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DPPS RESEARCH SUMMARY

ISSUE: INVASION OF HETEROSEXUALS' PRIVACY

1. Barring homosexuals from employment in the Canadian Armed Forces has been construed as a violation of the human rights of homosexuals. But the rights of heterosexual members of the CF must also enter into this equation. By allowing homosexuals to serve in the CF, heterosexual members will be required, under the exigencies of service life, to share ablution and shower facilities, as well as sleeping accommodations with homosexuals. Considering the possible negative psychological impact such situations could have, the implementation of such a policy can be viewed as a violation of the right to privacy of the heterosexuals currently serving in the military.

BACKGROUND

2. If an issue such as privacy is to be successfully defended in a court of law, then an effective understanding of this concept must be incorporated into the legal process. This was illustrated by Levin and Askin (1977) in their review of US Supreme Court decisions between 1965 and 1974 whose determinations rested on assumptions about the psychological dimensions of privacy. They found that "the Court and lawyers

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failed to appropriately define privacy and utilize social science theory and data" and that "many judicial decisions are based upon myths about human behavior instead of empirical fact." In the cases studied by Levin and Askin (1977), the privacy issues in question primarily involved personal information and improper searches. However, the concerns they raise about ensuring that the privacy concept is adequately defined and understood is equally germane with respect to invasion of personal space, and other aspects of privacy.

3. Privacy has been variously defined as a regulatory process involving selective control of access to one's self or the flow of information to others (Klopfer & Rubenstein, 1977), as something that protects behaviour which is either morally neutral or valued by society (Warren & Laslett, 1977), and as a process for controlling personal transactions through control over boundaries between one's self and others with the aim of enhancing autonomy and/or minimizing vulnerability (Berscheid, 1977). Although Margulis (1977) acknowledges that the term "privacy" has many meanings, he asserts that a core definition of shared, abstract components that reasonably represents the different meanings can be constructed: namely, "controlling access to information," "being alone," "no one bothering me," and "controlling access to spaces." Altman (1975) and Shaver (1987)

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identify four similar types of privacy: anonymity, solitude, reserve, and intimacy.

4. Shaver (1987) also considers three functions of privacy. The "interpersonal function" is concerned with the regulation of interactions with others in the social environment. The "self-evaluation function" is concerned with the boundaries established between the self and others. The "self-identity function" involves a withdrawal from interaction with others to permit an emotional release from the stresses of maintaining a public persona. Regardless of the functions served, "privacy can be obtained only by exercising some control over both the physical and social environment" (Shaver, 1987).

5. Altman (1977) has examined the concept of privacy in a number of different cultures and found the need for privacy to be fairly consistent. The cultural differences noted are simply in the behavioural mechanisms whereby privacy is achieved. He states that "the ability to regulate interaction is necessary for individual and cultural survival, and unless people have figured out ways to control interaction, their status as human beings is in jeopardy." In other words, the need for privacy is not limited to our culture. A universal component of this concept is the necessity to be able to exercise some control over the

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environment. Control seems to be the central theme in the scientific study of privacy (Altman, 1975) and it is the key element in Derlega and Chaikin's (1977) definition of privacy as the "control over the amount of interaction we choose to maintain with others."

6. The situation currently being addressed, in a military setting, is the intrusion of unwanted others into one's presence or personal space. This relates most directly to conceptions of privacy which refer to the control over access to personal space and being bothered by the presence of others. This lack of privacy is intensified in the CF, because members are often placed in situations where control over the environment is removed. All three functions of privacy described by Shaver (1987) come into play. Regulation of interactions with others (interpersonal function) is not possible, the boundaries established between the self and others (self-evaluation function) are restricted, and the ability to withdraw from interaction with others (self-identity function) is often impossible.

