

A statement by Victor Lachance of the Sport Matters Group well represents the concept of ‘Learning and Personal Growth’ through sport as it was portrayed in the legislative process. At the first meeting of the Standing Senate Committee, Lachance argued,

Over time, we have come to see how sport is about creating this kind of environment where we can challenge ourselves. We can try to pursue self-improvement, and we do it with others, which we enjoy. We enjoy it so much that we create sport to enable it to give that back to us.  

Similarly, at the third reading of PASA in the House of Commons, Peter MacKay of the Progressive Conservative party expressed his belief in the ‘Learning and Personal Growth’ value of sport. He stated, “It seems to me that in a team atmosphere with individuals from all sorts of cultural backgrounds and countries of origin working
together at a common goal can foster the essential human spirit of betterment that we all seek.” This belief in the ability of participation in sport to reproduce the value of ‘Learning and Personal Growth’ was a popular way by which to justify government intervention in this area throughout the legislative process. It most often appeared in the context of PAS (n=24, or approximately 73% of all references to ‘Learning and Personal Growth’) as either end of the spectrum was rarely specified.

The sub-category of ‘Fairness, Fair play, and Ethical Decision-Making’ was developed as several references were made to these issues throughout the legislative process. The importance of these priorities to the development of this legislation is encompassed in the following statement by Jim Abbott, Canadian Alliance: “Drug free sports, ethics in sports and dispute resolutions are the prime objectives in the legislation.” Given that these issues apply almost exclusively to HPS, it is not surprising that the vast majority of these references (n=25, or 78% of references) appeared in the context of HPS.

Another major value cited frequently throughout the legislative process was ‘Linguistic Duality.’ Dyane Adam highlighted the importance of this issue when she said:

> Given the importance of physical activity and sport in Canadians’ lives – over 8 million Canadians practise a sport, and we’d like to have even more Canadians doing so – it is essential that this field aim at creating a strategic framework for federal government policies on physical activity and sport and at defining the measures the minister may take to that end, in order to reflect the fundamental values of our society, including the linguistic duality.

Furthering this point, she proceeded to argue that “It is time for new legislation, in the
form of this bill, to reflect properly the official languages dimension of Canada’s sport system.” 77 This was one of many references to the need to address the issue of bilingualism within PASA to accurately reflect the value placed upon linguistic duality within Canada. Once again, the context surrounding this issue was largely focused on HPS (n=19, or approximately 59% of references to ‘Linguistic Duality’) as this was perceived to be the area where a failure to address bilingualism had the most detrimental effects (e.g., in national team selection, at national training centres, etc.). This largely reflects the recommendations presented within the Report of the Commissioner of Official Languages, which were also weighted toward HPS.

The maintenance of health, fitness, and physical abilities was the next most commonly cited rationale for government involvement in physical activity and sport, accounting for 20% of all legitimations. Paul DeVillers opened discussions at the first meeting of the Sub-Committee, by highlighting the importance of the link between physical activity and health, stating that the main purpose for modernizing FASA was “to position physical activity as a crucial determinant of health.” 78 The importance of this issue carried over to the Standing Senate Committee as well.

At the first meeting of the Standing Senate Committee on 6 November 2002, Lane MacAdam of Sport Canada argued

Physical activity and the practice of sports are certainly tools that will help Canadians stay healthy; a greater number of people should [be] encouraged to participate in sports and physical activity, and stakeholders in the sector should be encouraged to work together in order to better understand and solve existing problems. 79

At the following meeting of the Committee, Rick Bell of the Coalition for Active Living
highlighted the extent of the importance of this issue when he stated that “The literature and the press releases... recognize that physical inactivity is similar in magnitude to the problem that smoking is presenting to Canadians.” Both of these examples represent the importance that was placed on improving the health of the nation throughout the legislative process. Most often, these issues were raised in the context of PSPA (n=88, or approximately 53% of references to ‘Health, Fitness, and Physical Abilities’) or PAS (n=67, or approximately 40% of references to ‘Health, Fitness, and Physical Abilities’), and never in HPS. This reflects an understanding by government representatives and witnesses that to improve the health of Canadians, emphasis must be placed on enhancing the participation of all citizens in sport and physical activity.

The promotion of ‘Identity, Belonging, and Unity’ was another popular rationale for government involvement in physical activity and sport. Approximately sixty-two percent of all ‘Identity, Belonging, and Unity’ references were raised in the context of PAS. At the third meeting of the Sub-Committee, Dyane Adam expressed her belief in the ability of physical activity and sport to unite Canadians:

> When you promote physical activity and meetings among the young people of the country... and we ensure that we correct some of the problems we have identified in the Canadian sport system, we create opportunities for Canadians of various origins and from various regions to meet each other, appreciate each other and come closer together.  

Peter MacKay echoed this sentiment at the third reading of PASA in the House of Commons when he argued “that perhaps nothing helps more to make a country feel not only healthy but unified, proud and patriotic than having a very active lifestyle, successful teams and certainly a community that feels good about itself in terms of its own health
and social well-being. These statements accurately reflect the general consensus throughout the legislative process that physical activity and sport, at all levels, were tools that could be used to unite Canadians.

The legitimations described here represent the most commonly cited rationales according to Coakley and Donnelly’s list. However, an ‘Other’ category was created to allow for the emergence of legitimations or rationales not previously considered. Within this category, the following broad government objectives emerged, in order of most to least frequently cited: ‘Modernize Legislation’ (n=46), ‘Inspire Participation’ (n=42), ‘Need Timely, Cost-Efficient Means of Dispute Resolution’ (n=28), ‘Develop Other Countries’ (n=6), and ‘Improve International Relations’ (n=3). While not cited frequently in comparison to most of the pre-established list of legitimations, these categories are noteworthy.

The desire to ‘Modernize Legislation’ is not specific to physical activity and sport legislation or government intervention. When any piece of legislation becomes outdated or fails to keep up with legislation in other countries, regardless of the priorities it is intended to address, the desire to modernize it will likely emerge as a rationale for change. Still, it was considered worthy of mention as it did emerge as a major motivation for government intervention in this area at the time PASA was created.

‘Inspire Participation’ emerged as the second most commonly referenced legitimation in the ‘Other’ category. In retrospect, ‘Inspire Participation’ is a secondary objective; in other words, there are reasons supporting the government’s desire to inspire participation that are more basic and fit within Coakley and Donnelly’s list (e.g., to
improve the health of the nation). Still, the category was created within legitimations because it was often cited, but was too vague to constitute the establishment of an attribution or solution. More specifically, it was often specified as the objective or rationale that justified investment into HPS.

The need for timely, cost-efficient dispute resolution is closely tied to the solution or attribution of the ‘Sport Dispute Resolution Centre’ to be discussed later. However, the need for this was used fairly often as justification for the development of new legislation. Thus, it was created as a legitimation rather than an attribution because it justified government intervention into sport.

While the previously mentioned legitimations appeared far more frequently than ‘Develop Other Countries’ and ‘Improve International Relations,’ it is these two legitimations that could actually be considered as valuable additions to Coakley and Donnelly’s list. In spite of their infrequent mention, they are broad, valid objectives that could likely be extended to future legislation and policy in physical activity and sport and emphasized to a greater degree given the increasingly globalized environment in which these activities exist.

‘Reproduce Values,’ ‘Maintain Health, Fitness, and Physical Abilities,’ and ‘Promote Identity, Belonging, and Unity’ emerged throughout the legislative process as the most important government objectives that justified the creation of PASA. While other legitimations were present and undoubtedly important in the development of PASA, their contributions were less significant. The use of legitimations to justify government intervention at any given time is supplemented by events in the surrounding environment
that draw attention to certain issues and provide additional justification for government action.

Focusing Events in the Legislative Process

For the purposes of this study, focusing events included noticeable trends as evidenced by research and statistics, a series of similar events, or any one-time action or event given significance in the legislative process. The focusing events most frequently mentioned mirrored the most common legitimations, with the exception of ‘Identity, Belonging, and Unity.’ Referenced roughly the same number of times, focusing events that highlighted the ability of physical activity and sport to ‘Maintain Health, Fitness, and Physical Abilities’ (n=60, or approximately 39% of focusing events) and to ‘Reproduce Values’ (n=59, or approximately 38% of focusing events) appeared to be of greatest concern. See table 4.3 for frequencies of all level-1 focusing events.

Table 4.3 Frequency of level-1 focusing events in the legislative process.

<table>
<thead>
<tr>
<th>Level-1 Focusing Event</th>
<th>Frequency (n)</th>
<th>Frequency (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safeguard the public order</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Maintain health, fitness, and physical abilities</td>
<td>60</td>
<td>38.71</td>
</tr>
<tr>
<td>Promote prestige and power</td>
<td>18</td>
<td>11.61</td>
</tr>
<tr>
<td>Promote identity, belonging, and unity</td>
<td>5</td>
<td>3.23</td>
</tr>
<tr>
<td>Reproduce values</td>
<td>59</td>
<td>38.06</td>
</tr>
<tr>
<td>Increase support for political leaders and government</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Promote economic development</td>
<td>7</td>
<td>4.52</td>
</tr>
<tr>
<td>Other</td>
<td>6</td>
<td>3.87</td>
</tr>
<tr>
<td>Total (N)</td>
<td>155</td>
<td>100</td>
</tr>
</tbody>
</table>
Focusing events classified as ‘Maintain Health, Fitness, and Physical Abilities’ were generally associated with the inactivity and obesity crises. For example, in his introduction of PASA at the second reading in the House of Commons, Paul DeVillers stated:

Times have changed. Our habits have changed as well and not necessarily for the better. According to a study recently published in the *Canadian Medical Association Journal*, obesity among boys increased by 92% between 1981 and 1996. Among girls it increased by 57%.

DeVillers went on to link the obesity crisis to inactivity: “From 1992 to 1998, the sports participation rate of young people aged 15 and over has decreased, falling from 45% to 34%... As we can see, physical inactivity is dangerously gaining ground.” Facts and figures were used this way throughout the legislative process to highlight inactivity and obesity trends that have had a negative impact not only on health, but on resultant rising health care costs. These trends, or ‘events,’ were a growing concern in the House of Commons, the Senate, and all across Canada; they played a valuable role in justifying the modernization of legislation in the areas of physical activity and sport.

Appearing approximately as often as focusing events related to health, fitness, and physical abilities, those that highlighted the potential for physical activity and sport to reproduce values were also important in the legislative process. Most often, discussion of focusing events classified as ‘Reproduce Values’ fell more specifically within ‘Equity and Equality,’ representing approximately thirty-nine percent of all cited values. The referenced events dealt only with gender equity. For example, Phyllis Berck of the
Canadian Association for the Advancement of Women in Sport and Physical Activity, argued:

There are... examples of how forcing people to consider equity within their organizations is having a significant impact. Canadian Interuniversity Sport is the national governing body for university sport in Canada. Its gender equity initiatives have been policy-based, with a focus on leadership. They have entrenched gender equity in their bylaws and governing documents, ensuring a lasting impact regardless of the leadership of the day. The bylaws dictate that the board of directors must reflect a 50-50 gender split. In order to be able to cast two votes at the annual meeting, universities must bring a male and female delegate to that annual general meeting. The “two genders equals two votes” bylaw has changed the landscape of the CIS annual meetings, and it has increased the opportunities for female leadership.86

Here, Berck used the creation of a gender equity bylaw as an example of a successful event in one organization that could be replicated to achieve equity in other areas.

Within the focusing events that were categorized under ‘Reproduce Values,’ the second most commonly cited events were those that demonstrated the need for ‘Fairness, Fair play, and Ethical Decision-Making.’ These accounted for approximately thirty-two percent of focusing events within the broader category of ‘Reproduce Values.’ Mostly, they referred rather generally to the growing trend of disputes in sport, related primarily to team selection and judging, though a few referenced more specific, potentially well-known cases.87 In one case, reference was made to the Ben Johnson doping scandal to highlight the importance of ensuring fairness through anti-doping measures.88 Altogether, these types of references were used to emphasize the growing need for efforts to ensure fairness in decision-making as well as fairness in competition.
Together, legitimations and focusing events were used to help set the stage for the attributions or solutions that would be provided for within PASA. The solutions outlined in PASA’s final format do not necessarily represent all the solutions that were discussed throughout the legislative process. Therefore, the following analysis provides an overview of the most commonly referenced attributions, which will later be compared to those that actually found their way into the new legislation.

Attributions in the Legislative Process

A qualitative analysis of the legislative process suggested an overwhelming emphasis on HPS-related attributions. Supporting this contention, quantitative analysis of the level-1 categories (i.e., Enhanced Participation, Enhanced Excellence, Enhanced Capacity, Enhanced Interaction, Enhanced Administration, Align with Other Policies, and Philosophies for Change) revealed that HPS-related attributions accounted for approximately fifty percent of all identified problems and associated solutions. The HPS category was followed somewhat closely by PAS which accounted for approximately thirty-two percent of all referenced attributions. Trailing significantly behind were PSPA (13%), AS (4%), and BP (1%). See figure 4.2 for a graphic representation of spectrum categories as they related to attributions in the legislative process. See table 4.4 for frequencies of all level-1 attributions.
An examination of the legislative process quickly led the researcher to conclude that the most important and most frequently discussed issue surrounding the development of PASA was the creation of a Sport Dispute Resolution Centre (SDRC). This assertion is supported quantitatively as SDRC was the most commonly cited specific attribution (n=1517). This fell more generally within ‘Enhanced Capacity,’ the most frequently cited level-1 attribution (n=2206, or approximately 47% of all level-1 attributions), and dealt
exclusively with HPS. Lengthy discussions were devoted to establishing guidelines for the Centre as there was no question as to whether or not it would be created, but rather about how it would be created. Some of the most common issues discussed included: how balance could be achieved between the independence and accountability of the SDRC; how the board, chairperson of the board and executive director could be appointed most fairly; how Sport Canada would be involved and accountable to decisions made by the SDRC; whether an ombudsman’s office should be established; whether use of the SDRC should be mandatory; and, whether parties to a dispute should have a right to appeal decisions made by the SDRC. With the pending creation of the SDRC, all of these issues warranted address.

Each of the issues that pervaded the discussions surrounding the establishment of the SDRC address the government’s broad objective to reproduce the values of ‘Fairness, Fair Play, and Ethical Decision-Making’ through sport. However, this solution is reactive rather than proactive. The SDRC solution fails to address the fundamental problems that underpin Canada’s performance-oriented system, such as those identified in the Dubin Report and the Best Report. For example, rather than reflecting on and resolving the question of whether “we appreciate the difference between ‘being the best you can be’ and ‘being the best,’” the SDRC solution provides a mechanism by which to resolve disputes that arise when athletes are trying to ‘be the best.’ Therefore, at its very core, the SDRC solution indirectly reproduces the value of winning, rather than that of ‘Fairness, Fair Play, and Ethical Decision-Making.’ Moreover, because the SDRC was designed to serve athletes and other stakeholders at the highest levels of the Canadian
sport system, those who fail to reach that level are far less likely to benefit from its services.

The second most apparent issue throughout the legislative process was that of bilingualism in the Canadian sport system. Primarily advocated for by Robert Lanctôt and Dyane Adam, discussions surrounding issues of access and equity for francophone athletes and participants accounted for 748, or approximately sixty-nine percent of all category-specific (e.g., Francophones, Women, Aboriginals, etc.) references within ‘Access & Equity’ (n=1083). Within the ‘Francophones’ category, most references (approximately fifty-one percent) were associated with HPS or with PAS (approximately forty-eight percent). The remaining references fell within AS.

Because approximately half of all references addressing Francophone issues related specifically to HPS while the other half related rather ambiguously to PAS, in the context of the legislative process, concerns over bilingualism are considered to be largely HPS-focused. This was partly due to the fact that many demands addressed the need for the SDRC – an HPS-focused organization – to comply with the Official Languages Act and ensure equal access to its services for Francophone and Anglophone athletes. However, many comments addressed HPS issues beyond the need for access to dispute resolution. For example, Robert Lanctôt argued:

How many francophone athletes have trained for years but not made it to international level competitions because of the language barrier?

The answer, unfortunately, is far too many. From the very beginning, the Bloc Quebecois has repeatedly called on the government to respect francophone athletes and trainers,
who must master the English language, in addition to their particular sport.99

While this particular statement relates back to the issue of national team selection, others more broadly reflect all the suggestions of the Commissioner of Official Languages in *Official Languages in the Canadian Sports System*. In fact, her entire list of suggestions was directly referenced on more than one occasion throughout the legislative process.100

As has been previously noted in the first section of this chapter, the Report of the Commissioner of Official Languages was dominated by HPS-related suggestions. Therefore, it is not surprising that through the use of that document, the legislative process became dominated by HPS solutions as well. Still, it is important to note that the need for access for Francophone participants at all levels of the sport system was occasionally acknowledged. For example, Robert Lanctôt stated:

> The commissioner came to the conclusion that not only did the selection process for Canadian teams constitute a serious barrier for francophone athletes, but that the problem arose well before even an athlete reached the point of competing to be selected as one of the final team members. This problem has existed for many years, and it is high time we act to ensure that the rights of francophone athletes are respected, and that they receive services and coaching in the language of their choice.101

It is interesting to note, however, that even within this statement where Lanctôt has indicated that problems begin earlier than national team selection, he has referred only to “athletes” rather than “participants” when arguing for the respect of Francophone rights. In this case, it could be argued that his acknowledgement of the rest of the system was used to mask his overwhelming emphasis on HPS-related issues.
Given the relative infrequency of references to other under-represented groups, it is worthy of note that ‘All Canadians’ was the closest follower within ‘Access and Equity,’ with only 150 coded references (i.e., 598 less than ‘Francophones’). Other groups were mentioned on significantly fewer occasions throughout the legislative process. These included: athletes and participants of aboriginal descent (n=44), advanced age (n=4), and lower socioeconomic status (n=18); athletes and participants with disabilities (n=38); and, athletes and participants who are female (n=81). However, the creation and advancement of the term ‘All Canadians’ ruled out specific reference to these under-represented groups early on in the legislative process; ‘All Canadians’ was considered inclusive, rendering the need for mention of specific groups unnecessary.

