


Sexual Harassment, Sexual Abuse, and the Serial Offender Personality: Derivations and Predictions from Evolutionary Psychology



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1. The Approach within Science

1.1. Volatility in the Definition of SH

The psychological definition of sexual harassment as, “*offensive, unwanted behavior that is either sexual in nature, or targets the victim because of her gender*” (Cortina *et al.*, 1998), is inferential rather than deductive and is incomplete in part because it recognizes only female targets. An alternative gender-independent definition of SH as, “*behavior that derogates, demeans, or humiliates an individual based on that individual’s sex*” (Cortina & Areguin, 2021), is again inferential, has no sexualized content at all, and is more consistent with bullying that makes opportunistic use of sex (Nabe-Nielsen *et al.*, 2016; Ortega *et al.*, 2009). Superson provides several of the alternative definitions of SH in her introduction of a proposed supervening Feminist definition (Superson, 1993).

Superson's own definition of SH is, “*any behavior (verbal or physical) caused by a person, A, in the dominant class directed at another, B, in the subjugated class, that expresses and perpetuates the attitude that B or members of B's sex is/are inferior because of their sex, thereby causing harm to either B and/or members of B's sex.*”

Superson has injected notions of political power and the en vogue narrative of oppression into the definition of SH. A direct consequence is that sexual harassment has existence only in the states of dominance and subjugation. Only dominant A-people can sexually harass. Superson's subjugated B-person is definitionally incapable of sexual harassment. B-people certainly cannot sexually harass A-

people. Presumably a B-person is unable even to sexually harass another B- person because, as they are uniformly in the subjugated class, B-people cannot oppress B-people. Likewise, A-people cannot sexually harass A-people on the grounds of shared dominance.

Superson addressed this problem in a later equivocation (p. 61): “*... it is false that harassment occurs only between unequals: equals and subordinates can harass.*” However, to grant this license is to betray the thesis.

Superson's definition is also devoid of sexualized content no matter that it includes a state of sex (Presumably male or female. Abuse of gender was still 10 years away when Superson composed her thoughts).

The Sexual Harassment chapter current in The International Encyclopedia of Ethics describes SH as sexually hostile behavior (*e.g.*, sex-based hazing) or coercive demands for sex (Cudd, 2013). However, the Chapter does not provide an objective description of SH despite considerable discussion.

The Sexual Harassment chapter ends with this final comment: “*Sexual harassment is an evolving moral and legal concept developed by feminist legal theorists and philosophers. They have made morally and legally salient a kind of conduct that oppresses women and sexual minorities, and affronts the dignity and autonomy of persons. In this way, the concept of sexual harassment represents moral progress.*”

The statement fails ethics by restricting sexual harassment to males, *i.e.*, SH is restricted to oppression of

“women and sexual minorities” and offends the dignity of persons -- a peculiar descent into the non-descript.

Worse, though, the final statement does not recognize that morals conflate virtue with outlooks and behavior assigned as such by an arbitrary social collective, *e.g.*, custom (Baumeister & Juola

Exline, 1999; Merritt, 2000; Ross & Nisbett, 1991). That is, moral observables are indistinguishable from virtue-signaling.

The Chapter conclusion, in an Encyclopedia dedicated to ethics, betrays ethics. Ethics are internal principles that guide both one's behavior and one's personal philosophy of social interaction (Bottorff, 1997; Fischer, 2004; Merritt, 2000). Internal principles are individualist rather than collectivist. Ethics are the mechanism required to remain virtuous even though opposed to collectively required views and behaviors. Author Cudd's *moral progress* cannot exist because moral standards are arbitrary. Morals may make progress only to the extent that they adhere ever more closely with ethics. However, that case is unmade in the Chapter.

These definitions of SH are all inferred, rather than deduced from a valid scientific theory of sexual harassment (Arvey & Cavanaugh, 1995; DeBruin, 1998; Gutek, 2007; Gutek *et al.*, 2004; Lengnick-Hall, 1995; Sbraga & O'Donohue, 2000).

Further, previous work has shown that intuitively demarcated surveys of sexual harassment fail primarily because they inhere the nominalistic fallacy (Cliff, 1983; Frank, 2022). The problem is manifest in the several non-congruent definitions of sexual harassment noted above (Barak *et al.*, 1992; Cortina *et al.*, 1998; Crull & Cohen, 1984; Fitzgerald *et al.*, 1988; Lengnick-Hall, 1995).

The proffered SH diagnostics are thus at least equivocal.