7. Altman (1975) concedes that privacy situations are not always easy to control successfully. Furthermore, he cites the work of several researchers which suggests that invasions of

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privacy are "especially harmful because they destroy individual autonomy, self respect, and dignity by taking control of a person's life away from the person and in a sense demeaning the worth of the person." According to Altman (1975), when someone crosses a personal-space boundary the result can be anxiety or stress, or even flight and aggression. For example, in their examination of college dormitories Baum and Valins (1977) noted that the sharing of bathroom and lounge areas resulted in higher probabilities of interaction, less social control, and hence a greater likelihood that an invasion of privacy would occur. Baum and Valins (1977) add that frequent instances of uncontrolled and unwanted social interactions are apt to induce stress and instigate withdrawal-oriented coping strategies. Likewise, in a laboratory study (interview setting) of male undergraduates, Kanaga and Flynn (1981) found that spatial invasions resulted in stress. Stress in this study was assessed by three independent ratings of physical responses (e.g., twitching, darting eyes, frequent hand gestures) exhibited by the subjects in three different experimental conditions (degrees of invasion).

8. Other writers have also commented on the negative consequences of privacy deprivation. In their discussion of the dimensions of privacy, Laufer and Wolfe (1977) refer to the self-ego dimension as the result of a developmental process that

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focuses on autonomy and, by implication, on personal dignity. Altman (1975) refers to the self-ego dimension as an individual's learning "when and how to be with or to be separate from others." Although specific examples are not provided, Laufer and Wolfe (1977) indicate that because a high value is placed on privacy in our culture, the removal of opportunities for various types of private behaviour has been used as a way of breaking down the self. Furthermore they refer to research that has "shown that the individual's perception of limited privacy options is connected with perceptions of low self-esteem." In his discussion of privacy deprivation in a prison setting, Schwartz (1972) argues that the forced exposure and spectatorship by superordinates is degrading and mortifying in the lives of inmates. Baum and Valins (1977) report that when unwanted social interactions result in stress, then coping responses will usually be directed toward reduction of the frequency and/or intensity of the interaction. On the positive side, they also note that the existence of cohesion in a group can mitigate the adverse effects of living in a high density setting.

EVIDENCE/ARGUMENTS SUPPORTING CF POSITION

9. The Charter Task Force Survey, conducted by Zuliani (1986), included a "Reactions" to homosexuals section from which

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a "Privacy from Homosexuals" scale was constructed. Members responded to statements describing hypothetical interactions with homosexuals on a four point scale (1 = "Willingly Accept"; 2 = "Accept"; 3 = "Protest"; and 4 = "Refuse") with an option to reply "Don't Know." In the Charter Task Force report, Zuliani (1986) identified privacy from homosexuals as a point of serious concern in a large and representative CF military sample (N = 6580). Survey results indicated that heterosexual male subjects would react more negatively than heterosexual females to sharing working and living facilities with same-sex known homosexuals. Both male and female subjects reacted most negatively to the prospect of sharing shower facilities or sleeping accommodations with same-sex homosexuals; 62% of the males and 41% of the females sampled indicated they would "refuse" to share shower facilities or sleeping accommodations with same-sex homosexuals. Furthermore, this concern for privacy from same-sex homosexuals was "much higher than the general concern for privacy represented by the results of the Privacy from Heterosexual Scale." By way of illustration, the mean score for males on the Privacy from Homosexuals scale was 4.0, while the mean score for males on the Privacy from Heterosexuals scale was 1.9. Privacy from heterosexuals is clearly not an issue.

10. The zero order correlations between the predictor

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variables (Charter Task Force Survey) and privacy from same-sex homosexuals variable are contained in Table 1 on the following page. A rule of thumb for assessing the strength of a correlational relationship is: 0.2 - 0.4 is modest; 0.4 - 0.6 is moderate; and 0.6 - 0.8 is strong (Schutte, 1977). Applying this rule, for male respondents, the scores obtained on the Privacy from Homosexual scale were strongly associated with attitudes toward homosexuals related to personal anxiety ($\underline{r} = 0.68$), equal rights ($\underline{r} = 0.61$), and moral reprobation ($\underline{r} = 0.62$); moderately related to the rated negativeness of previous relationships with male homosexuals ($\underline{r} = 0.56$), and the degree to which homosexuality was viewed as a mental disorder ($\underline{r} = 0.56$); and modestly related to the lack of confidence that existing policies would protect heterosexuals from harassment by homosexuals ($\underline{r} = 0.29$). The scores for the female respondents were in the same direction, but not as strong as the correlations obtained for males. While we cannot assume cause and effect using correlational analysis, the relationships obtained do provide an explanatory (or predictive) function. For example, members of the CF whose attitudes towards homosexuals include moral reprobation or personal anxiety, or who had previous negative reactions to their dealings with homosexuals will, in all likelihood, also be concerned with lack of privacy from homosexuals.