For example, during the third meeting of the Sub-Committee, Stan Keyes of the Liberal party pointed to “brilliant suggestions” previously made by the Canadian Association for the Advancement of Women in Sport and Physical Activity (CAAWSPA) regarding group-specific amendments to the Act.\textsuperscript{102} More specifically, CAAWSPA had suggested in its brief to the Sub-Committee that paragraph 3(c), which read “to assist in reducing barriers faced by Canadians that prevent them from being active,” be changed.\textsuperscript{103} CAAWSPA had suggested that, rather, it should read, “to assist in reducing barriers related to poverty, race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability faced by Canadians that prevent them from being active.”\textsuperscript{104}

When Stan Keyes challenged Phyllis Berck of CAAWSPA on her decision to discard her earlier proposed amendment and move forward with the legislation without
amendments, Berck explained that she had been assured that “all Canadians” would sufficiently address her concerns. She stated:

What changed from the submission that we presented then to our presentation today came about because of subsequent discussions that we had directly with Secretary DeVillers. We were able to express our concerns to him and he was able to assure us that this overall reference to “all Canadians” did indeed cover the specific references that we had asked for. This kind of inclusive language was understood to include all the particular groups that we had specified.\textsuperscript{105}

In spite of the belief that a reference to “all Canadians” would justify the exclusion of all other under-represented groups, it was maintained almost unanimously throughout the legislative process that respect for the official languages deserved special reference within PASA.

Solutions related to ensuring the participation of and provision of services for Francophone athletes in the Canadian sport system address broader government objectives related to reproducing values of linguistic duality as well as equality and equity.\textsuperscript{106} However, the fact that Francophone athletes were given priority over other under-represented groups who were not to be mentioned in the Act raises questions about how effectively objectives surrounding equality and equity were addressed in the legislative process. This contrasts with the dominant ideology in Canada that equal opportunities should be facilitated for all.\textsuperscript{107}

This is especially interesting given that the Canadian Human Rights Act states that discriminatory practices are unacceptable on the basis of “race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or
conviction for an offence for which a pardon has been granted,” but makes no reference to language.¹⁰⁸ That being said, the fact that special legislation – the Official Languages Act – exists to highlight the importance of the English and French languages to Canadian culture suggests that extra emphasis on this issue may be justified.¹⁰⁹ Still, given that this issue appeared largely in the context of HPS, the importance of equality and equity is once again being overlooked due to the number of social determinants that contribute to one’s ability to reach that level of sport.¹¹⁰ Also, where participation is not facilitated by the HPS system, exclusion occurs, which does little to promote a sense of belonging for those who are not included.

The next most frequently cited attribution was ‘Resources’ (n=572). ‘Financial Resources’ accounted for seventy-six percent of references to specific types of resources. More specifically, ‘Public Financial Resources’ accounted for approximately eighty-two percent of references to ‘Financial Resources.’ These categories fell within the broader level-1 category, ‘Enhanced Capacity.’ There was discussion surrounding the need for private sector contributions in the way of financial resources (n=44, or approximately 11% of references to ‘Financial Resources’), but this occurred considerably less often. Other types of resources mentioned included ‘Material Resources’ (n=83, or approximately 16% of resource types) and ‘Human Resources’ (n=43, or approximately 8% of resource types).

Through the resources category, it was discovered that when all types of resources were included, references to PAS (n=174) and HPS (n=169) were almost equal and occurred more often than references to other spectrum categories. Similarly and more
specifically, financial resources were discussed almost equally relating to PAS (n=137) and HPS (n=135). The same pattern extended to the most specific level (i.e., public financial resources) where PAS (n=118) and HPS (n=117) were emphasized to nearly identical levels. It is interesting to note that public financial resources, which represent the most tangible form of government support, were discussed considerably less often in relation to PSPA (n=66, or approximately 20% of all references to public financial resources). This once again highlights the government’s relatively greater emphasis on discussions relating either specifically to HPS types of intervention or to those surrounding more ambiguous pursuits into PAS.

The government’s desire to assign funds specifically to HPS and more ambiguously to PAS suggests that the likelihood of continued over-investment in HPS at the expense of PSPA is likely. Without significant investment in PSPA, it is unlikely that any noticeable increase in participation will occur. Thus, the government’s broad objective of maintaining the health, fitness, and physical abilities of Canadian citizens was not adequately addressed throughout the legislative process. Additionally, while HPS is believed to promote a sense of identity, belonging, and unity for athletes and spectators alike, it is by its very nature an exclusive community. Therefore, the prioritization of this area does little to promote a sense of belonging for those who are weeded out based on ability (or lack thereof) due to an overwhelming focus on winning.

Another noticeable theme that emerged through qualitative analysis was the unanimous desire of members of parliament, senators, and witnesses to see the establishment of a separate department and minister for physical activity and sport.111 A
statement by Stan Keyes reflects the strength of this sentiment expressed by many throughout the legislative process: “I’m just saying, we’re telling the government that, damn it, we believe strongly, and witnesses who came before us at this committee believe strongly, even the chairman of the committee believes strongly, that we need a minister for fitness, activity, and sport.”

Indeed, Dennis Mills, Chairman of the Sub-Committee, was equally strident about this issue, stating that “Anyone with half a brain should realize that the piece of government machinery that looks after physical activity should be under the direction of the minister responsible for sport.”

It was believed that linking physical activity and sport together under one administrative umbrella would lead to better results at all levels of the HPS-PSPA spectrum:

> With a real Department of Sports complete with a portfolio, the objectives could probably have been applied at all levels, from the elite down. This would probably encourage widespread promotion of the objectives in a much more effective way than through the federations, which are mainly concerned with fostering excellence.

A great deal of discussion focused on the prospect of changing a section of the act such that it would refer to only one minister (i.e., Minister of Physical Activity and Sport), rather than several (i.e., Minister of Health and Minister of Canadian Heritage). This type of change was expected to create greater accountability and therefore greater results for both of these competing priorities.

This emerging theme was supported by the quantitative content analysis, which placed this attribution as the fourth most frequently referenced specific attribution.
The ‘Separate Department and Minister for Physical Activity and Sport’ category fell more broadly into the level-1 category of ‘Enhanced Administration’ (n=360), which was also dominated by references in the context of PAS (n=299, or eighty-three percent of all references to ‘Enhanced Administration’). It is promising that members of parliament, senators, and witnesses portrayed this proposed department as one that would address equally all levels of the HPS-PSPA spectrum.

If these portrayals are true and if such a department was created, it is possible that an actual increase in participation could occur through tangible investments. A system geared toward participation would make objectives like the maintenance of health, fitness, and physical abilities and the reproduction of values, such as learning and personal growth, fairness and fair play, and equality and equity more attainable. Also, the participation of more people in physical activities and sports would establish a greater sense of community locally, which is an essential building block for the establishment of a sense of national identity, belonging, and unity.

The final major theme that emerged through qualitative analysis was that of improving interaction with other levels of government within Canada. Many members of parliament, senators, and witnesses repeatedly highlighted problems with coordination across the municipal, provincial/territorial, and federal governments in relation to physical activity and sport. Once again, this theme was supported by quantitative analysis. Ranking fifth on the list of specific attributions (n=210), ‘Other Levels of Government’ accounted for fifty-five percent of all specific attributions within the broader category of ‘Enhanced Interaction’ (n=381). Other parties with whom enhanced
interaction was suggested included: the physical activity and sport community (n=79), the private sector (n=41), other federal departments (n=36), and other countries (n=15). However, none of these priorities were given nearly as much emphasis as enhanced interaction with other levels of government.

Part of the reason that ‘Other Levels of Government’ stood out among the other sub-categories was that great emphasis was repeatedly placed on respect for provincial jurisdictions, especially by Robert Lanctôt. For example, at the second reading in the House of Commons, Lanctôt stated:

Some of the provisions of Bill C-54 could be implemented in a way that would be satisfactory to all. One example of this: Clause 5(j), which refers to bursaries and fellowships. As we are all aware, this is an area of wholly Quebec and provincial jurisdiction.

The Bloc Quebecois therefore recommends the transfer of the funds earmarked for this to the Government of Quebec so that it may apply them via programs already in place. As a result, the duplication and redundancy that generally results from such overlap would be avoided.

In fact, we recommend that all the whereas statements in the preamble reflect this respect of jurisdictions, with a view to avoiding needless and pointless friction between the various levels of government.

While Lanctôt stood out as the greatest advocate for formal recognition of respect for provincial jurisdiction within PASA, other members of parliament echoed his sentiments. Peter MacKay argued:

I think it is very important for the provinces to know where they stand vis-à-vis the federal government's intention. They need to know whether the government will contribute a certain level and whether they will have the liberty and
initiative to control where these programs will go. They also need to know to what degree the federal government will follow that age old practice of attaching conditions upon the level of support and the resources that often follows.\textsuperscript{119}

The desire to improve interaction, coordination, and collaboration among various levels of government was typically discussed as it related to PAS (n=128, or approximately sixty-one percent of all references to ‘Other Levels of Government’). Similarly, the level-1 category, ‘Enhanced Interaction,’ encompassing all its most specific attributions, was most often referred to in the context of PAS (n=198, or approximately sixty-one percent of all references to ‘Enhanced Interaction’). Therefore, the desire to improve interaction among all levels of government appears to have been emphasized for the benefits of all levels of physical activity and sport. To improve the coordination between all levels of government would greatly benefit all aspects of Canada’s sport system and thus does not relate to any legitimation in particular.

Several themes emerged through a qualitative analysis of the legislative process. These themes were also supported through quantitative analysis of the same documents. The most frequently referenced attributions demonstrate: a widely- and strongly-held desire to enhance the capacity of the HPS system by establishing an SDRC; a strong push for the promotion of access and equity for francophone athletes, particularly at the highest levels of sport; a belief in the need to devote financial resources from the public spending envelope toward HPS; a growing belief in the need for a separate department and minister for physical activity and sport to ensure adequate development of all levels of the Canadian sport system; and finally, a strong conviction that greater interaction,
collaboration, and coordination is needed across all levels of government to properly manage the promotion and delivery of physical activity and sport in Canada.

The degree to which these attributions address the legitimations and focusing events that provided the impetus for the modernization of FASA is varied. While the value of linguistic duality was successfully addressed throughout the legislative process, other values like learning and personal growth, fairness, fair play, and ethical decision-making, and equality and equity have largely been overlooked. The maintenance of health, fitness, and physical abilities and the promotion of identity, belonging, and unity are goals that were also not adequately addressed through the proposed solutions. This has occurred as a result of an overwhelming focus on HPS through the focus on the creation of the SDRC and the suggested assignment of funds primarily to HPS. However, the unanimous desire to create a separate department and minister for physical activity and sport is promising given that such a department is believed to allow for a more balanced investment of effort and funds at all levels of the HPS-PSPA spectrum. Also, the suggested improvement in coordination across all levels of government would allow for participation to be better addressed.

Arguably the best representation of whether or not the solutions in the proposed version of PASA adequately addressed the government’s main objectives is found in a statement by Senator Morin. At the first meeting of the Standing Senate Committee, Morin criticized the direction in which the government was going with PASA. Arguing that not enough emphasis had been placed on physical activity in the proposed legislation, he stated:
As far as I can gather, the federal government is doing less in the field of support for physical activity than it was before. The Participaction program was in full bloom a few years ago and is now no longer in existence.

There are a number of initiatives and programs, and this field is really moving forward quickly. With this proposed legislation, we have the opportunity to set up new policies, new mandates and objects for the minister to ensure that this physical activity would be at the forefront of our health policy in Canada.

I am amazed that it is word-for-word the same as the previous legislation. There is so much progress and innovation in that field that we should at least have thought of that, especially if it is being done in other countries. What we are setting up with this new bill has nothing to with physical activity. We are setting up a resolution centre for sport, and that is it. I do not know why we are calling this a new bill, at least as far as 50 per cent of the objects addressed.\textsuperscript{120}

Morin’s observation directly conflicts with Paul DeVillers’ argument early in the legislative process that the key justification for the modernization of FASA was “to position physical activity as a crucial determinant of health.”\textsuperscript{121} Unless significant changes were to be made to the proposed version of PASA before it received royal assent, Morin’s statement and the results of this analysis suggest that PASA will have done little to address the objective of maintaining the health, fitness, and physical abilities of the nation.

**HPS versus PSPA within PASA and the Legislative Summary**

The analysis of PASA and its legislative summary proceeded in the same manner as that of the legislative process. Therefore, the results of this analysis will be presented in the same way that they were in the previous section. However, no section on focusing
events is included as no focusing events were identified in either the Act or the legislative summary.

Legitimations in PASA and the Legislative Summary

Most often, legitimations were presented in the context of PAS (n=12, or approximately 39% of legitimations), followed by PSPA (n=8, or approximately 26% of legitimations), AS (n=7, or approximately 23% of legitimations), and finally, HPS (n=4, or approximately 13% legitimations). See figure 4.3 for a graphic representation of the context surrounding legitimations by spectrum category. This demonstrates the government’s recognition that the goals identified are best addressed through both physical activity and sport. In this case, and unlike the legislative process, legitimations presented in the context of PSPA exceeded those presented in the context of HPS, which suggests the government’s recognition that PSPA may be a more appropriate avenue by which to attain the identified objectives.122

Figure 4.3 Context surrounding legitimations by spectrum category in PASA and the legislative summary.
Similar trends emerged within PASA in terms of the types of rationales that were used to justify the creation of new legislation. Once again, references related to the reproduction of values were the most frequently cited legitimations (n=9, or 29% of all level-1 legitimations), followed closely by those relating to the maintenance of health, fitness, and physical abilities (n=6, or 19% of all level-1 legitimations), and identity, belonging, and unity (n=5, or 16% of all level-1 legitimations). See table 4.5 for frequencies of all level-1 legitimations. With respect to the Act, each of these objectives was encompassed in the following statement, located within the preamble:

The Government of Canada recognizes that physical activity and sport are integral parts of Canadian culture and society and produce benefits in terms of health, social cohesion, linguistic duality, economic activity, cultural diversity and quality of life.  

The specific values that emerged within the Act and the legislative summary included:

‘Health and Well-being’ (n=4, or 36% of specific values); ‘Linguistic Duality’ (n=3, or 27% of specific values); ‘Learning and Personal Growth’ (n=2, or 18% of specific values); and, ‘Value and Respect Diversity’ (n=2, or 18% of specific values).

‘Health and Well-Being’ appeared in the context of both PSPA (n=3) and PAS (n=1). Within the ‘Physical Activity Policy’ section of PASA, the first point states that the objective of the Government of Canada is “to promote physical activity as a fundamental element of health and well-being.” Because this was linked only to physical activity, it was placed under PSPA. This concept was repeated twice through the legislative summary. The fact that the value of health and well-being emerged in the context of only PSPA and PAS here implies that government representatives recognize
that the values of health and well-being are not necessarily, or at least are not most effectively, fostered in the HPS environment.

Table 4.5 Frequency of level-1 legitimations in PASA and the legislative summary.

<table>
<thead>
<tr>
<th>Level-1 Legitimation</th>
<th>Frequency (n)</th>
<th>Frequency (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safeguard the public order</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Maintain health, fitness, and physical abilities</td>
<td>6</td>
<td>19.35</td>
</tr>
<tr>
<td>Promote prestige and power</td>
<td>1</td>
<td>3.23</td>
</tr>
<tr>
<td>Promote identity, belonging, and unity</td>
<td>5</td>
<td>16.13</td>
</tr>
<tr>
<td>Reproduce values</td>
<td>9</td>
<td>29.03</td>
</tr>
<tr>
<td>Increase support for political leaders and government</td>
<td>2</td>
<td>6.45</td>
</tr>
<tr>
<td>Promote economic development</td>
<td>2</td>
<td>6.45</td>
</tr>
<tr>
<td>Other</td>
<td>6</td>
<td>19.35</td>
</tr>
<tr>
<td>Total (N)</td>
<td>31</td>
<td>100</td>
</tr>
</tbody>
</table>

Recognition of the ability of physical activity and sport to “produce benefits in terms of... linguistic duality” appeared in the preamble of PASA and was referenced twice in the legislative summary. The inclusion of this clause in the final version of the Act can be credited almost entirely to Robert Lanctôt, who consistently demanded throughout the legislative process that linguistic duality be recognized and respected in PASA.