1.2. Theory and Result

Phenomena are observables requiring explanation, while a valid explanatory theory indicates cause and deductively predicts further specific observables. Phenomena derive from observation or experiment, and fall under the general category of result. Methodology in science is the conjoint of theory and result (Drake, 1957; Frank & Ray, 2004; Musgrave, 1973, 1978).

Predictions deduced from physical theory are so specific as to threaten falsification if the requisite observables are contradicted (Musgrave, 1973). To be validly scientific, theory must meet the central criterion of experimental or observational falsifiability.

Experimental results are independent of the theory under test. For example, the nature hypothesis in Psychology requires the correlation of personality traits with gene frequency (T. J. Bouchard & Loehlin, 2001; Lewis & Bates, 2014; Montag *et al.*, 2020; Veselka *et al.*, 2010). The outcome of a survey of gene frequency does not depend in any way upon an inventory of personality traits. Likewise, the outcome of a personality inventory is independent of genetic- molecular theory. Physical theory

is deployed in gene-frequency, in brain structure, and in Evolutionary Biology. Together, these confer causal meaning on a correlation of gene content and personality traits (Blankstein *et al.*, 2009; DeYoung *et al.*, 2010; Kabbara *et al.*, 2020).

The necessary distinctions of phenomenon and theory apply to a science of sexual harassment (SH). Accepting the phenomenon that individuals are harried in a sexual manner, a valid theory must minimally condition incidence, causally explain known observations, and deductively predict the circumstances of further instances. At present, in the absence of a valid falsifiable theory of sexual harassment (Bondestam & Lundqvist, 2020; Fitzgerald *et al.*, 1995; Frank, 2022; Sbraga & O'Donohue, 2000), purported incidents are causally ambiguous.

That is, instances of observationally homologous sexualized behaviors may have variable causes and outcomes (Foote, 2016), some or all of which may or may not be SH. Juridical intervention then becomes fraught with this ambiguity. The research program toward a valid theory of sexual harassment or sexual violence must develop methods to extract causality from a multiplex of correlated associations. The route to a valid theory involves critical appraisal of falsifiable candidate constructs, *i.e.*, of deductively predictive hypotheses. That task is taken up here.

In so difficult a field of study as sexual offense, analytical clarity becomes especially important. Science distinguishes between phenomena and theory (Pattee, 2012). To criticize the explanatory power of a construct is not to deny the phenomenon. This distinction should be kept in mind throughout what follows.

2. DETAILS OF FEMALE AND MALE MATING STRATEGIES

2.1. Females, Males and their Mating Strategies

Grammer and associates conducted a detailed study of females (N = 351) entering five discotheques in Vienna, Austria. Participation was voluntary. Clothing, levels of estrogen and testosterone, marital status, partner presence, contraception status, and intentions for the evening were all evaluated.

Grammer, *et al.*, noted that, “*For females, the main sexual strategy will be to carefully select a mate with whom a long-term, committed relationship can be established, and from whom resources for potential offspring in the future can be secured. [However, mating] outside a committed relationship ... with a carefully selected male could [be advantageous because of increased fitness or genetic variability of offspring, possible acquisition of a superior partner, or access to additional material resources].*” And later, “*Correlational research by (Barber, 1999) suggests that clothing and skin display serve as particular reproductive signals.*”

“*Since low investment copulation was advantageous for males in our evolutionary past, males are predisposed to attend carefully to potential sexual cues and be on the lookout for any signals that might indicate varying degrees*

of sexual openness.” Sexualized display is one such signal, and the same evolutionary past will have selected for it.

Grammer, *et al.*, went on to report that, “Stable judgments about a person’s character and capabilities are often made within a 100-millisecond glance (Goffman, 1959; Locher *et al.*, 1993) Analysis of eye movements found that areas of bare-skin display attracted preferential male attention. When looking at a female target, males’ eye contact focused first on the head and shoulder area. From there, if a target had bare shoulders, males directed eye contact to all other areas of bare-skin display before moving on to clothing-covered areas. This suggests that skin display is tallied and given preferential attention before any other areas of the body are assessed. Thus, males use a female’s clothing as an indicator for whether the female is following a long- or short-term sexual strategy.”

Finally, Grammer, *et al.*, noted that, “Increased skin display was not self-rated as modest but it was rated as sexy and bold. Wearing sheer clothing was not rated as natural, but was considered sexy and bold. A similar pattern was found for tightness, although the correlations were somewhat lower. In addition, wearing a miniskirt was not considered modest but was considered sexy and bold.