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Table 1

Zero order correlations between predictor variables and privacy variable.

<u>Predictor Variables</u>	<u>Privacy From Same-sex Homosexuals</u>
PA Males	0.68
ER Males	0.61
MR Males	0.62
DR Males	0.60
MD Males	0.56
Q 78	0.29
Q 120	0.56

Note: PA Males = Personal Anxiety (Males)
ER Males = Equal Rights (Males)
MR Males = Moral Reprobation (Males)
DR Males = Dangerous/Repressive (Males)
MD Males = Degree to which homosexuality is viewed as a Mental Disorder
Q 78 = Confidence in CF Harassment Policies
Q 120 = Reaction to past contact with male homosexuals

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11. The Charter Task Force findings are supported by a recent survey (Cameron, Cameron, & Proctor, 1988) of a large national sample of American adults ($N = 4,340$) which addressed several aspects of homosexuals serving in the US Armed Forces. In response to questions on privacy issues, heterosexual men and women indicated a strong aversion to being watched by homosexuals. Specifically, reactions to being an object of homosexual voyeurism in a public place (e.g., restrooms, bath house, shower) were negative for 70% of the male heterosexuals and for 74% of the female heterosexuals. Responses to being the target of homosexual voyeurism in private (e.g., bedroom) were more uniformly negative: 88% negative for the male heterosexuals and 89% negative for the female heterosexuals. Cameron et al. (1988) also report that a majority of the male heterosexuals (67%) would object to the idea of sharing communal facilities with homosexuals. Thus, in both studies, the majority of the heterosexual respondents viewed the presence of same-sex homosexuals in the workplace, and under close living conditions, as an invasion of their privacy; privacy in this case reflecting the Margulis (1977) conceptions of "no one bothering me" or "controlling access to personal spaces."

12. Additional evidence indicating that the presence of homosexuals would generate privacy concerns can be found in the

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writings of Altman (1975). He reports empirical evidence that people maintain (or try to maintain) a greater distance from those labelled as having some sort of social stigma than from nonstigmatized persons. Additionally, anxiety-prone people place a greater distance between themselves and others and, for these people, close distances are perceived as being more anxiety-provoking. Furthermore, males tend to have larger personal space zones than females, and males react more negatively than females when this space is invaded. Exceptions to this rule are male homosexuals who tend to have smaller personal space zones with other males. In general, the optimal distance one seeks to maintain becomes smaller with friends and larger for those with whom we do not wish to interact (Sunstrom & Altman, 1976).

13. In sum, research (Zuliani, 1986; Cameron et al., 1988) has demonstrated that the presence of known same-sex homosexuals in ablution and shower facilities, and living quarters is viewed in a negative manner by heterosexuals. Furthermore, this perceived intrusion can be interpreted as an invasion of privacy, and the lack of individual control over circumstances in a military setting can only be viewed as an aggravation of this situation. Based on available research it could be argued that if known homosexuals were to be employed in the military, then the self-esteem and dignity of heterosexual members might be at

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risk (Laufer & Wolfe, 1977).

EVIDENCE/ARGUMENTS REFUTING THE CF POSITION

14. The first argument that could be offered to refute the CF position is that anyone who knows the military will quickly point out that loss of privacy is the norm. This is the case for all CF members in the barracks conditions of basic training, for many during operational deployment, and for most in recreation facilities. Hence, military members are already accustomed to having their privacy "invaded" and the consequences have not been devastating. However, the Charter Task Force survey (Zuliani, 1986) results demonstrate that while military personnel are prepared to accept this loss of privacy in the context of serving with heterosexuals (mean score for privacy from heterosexuals for males was 1.9, "Accept"), they draw the line when such facilities must be shared with homosexuals (mean score for privacy from homosexuals for males was 4.0, "Protest").