The desire to reproduce the values of ‘Learning and Personal Growth’ and ‘Value and Respect Diversity’ appeared equally as often throughout PASA and the legislative summary. ‘Learning and Personal Growth’ included references to “the promotion of sport as a tool of individual... development.” Here, sport is referenced in the absence of physical activity, suggesting that perhaps this value is believed to be best promoted through sport, rather than through physical activities that fall outside the traditional
definition of sport. References to cultural diversity, on the other hand, were linked to both physical activity and sport.\textsuperscript{128}

The frequent appearance of objectives related to maintaining the health, fitness, and physical abilities of Canadians largely explains why PSPA ranked as the second most commonly referenced spectrum category. This was largely due to the identification of a link between physical activity and improved health in both PASA and the legislative summary. The second point under the ‘Physical Activity Policy’ section states that the Government’s objective is “to encourage all Canadians to improve their health by integrating physical activity into their daily lives.”\textsuperscript{129} This aligns with Paul DeVillers’ assertion in the legislative process that the main reason for modernizing FASA was to “position physical activity as a crucial determinant of health.”\textsuperscript{130}

Physical activity and sport were identified in both PASA and the legislative summary as contributing to social cohesion, social development, and Canadian culture and society.\textsuperscript{131} These references were categorized under ‘Identity, Belonging, and Unity,’ and were presented in the context of both AS (n=3) and PAS (n=2). With slightly more emphasis on AS, it can be surmised that people within government believe sport endeavours promote identity, belonging, and unity more effectively than physical activity endeavours.

Similar to the legislative process, other legitimations that emerged in PASA and the legislative summary included the perceived need to modernize the legislation (n=4) and to provide a timely, cost-efficient means of dispute resolution (n=2). The context surrounding the need to modernize FASA was equally spread across all spectrum categories. For example, the first point in the summary provided at the beginning of
PASA states: “This enactment replaces the *Fitness and Amateur Sport Act*, which was enacted in 1961, with modernized legislation that is better adapted to contemporary realities.”\textsuperscript{132} Therefore, it is necessary to evaluate whether or not PASA has effectively accomplished that goal.\textsuperscript{133}

Similar to the legislative process, the desire to develop a timely, cost-efficient means of dispute resolution was presented in PASA and the legislative summary only in the context of HPS. Whether or not the solutions provided in the Act were designed to address this goal will also be evaluated.

Attributions in PASA and the Legislative Summary

There were a number of similarities between the legislative process and PASA and its legislative summary in terms of the solutions proposed. Once again, the majority of level-1 attributions were classified within HPS (n=182, or approximately 68\% of all level-1 attributions), followed rather distantly by PAS (n=54, or approximately 20\% of all level-1 attributions). Even further behind in terms of the relative emphasis they were afforded were AS (n=19, or 7\% of all level-1 attributions) and finally, PSPA (n=14, or approximately 5\% of all level-1 attributions). See figure 4.4 for a visual representation of attributions organized by spectrum category in PASA and the legislative summary.

Similarities also existed between specific attributions identified as well as the relative emphasis that was placed on them. Once again, a qualitative analysis of PASA, in particular, revealed an overwhelming emphasis on content surrounding the establishment of the SDRC. Approximately eleven pages of the sixteen-page Act were assigned specifically to outlining the stipulations of the Centre. The quantitative analysis of the
data provided further support for this as references to the SDRC accounted for the greatest majority of references to specific attributions (n=150). Once again, the SDRC category fell more broadly within ‘Enhanced Capacity,’ which was the most frequently cited level-1 attribution (n=158, or approximately 87% of all level-1 attributions). With the establishment of a new centre or organization, it is not surprising that so much of the Act would be assigned to specifying its operating guidelines. However, other new organizations were proposed throughout the legislative process that would have more effectively addressed all levels of physical activity and sport, namely a separate department for physical activity and sport as previously described.

![Figure 4.4 Attributions by spectrum category in PASA and the legislative summary.](image)

It was also suggested at the second meeting of the Sub-Committee that a consultation organization be established to give power back to the physical activity and sport community. Raymond Côté of Sports-Québec suggested a modern version of the former National Advisory Committee on Fitness and Amateur Sport, when he said:

I’m talking about a consultation organization for the minister, but also an organization for joint action. The objective is to have people who are not necessarily
representatives of someone, but whose concern is to make the support system advance. A certain number of criteria can be determined for people who are recognized by the sports community as valid people, as people who have a sports vision, people who do not necessarily meet narrow needs, that is to say addressing only the situation of trainers or that of athletes, but who would be able to say where we should go in developing the sports system...

Call it an advisory committee, if you will...

The other possibility is to create a non-governmental organization consisting of the same type of people, that is to say persons who do not represent organizations, but who are capable of orienting sport, as we see done elsewhere, but in establishing our own system, our own modus operandi, people selected for their ability to make the system advance.

In my view, those were two positions to consider. In the act, we would have seen a major change. The government would have said that it believes in the sport system. We’ve taken a regional consultation approach and had the national summit, and here’s where we’re heading. At that point, internationally, it would have been said that Canada was making a serious change... There are basic changes which should have appeared in the act to express the government's intention.134

In spite of this recommendation, such an organization was not established and no emphasis was placed on this type of solution in the Act. Had such an organization been created, the Act would likely have been far more balanced on the HPS-PSPA scale. Instead, a huge portion of PASA and the legislative summary was devoted to the creation of the SDRC, which focuses entirely on HPS.

The next major solution throughout PASA and the legislative summary was not identified as a major solution in the legislative process. Under the level-1 attribution, ‘Enhanced Participation,’ ‘Promote Benefits of Physical Activity and Sport’ emerged as
the most common solution, accounting for approximately forty percent of specific solutions within this category. It appeared most commonly in the context of PAS (n=10), followed by PSPA (n=7), and AS (n=4). It should be noted that ‘promote’ appeared as a ‘buzz word’ throughout the Act and was not always tied to tangible solutions. However, one of the clauses in the Act states that the minister may “prepare and distribute information relating to physical activity and sport,” which would help to educate Canadians about the benefits of incorporating physical activity and sport into their daily lives.\textsuperscript{135} This could in turn lead to greater participation, but tangible support (e.g., funding) is still required to achieve more noticeable changes.

Similarly to the legislative process, the importance of access and equity for Francophone athletes was apparent within PASA and the legislative summary. These types of references accounted for approximately sixty-one percent of all references to solutions for specific under-represented groups. Once again, this priority was referenced fairly equally among HPS (n=9) and PAS (n=10). This demonstrates a continued tendency by the government to lean toward language issues as they relate to athletes at the HPS level, rather than those at all levels of the sport system.

It is interesting to note that reference was made to women in the Act and in the legislative summary. However, in the Act, there was only one reference to women and it was in the context of the SDRC. The Act states that the board of directors for the SDRC will be “composed of men and women committed to the promotion and development of sport who have the experience or capacity to enable the Centre to achieve its mission.”\textsuperscript{136} While it is positive that both genders were stated here, this does not specify that there will be equal numbers of males and females in representation. In the legislative summary, the
discussions of the legislative process about whether or not reference should be made to
gender equity in the Act were described and highlighted as “the issue that garnered the
most media attention.” The implications that such a reference would have for other
represented groups was also discussed. However, as indicated in the analysis of the
legislative process, it was decided that ‘All Canadians’ was sufficient terminology to
address issues faced by under-represented groups. Not surprisingly, ‘All Canadians’
accounted for the next most frequently referenced group (n=5) in the Act and the
legislative summary combined.

As in the legislative process, ‘Public Financial Resources’ was one of the top
solutions in PASA and the legislative summary (n=10), but remained far behind in
comparison to the SDRC and the promotion of the benefits of physical activity and sport.
However, it is noteworthy that in the case of PASA and the legislative summary, funds
were tied to PAS rather than HPS (as in the legislative process). Given the ambiguity of
the PAS category, this suggests that future funds have the potential to be spent on either
end of the spectrum. Still, given the emphasis that was placed on HPS as it relates to the
assignment of funds throughout the legislative process, it would not be surprising if this
seemingly neutral solution resulted in continued over-investment in HPS following the
passage of the Act.

The final major solution identified within PASA and the legislative summary was
the enhanced interaction among all levels of government (n=8, or 47% of specific
attributions within ‘Enhanced Interaction’). This mirrored the emphasis placed on this
priority throughout the legislative process, appearing most often in the context of PAS.
Enhanced interaction was also mentioned as it relates to other countries, the physical
activity and sport community, and the private sector, but these were emphasized to a lesser degree. Improving the coordination among all of these stakeholders would certainly improve the functioning of the Canadian sport system. Such an improvement could lead to the more effective attainment of goals like improving the health, fitness, and physical abilities of the nation and reproducing values like health and well-being, through participation in physical activity and sport.

As was the case in the legislative process, it appears that the solutions presented in PASA and the legislative summary are not sufficient to achieve the broader goals outlined by the government. In PASA and the legislative summary, the overwhelming focus on the SDRC resulted in a continued emphasis on HPS-related interests. Even in the absence of solutions related to the SDRC, the remaining solutions are vague at best, falling primarily in the PAS category. This allows for the government to interpret the legislation as it sees fit, and thus, cannot be used to predict future outcomes of PASA.

**Is the Canadian Government’s prioritization of HPS and PSPA consistent with that expressed in PASA?**

The purpose of this study was to highlight the intentions of the Canadian Government as they related to support for the competing priorities of HPS and PSPA through an examination of past legislation and policies, the legislative process, and PASA itself. The results of the preceding analyses demonstrate that the relative emphasis placed on HPS and PSPA by the Canadian government varied across the data under examination. The differences and similarities between the three groups of data on which this study was
based are discussed here to determine whether PASA provides an accurate representation of the policies and the legislative process that immediately preceded its passage.

FASA versus PASA

As previously mentioned, the opening statement contained in the summary that precedes PASA reads: “This enactment replaces the *Fitness and Amateur Sport Act*, which was enacted in 1961, with modernized legislation that is better adapted to contemporary realities.”\(^{139}\) It is worthy of note that a comparison between FASA and PASA reveals that, as suggested by Senator Morin in the legislative process, little has changed from one Act to the next.\(^{140}\) The ‘Objects and Mandate’ section of PASA, or “the heart of the bill,” as it was referred to by Paul DeVillers, is virtually unchanged in comparison to FASA. With the exception of a few minor changes in wording, ten of the sixteen points (i.e., more than the fifty percent estimated by Morin)\(^{141}\) included in ‘Objects and Mandate’ came directly from FASA. However, beyond replacing the words ‘Fitness and Amateur Sport’ with ‘Physical Activity and Sport,’ a few of the changes made are noteworthy.

For example, the point that read “Provide bursaries or fellowships to assist in the training of necessary personnel” in FASA was changed to “Provide bursaries or fellowships to assist individuals in pursuing excellence in sport.”\(^{142}\) Such a change makes that particular clause more specific to HPS. In FASA, another point read: “Coordinate federal activities related to the encouragement, promotion, and development of fitness and amateur sport, in cooperation with any other departments or agencies of the
Government of Canada carrying on such activities.” Where the same point appeared in PASA, “in cooperation with any other departments or agencies of the Government of Canada carrying on such activities” was replaced by “particularly those initiatives related to the implementation of the Government of Canada’s policy regarding sport, the hosting of major sporting events and the implementation of anti-doping measures, in cooperation with other departments or agencies of the Government of Canada.” Once again, hosting and anti-doping are both HPS-related, making this change one that favours HPS.

Similarly, the line that read “Provide for the training of coaches and such other personnel as may be required for the purposes of this Act” in FASA was changed to “provide for the training of coaches and any other resource persons to further the objects of this Act in relation to sport” in PASA. While this is more of an AS than an HPS reference, it makes the new clause sport-specific when it could have otherwise been used to support the improved training of people who deliver physical activity programs. All of these changes suggest a shift toward HPS and AS, which is contrary to suggestions by Mick Green and Anthony Church that a shift toward PSPA may have occurred.

This contention is further supported by the fact that of the six new clauses included in the ‘Objects and Mandate’ of PASA, four fell within AS, having made no reference to physical activity, while the remaining two were specific to HPS. The two HPS-specific references addressed the need for government support in relation to hosting the Canada Games and operating the SDRC.

Another interesting change made suggests that in the new legislation, ambiguity has been favoured over specificity. FASA stated that the Minister may “undertake such other projects and programs, including the provision of services and facilities or the
provision of assistance therefor, in respect of fitness and amateur sport as are designed to promote and further the objects of this Act." On the other hand, where PASA mentioned support for projects and programs, no reference was made to the provision of services, facilities, or assistance. Rather, it states that the Minister may “undertake or support any projects or programs” without reference to the means by which that support would be provided.

Three other major changes occurred from one Act to the next. The first was the deletion of a section for the establishment of a national advisory council, as that had lost its influence through the 1970s and was formally dissolved in 1995 with the Government Organization Act (Federal Agencies). In FASA, this section demonstrated an interest in both ends of the HPS-PSPA spectrum, if not a greater emphasis on PSPA. Had a new council been established as was suggested by Raymond Côté in the legislative process, PASA would have demonstrated more balanced priorities. The second major change was the addition of the sections on ‘Physical Activity Policy’ and ‘Sport Policy,’ which were fairly balanced in terms of spectrum priorities.

The final major change, of course, was the section that addressed the establishment of the SDRC. Senator Morin’s assertion that the government was “setting up a resolution centre for sport, and that is it,” accurately reflects the overwhelming emphasis that was placed on the SDRC in PASA. The introduction of the SDRC, the changes made to the ‘Objects and Mandate,’ and the failure to establish a consultation organization like the National Advisory Council combine to support the contention that PASA is geared more toward HPS than the legislation that preceded it. If the “contemporary realities” that PASA was created to address have anything to do with the
obesity and inactivity crises, then it is fair to say that the lack of attention to PSPA makes PASA an ineffective measure by which to counteract those realities.\textsuperscript{153}

Selected Policies versus PASA

In addition to FASA, the selected policies that were identified through the legislative process demonstrated a fairly equal emphasis on both HPS and PSPA. However, the National Recreation Statement – in spite of its PSPA focus – continues to serve as a barrier to federal intervention into PSPA-related endeavours. Because the National Recreation Statement gives primacy to the provinces with respect to jurisdiction over recreation, federal involvement in PSPA depends upon effective coordination between itself and the provincial/territorial and municipal governments. As was apparent through several references to the need for enhanced interaction with other levels of government in the legislative process, inter-governmental coordination is a problem area. The complexity of solving the problem of inter-governmental coordination makes investment into HPS a more attractive option for the federal government given its primacy over national-level programs.

A tangible mechanism for inter-governmental coordination could have been established through PASA, but this did not occur. It is not enough that the legislation states the government’s wish “to encourage cooperation among the various governments, the physical activity and sport communities and the private sector in the promotion of physical activity and sport.”\textsuperscript{154} Without a concrete solution by which to achieve this objective, the legislation offers little value.
Additionally, the federal government’s intention to continue to focus on HPS as evidenced by the priorities within PASA could have been predicted given the role of the federal government as described in the Canadian Sport Policy. As previously mentioned, the federal role was predominantly focused on HPS, dealing with issues like the development of HPS athletes and coaches, the financial support of athletes, and the hosting of major sporting events. Therefore, while the Canadian Sport Policy and the other identified policies were fairly-well balanced overall, the definition of the federal government’s role in the Canadian Sport Policy foreshadowed the avoidance of any major involvement in PSPA. As such, it is not surprising that PASA does not reflect the priorities broadly addressed in the selected policies that preceded its passage.

Though it has been noted that the selected policies were primarily balanced in their prioritization of HPS and PSPA, their overall emphasis is perhaps less important than the way that their contents were used in the legislative process to advance certain priorities over others. The selective use of different aspects of certain policies to relieve the federal government of responsibility for some areas (e.g., physical activity) while supporting their advancement in other areas (e.g., establishing the SDRC) highlights the importance of the legislative process.

The Legislative Process versus PASA

A comparison of HPS-PSPA priorities between PASA and the legislative process reveals that PASA is largely reflective of the majority of discussions that led to its development. The focus on HPS found within the legislative process carried over to PASA, which was similarly weighted toward HPS-focused priorities. Some of these
priorities include the SDRC, access and equity for Francophone athletes, and the consistent association of public funds with HPS-related solutions. These findings conflict with suggestions by several authors that a shift toward PSPA-related priorities may have occurred through PASA. While this study did not examine the existence of a ‘shift’ in priorities, its findings do suggest that PASA reproduces the government’s historical fixation on HPS.

However, it should be noted that in spite of the overwhelming emphasis on HPS-related priorities in PASA and the legislative process, there were actors that advanced PSPA objectives and criticized the lack of progress being made through PASA. For example, Raymond Côté argued for a consultation organization that would give power back to the physical activity and sport community, which was suggested to be better-suited to represent the interests of Canadians at all levels of the sport system. Additionally, Senator Morin highlighted the lack of focus on physical activity within PASA and criticized the lack of innovation that was evident in PASA compared to its predecessor, FASA. Unfortunately, however, in spite of the arguments presented by these actors, their desire to see PSPA-related initiatives addressed through tangible solutions was not reflected within PASA. While discussions surrounding the advancement of PSPA occurred far less frequently than those that reproduced the status quo (i.e., support for HPS), it is important to recognize that they did occur even if they were not reflected within the final version of PASA.
Endnotes

1 “Sub-Committee” is used throughout this document to refer to the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage. Likewise, “Standing Senate Committee” is used to refer to the Standing Senate Committee on Social Affairs, Science and Technology.

2 Canada, Senate Debates (23 October 2002), p. 1450 (Senator Mahovlich).

3 Ibid.

4 Canada, House of Commons Debates (18 June 2002), p. 1240 (Mr. Proctor, MP).

5 Canada, Proceedings of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage (22 May 2002), p. 1535 (Mr. DeVillers, MP).