“Digital analysis of clothing for skin display, tightness, and sheerness showed that the women described their own clothing in ways that are consistent with social clothing codes. We found positive correlations between the amount of skin displayed, the sheerness of clothing, and the tightness of clothing and the self-ratings of sexy and bold, and negative correlations between skin display

and the label modest, and sheerness and the label natural.

“This implies that females are aware of the social signals that clothing sends, especially in the direction of sexiness. Sheerness, although rare in the study, was considered to be particularly sexy by females. Further, we found that when females wore tight or revealing clothing, they tended to repeat the signal: For example, clothing that reveals the skin via a miniskirt is also likely to be tight. This suggests that signaling is redundant (Grammer *et al.*, 2004).”

This last means that an individual woman will employ multiple sexualized modalities to increase the strength of the one signal; that signal being sexual interest.

2.2. Who Initiates Courtship?

Elliot and associates noted that, “Although men are commonly portrayed as the initiators of romance relevant communication, research on nonverbal courtship behavior shows that women often use a variety of subtle signals (e.g., glancing, smiling, primping) to “make the first move” (for a review, see (Moore, 2010)). One understudied aspect of this nonverbal courtship behavior is clothing choice. Clothing is typically considered from the standpoint of aesthetics or fashion, but clothes may also be used to convey symbolic meaning (Adam & Galinsky, 2012), including romance-relevant information. A few correlational studies have linked wearing tight and revealing clothing to sexual intent (Durante *et al.*, 2008; Grammer *et al.*, 2004), and Barber (Barber, 1999) demonstrated that women’s skirt lengths shrink when sex ratios point to stiff competition for male attention” (Elliot *et al.*, 2013).



Fig. (S1). French MP 31 year old Ms. Aurore Bergé as she appeared on the program *Salut les Terriens* in her official capacity as a member of the French parliament, apparently there to discuss serious issues (Burrows-Taylor, 2018). The two adjoining gentlemen are exposed to an inappropriate visceral signal of sexual invitation. The gentleman on Ms. Bergé’s right appears concerned. Photo: Canal+ Group/Youtube [18].

2.3. Sexual Harassment illustrated

Fig. (S1) shows Ms. Aurore Bergé, MP of the French government, as she appeared in 2018 February, during an appearance on French television to discuss education and public service reforms (Burrows-Taylor, 2018).

Ms. Bergé's display illustrates the common mode of sexual harassment that is peculiar to females. Such display is advanced to be a primary method of sexual harassment, of which the 4% of females with personalities low in Honesty-Humility and Agreeableness are prone.

2.4. Ms. Bettina Arendt on Innocent Sexual Harassment

Ms. Arndt is a clinical psychologist specializing in sex therapy. She has written several books on social sexuality and has lectured widely at universities. Ms. Arendt's descriptive video includes some dishabille content, but is presented evidentially and thoughtfully (Arndt, 2017). Therein, Ms. Arndt submits that the sexual harassment reported as ogling are often the stares of males deemed unattractive by the females who have drawn their attention through sexualized display.

In her video, Ms. Arndt states, and emphatically, that women clothed to make highly sexualized displays are not responsible for sexual assault. However, she proposes that the usual argument that extreme displays constitute normal behavior, "*absolves women of any responsibility to behave fairly or sensibly.*" She adds that, "*it is not reasonable for women to exploit men's rightful constraint in the face of this extreme provocation.*" She likens that to baiting a bear while knowing it is safely chained to a post.

Ms. Arndt also suggests that the aggressive displays of sexualized signals favored in Feminist protests such as the "Slut Walk" (discussed in Section 5.1.2) are consciously meant by females to sexually harass males; to be deliberate and unfair exertions of female sexual power over male involuntary response.

2.5. Innocent Sexual Harassment illustrated

Fig. (S2) shows three young women who received an academic award (Anon, 2017), as an illustration of innocent but false female sexualized signaling.. The graphic has been anonymized in deference to the parties involved.



Fig. (S2). Top panel: the photograph of record for three winners of an academic award. Two of the three make a clothing display composed to transmit a sexualized signal of female interest, but within a context where male sexualized attention and the impulse to approach must be suppressed. Bottom panel: the photograph as presented on the announcement website. The banner is so artfully placed as to obscure the displays.

Of the three females, the deeply scoop-neck elastic garment of the middle female is constructed to display the upper body, its cleavage, and is very faithful to bodily form. The outfit of the right-most female includes a tight miniskirt and features midriff exposure. Sitting has caused the skirt to ride well up the thigh (*cf.* Ms. Bergé in Fig. S1). The crossed wrists and hands are positioned to preclude a forward display. The shielding position may imply awareness of the potential for display, and may reflect some discomfort.