15. A second possible criticism stems from the contact hypothesis (Amir, 1969). It has been argued that increased contact with members of an outgroup will result in an improved understanding of the group and, hence, greater tolerance. The weaknesses in this argument can be demonstrated by the mixed

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results of racial-integration experiments, as well as the results of recent research. Rothbart and John (1985) argue that changing stereotypic beliefs through intergroup contact depends upon first, the susceptibility of those beliefs to disconfirming information (and the degree to which the contact situation allows for disconfirming events) and second, the degree to which the events are generalized from the specific group members to the outgroup. Amir and Ben-Ari (1985) add that contact as a tool to improve intergroup relations must be strongly qualified by individual and situational factors. Furthermore, it is argued by Cook (1978) that an individual's improved attitude toward contact-group members will not necessarily generalize to the entire group. Outgroup members who are eventually accepted are perceived as exceptions to the group from which they come. The failure of the contact hypothesis with regard to generating more positive attitudes towards homosexuals has also been demonstrated in the results of the Charter Task Force survey. Despite the fact that 60% of the exclusively heterosexual male respondents reported knowing or having known male homosexuals, their reactions to these contacts were decidedly negative (i. e., 45% negative versus 20% positive).

16. The likelihood of ameliorative attitude change as suggested by the contact hypothesis can also be disputed from the

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perspective of the functional theory of attitudes (Katz, 1960). In this approach attitudes (and attitude change) are studied in the context of the psychological needs they serve. Evidence suggests that an attitude can serve one or more of the following functions: a knowledge function (to categorize the world in a meaningful and consistent fashion), an instrumental function (to maximize rewards and minimize punishments), an ego-defensive function (to cope with anxieties generated by intrapsychic conflict), a social adjustment function (to mediate one's interpersonal relations), and a value-expressive function (to express values important to one's self-concept).

17. Shaver (1987) also argues that attitudes are not functionally alike and that the ability to change an attitude largely depends on the function the attitude serves. For example, instrumental attitudes can be changed relatively easily by altering the rewards and punishments associated with the attitude. Knowledge attitudes can also be changed relatively easily by correcting misinformation about the attitude object. However, ego-defensive and value-expressive attitudes are the most difficult types of attitudes to change because they require a restructuring of one's self-conception and a change in one's basic values and/or beliefs respectively.

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18. These considerations beg the question: what functions do attitudes toward homosexuals serve? As pointed out by Herek (1984), negative attitudes towards homosexuals can be motivated by a variety of factors. He states "one person's negative attitudes may result from a need for acceptance by members of a valued social group, while a second person may hold similar attitudes primarily as a defense against unconscious conflicts, and a third person simply may be expressing negative social stereotypes. In other words, attitudes toward lesbians and gay men probably serve different functions for different individuals." The relationships presented earlier (between privacy from homosexuals and various attitude dimensions) are able to provide us with some insight into the functional basis of CF members' attitudes toward homosexuals. The Personal Anxiety scale may tap an ego-defensive attitude, the Moral Reprobation scale is quite likely an index of a value-expressive attitude, the Equal Rights scale could indicate a social adjustment function, and the Dangerous/Repressive, and Mental Disorder scales could measure a knowledge function.

19. Despite some uncertainties, it is clear that the strongest negative attitudes toward homosexuals (held by members in the CF) involve the dimensions of personal anxiety and moral reprobation (see Table 5 and para 58 of Zuliani, 1986). Personal

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Anxiety (males) and Moral Reprobation (Males) are also the strongest correlates ($r = 0.68$, $r = 0.62$) of the expressed need for privacy from same-sex homosexuals. If these dimensions are indeed ego-defensive and value-expressive, then such attitudes would be extremely difficult to change. By way of example, consider the persistence of attitudes held on the issue of abortion. Pro-life attitudes tend to be morally based, and have changed very little despite amendments to laws liberalizing abortion.

20. A third criticism that might be used against the CF position stems from the fact that the Charter Task Force Survey was conducted in 1986. It could be argued that the data are out of date, and that attitudes might have changed over time. This argument can be challenged in two ways. First, considering the functional basis of attitudes already discussed, and the suggested functions that the attitudes held by CF members serve, it can be concluded that it is very unlikely that any significant change would have taken place. Secondly, the unlikelihood that the attitudes measured would have altered significantly since 1986 can also be demonstrated empirically. Published polls on attitudes towards homosexuals have been fairly consistent both across populations (the Charter Task Force survey and Cameron et al. (1988) are a case in point) and over time. De Boer (1978)

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reports that the results of the public opinion polls conducted in the United States demonstrated "hardly any change in attitudes toward homosexuals in the period from 1970 to 1977." Polls conducted two years apart (1977, 1979) by the Weekend Magazine showed that attitudes towards homosexuals employed as elementary school teachers were very similar despite a measured increase in the level of acceptance of homosexuals.