6 Canada, Proceedings of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage (4 June 2002), p. 1540 (Ms. Berck, Canadian Association for the Advancement of Women in Sport and Physical Activity).

7 Canada, House of Commons Debates (17 June 2002), p. 1710 (Mr. Cadman, MP).


11 More specifically, the report stated that “there was an unspoken all-party attitude that it was essential to do something for Canadian sport, but that such action was politically risky unless fitness could be used as a cover. In other words, it was the righteous armour of fitness that provided the justification for the entry of government into the field of sport.” The Task Force went on to argue that “sport should not be condemned to walk in the shadow of fitness as its retarded brother,” implying that the relationship between sport and fitness was created more for the advancement of sport than it was for the advancement of fitness. W. Harold Rea, Paul Wintle DesRuisseaux, and Nancy Green, Report of the Task Force on Sports for Canadians (Ottawa, ON: Department of National Health and Welfare, 1969), 16.


13 As little as sixteen years prior to the passage of PASA, a suggestion by Ian Eisenhardt – then Director of the National Council on Physical Fitness (NCPF) – that the NCPF could serve as “the mouth-piece of sports to the government” resulted in a public outcry that indicated federal intervention in sport was not welcome. New Glasgow Eve News, Nova Scotia, February 20, 1945, quoted in Lorne W. Sawula, “Why 1970, Why not Before?” Canadian Journal of History of Sport and Physical Education 4, no. 2 (1973): 48.

14 Canada, House of Commons Debates (15 April 2002), p. 1620 (Mr. Lancôt, MP); Canada, House of Commons Debates (18 June 2002), p. 1230 (Mr. Lancôt, MP).

15 Canada, House of Commons Debates (15 April 2002), p. 1615-1620 (Mr. Lancôt, MP).

16 Canada, House of Commons Debates (18 June 2002), p. 1230 (Mr. Lancôt, MP).


23 Ibid., 172.

24 Canada, *Proceedings of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage* (22 May 2002), p. 1600 (Mr. DeVillers, MP); Canada, *Standing Senate Committee on Social Affairs, Science and Technology* (6 November 2002), p. NA (Mr. Jones, AthletesCAN).

25 Canada, *Standing Senate Committee on Social Affairs, Science and Technology* (6 November 2002), p. NA (Mr. Jones, AthletesCAN).

26 Standing Committee on Canadian Heritage Sub-Committee on the Study of Sport in Canada, *Sport in Canada*, 130.

27 Canada, *Standing Senate Committee on Social Affairs, Science and Technology* (21 November 2002), p. NA (Mr. DeVillers, MP).

28 Standing Committee on Canadian Heritage Sub-Committee on the Study of Sport in Canada, *Sport in Canada*, 54.

29 Ibid.

30 Ibid., 126-133.


32 Ibid.


35 Ibid.


38 Ibid., 45.

39 Ibid., 45-46.

40 Ibid., 46.


43 Ibid.


46 Ibid.

47 Ibid.

48 Ibid., 22.

49 Ibid.

50 Ibid., 23.


52 Canada, *Standing Senate Committee on Social Affairs, Science and Technology* (21 November 2002), p. NA (Mr. DeVillers, MP).

53 Ibid, (Senator Cordy).

54 Ibid.

55 Ibid.

56 Ibid.


61 Ibid., 16.
62 Ibid., 13.

63 Ibid., 16-19.

64 Ibid., 15.


66 Canada, Proceedings of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage (22 May 2002), p. 1535 (Mr. DeVillers, MP).

67 Ibid., p. 1630 (Mr. Strahl, MP).

68 Canada, Proceedings of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage (28 May 2002), p. 1825 (Mr. Côté, Sports-Québec).

69 Canada, House of Commons Debates (18 June 2002), p. 1145 (Mr. Strahl, MP).

70 Sub-categories within ‘Reproduce Values’ with frequencies less than 5 were omitted from table 4.2. These include: Academics (n=4); Balance (n=1); Competitive success (n=2); Sacrifice (n=3); Sportsmanship (n=3); Team spirit and teamwork (n=4); Transparency (n=3); Travel (n=1); Volunteerism (n=2).

71 Canada, Standing Senate Committee on Social Affairs, Science and Technology (6 November 2002), p. NA (Mr. Lachance, Sport Matters).

72 Canada, House of Commons Debates (18 June 2002), p. 1300 (Mr. MacKay, MP).

73 Though this legitimation appeared many times in references to “sport,” rather than “physical activity and sport,” the surrounding context and description of activities led the researcher to believe that the intended meaning related more to PSPA than to HPS. However, given the ambiguity surrounding such references, they were most often placed under PAS rather than PSPA.

74 Canada, House of Commons Debates (15 April 2002), p. 1550 (Mr. Abbott, MP).

75 ‘Linguistic duality’ refers to the equal status of the two official language groups in Canada – Anglophones and Francophones.


77 Ibid.

78 Canada, Proceedings of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage (22 May 2002), p. 1535 (Mr. DeVillers, MP).

79 Canada, Standing Senate Committee on Social Affairs, Science and Technology (6 November 2002), p. NA (Mr. MacAdam, Sport Canada).
Canada, *Standing Senate Committee on Social Affairs, Science and Technology* (20 November 2002), p. NA (Mr. Bell, Coalition for Active Living).


Ibid., p. 1540.

Ibid.


On its website, the SDRC states that it “offers an innovative approach to dealing with disputes at the national level of Canada's sport system.” Being involved at the national level of Canada’s sport system implies high performance status. Sport Dispute Resolution Centre of Canada (SDRCC), “About SDRCC,” http://www.crdsc-sdrcc.ca/eng/about.jsp (accessed: November 3, 2009).


Canada, *Proceedings of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage* (28 May 2002), p. 1535 (Mr. Lachance, Sport Matters); Canada, *Proceedings of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage* (28 May 2002), p. 1615 (Mr. Jones, AthletesCAN); Canada, *Standing Senate Committee on Social Affairs, Science and Technology* (20 November 2002), p. NA (Mr. de Pencier, ADRsportRED).


103 Ibid.

104 Ibid.

105 Ibid., (Ms. Berck, Canadian Association for the Advancement of Women in Sport and Physical Activity).

106 Equality and Equity was the fourth most commonly listed value, accounting for approximately nine percent of specific values.

107 The Canadian Human Rights Act states: “All individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated, consistent with their duties and obligations as members of society, without being hindered in or prevented from doing so by discriminatory practices based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability or conviction for an offence for which a pardon has been granted.” Canada, “Canadian Human Rights Act,” *Department of Justice of Canada*, http://laws.justice.gc.ca/PDF/Statute/ H/H-6.pdf (accessed June 24, 2009).


110 An explanation of the social determinants that can facilitate or prevent one’s advancement to HPS is available on pages 25-26 in Chapter One of this document.

111 Though it was sometimes referred to solely as a ‘Department for Sport,’ it was clear based on surrounding context that its intended meaning had to do with both physical activity and all levels of sport.
111 Proceedings of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage (11 June 2002), p. 1550 (Mr. Keyes, MP).

112 Canada, House of Commons Debates (18 June 2002), p. 1325 (Mr. Mills, MP).

113 Ibid., p. 1240 (Mr. Lanctôt, MP).

114 Proceedings of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage (11 June 2002).

115 Canada, House of Commons Debates (18 June 2002), p. 1155 (Mr. Strahl, MP).

116 Canada, House of Commons Debates (15 April 2002), p. 1620 (Mr. Lanctôt, MP).

117 Ibid.

118 Canada, House of Commons Debates (15 April 2002), p. 1720 (Mr. MacKay, MP).

119 Canada, Standing Senate Committee on Social Affairs, Science and Technology (6 November 2002), p. NA (Senator Morin).

121 These objectives include the reproduction of values, the maintenance of health, fitness, and physical abilities and the promotion of identity, belonging, and unity.


123 Ibid., 2.

124 Sam Banks, LS-439E, Legislative Summary – Bill C-12: An Act to Promote Physical Activity and Sport (Ottawa, ON: Library of Parliament, 2003), 1 and 3.


129 Ibid.

130 Canada, Proceedings of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage (22 May 2002), p. 1535 (Mr. DeVillers, MP).


133 A detailed comparison between FASA and PASA is included in the final section of this chapter.

134 Canada, Proceedings of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage (28 May 2002), p. 1830 (Mr. Côté, Sports-Québec).


136 Ibid., 6.


138 Ibid.


140 Canada, Standing Senate Committee on Social Affairs, Science and Technology (6 November 2002), p. NA (Senator Morin).

141 Ibid.


146 Church, “Pressure Groups and Canadian Sport Policy,” 184; Green, “Olympic Glory or Grassroots Development?” 934.


152 Canada, *Standing Senate Committee on Social Affairs, Science and Technology* (6 November 2002), p. NA (Senator Morin).


155 Church, “Pressure Groups and Canadian Sport Policy”; Coakley and Donnelly, “Sports and Politics”; Green, “Olympic Glory or Grassroots Development?”; Green, “Power, Policy, and Political Priorities”.
Chapter Five

Discussion

Through an examination of selected policy documents and a detailed content analysis of the Physical Activity and Sport Act (PASA) and the legislative process that led to its development, federal intentions as they relate to the prioritization of high performance sport (HPS) and participatory sport and physical activity (PSPA) were assessed. Findings suggest that while relatively balanced priorities were found within the identified policies, the role of the federal government – as defined in those policies – prevented the advancement of PSPA on the federal agenda. As such, it is not surprising that an examination of the legislative process revealed an overwhelming emphasis on HPS. This emphasis was mirrored in PASA. The federal role as defined in the National Recreation Statement and the Canadian Sport Policy played an important part in determining where the emphasis would lie within PASA. However, several other issues contributed to the way that certain problems and their associated solutions were advanced at the expense of others through the legislative process.

The Construction of Problems in the Policy (Legislative) Process

Dominant Legitimations, Focusing Events, and Attributions

Utilizing Chalip’s framework for critical policy analysis, this study identified the legitimations or broad government objectives as well as the attributions or means by which to achieve government objectives that dominated the legislative process and
Based on the analysis of the legislative process, dominant government objectives included the reproduction of values (e.g., learning and personal growth, fairness, and linguistic duality) and the maintenance of the health, fitness, and physical abilities of Canadians through physical activity and sport. Fostering a sense of identity, belonging, and unity was also considered an important objective. Beyond Coakley and Donnelly’s seven rationales for government involvement in sport, other legitimations that emerged included the modernization of FASA, the inspiration of Canadians to participate in physical activity and sport, and the timely, cost-efficient resolution of sport disputes. These legitimations, however, were referenced far less frequently than the objectives identified above.

Mirroring the legislative process, an examination of PASA yielded similar dominant rationales. Each of ‘Reproduce Values,’ ‘Maintain the Health, Fitness, and Physical Abilities of Citizens,’ and ‘Promote a Sense of Identity, Belonging, and Unity’ appeared in the same order as they came in the legislative process in terms of the relative emphasis that they were afforded. In PASA, however, the values that emerged appeared in slightly different order. Health and well-being emerged as the most emphasized value, followed closely by learning and personal growth and respect for diversity. Linguistic duality also emerged as a value that could be reproduced through physical activity and sport. Once again, the need to modernize legislation as well as to provide a timely, cost-efficient, dispute resolution service also emerged in PASA.

While no focusing events were present in PASA, actors in the legislative process highlighted the importance of events most often relating to the maintenance of health,
fitness, and physical abilities of citizens and the reproduction of values through physical activity and sport. This aligned closely with the legitimations that emerged, though the types of values represented by various events were slightly different. Equality and equity emerged as an important value given that many of the events described provided examples of how issues of inequality had been effectively managed. However, the majority of these events dealt exclusively with gender equity, though some addressed inequities for Francophone athletes. After Equality and Equity, the most commonly cited focusing events represented issues of fairness, fair play, and ethical decision making as well as linguistic duality.

The attributions that dominated the legislative process and PASA were quite similar, though some minor differences emerged. The following solutions dominated both the legislative process and PASA: the establishment of a Sport Dispute Resolution Centre (SDRC); measures to ensure access and equity – particularly for Francophone athletes and ‘all Canadians’; the provision of public financial resources with an extra emphasis on funds linked to HPS; and, enhanced interaction across all levels of government. Interestingly, however, one of the most dominant solutions in the legislative process did not find its way into PASA – that is, the establishment of a separate department and minister for physical activity and sport. The adoption of such a solution would have allowed PSPA a better opportunity to achieve equal status (or at least something closer to equal status) with HPS on the federal agenda. Another difference between PASA and the legislative summary was that within PASA, an emphasis was placed on the promotion of the benefits of physical activity and sport. This priority was not emphasized to the same degree in the legislative process.
Illogical Connections, Unconsidered Solutions, and Disadvantaged Groups

Chalip argues that the primary objective of critical policy analysis is “not merely to describe the logic of policy debates,” but to “identify points of illogic” and to suggest “pivotal concerns that have not been addressed, and key stakeholder groups whose interests warrant examination.”

In this section, dominant legitimations and attributions will be compared to determine whether logical links exist between the broad objectives of the government and the solutions that were supposedly designed to address those objectives. Solutions that were not considered will be highlighted. Finally, solutions will be evaluated in terms of which groups they serve and which groups they disadvantage.

The SDRC was established to react to the need for timely, cost-efficient dispute resolution and the desire to reproduce values of fairness, fair play, and ethical decision-making. At first glance, the SDRC seems like a logical response to the problem of frequent disputes over team selection, carding, or doping and where disciplinary action is required. However, if one considers that each of these problem areas originates with the fixation on winning and being the best that underpins the Canadian sport system, it becomes apparent that the SDRC is more a reactionary solution than a proactive one.

Additionally, it might seem reasonable that investment into the SDRC would contribute positively to the reproduction of values like fairness, fair play, and ethical decision-making by policing the Canadian sport system through the provision of dispute resolution. However, it is important to remember that the SDRC is primarily designed to service the highest levels of the sport system, where winning is the ultimate goal.

Research suggests that performance-oriented environments, or those in which winning or
being the best are emphasized, contribute to: amoral and aggressive team behavior; less respect for rules, officials, and conventions; and, a perception that unsportsmanlike play is acceptable. Therefore, by policing the system rather than reflecting on the values on which it is based (i.e., winning), the establishment of the SDRC connotes government acceptance of the current state of the sport system and the values it perpetuates.

As was suggested in the Best Report, it is important for Canadians to reflect on whether “we appreciate the difference between ‘being the best you can be’ and ‘being the best.” With that in mind, other solutions should have been considered to address the reproduction of values like fairness, fair play, and ethical decision-making. Rather than create an organization designed to react to disputes or to police sport for poor behaviour like doping, the Canadian government should have considered revising its priorities. Indeed, the pressure to perform as evidenced by the dependence of athlete funding on performance, contributes to problems of doping and other unethical behaviours in sport. As long as funding is provided on the basis of performance, the Government will need to rely on an organization like the SDRC to deal with the ramifications of a system that promotes a ‘win-at-all-costs’ mentality.

On the other hand, if the government were to address the root of the problem by revising its funding framework – which exchanges money for medals – funds and other resources directed toward the SDRC could be redirected toward ensuring the fair participation of all Canadians. Alternatively, those funds could be used to provide training programs for coaches and parents of young participants that focus on fostering an environment that promotes participation and fair play over winning. This solution would
not only reproduce values of fairness, fair play and ethical decision-making, but those of learning and personal growth, health and well-being, and equity and equality. Additionally, if participation was enhanced, the health, fitness, and physical abilities of citizens would be better maintained and a sense of identity, belonging, and unity would be fostered in communities across Canada.

Finally, it is important to note that the SDRC serves only a fraction of the Canadian population given its focus on the national level of the Canadian sport system. Therefore, Canadians who do not qualify to participate at that level (i.e., the vast majority of Canadians) will receive little to no benefit as a result of the creation of the SDRC. The exclusive population to which the SDRC is tailored (i.e., stakeholders at the highest levels of the Canadian sport system) is not the only population that is given preferential treatment in PASA; Francophone Canadians were also made a priority in the Act.

The emphasis placed on the inclusion of a reference to linguistic duality and respect for the Official Languages Act in PASA was designed to ensure the reproduction of values like linguistic duality and equality and equity. It is logical that the inclusion of references to linguistic duality and the Official Languages Act would serve to reproduce these values, but it should be noted that this is only in relation to Francophones and Anglophones, and mostly in relation to athletes at the HPS level. Dominant concerns were largely weighted toward HPS as the majority of issues discussed related to national team selection, national training centres, and access to essential services for elite athletes, such as sport medicine. From the areas where linguistic duality was discussed as it relates to all levels of sport more generally, it could also be argued that this solution was also
designed to address objectives related to the maintenance of health, fitness, and physical abilities. Unfortunately, several under-represented groups besides Francophone athletes and participants were not given special priority in the legislative process and in PASA. While French participants, namely those at the highest levels of sport, were given special attention, all other under-represented groups were encompassed with the terms “all Canadians” and “under-represented groups.”

Rather than specifying only the importance of access and equity for Francophone participants, other specific under-represented groups – at least those identified in the Canadian Sport Policy⁸ – should have been referenced in PASA. Instead, the government favoured ambiguity with respect to addressing equality and equity – a choice that will be discussed in more detail shortly.