21. A fourth argument that might be offered to refute the privacy stance is the fact that homosexuals are currently serving in the CF. The Charter Task Force survey (Zuliani, 1986) determined that a minimum of about 4% of the males and a minimum of about 5% of the females in the CF sample were not exclusively heterosexual and these people do not seem to be creating problems. It has also been documented elsewhere (e.g., McCrary and Gutierrez, 1979-80; Harry, 1984) that homosexual men and women have served as effective, and even distinguished members of the military.

22. This argument has weaknesses, however. It could be counter-argued that in order for there to be a psychological loss of privacy caused by the presence of homosexuals, the orientation of the homosexual must first be known. Negative reactions are unlikely to occur without this knowledge. In this regard, it

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should be noted that the sexual orientation of homosexual service members referred to by McCrary and Gutierrez (1979-80) and Harry (1984) was kept concealed to protect their careers. One might conclude from this that an invasion of privacy will not occur unless the sexual orientation of homosexuals is known by the heterosexuals. However, a de facto invasion of privacy can occur even if a homosexual's orientation is not known. An analogy using information privacy can be employed for illustration. If personal information (e.g., taxation information) is revealed to third parties without a need-to-know, then an invasion of privacy has occurred. When achieved privacy is less than desired privacy, then an invasion, or intrusion, of privacy has taken place (Altman, 1975), even if the subject has no knowledge of the disclosure. Similarly, by requiring heterosexuals to share shower, ablution, and living facilities with homosexuals,^{IN GENERAL} the presence of the homosexual will constitute an invasion of privacy even if the sexual orientation of ^{A GIVEN} the homosexual is not known. A change in policies which permits homosexuals to serve in the CF could thus be viewed as an endorsement of personal privacy invasion.

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CONCLUSION

23. As indicated by Schwartz (1972), the amount of privacy

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that can be permitted by a social organization is determined by the organization's objectives and means. As a result of military objectives, the amount of privacy possible is limited in many circumstances. However, privacy from homosexuals is a special concern for serving heterosexual members of the CF. Allowing homosexuals to enroll in the service would require heterosexual members to share close quarters with them, and this intrusion into the living space of heterosexual members would constitute an invasion of their privacy, even if the sexual orientation of the homosexual members were not known. In circumstances where the orientation is known, the attendant loss of control over this aspect of their environment could lead, initially, to greater levels of stress, and, ultimately, to lowered self esteem and loss of dignity for some heterosexual members of the CF.

24. A related concern with regard to the privacy issue is the feasibility of "reasonable accomodation" should homosexuals be permitted to become members of the CF. For example, to accommodate homosexuals, while ensuring the privacy of heterosexuals, separate showers, ablution facilities, and sleeping arrangements would be necessary. Minimally, this would mean four sets of everything, one for each sexual orientation within each gender. Furthermore, to protect the privacy of heterosexuals, the CF would presumably have to determine the

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sexual orientation of new enrollees by requiring a declaration of orientation. There may be problems with this solution. The only other alternative would be private facilities for everyone.

25. The privacy issue may be the best argument to use as support for the CF policies on homosexuality in that it sets the rights of one group against the rights of another. Rotegard, Hill, and Lakin (1983) report that "many [US] courts have found the individual right to privacy, primarily the right to be free from observation by the opposite sex [emphasis added] during care of certain personal needs to be a basis for determining sex to be a bona fide occupational requirement." By extension, sexual orientation should also be a bona fide occupational requirement in similar circumstances. Ultimately, the strength of the privacy argument depends on the recognition by the courts of:

- a. a fundamental individual right to privacy;
- b. the credibility of the Charter Task Force survey data as representing a perceived threat to that right; and
- c. the legitimacy of that perception (e.g., having a moral basis).

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