Public financial resources were linked primarily to HPS-related endeavours. It could be (and likely would be) argued that investing in HPS would lead to better performances on the international stage, which would inspire participation. In fact, it was often suggested throughout the development of PASA that inspiration would lead to a subsequent increase in participation, which would help to maintain the health, fitness, and physical abilities of the nation.⁹ However, in the absence of the necessary resources (e.g., funds, facilities, etc.), several barriers continue to prevent participation, whether people are inspired or not. To more effectively address the objective of improving the health of the nation, public financial resources should be directed toward broad participation, rather than to the elite few who make it to the level of HPS.
Solutions designed to enhance interaction across all levels of government and among other stakeholders would greatly improve the overall operation of the Canadian sport system. These could reasonably address all of Coakley and Donnelly’s rationales for government involvement in sport. However, with the exception of arranging “national and regional conferences in respect of physical activity and sport,” few of the suggested solutions are linked to tangible outcomes. They include words like “coordinate,” “cooperate,” and “encourage,” which leave the government open to the possibility of enhancing their interaction with other provinces and territories, the private sector, the physical activity and sport community, and others. They do not, however, demonstrate a concrete change in the way the Canadian sport system operates. As suggested in the Mills Report and in the legislative process, a separate department for physical activity and sport could have been established. A consultation organization to give power back to the physical activity and sport community could have also been created. Instead, the only tangible solution that came out of PASA is the SDRC, while these other suggested solutions were considered “beyond the scope” of this legislation.

It is important to consider the reasons why solutions like the SDRC and the recognition of linguistic duality were given primacy in the development of PASA, while other equally (if not more) worthy solutions failed to make their way into the final bill. Various issues that pervade the legislative process contribute to the way the process proceeds and subsequently, the solutions that are included in the bill and those that are not.
What Drives the Legislative Process: Research Findings or Socially Constructed Ideas?

Chalip argues that “policies do not emerge as rational choices from an array of fully elaborated alternatives. Rather, they are the product of socially constructed claims and definitions.”\(^{11}\) Similarly, Sam does not consider “the ideas that emerge from a policy formulation exercise… as neutral, objective statements.”\(^{12}\) Instead, he contends that policy ideas are “social constructions, strategically portrayed for the purposes of persuasion.”\(^ {13}\) Both of these assertions were largely supported by this study. For the most part, the discussions that took place throughout the legislative process were rarely supported by evidence. References were seldom made to studies that had thoroughly examined the issues under debate. At one point, Rodger Cuzner of the Liberal party criticized a witness for the lack of evidence provided to support his arguments. Cuzner argued, “If you’re making statements to the committee, they have to be backed up with some real figures. Otherwise, we go off half-cocked. I just think you have to underline your statements.”\(^ {14}\) This is but one example that demonstrates a recognition of the lack of real support provided for statements throughout the legislative process. For the most part, discussions were rooted in what can be best explained as the “feelings” of government representatives.

The belief in the ability of improved performance on the international stage to enhance participation by way of inspiration is frequently expressed to the point that it is portrayed as a fact in government circles despite the lack of supporting evidence. For example, Hélène Scherrer of the liberal party stated:
Recently, I met with the director of Baseball Canada who informed that his sport was in free fall owing to declining participation. I told him that undoubtedly soccer had become the sport of choice. However, I was very surprised to hear him say that golf was the culprit. The one person who has made a difference to the sport of golf is Tiger Woods. We often hear that people play soccer because it’s an inexpensive sport. Well, if there’s one sport that very expensive to play, it has to be golf. However, young people today are taking up the sport. This goes to show the kind of influence a talented, good-looking and well-spoken athlete can have. I think all parents would love to develop their own little Tiger. It’s not necessarily a question of money.15

This statement demonstrates how easily members of parliament can turn opinion into fact. It would be interesting to know on which assumptions the director of Baseball Canada, and subsequently Scherrer, based their assertions about the effect of successful athlete role models on sport participation. Similarly, Dick Proctor argued that “Our children need success stories that come from athletes who perform very well at the international level.”16 Yet, nowhere has this relationship between improved international performance and enhanced participation been supported with literature.

Though literature in the area is sparse, it has been suggested that the performances of elite athletes on the international stage fail to inspire participation at the grassroots level,17 or at least that this supposed relationship has yet to be substantiated through research.18 In fact, it has been suggested that the performance gap between high performance athletes and participants at the grassroots level may actually deter participation.19 This highlights the need for actors in the legislative process to base the statements that ultimately influence the outcomes of the process on evidence rather than hearsay.
There were a few exceptions, where certain government representatives or witnesses took initiative to support their claims through the use of research. For example, there was no absence of statistical evidence to support claims of growing obesity and inactivity crises. Also, Robert Lanctôt, who regularly fought for the recognition of linguistic duality and respect for the Official Languages Act, frequently cited the results of the study and report of the Commissioner of Official Languages to support his ideas. Beyond these examples, minimal research was used in the legislative process to support the ideas that were being conveyed. As such, the quality of the ideas on which PASA was based is limited.

Ambiguity: Open Interpretation, Ease of Agreement, and Future Implications

Sam contends that in the policy process, ideas are presented ambiguously in the name of fostering agreement among policy makers. He also argues that the way “ideas are translated into action (if they incur any action at all) depends on how they are interpreted.” These assertions are supported by the findings of this study. Ambiguity plagued the discussions surrounding the development of PASA and left various solutions open to interpretation, which has significant implications for both the resultant legislation and the use of that legislation in the future.

Ambiguity was used to foster agreement throughout the legislative process. For example, many items were discussed in the context of PAS, rather than HPS or PSPA. This ensured that actors in support of various levels of the spectrum would agree on whichever topic was under discussion. The belief that priorities associated with each
actor’s area of interest was encompassed in the vague terms of the legislation facilitated agreement. This concept is well represented by the use of “All Canadians” to address all under-represented groups. Though the Canadian Association for the Advancement of Women in Sport and Physical Activity (CAAWSPA) initially called for a special reference to gender equity, they backed down on that request when Paul DeVillers assured them that women and all other under-represented groups were encompassed in the term “All Canadians.”

Similarly, Senator Fairbairn requested the “assurance” of DeVillers that under-represented groups like women, aboriginals, and participants with disabilities “are not merely a reference point in the proposed act and in the sport policy, but are all contributing forces within that policy development.”22 Fairbairn accepted the “assurance” of DeVillers that those groups would be included in the policy process, but Senator LeBreton was less convinced. The following statement by LeBreton well represents the problem with the lack of recognition of these issues in writing:

The intentions are good. You well know the old saying, ‘The road to hell is paved with good intentions.’ The bill does not seem to address funding for women in sports or for under-represented groups. Should this bill not be rather more explicit in that regard?23

These intentions were never made more explicit and the implications of this are best represented in the context of changing priorities that accompany new administration.

Ambiguity in the creation of legislation serves two purposes – one is to allow for ease of agreement in the legislative process and the other is to allow for flexibility of implementation after legislation has passed. Therefore, Paul DeVillers can assure CAAWSPA that the intent of the legislation is to address issues faced by under-
represented groups and women in particular even though it is not explicitly stated in the legislation. However, as long as this is not written into the legislation, it is impossible to predict whether DeVillers, or the person who replaces him down the road, will place equal value on gender equity, or equity for other groups. Keeping legislation vague allows those in power at any given time the flexibility to interpret and use the legislation to advance whatever interests they consider most important. This conviction was supported in the legislative process by Dennis Mills, Chair of the Sub-Committee, who said: “It has to be written. If it’s not written in the law, people don’t follow it.”

Dyane Adam also highlighted the importance of specificity when she discussed a portion of the Official Languages Act:

The language that is used in that particular section of our act is interpreted differently by different parties. The justice department tends to see it as just declaratory, with no kind of executive, true commitment. It’s more or less left to goodwill. When this kind of thing happens, it creates a state of ambiguity that leads to stagnation, inertia, and inaction in an environment like federal institutions, in the parts that are very complex. I’m not saying our government and our federal institutions are not active, but this ambiguity permeates the actions and there’s always a way out when it comes to not doing it.

When legislators have an intent, it’s better if they can make that intent more explicit. It’s a preventive mode and a proactive approach, and it also guides the decision-makers better. It means they’ll still have some judgment calls, but at least they’ll have a clear idea of what is expected of this. That is probably your objective as legislators. You want this to be clear."
Ambiguity can also be problematic, independent of government interests or intentions. For example, at one point during the legislative process, extensive discussions ensued over the definition of “minister” and whether it should read “the member or members of the Queen’s Privy Council for Canada...” or “the member of the Queen’s Privy Council for Canada...” The complexity of the discussion that surrounded this issue immediately alerts the reader to the uncertainty embedded in the interpretation of the words. Though the terms appear relatively basic to the average reader, discussions of the differences in what would be implied by each of these two options were abstract. Thus, the future of how these terms might be interpreted is completely unpredictable as it is hard to imagine that anyone will ever derive the same meaning from these terms that the government was hoping to convey.

While the confusion derived from examples like the definition of ‘minister’ is largely unintentional, ambiguity is often used intentionally to reduce accountability of government. For example, Roger Charland, who provided legal counsel throughout the legislative process, pointed out that it was “legislative drafting policy and style... to use “may”... to empower the minister in situations where a “shall” wouldn't necessarily be appropriate.” In other words, by saying “may” instead of “shall,” there is no real commitment to act in a particular way as set out by legislation.

The government is also considered less accountable where funds are not tied to solutions in the legislation. Various actors criticized the government for the lack of specificity provided in the Act with regards to its budget. For example, Raymond Côté of Sports-Quebec argued:
As to funding, we would have liked the act to provide an indication on this subject, without there necessarily being figures. I understand that you can’t put figures into an act, but you could have given percentages which would have indicated the importance the government attaches to sport and physical activity.  

Chuck Strahl of the Canadian Alliance also challenged the government on the lack of budget linked to PASA. He asked:

I’m just wondering how [allocations to HPS and PSPA] will be determined, because as we’ve seen again this morning in the newspaper, folks are saying there should be an increased emphasis on gender equity, for example. Some people – Diane Francis, for one – would argue that we spend too much on the Games of la Francophonie and don’t provide enough support for Olympic athletes. In other words, there are priorities. Everyone has a different priority. I assume you have your own as well, Minister. I’d just like to know if…. Is it $190 million? I don't know what your budget’s going to be ...  

Paul DeVillers replied by saying “I’ll settle for that,” indicating that he had no idea how much money there would be or how it would be distributed.  

Altogether, ambiguity in the legislative process and in the final legislation makes government intentions difficult to interpret. However, given the tendency of government representatives to cling to ambiguity, on the occasions when more explicit solutions were advanced, they implied a firm commitment to the issues at hand. Therefore, though in many cases priorities were weighted equally between HPS and PAS, the fact that HPS had been specified as often as PAS – the ambiguous category – indicated a greater emphasis on HPS priorities. Similarly, incidents where PSPA was specified indicated greater commitment to follow through in those areas.
Another theme that emerged through the legislative process was the desire to advance the legislation as efficiently as possible. There were several occasions where actors backed down due to pressure to move quickly through an issue, in spite of the fact that the issue had not been resolved to their satisfaction. For example, Chuck Strahl opposed the inclusion of a reference to linguistic duality because he felt that it excluded other under-represented groups and other language communities in particular. However, after some debate, he stated:

I actually like the original wording more. In fact, I would like it even more if it was “the diversity of the Canadian society”, all by itself, because it reflects linguistic duality, linguistic multiplicity. But we’re here to get through this, so I’m not going to hold it up any more than to say I’m going to let it go on division rather than unanimously.31

Of particular concern is the fact that this complacency was encouraged, with the suggested reward of future advancement in government. At one point, Dennis Mills suggested he would promote Stan Keyes to full member status because he quickly backed down on a demand for greater specificity in the Act. Mills condescendingly encouraged his subservience, saying, “I love your sense of cooperation. Eventually we’re going to make you a full member of this committee. You’re so cooperative.”32 In another example, Mills stated that “We don’t want to be sitting here for hours. We all know where everybody’s heads are on this...Let’s get it done” to which Chuck Strahl replied, “I love this institution.”33 This behaviour is disturbing given that – in theory – the purpose of the legislative process is for government representatives to challenge each other to improve
the bill and to represent the Canadian people. Instead, complacent behaviour is being encouraged and rewarded under the guise of efficiency.

On the flipside, those who stand up for the interests of the citizens they represent are condemned and discouraged in the legislative process. Sam notes that policy ideas often gain “their legitimacy largely in conjunction with hegemonic practices like the shaming of opponents.” This type of behaviour was evidenced during the legislative process through the treatment given to Robert Lanctôt as he was the only government actor who persisted on several issues, namely respect for the Official Languages Act and jurisdiction, but also that additional under-represented groups be heard as witnesses.

After only ADR-sport-RED (later the Sport Dispute Resolution Centre of Canada), Athletes CAN, Sport Matters Group, and Sports-Quebec had appeared before the Sub-Committee as witnesses, Lanctôt expressed concern that no other witnesses (except for the Commissioner of Official Languages) would be heard. Dennis Mills responded to his concern, stating:

You can see that most of the recommendations are consistent, witness after witness. I therefore think we should go into amending the bill to include all of their recommendations, debate them in clause-by-clause, and then go back to the House. You don’t want to hear any more witnesses, do you? We’ve heard everything.

Lanctôt disagreed and expressed his desire to hear from witnesses representing people with disabilities, women, and the elderly, but was confronted by various members of the Sub-Committee who rejected his suggestion, arguing that more witnesses would slow the process. Mills scoffed at his suggestion, stating “Well, if you want three more witnesses,
we won’t get the bill done until the fall.” Mills argued that the bill was a product of consultations that had taken place over the previous two years and the input of the groups for which Lanctôt was concerned.

Lanctôt continued to express his disagreement:

> There’s a bill here. I don’t really care that Minister Coderre has been working on this for years. I took part in the consultations, and lots of things aren’t in this. There are groups that want to be heard on a bill and I want to hear them. Even if Minister Coderre heard them at the time, I want to hear them here.

The shaming strategies described by Sam were evident as these discussions went on. Lanctôt expressed rage at the manner in which the legislative process was being conducted: “We don’t unanimously accept this way of operating. Come on! ... Are there other people who want to come and testify? I’m being told yes. Come on!” His cries for a more thorough process were met by patronizing comments like, “Robert, écoutez...” and “If we heard elderly persons, the First Nations are going to ask to be heard... And we will have to hear another group, and another group, and another group.” In spite of this treatment, Lanctôt persisted and eventually only CAAWSPA and Hockey Quebec were heard at the following meeting. This example demonstrates the way that the efficiency of the process can result in the exclusion of various groups.

Sometimes, even when groups were included, the limited notice that they were given to prepare hindered their abilities to effectively convey their arguments. For example, when criticized for not having consulted with legal counsel to provide support his suggestions, Guy Blondeau of Hockey-Quebec stated:
This isn’t an excuse, but the president of Hockey Québec died last week, and his funeral was held on the weekend. We didn’t receive confirmation of our appearance here today until last Thursday, and we also had our annual general meeting. So you’ll understand that we didn’t have the time to do a lot of consulting on this.40

Regardless of whether or not there was a funeral and an annual general meeting, in this case, the witness was given two business days notice to prepare his presentation. A similar example emerged with the Coalition for Active Living that was also only given two business days notice of their upcoming presentation.41 With a greater emphasis on the inclusion of under-represented groups at the outset of the legislative process, perhaps the concerns of these witnesses could have been better articulated. Had the government originally planned on including them in the process, they could have been given more notice. While these groups were given minimal time to prepare, at least they were given a chance to represent their organizations. As indicated by Lanctôt, the voices of other groups were not heard in the legislative process.

Inclusion and Exclusion: Voices in the Legislative Process

An assessment of the groups that were afforded the opportunity to appear as witnesses in the legislative process and the interests they represent is warranted. This sheds light on which groups and interests are valued and which are not. The following groups appeared as witnesses before both the Sub-Committee and the Standing Senate Committee: ADR-sport-RED, Athletes CAN, Sport Matters Group, and the Commissioner of Official Languages. Appearing only before the Sub-Committee were
CAAWS, Sports-Quebec, and Hockey Quebec. Appearing only before the Standing Senate Committee were the Coalition for Active Living and Sport Canada. A table including the missions of these organizations is included in appendix G.

Given the priorities that were ultimately emphasized in PASA (i.e., predominantly HPS-related solutions), it is of particular interest that the Coalition for Active Living – the last group invited to appear as a witness, and only in the Senate – was the only group that emphasized PSPA above all else. Rick Bell, Chair of the Coalition for Active Living argued:

Bill C-12 is, by design and wording, primarily a sport bill, with physical activity perceived to be in a minor role. The coalition recognizes and supports a strong role for sport in Canada. However, it must be understood that sport is just one way that some Canadians choose to be physically active...

While this bill states a physical activity policy, it falls short in stating specifically how physical activity will be addressed. Bill C-12 is sport-dominated, particularly in clause 5 that outlines the objects and mandate for both physical activity and sport.  

Bell went on to suggest the recognition and inclusion of “physical activity” in the various statements in the Act that referred solely to sport. Unfortunately, however, none of these suggested changes appeared in the final version of the Bill.

By the time the Coalition was given the opportunity to speak, PASA had already been amended and approved in the House of Commons. With the exception of CAAWS, Sports-Quebec, and Hockey Quebec, HPS-related references accounted for more than half of all coded references of witnesses. Perhaps if the Coalition for Active Living or other groups whose primary mission is to advance PSPA had been given a
larger role in the legislative process, PSPA-related interests would have been given
greater weight. In the end, the Coalition for Active Living refused to provide a conclusive
statement with regards to its ultimate support for the bill. In spite of the lack of firm
approval from the Coalition for Active Living with regards to the current state of PASA
at that time, the bill was passed.

It is also worth noting which political parties and witnesses dominated the
legislative process and which interests they emphasized most. It is not surprising that the
Liberal party was referenced most often given that they were in power at the time PASA
was developed and passed. References coded to the Liberal party accounted for
approximately thirty-one percent of all coded references. Directly following the Liberal
party was the Bloc Quebecois, which accounted for approximately twenty-one percent of
all coded references. A pie chart depicting the relative amounts of the legislative process
afforded to each witness and political party is included in appendix H. Breakdowns of
spectrum references by witness and political party are available in appendices I and J,
respectively.

It is worthy of note that the political party that placed the greatest emphasis on
PSPA – the New Democratic Party – was referenced the least of all political parties. It is
equally interesting that the witness that placed the greatest emphasis on PSPA – the
Coalition for Active Living – was second only to Hockey Quebec in terms of how
infrequently it was referenced through the legislative process. This suggests that if a shift
is going to occur toward PSPA-related initiatives, those in support of PSPA must be
afforded greater value and be given more opportunities to speak.
As was previously noted with respect to the emphasis on efficiency throughout the legislative process, various under-represented groups were not invited to appear as witnesses during the legislative process. The interests groups listed in the Canadian Sport Policy include: “girls and women, people with a disability, Aboriginal peoples, and visible minorities.” The only one of these groups that was formally represented during the legislative process was girls and women through CAAWSPA. It is important that under-represented groups be given the opportunity to speak for themselves when policy or legislation is being created as these groups know the challenges they face better than anyone else. They are thus the most appropriate people to provide insight into how those challenges can be overcome.

The Legislative Process: Productive Exercise or Formality?

An examination of the legislative process and the final solutions provided for in PASA raises an important question: is the legislative process worth it? Whenever suggestions were made that strayed from the contents of PASA as it was read the first time, those suggestions were often discarded and regarded as “beyond the scope” of the legislation. Also, much of the discussion throughout the legislative process was a formality and to some, an opportunity for their voices to be heard even when they had nothing valuable to contribute to the ongoing debate. This was especially true in the Senate, where questions that were not germane to proposed legislation and lengthy tangents were common. These contributed little (if anything) to specific outcomes in the Bill.
For example, Senator Gustafson opened questions at the second reading of PASA in the Senate by asking, “Would this bill allow [Haley Wickenheiser] to play hockey in the NHL?” Following shortly thereafter, Senator Murray described the context surrounding the passage of FASA; he shared his surprise at the presence of comments relating to second-hand smoke at the time FASA was passed and described a discussion in which one Member of Parliament suggested that another needed to lose weight. These are just a few of many comments, which contributed nothing to the improvement of the proposed legislation. It is worthy of note – and perhaps, not surprising based on these examples – that no amendments were proposed by the Senate.

To assess the actual outcomes of the legislative process, the original reading of PASA was compared to its final contents. A copy of the first reading of PASA is included in appendix K, with additions and deletions as found within the final version of PASA underlined and typed in green or red font, respectively. Changes were made to fifteen sections of the Act, most of which were fairly minor changes in wording that did not change the spirit or priorities of the Act. Some of these changes reflect the persistence of certain actors in the House of Commons. These include: the addition of “linguistic duality” to the first whereas statement of the preamble; an entirely new whereas statement to ensure adherence to principles set out in the Official Languages Act; and, the addition of a reference to the Official Languages Act as it relates to the provision of financial assistance. These changes can be credited almost entirely to Robert Lanctôt, who raised these proposed amendments and sought their approval with every political party and witness that appeared before the House of Commons. This demonstrates that there is
some value to the legislative process for those who are willing to persist on issues that are important to them in spite of being discouraged by their opponents.

Other notable changes included the addition of “all” ahead of “Canadians” in sections 3(b) and (c), the inclusion of “the full and fair participation of all persons in sport” in section 4(1), and the addition of “physical activity and” ahead of “sport” in section 8. The changes to sections 3(b) and (c) as well as 4(1) were to ensure that “all Canadians,” including those from under-represented groups were embodied in the legislation and encouraged to participate in physical activity and sport. The change to section 8 is assumed to have been in response to a subtle drafting error as no evidence of discussion surrounding that change is available in the legislative process or in the legislative summary.

Beyond two other minor changes to the wording of the first part of the Act the rest of the changes dealt with the SDRC. For the most part, these changes were made to simplify the wording of the Act (i.e., in section 13(2), the addition of “sections 14, 16, and 18 do not apply to the executive director” permitted the removal of five references to “other than the executive director”). However, one change that drew a great deal of attention in the legislative process was the assignment of responsibility for appointing the executive director to the Board of Directors rather than the Minister. Once again, the changes made did little to alter the spirit or priorities of the Act. Given the lack of significant changes between the first reading of PASA and its final version in spite of significant discussion surrounding potential amendments, the legislative process is more of a formality than a productive exercise.
Bill C-12, The Physical Activity and Sport Act: Shifting Priorities?

This study was conducted in response to the suggestions of various authors that priorities had shifted at the federal level and that the government had expressed a renewed desire to improve physical activity levels in Canada. The analysis on which this study was based was not designed to determine the existence of ‘a shift,’ but rather to assess federal intentions to support PSPA through selected policies and legislation, the legislative process that led to the passage of PASA, and PASA itself. The ways that this analysis supported, conflicted with, or extended the research on which suggestions of a shift were based are discussed further below.

As has been previously noted, based on interviews and an examination of the rhetoric of the Canadian Sport Policy and PASA, Mick Green suggested the possibility of a shift toward PSPA-related priorities and away from those focused on HPS. However, Green did warn that while his interview participants asserted that a shift in priorities was underway, “ambiguity remains” in terms of tangible actions to support the theoretical shift.

A content analysis of the rhetoric surrounding the development of PASA provides some support for the findings that emerged from Green’s interviews. Indeed, several actors throughout the legislative process expressed the need to place more emphasis on participation and vocalized their concern for the “two track policy” found within PASA. Dick Proctor of the NDP party stated: “It will be easy for people who are monitoring and implementing [PASA] to be overwhelmed by the sport aspect of it at the expense of
physical activity.” Paul DeVillers, Secretary of State (Amateur Sport), attempted to appease Proctor’s concerns when he argued:

It is a little concerning when we seem to want to put one against the other, participation and elite. They are very compatible. The more we encourage participation the more we would broaden the feeder systems up into the elites. The more our high performance athletes excel then the more we would have that inspiration to get people more active. I understand the member’s concern, but it is one that has been fully addressed in the policy and in the legislation.

However, DeVillers’ assessment of what is “fully addressed” in the Canadian Sport Policy and PASA contrasts with the findings of this study.

The analysis that fuelled this study suggests that while the Canadian Sport Policy is well balanced on the whole, the federal government’s role as defined by the Canadian Sport Policy reflects federal intentions to continue to focus on HPS-related priorities. Also, though uncertainty exists concerning the methods underlying Green’s assessment of priorities within PASA, the findings of this study also suggest that, based on a comparison between FASA and PASA, no shift toward PSPA exists. Therefore, while the main purpose of this study was not to evaluate a “shift” given its focus primarily on selected policies that immediately preceded the passage of PASA, it did reveal that the at the time PASA received royal assent, the government’s intention was not to emphasize PSPA. This conclusion is based on the lack of tangible solutions provided to address PSPA-related problems, including those that were identified in the legislative process.

Similarly, the findings of this study help to explain Coakley and Donnelly’s observation that the government has failed to follow through on what they believed to be its recognition of a need to address obesity, inactivity, and general health issues in
PASA. Coakley and Donnelly based their assertion that the government recognized the need to address health issues related to physical inactivity on an excerpt from PASA, while this study involved an in-depth content analysis of PASA and the legislative process that led to its development. The depth of understanding of government intentions gleaned from this analysis could have predicted the subsequent lack of “tangible policies and actions” to address inactivity noted by Coakley and Donnelly.

Finally, the depth of analysis provided by this study responds to Anthony G. Church’s call for a more thorough content analysis of PASA. While Church’s analysis consisted of frequency counts of only two words – ‘excellence’ and ‘participation,’ this study allowed for the emergence of a variety of words to represent themes or ideas presented in the legislative process and in PASA. The findings of this analysis conflict with Church’s suggestion that a shift had occurred toward a greater focus on PSPA within PASA. Again, while a “shift” itself was not assessed here, the findings of the analysis of PASA suggest that HPS continues to be emphasized as a higher priority as evidenced by more tangible solutions, like the SDRC.

Findings also suggest that, though the relative emphasis on HPS and PSPA in selected policy documents is fairly well balanced, the federal role is defined in these documents in such a way that positions HPS as its first priority. HPS also emerges as the dominant priority throughout the legislative process. Therefore, the Canadian Government’s prioritization of HPS and PSPA is consistent with that expressed in PASA, where HPS-related solutions prevail.
Future Research

Over the course of this project, a number of areas for future research emerged. Based on a review of the literature, critical research in the area of sport and physical activity policy is growing. However, there remains a need to explore various issues associated with PASA and the legislative process that led to its development as well as the federal government’s ‘balancing act’ of HPS and PSPA priorities more generally. Much of the future research suggested here would address the delimitations and limitations of this study, while other parts would address new questions that emerged through the findings of this study.

This thesis examined the legislative process that led to the passage of PASA as well as the Act itself. However, both of these areas warrant further investigation. For example, given the time constraints placed on this study and the quantity of data analyzed, interviews were not conducted. Interviews with key actors in the legislative process that led to PASA would add greater depth to the findings of this study, offering insight into the “decision frames” component of Chalip’s framework that was not assessed here. Additionally, interviews could offer confidentiality and anonymity, which would encourage actors to share their true opinions on issues of interest, rather than those of the parties they represent. This would provide valuable information regarding the interests and priorities of the individuals representing Canadians at the federal level. For example, how do the interests and priorities of political actors align with those they expressed throughout the legislative process? How did the legislative process facilitate or hinder the expression of the true beliefs of these actors? How did the Act
satisfy or fail to satisfy the priorities of the actors involved in the legislative process? What changes would these actors like to see in future legislation and in the process that leads to its development? This information could be used to critically reflect on the legislative process and as a springboard for change.

The advancement of individual interests and priorities becomes more effective when those interests are tied to education. It became apparent throughout the legislative process that many assertions of key actors were based on popular opinion rather than available literature. Therefore, it would be interesting to study the educational backgrounds and qualifications of those representing Canadians at the federal level, particularly those of actors involved in the development of PASA. Critical research in this area would instigate reflection upon the qualifications of those who represent Canadians at the federal level, at least in regards to physical activity and sport. Greater knowledge in this area and the dissemination of that knowledge to the public could provide an impetus for change in terms of what Canadians expect from those who represent them. Greater expectations for government representatives may lead to more valuable results in future legislation.

The time constraints on this study also restricted the breadth of historical documents under study to those mentioned in the legislative process. As such, this study could not evaluate whether a “shift” has occurred through policy since the government began to emphasize HPS after the passage of FASA. While studies like William Hallett’s and Anthony Church’s have covered broader time periods with more descriptive studies, it would be of value to critically examine the relative emphasis on
spectrum categories in all federal policy documents since the passage of FASA. Such a study would permit the identification of a shift, or lack thereof, in Canadian sport policy since 1961.

In addition to an analysis of Canadian sport policy, it would be interesting to evaluate the history of initiatives (i.e., the implementation of policy) to determine the relative emphasis on HPS and PSPA through those initiatives. In particular, an extension of Kim Bercovitz’s assessment of funds assigned to Sport Canada and Fitness Canada would provide valuable information regarding the state of federal priorities at any given time.

This study also focused only on those policies that were relevant to sport in Canada and omitted policies produced by Health Canada. As such, it would be valuable to assess the PSPA-related policies produced by Health Canada to understand how responsibility for physical activity has been and is being balanced with other priorities within Health Canada.

While this study focused on the legislative process that led to the development of PASA, other valuable processes occurred that impacted the direction of the legislation. Given that one of the key arguments for the exclusion of certain groups from the legislative process was that they had previously been consulted in the preceding two years, it would be valuable to examine the consultation process in greater depth. Some questions that should be addressed through such an investigation include: Which interest groups were included in the consultations preceding the National Summit on Sport and in the Summit itself? How did the consultation process and the process underlying the
Summit facilitate or impede the advancement of these groups’ priorities? What were the major priorities that emerged through the consultation process and the Summit and how accurately do they align with the priorities of the Canadian Sport Policy and PASA? It would be interesting to know which priorities were advanced through the consultations and the Summit and how those priorities were or were not included in the policy and legislation.

The importance of the legislation in its initial format (i.e., at its first reading in the House of Commons) cannot be overemphasized. This was evidenced by the importance of remaining within the “scope” or the boundaries of the legislation as it appeared in the first reading of PASA as well as the limited changes made to the Act between its first and final version. Therefore, an examination of the legislation drafting process is warranted. For example, who was involved in the legislation drafting process that preceded the legislative process for PASA? Whose interests were represented during that stage of the process? How were decisions made during the drafting process of PASA? Answers to each of these questions would offer insight into the importance of this stage and how it can be influenced by interest groups, if it all.

One of the main recommendations that emerged from the legislative process and the Act was enhanced interaction among physical activity and sport stakeholders. Given that interaction among various levels of government and other stakeholders (e.g., the physical activity and sport community, the private sector) has proven to be a barrier to the adequate delivery of sport at all levels, an investigation into this area is warranted. For example, interviews with representatives at the provincial/territorial and municipal levels...
could be used to identify the main problem areas with respect to coordination among
governments and potential solutions to those problems. With that information, an
intervention could be designed and tested in an attempt to improve coordination among
governments. Such a solution could be a valuable starting point from which to improve
the accessibility and delivery of PSPA-focused programs to the Canadian population.

Finally, one dominant idea that emerged as a justification for continued
government focus on HPS was the use of improved international performance to inspire
and boost participation in sport. Given that the existing literature – which suggests a
positive relationship does not exist between improved performance on the international
stage and grassroots participation\(^66\) – is sparse, future studies should be carried out to
address this issue. Significant investment\(^67\) has been made into elite athlete development
in Canada through programs like “Own the Podium” in preparation for 2010 Olympic
Winter Games in Vancouver. These Games provide a rare opportunity to evaluate the
impact of Canadian performances at a major international sporting event on Canadian soil
on the participation levels of Canadians in physical activity and sport. It would be
interesting to see if this suggested research would provide further support for suggestions
in the literature that improved international performance does not boost or inspire
participation at the grassroots level. Should such a finding – particularly one that is
specific to the Canadian context – emerge, it could be used to refute the socially
constructed belief that investment in HPS will result in enhanced participation during the
creation of future legislation. This type of evidence could result in an eventual shift
toward PSPA-related investments and initiatives.
It is hoped that the findings of this thesis may serve as a springboard for future research, such as that suggested above. The finding that an emphasis on PSPA is sorely lacking within PASA should compel those in support of this end to coordinate their efforts to pursue further research in this area. Such research provides the evidence that improves the effectiveness of lobby efforts. The coordination of these lobby efforts is also necessary. Indeed, as suggested in the Introduction of this thesis, a united voice for PSPA continues to be absent in the Canadian sport system, which facilitates the perpetuation of an overwhelming focus on HPS.
Endnotes


7 Charles Dubin argues: “It has been suggested that the competition to achieve carded status, and the funding that goes along with it, is one of the pressures that induces athletes to cheat... The funding system should be a reward and encouragement for excellence, not for winning. The flaw in the present system of carding appears to be that the emphasis is on winning and on using standards which can be met only by potential medal winners. This denies the opportunity for funding to an athlete who may be the best Canadian in his or her sport but who may not be a potential international medal winner.” Charles Dubin, *Commission of Inquiry into the Use of Drugs and Banned Practices Intended to Increase Athletic Performance* (Ottawa, ON: Ministry of Supply and Services Canada, 1990), 506-507.

8 The Canadian Sport Policy identifies the following as under-represented groups in the Canadian sport system: girls and women, people with a disability, Aboriginal peoples, and visible minorities. Canada, *The Canadian Sport Policy* (Iqaluit, NU: Canadian Heritage, 2002), 8.


13 Ibid., 193.


20 Sam, “What’s the Big Idea?” 193.

21 Ibid., 192.

22 Canada, *Standing Senate Committee on Social Affairs, Science and Technology* (21 November 2002), p. NA (Senator Fairbairn).

23 Ibid., (Senator LeBreton).


27 Canada, *Proceedings of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage* (11 June 2002), p. 1705 (Mr. Charland, Legal Counsel, Department of Canadian Heritage).


29 Canada, *Proceedings of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage* (22 May 2002), p. 1550 (Mr. Strahl, MP).

30 Ibid., (Mr. DeVillers, MP).

32 Ibid., p. 1705 (Mr. Mills, MP).

33 Canada, Proceedings of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage (4 June 2002), p. 1725 (Mr. Strahl, MP).

34 Sam, “What’s the Big Idea?” 206.

35 Canada, Proceedings of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage (28 May 2002), p. 1845 (Mr. Mills, MP).

36 Ibid.

37 Ibid.

38 Ibid., (Mr. Lanctôt, MP).

39 Ibid., (Mr. Mills, MP and Ms. Scherrer, MP).


41 Canada, Standing Senate Committee on Social Affairs, Science and Technology (20 November 2002), p. NA (Mr. Bell, Coalition for Active Living).

42 Ibid.

43 Ibid.

44 Ibid.

45 Canada, The Canadian Sport Policy, 8.

46 Canada, Proceeding of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage (11 June 2002), p. 1925 (Mr. Roy, Procedural Clerk).

47 Canada, Senate Debates (23 October 2002), p. 1500 (Senator Gustafson).

48 Canada, Senate Debates (23 October 2002), p. 1510 (Senator Murray).

49 Canada, Senate Debates (21 November 2002), p. 1350 (Senator LeBreton).

50 Some small changes were made to the wording of the fifth whereas statement (i.e., “to coordinate their efforts for” was replaced with “in”) and section 4(1) (i.e., “drug-free sport” was replaced with “doping-free sport”).


52 Green, “Power, Policy, and Political Priorities,” 384.
53 Ibid.


55 Ibid.

56 Ibid., p. 1650 (Mr. De Villers, MP).


58 Ibid.


61 Church, “Pressure Groups and Canadian Sport Policy.”


63 Given that Fitness Canada no longer exists, such a study would need to evaluate the combined amount of funds from Canadian Heritage and Health Canada assigned to HPS- and PSPA-related initiatives.


Appendix A: How Does a Bill Become a Law?
“How Does a Bill Become a Law?”

An Overview of the Legislative Process

1. Passage through the first House (sometimes the Senate, usually the House of Commons)

   The process in each Chamber is similar:
   
   ➤ First reading (the bill proposing a law is received, printed and circulated)
   
   ➤ Second reading (the principle of the bill is debated: is the bill good policy?)
   
   ➤ Committee stage
     
     Step one: Members, department officials, experts and members of the public appear as witnesses before a committee
     
     Step two: Committee members study the bill, clause by clause
     
     Step three: The committee adopts a report on the bill, recommending that it be accepted as is, or with amendments, or that it not be proceeded with further
     
   ➤ Report stage (in the House of Commons, motions to amend specific clauses of the bill are considered by the whole House, while in the Senate it is the committee report which is considered and amendments can be proposed)
     
   ➤ Third reading (final approval of the bill; in the Senate, further amendments can be considered at this stage)

2. Passage through the second House

3. Royal Assent by the Governor General makes the bill law

* NOTE: Although a bill normally enters the committee stage after second reading, recent changes have made it possible for a bill to be sent to committee before it is adopted for second reading.

Appendix B: An Adapted Version of Chalip’s Framework for Critical Policy Analysis
Appendix C: A Modified Version of Altheide’s Model for Ethnographic Content Analysis
Step One

Decide what type of documents to use
Define the unit of analysis

Steps Two & Three

Collect data and develop a protocol
Code and organize data

Step Four

Analyze Data

Step Five

Report Findings
Appendix D: Legislative Process Timeline/Documents Analyzed
37th Parliament, 1st Session

10 April 2002  First Reading, House of Commons
15 April 2002  Second Reading, House of Commons
22 May 2002  First Meeting, Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage
28 May 2002  Second Meeting, Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage
4 June 2002  Third Meeting, Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage
11 June 2002  Fourth Meeting, Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage
12 June 2002  Report of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage tabled in the House of Commons
17 June 2002  Report Stage, House of Commons
18 June 2002  Third Reading, House of Commons

37th Parliament, 2nd Session

10 October 2002  First Reading, Senate
23 October 2002  Second Reading, Senate
6 November 2002  First Meeting, Standing Senate Committee on Social Affairs, Science and Technology
20 November 2002  Second Meeting, Standing Senate Committee on Social Affairs, Science and Technology
21 November 2002  Third Meeting, Standing Senate Committee on Social Affairs, Science and Technology
21 November 2002  Report of the Standing Senate Committee on Social Affairs, Science and Technology tabled in the Senate
21 November 2002  Report Stage, Senate
4 February 2003  Third Reading, Senate
19 March 2003  Royal Assent
Appendix E: Coding Framework
*Followed same coding scheme as HPS within respective sections (i.e., legitimations and attributions).

**Focusing events used same coding scheme as legitimations.

Note: Attributions were coded using an entirely emergent coding scheme.

Appendix F: Attribution Categories
<table>
<thead>
<tr>
<th>Broad ATTRIBUTIONS</th>
<th>Specific</th>
</tr>
</thead>
<tbody>
<tr>
<td>Improve Administration</td>
<td>Budget</td>
</tr>
<tr>
<td></td>
<td>Separate Department &amp; Minister</td>
</tr>
<tr>
<td></td>
<td>Specific Funding Criteria</td>
</tr>
<tr>
<td></td>
<td>Specific Goals for Intervention</td>
</tr>
<tr>
<td>Align with Other Policies</td>
<td>Consultation Organization for Physical Activity and/or Sport</td>
</tr>
<tr>
<td></td>
<td>Hosting</td>
</tr>
<tr>
<td></td>
<td>Projects &amp; Programs</td>
</tr>
<tr>
<td></td>
<td>Recognition</td>
</tr>
<tr>
<td></td>
<td>Research</td>
</tr>
<tr>
<td>Enhance Capacity</td>
<td>Financial</td>
</tr>
<tr>
<td></td>
<td>Human</td>
</tr>
<tr>
<td></td>
<td>Private</td>
</tr>
<tr>
<td></td>
<td>Public</td>
</tr>
<tr>
<td></td>
<td>Coach/Instructor Training &amp; Education</td>
</tr>
<tr>
<td></td>
<td>Leadership (Admin) Development</td>
</tr>
<tr>
<td></td>
<td>Safe Environments</td>
</tr>
<tr>
<td></td>
<td>Material</td>
</tr>
<tr>
<td></td>
<td>Facilities</td>
</tr>
<tr>
<td></td>
<td>Revive ParticipACTION or Similar Organization</td>
</tr>
<tr>
<td></td>
<td>Sport Dispute Resolution Centre</td>
</tr>
<tr>
<td>Enhance Excellence</td>
<td>Canada Games</td>
</tr>
<tr>
<td></td>
<td>Code of Ethics</td>
</tr>
<tr>
<td></td>
<td>Anti-Doping</td>
</tr>
<tr>
<td></td>
<td>Identify &amp; Recruit Athletes</td>
</tr>
<tr>
<td>Enhance Interaction</td>
<td>Other Countries</td>
</tr>
<tr>
<td>---------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td></td>
<td>Other Departments within Federal Government</td>
</tr>
<tr>
<td></td>
<td>Other Levels of Government</td>
</tr>
<tr>
<td></td>
<td>Physical Activity and/or Sport Community</td>
</tr>
<tr>
<td></td>
<td>Private Sector</td>
</tr>
<tr>
<td>Enhance Participation</td>
<td>Access &amp; Equity</td>
</tr>
<tr>
<td></td>
<td>Aboriginal Peoples</td>
</tr>
<tr>
<td></td>
<td>‘All Canadians’</td>
</tr>
<tr>
<td></td>
<td>People with Disabilities</td>
</tr>
<tr>
<td></td>
<td>Elderly People</td>
</tr>
<tr>
<td></td>
<td>Francophone Athletes/Participants</td>
</tr>
<tr>
<td></td>
<td>People of Lower Socioeconomic Status</td>
</tr>
<tr>
<td></td>
<td>Women</td>
</tr>
<tr>
<td>Philosophies for Change</td>
<td>Promote Benefits of Physical Activity and/or Sport</td>
</tr>
<tr>
<td>Diversity of Media Coverage</td>
<td></td>
</tr>
<tr>
<td>Enhanced Relationship between Physical Activity &amp; Sport</td>
<td></td>
</tr>
<tr>
<td>Expand Role of Sport</td>
<td></td>
</tr>
<tr>
<td>Federal Independence</td>
<td></td>
</tr>
<tr>
<td>Focus on/Prioritize Physical Activity and/or Sport</td>
<td></td>
</tr>
<tr>
<td>Less Ambiguous Language</td>
<td></td>
</tr>
<tr>
<td>Less Research/Talk, More Action</td>
<td></td>
</tr>
<tr>
<td>Redefine Sport and/or Physical Activity, Respecting All Levels</td>
<td></td>
</tr>
<tr>
<td>Respect Regional Differences/Decentralize</td>
<td></td>
</tr>
<tr>
<td>Revise Profit-Centred Philosophy of Support</td>
<td></td>
</tr>
</tbody>
</table>
Appendix G: Missions of Witness Organizations Heard in the Legislative Process
<table>
<thead>
<tr>
<th>Witness</th>
<th>Mission</th>
</tr>
</thead>
</table>
| ADR-sport-RED (now the Sport Dispute Resolution Centre of Canada) | “The mission of the Centre is to provide to the sport community a) a national alternative dispute resolution service for sport disputes; and b) expertise and assistance regarding alternative dispute resolution.”
| AthletesCAN | “The vision of AthletesCAN is to have a significant positive impact on the life of every athlete by acting as the collective voice for amateur athletes in Canada. The mission of AthletesCAN is to ensure a fair, responsive and supportive sport system for athletes in Canada. In fulfilling this mission, AthletesCAN is committed to the values of accountability, equity, inclusiveness and mutual respect.”
| Canadian Association for the Advancement of Women in Sport (referred to as CAAWSPA in the legislative process) | “CAAWS provides leadership and education, and builds capacity to foster equitable support, diverse opportunities and positive experiences for girls and women in sport and physical activity.”
| Coalition for Active Living (CAL) | “CAL is a national action group of more than 100 organizations committed to making sure that the environments where we live, learn, commute, work and play support regular physical activity. CAL is working to achieve this goal by advocating for public policies that support physical activity.”
| Commissioner of Official Languages | “It is the duty of the Commissioner to take all actions and measures within the authority of the Commissioner with a view to ensuring recognition of the status of each of the official languages and compliance with the spirit and intent of this Act in the administration of the affairs of federal institutions, including any of their activities relating to the advancement of English and French in Canadian society.”
| Hockey Québec | “Assurer l'encadrement du hockey sur glace sur son territoire en vue d'en favoriser la promotion et le développement de la personne qui le pratique.”
| Sport Canada | “The mission of Sport Canada is to enhance opportunities for all Canadians to participate and excel in sport. This is achieved by enhancing the capacity and coordination of the Canadian sport system, encouraging participation in sport and enabling Canadians with talent and dedication to achieve excellence in international sport.”

Translation:

Provide for the administration of ice hockey in Québec to facilitate the promotion and development of the person who practices it.
<table>
<thead>
<tr>
<th><strong>Witness</strong></th>
<th><strong>Mission</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sport Matters Group</td>
<td>“Your Sport Matters Group (SMG) is a voluntary group of leaders who have come together to talk about the important contribution that sport makes to society and to collaborate in advancing sport and public policy... The Group is very informal in nature, and does not represent the sport community (nor does it say that it does). It has from time to time taken positions and expressed views on what it considers to be in the best interest of sport.”</td>
</tr>
<tr>
<td>Sports-Québec</td>
<td>“SPORTSQUÉBEC, par son membership, assure la synergie de ses membres et de ses partenaires du système sportif québécois et du système sportif canadien pour favoriser le développement et l'épanouissement de l'athlète et la promotion de la pratique sportive.” Translation: SPORTSQUÉBEC by its membership, provides for the synergy of its members and its partners in the sport system in Quebec and in the Canadian sport system to promote the development and vitality of the athlete and the promotion of sport.</td>
</tr>
</tbody>
</table>

---


Appendix H: Percentage of Legislative Process Afforded to Each Witness and Political Party
Percentage of Legislative Process Afforded to Each Witness and Political Party

- Liberal: 31%
- Bloc Quebecois: 21%
- Progressive Conservative: 11%
- Canadian Alliance: 9%
- New Democratic Party: 5%
- Commissioner of Official Languages: 4%
- ADR-sport-RED: 3%
- Sport Matters: 5%
- Sport Canada: 5%
- Sports-Québec: 3%
- AthletesCAN: 3%
- CAAWSPA: 2%
- Coalition for Active Living: 1%
- Hockey Québec: 1%
Appendix I: Relative Emphasis on Spectrum Categories by Witness
Appendix J: Relative Emphasis on Spectrum Categories by Political Party
Appendix K: Changes to PASA between First Reading and Royal Assent
Bill C-54

An Act to promote physical activity and sport

Preamble

WHEREAS the Government of Canada recognizes that physical activity and sport are integral parts of Canadian culture and society and produce benefits in terms of health, social cohesion, linguistic duality, economic activity, cultural diversity and quality of life;

WHEREAS the Government of Canada wishes to increase awareness among Canadians of the significant benefits of physical activity and the practice of sport;

WHEREAS the Government of Canada wishes to encourage and assist Canadians in increasing their level of physical activity and their participation in sport;

WHEREAS the Government of Canada is committed to promoting physical activity and sport, having regard to the principles set out in the Official Languages Act;

AND WHEREAS the Government of Canada wishes to encourage cooperation among the various governments, the physical activity and sport communities and the private sector to coordinate their efforts for the promotion of physical activity and sport;

NOW, THEREFORE, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. This Act may be cited as the Physical Activity and Sport Act.

2. In this Act, "Minister" means the member or members of the Queen's Privy Council for Canada designated by the Governor in Council for the purposes of this Act.

3. The objectives of the Government of Canada's policy regarding physical activity are

(a) to promote physical activity as a fundamental element of health and well-being;

(b) to encourage all Canadians to improve their health by integrating physical activity into their daily lives; and

(c) to assist in reducing barriers faced by all Canadians that prevent them from being active.

4. (1) The Government of Canada's policy regarding sport is founded on the highest ethical standards and values, including drug doping-free sport, the treatment of all persons with fairness and respect, the full and fair participation of all persons in sport, and the fair, equitable, transparent and timely resolution of disputes in sport.

(2) The objectives of the Government of Canada's policy regarding sport are

...
(a) to increase participation in the practice of sport and support the pursuit of excellence in sport; and
(b) to build capacity in the Canadian sport system.

**OBJECTS AND MANDATE**

5. The objects of this Act are to encourage, promote and develop physical activity and sport in Canada. The Minister may take any measures that the Minister considers appropriate to further those objects, and in particular may

(a) undertake or assist in research or studies in respect of physical activity and sport;
(b) arrange for national and regional conferences in respect of physical activity and sport;
(c) provide for the recognition of achievement in respect of physical activity and sport by the grant or issue of certificates, citations or awards of merit;
(d) prepare and distribute information relating to physical activity and sport;
(e) assist, cooperate with and enlist the aid of any group interested in furthering the objects of this Act;
(f) coordinate federal initiatives related to the encouragement, promotion and development of physical activity and sport, particularly those initiatives related to the implementation of the Government of Canada's policy regarding sport, the hosting of major sporting events and the implementation of anti-doping measures, in cooperation with other departments or agencies of the Government of Canada;
(g) undertake or support any projects or programs related to physical activity or sport;
(h) provide assistance for the promotion and development of Canadian participation in national and international sport;
(i) provide for the training of coaches and any other resource persons to further the objects of this Act in relation to sport;
(j) provide bursaries or fellowships to assist individuals in pursuing excellence in sport;
(k) encourage the promotion of sport as a tool of individual and social development in Canada and, in cooperation with other countries, abroad;
(l) encourage the private sector to contribute financially to the development of sport;
(m) facilitate the participation of under-represented groups in the Canadian sport system;
(n) encourage provincial and territorial governments to promote and develop sport;
(o) coordinate the Government of Canada's initiatives and efforts with respect to the staging and hosting of the Canada Games; and
(p) encourage and support alternative dispute resolution for sport.

6. For the purposes of this Act, the Minister may provide financial assistance in the form of grants and contributions to any person, in accordance with Parts IV and VII of the *Official Languages Act*. 
 AGREEMENTS AND ARRANGEMENTS

Contribution agreements

7. (1) The Minister, with the approval of the Governor in Council, may enter into an agreement with any province or territory providing for the payment of contributions in respect of costs that they incur in undertaking programs designed to encourage, promote and develop physical activity or sport.

Agreements to implement Canada's policy regarding sport

(2) The Minister may enter into an agreement or arrangement with any province or territory respecting the implementation of the Government of Canada's policy regarding sport.

International agreements

8. The Minister, with the approval of the Governor in Council, may enter into an agreement or arrangement with the government of any foreign state in order to encourage, promote and develop physical activity and sport.

 SPORT DISPUTE RESOLUTION CENTRE OF CANADA

Establishment of Centre

9. (1) A not-for-profit corporation is hereby established to be called the Sport Dispute Resolution Centre of Canada, in this Act referred to as "the Centre", which shall include a dispute resolution secretariat and a resource centre.

Not an agent of Her Majesty

(2) The Centre is not an agent of Her Majesty.

Not a departmental or Crown corporation

(3) The Centre is not a departmental corporation or a Crown corporation within the meaning of the Financial Administration Act.

Status of arbitrator or mediator

(4) For the purposes of the Federal Court Act, the Centre or an arbitrator or mediator who provides services under the auspices of the Centre is not a federal board, commission or other tribunal within the meaning of that Act.

Both official languages to be used

(5) The Centre shall offer its services to, and communicate with, the public in both official languages of Canada.

Head office

(6) The head office of the Centre shall be at the place in Canada that is designated in the by-laws of the Centre.

Mission and Powers

Mission

10. (1) The mission of the Centre is to provide to the sport community

(a) a national alternative dispute resolution service for sport disputes; and

(b) expertise and assistance regarding alternative dispute resolution.

Interpretation

(2) For the purposes of subsection (1), a sport dispute includes disagreements related to doping, disagreements disputes among sport organizations and disagreements disputes between a sport organization and persons affiliated with it, including its members.

Powers

11. (1) In carrying out its mission, the Centre has the capacity and powers of a natural person, including the power to

(a) use any funds that may be provided to it, subject to any terms on which the funds are provided;
Restrictions

(2) Despite subsection (1), the Centre

(a) may not acquire or construct real property or immovables for valuable consideration, other than those required for its head office;

(b) shall expressly state in its contracts and agreements that it is entering into the contract or agreement on its own behalf;

(c) may not procure the incorporation of a corporation any shares of which, on incorporation, would be held by, on behalf of or in trust for the Centre; and

(d) may not acquire shares of a corporation that, on acquisition, would be held by, on behalf of or in trust for the Centre.

Board of Directors

Role

12. The affairs and business of the Centre shall be managed by a board of directors, and for that purpose the board may exercise all the powers of the Centre.

Composition

13. (1) The board of directors consists of the executive director of the Centre, who is ex officio a director, and not more than 12 other directors, including the chairperson, and the executive director of the Centre who does not have the right to vote.

(2) Sections 14, 16, and 18 do not apply to the executive director.

Appointment

14. (1) Subject to section 21, the directors shall be appointed by the Minister.

Term of office

(2) The directors, other than the executive director, to hold office during good behaviour for any term of not more than three years that will ensure, as far as possible, the expiry in any one year of the terms of office of not more than one half of the directors. A director, other than the executive director, may be appointed to not more than two consecutive terms and may be removed by the Minister for cause.

Appointment criteria

(3) (2) The directors, other than the executive director, shall be chosen in accordance with guidelines that are established by the Minister in consultation with the sport community.

Guidelines

(4) (3) The guidelines shall provide for a board of directors that

(a) is composed of men and women committed to the promotion and development of sport who have the experience or capacity to enable the Centre to fulfil its mission; and

(b) is representative of the sport community and of the diversity and linguistic duality bilingual character of Canadian society.

Statutory Instruments Act does not apply

(5) (4) Guidelines referred to in subsection (4) (3) are not statutory instruments for the purposes of the Statutory Instruments Act.

Exclusion

15. A director may not be appointed as an officer of the Centre.

No remuneration

16. The directors, other than the executive director, are not entitled to be paid any remuneration, but are entitled to be paid such reasonable travel and other expenses incurred by them in connection with their duties or functions under this Act as may be fixed by the by-laws of the Centre.

By-laws

17. (1) The board of directors may make by-laws with respect to the
conduct and management of the affairs of the Centre and the carrying out of the duties and functions of the board under this Act, including by-laws providing for

(a) the establishment of committees of the board of directors, including an executive committee, and the duties, functions and powers of the committees;
(b) the duties, functions and powers of the chairperson and the officers of the Centre, including the executive director;
(c) the appointment and remuneration of the officers of the Centre;
(d) the delegation of any functions of the board of directors to an executive committee and the manner in which those functions are to be performed;
(e) the mandate, duties and functions of the dispute resolution secretariat, the resource centre and any other part of the Centre;
(f) the terms and conditions of eligibility for services provided by the Centre;
(g) the establishment of a policy respecting the official languages of Canada that includes
   (i) principles governing the use of English and French by the staff of the Centre in their communications, provision of services and daily work, and
   (ii) a mechanism for resolving disputes related to the application of the policy;
(h) the fixing of fees and charges to be paid for the services and facilities provided by the Centre or the determination of a manner for calculating those fees and charges;
(i) the establishment of mediation and arbitration procedures for resolving sport disputes, including a mechanism for determining the manner in which the parties may select an arbitrator or mediator and the language, according to the needs of the parties, in which the parties may be heard and the decision rendered;
(j) the qualifications for arbitrators or mediators;
(k) the establishment of a code of ethics for directors, officers and employees of the Centre, as well as for arbitrators and mediators who provide dispute resolution services under the auspices of the Centre; and
(l) personnel management, including terms and conditions of employment of persons employed by the Centre.

(2) A copy of every by-law shall be kept at the head office of the Centre. Anyone is entitled, during the usual business hours of the Centre, to examine the by-laws and, on payment of a reasonable fee, to photocopy them in whole or in part.

(3) By-laws made under subsection (1) are not statutory instruments for the purposes of the Statutory Instruments Act.
Chairperson

**Designation**

18. The Minister, after consulting with the directors, other than the executive director, shall designate one of them as chairperson to hold office during good behaviour for any term of not more than three years. The chairperson may be designated for not more than two consecutive terms and may be removed by the Minister for cause.

**Duties**

19. The chairperson shall determine the times and places of the meetings of the board of directors and presides at those meetings. The chairperson may perform any other duties or functions that are assigned to the chairperson by the board of directors.

**Absence, etc., of chairperson**

20. If the chairperson is absent or incapacitated or if the office of chairperson is vacant, the board of directors may designate a director to exercise the powers and perform the duties and functions of the chairperson during the absence, incapacity or vacancy, but no person may be so designated for a period exceeding 90 days without the approval of the Minister.

Executive Director

**Appointment**

21. (1) The Minister, after consulting with the directors, Board of Directors shall appoint an executive director of the Centre.

**Term of office**

(2) The executive director holds office during good behaviour for a term of not more than five years, which term may be renewed for one or more further terms, but may be removed by the Minister for cause.

**Duties**

22. The executive director is the chief executive officer of the Centre and has, on behalf of the board of directors, responsibility for the direction and management of the business and day-to-day operations of the Centre.

**Absence, etc., of executive director**

23. If the executive director is absent or incapacitated or if the office of executive director is vacant, the chairperson may designate any person to exercise the powers and perform the duties and functions of the executive director during the absence, incapacity or vacancy, but no person may be so designated for a period exceeding 90 days without the approval of the Minister.

**Delegation**

24. The executive director may delegate to any person any power, duty or function conferred on the executive director under this Act.

Personnel

25. The Centre may engage any employees and any technical and professional advisers that it considers necessary for the proper conduct of its activities.

**Status**

26. Directors, officers and employees of the Centre are deemed not to be employees of the public service of Canada and, for the purposes of the Public Service Superannuation Act, are deemed not to be employed in the Public Service.

Audit

**Audit committee**

27. (1) The board of directors shall establish an audit committee consisting of at least three directors.

**Duties of audit committee**

(2) The audit committee shall

(a) require the Centre to implement and maintain appropriate internal control procedures;

(b) review, evaluate and approve those internal control...
procedures;
(c) review the Centre's annual financial statements and report to the Centre before those statements are approved by the board of directors;
(d) meet with the Centre's auditor to discuss the Centre's annual financial statements and the auditor's report; and
(e) meet with the Centre's auditor and the Centre's management to discuss the effectiveness of the internal control procedures.

Special report (3) If the audit committee is of the opinion that there is any information that should be brought to the attention of the Minister, it shall make a report of that information to the Minister and furnish the board with a copy of the report.

Meeting of directors (4) The audit committee may call a meeting of the board of directors to consider any matter of concern to the committee.

Technical assistance (5) The audit committee may engage, on a temporary basis, the services of persons having technical or specialized knowledge to assist the committee in carrying out its duties under this Act.

Independent audit 28. The accounts and financial transactions of the Centre shall be audited annually by an independent auditor designated by the board of directors, and a written report of the audit shall be made to that board.

Arbitrators and Mediators

Responsibilities of the Centre 29. The Centre shall ensure that arbitrators and mediators who provide dispute resolution services under the auspices of the Centre
(a) meet the qualifications established by its by-laws;
(b) are independent of the Centre; and
(c) are, as a group, able to provide services in one or the other of the official languages of Canada or in both, according to the needs of the parties.

General Provisions

Duty of care 30. (1) Every director and officer of the Centre, in exercising their powers and performing their duties and functions, must
(a) act honestly and in good faith with a view to the best interests of the Centre;
(b) exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances; and
(c) comply with this Act and the by-laws of the Centre.

No exculpation (2) No provision in a contract or resolution relieves a director or officer from the duty to act in accordance with this Act, the regulations or the by-laws or relieves a director or officer from liability for a breach of any of them.

Reliance on statements (3) A director or officer is not liable for a breach of duty under subsection (1) if the director or officer relies in good faith on
(a) financial statements of the Centre represented to the director or officer by an officer of the Centre or in a written report of the auditor of the Centre as fairly reflecting the financial condition of the Centre; or
(b) a report of a lawyer, notary, accountant, engineer,
appraiser or other person whose position or profession lends credibility to a statement made by that person.

31. (1) The following provisions of the Canada Business Corporations Act apply, with any modifications that the circumstances require, to the Centre and its directors, officers and employees as if the Centre were a corporation incorporated under that Act and the provisions of this Act were its articles of incorporation:

(a) section 16 (by-law not required to confer powers on Centre, restriction on powers of Centre and validity of acts of Centre);
(b) subsections 20(1), (2) and (4) (records, minutes and place of records);
(c) subsection 22(1) (form of corporate records);
(d) section 23 (corporate seal not needed to validate instrument);
(e) subsection 108(2) (resignation of director);
(f) subsections 114(1), (2), (5) to (7) and (9) (meeting of directors);
(g) section 116 (validity of acts of directors and officers);
(h) section 117 (validity of directors' resolutions in lieu of meetings);
(i) section 120 (conflict of interest of directors and officers);
(j) section 123 (directors' dissents);
(k) subsections 124(1) to (6) (indemnification of directors and officers and insurance for directors' and officers' liability);
(l) section 158 (approval of financial statements by directors);
(m) section 161 (qualifications of auditor);
(n) section 170 (right of auditor to information);
(o) subsections 171(4) to (7) and paragraph 171(8)(a) (duties and administration of audit committee);
(p) section 172 (qualified privilege in defamation for auditor's statements);
(q) subsections 253(1) and (3) (notice to directors);
(r) section 255 (waiver of notice); and
(s) subsections 257(1) and (2) (certificates of Centre as evidence).

(2) The descriptive words in parentheses that follow the reference to a provision of the Canada Business Corporations Act in subsection (1) form no part of that subsection but are inserted for convenience of reference only.

32. (1) The Centre shall prepare a corporate plan for each fiscal year, and deliver a copy of that plan to the Minister at least 30 days before the start of that fiscal year.

(2) The corporate plan shall encompass all the business and activities of the Centre and shall include a statement of
(a) the Centre's objectives;
(b) the strategies that the Centre intends to use to achieve its objectives, including its operational and financial strategies and its human resource strategies; and
(c) the Centre's operating and capital budgets for the next fiscal year.

Corporate plan to be made public (3) After the corporate plan is delivered to the Minister, the Centre shall make the plan public.

Annual report 33. (1) The chairperson of the board of directors shall, within four months after the end of each fiscal year, deliver a report on the operations of the Centre in that fiscal year to the Minister.

Contents (2) The report shall include

(a) the financial statements of the Centre and the report of the auditor respecting those statements;
(b) a summary of the Centre's corporate plan; and
(c) information about the Centre's performance with respect to the objectives established in the corporate plan.

Remuneration (3) The total remuneration that each officer receives in a fiscal year from the Centre, including any reimbursements or monetary benefits, and the amount of any reimbursements or monetary benefits that each director receives in a fiscal year from the Centre, shall be set out in the annual financial statements for that year.

Distribution of report (4) After its annual report is delivered to the Minister, the Centre shall make the report public.

Public meeting 34. (1) Within 60 days after the delivery of its annual report to the Minister, the Centre shall convene a public meeting at a city in Canada selected by the Centre to consider the report and other matters relating to the Centre's activities during the current fiscal year.

Notice of meeting (2) At least 30 days before the date of a meeting convened under subsection (1), the Centre shall give notice of the time and place of the meeting in accordance with its by-laws.

**Dissolution**

Minister may order dissolution 35. (1) The Minister may, by order, dissolve the Centre

(a) if the Centre has failed to make by-laws in accordance with paragraphs 17(1)(e), (g) and (i) to (k) within one year after section 9 comes into force;
(b) if the Minister is satisfied that the Centre has failed, for a period of one year, to carry on its affairs and business;
(c) if the Minister, on the expiry of any period of five years after the coming into force of section 9, after having made an evaluation of the Centre, is satisfied that the Centre is not fulfilling its mission or is no longer necessary; or
(d) on petition by the Centre supported by a resolution passed by at least two thirds of the directors.
Debts and liabilities
(2) In the event of the dissolution of the Centre, any property of the Centre that remains after the payment of its debts and liabilities, or after the making of adequate provision for the payment of its debts and liabilities, may be transferred to any person or institution having a mission similar to that of the Centre that the Minister specifies in the order.

Dissolution
(3) If the Minister dissolves the Centre, the affairs of the Centre shall be wound up in accordance with this section and any regulations made under paragraph 36(b).

REGULATIONS

Regulations
36. The Governor in Council may make regulations
(a) defining, for the purposes of this Act, the expressions "physical activity", "sport" and "sport organization";
(b) respecting the winding up of the Centre; and
(c) generally for carrying into effect the purposes and provisions of sections 3 to 8.

CONSEQUENTIAL AMENDMENT

1995, c. 11
Department of Canadian Heritage Act
37. Paragraph 4(2)(f) of the Department of Canadian Heritage Act is replaced by the following:
(f) the encouragement, promotion and development of sport;

COORDINATING AMENDMENT

Bill C-30
38. If Bill C-30, introduced in the 1st session of the 37th Parliament and entitled the Courts Administration Service Act, receives royal assent, then, on the later of the coming into force of section 14 of that Act and subsection 9(4) of this Act, subsection 9(4) of this Act is replaced by the following:
(4) For the purposes of the Federal Courts Act, the Centre or an arbitrator or mediator who provides services under the auspices of the Centre is not a federal board, commission or other tribunal within the meaning of that Act.

REPEAL

Repeal of
R.S., c. F-25
39. The Fitness and Amateur Sport Act is repealed.

COMING INTO FORCE

Coming into force
40. The provisions of this Act, other than section 38, come into force on a day or days to be fixed by order of the Governor in Council.
Bibliography


Canada, *Proceedings of the Sub-Committee on the Study of Sport in Canada of the Standing Committee on Canadian Heritage* (22 May 2002).


Canada, *Senate Debates* (23 October 2002).

Canada, *Standing Senate Committee on Social Affairs, Science and Technology* (6 November 2002).

Canada, *Standing Senate Committee on Social Affairs, Science and Technology* (20 November 2002).

Canada, *Standing Senate Committee on Social Affairs, Science and Technology* (21 November 2002).


Canadian Fitness and Lifestyle Research Institute. “Sport Participation Rates in Canada.” *Sport participation in Canada*. 


Standing Committee on Canadian Heritage Sub-Committee on the Study of Sport in Canada, Sport in Canada: Leadership, Partnership and Accountability –


VITA AUCTORIS

NAME
Stephanie Morgan Williamson Eckert

PLACE OF BIRTH
Toronto, Ontario, Canada

YEAR OF BIRTH
1985

EDUCATION
Master of Human Kinetics, University of Windsor, 2010.

Bachelor of Arts, Honours Kinesiology & Physical Education with Administration Option – with Distinction, Wilfrid Laurier University, 2007.

HONOURS AND AWARDS
Social Sciences and Humanities Research Council (SSHRC) of Canada, Joseph-Armand Bombardier Canada Graduate Scholarships Program – Master’s Scholarship: 2008-09.

Ontario Graduate Scholarship: 2008-09.

University of Windsor, Human Kinetics Graduate Alumni Award – Sport Management: 2008-09.

University of Windsor, Master’s Tuition Scholarship: 2007-08; 2008-09.

Wilfrid Laurier University, Science and Technology Endowment Program Research Grant: 2006-07.

Wilfrid Laurier University, In-Course Scholarship: 2004-05; 2005-06; 2006-07.

Ontario University Athletics, Academic Achievement Award: 2003-04.

Wilfrid Laurier University, Entrance Bursary: 2003-04.

PROFESSIONAL EMPLOYMENT

Graduate Assistantships

95-452 Sport and Government, University of Windsor, January-April 2009.

• Developed and presented lecture, “Active Living & ParticipACTION,” January 28, 2009.
• Assisted with design of major assignments and associated marking guidelines.
• Designed and led tutorials for assignment preparation.
• Designed supplementary class materials to enhance student performance.

95-225 Ethics in Sport and Physical Activity, University of Windsor, September-December 2008.
• Performed traditional duties, such as marking and proctoring.

95-230 Sociology of Sport and Physical Activities, University of Windsor, January-April 2008.
• Assisted with design of marking guidelines for major assignments.
• Designed and led tutorials for assignment preparation.
• Designed supplementary class materials to enhance student performance.

Campus Recreation, Cyclefit Program Development, University of Windsor, September-December 2007.
• Developed innovative approaches to marketing and advertising Cyclefit program.
• Designed and implemented participant retention program, 180° Club.
• Supervised and evaluated Cyclefit instructors.

Research Assistantships

SSHRC Research Assistant, Organizational Culture and Participation in Sport Study, University of Windsor, January 2008-present.
• Attended workshops to develop interviewing and coding (NVivo 8) skills.
• Conducted interviews with key figures in Canadian National Sport Organizations.
• Transcribed interviews.
• Coded interviews using NVivo 8 qualitative data analysis software.

• Transcribed interviews.

RESEARCH CONTRIBUTIONS


PROFESSIONAL ACTIVITIES

North American Society for the Sociology of Sport, Member, 2009-2010.

North American Society for Sport History, Member, 2008-2010.