The innocent sexual harassment of males by females is the display of sexualized signals that have been foolishly (Ms. Arndt says “shamefully”) characterized as normative, and transmitted both socially and in the inappropriate venues where reserved deportment is standard. The maltreatment is levied against any males present who are required to not respond, nor to approach, nor to show any of the reflexive arousal or interest with which the human evolutionary gradient has inhered them.

3. PSYCHOLOGY AND CRIMINALITY

3.1. Impulsivity

Regarding the BIS-11 Impulsivity scale, Stanford, *et al.*, noted, “A common question asked concerning the BIS-11 is what score can be used to designate an individual as highly impulsive? Several previous studies have used a BIS-11 total score of 74, one standard deviation above the mean reported in (Patton *et al.*, 1995), to designate high impulsiveness. Individuals with this level of impulsiveness show more aggression, a greater variability of performance, faster cognitive tempo ... and physiological differences suggestive of low baseline arousal” (Stanford *et al.*, 2009). However, high impulsivity alone does not necessarily indicate entry to criminality.

Stanford and associates noted that, “a total score of 72 or above should be used to classify an individual as highly impulsive. In the college sample reported here individuals scoring 72 or higher were more than twice as likely to have shoplifted an item over \$10 (2.54 odds ratio, 95% CI 1.33–4.86) and more than twice as likely to have been involved in self-mutilation (2.23 odds ratio, 95% CI 1.25–3.97)” (Stanford *et al.*, 2009).

However, shop-lifting and self-mutilation are not standards of violent criminality. One also notes that the mean odds ratios indicate that about 28% of those who shop-lifted apparently approximated normal impulsivity as did 31% of the self-mutilators. Thus, the Impulsivity trait indicates population-average propensity, but does not at all determine individual behavior.

3.2. The Bouchard and Lussier Study of Sexual Offense in Quebec

Bouchard and Lussier used the Zelterman estimator (*cf.* 4.3.2) to find the population of undetected violent sexual offenders in Quebec over a 42-month window (12/94–6/98), given a known number of convictions and reconvictions (Böhning & van der Heijden, 2009; M. Bouchard & Lussier, 2015; Zelterman, 1988).

The Bouchard and Lussier sample included 387 offenders and 9 reconvictions. The estimated population of hidden violent offenders was 7935, yielding a total of 8322 offenders. The total population of Quebecois males age 20–64 was then 2,129,136. Thus the estimated population fraction of sexually violent male offenders over the 42 month period was $(8322/2,129,136) \times 100 = 0.4\%$ (M. Bouchard & Lussier, 2015). They went on to ask, “Is this [0.4%] a small or a large number? It’s hard to tell, as no prior studies estimated the size of the sexual offending population.”

This empirical finding is nearly identical to the 0.5% of males predicted from HEXACO and Impulsivity psychometric factors to have violent criminal personalities. Therefore, one may now answer the question posed by Bouchard and Lessier by noting that 0.4% is an expected fraction.

Of further interest is that only 387 violent sexual offenders were caught and convicted, out of an estimated total of 8,322. Thus, about 95% of violent offenders were not caught. The estimated number of active violent sexual offenders was about 20 times greater than the number of caught and convicted offenders.

3.3. Incidence of Rape in the 75 most Populous U.S. Counties

In an independent estimate for 2009, the 75 most populous U.S. counties accounted for about 36% of rapes (Reaves, 2006). The fraction implies 139,682 violent rapes to have occurred in 2009 in the 75 urban counties occupied by 37.57 million adult males (18–64 years). The empirical incidence rate of rape or sexual assault in these counties was then 0.0037 per male.

4. CAMPUS SEXUAL HARASSMENT OR RAPE

4.1. The Koss, *et al.*, 1985 Campus Rape Study

Koss and associates recruited large and small public, religious, and private institutions (N = 32) sampled from all regions across the U.S (Koss, 1988; Koss *et al.*, 1985). Student participants were members of classes randomly selected from the course catalog and were approximately representative of the national undergraduate population (Koss *et al.*, 1987). The experience fractions are thus taken to be statistically representative of the general undergraduate student population.

Across the 32 institutions, 3.6% of undergraduate females reported having been raped over the prior academic year; intermediate between the 2.9% fraction reported at Stanford University in 2019 (*cf.* Section 4.3.5) and the 4.7% average reported in the 2019 US-wide survey carried out for the Association of American Universities (*cf.* Section 4.3.6).

Among the 2972 male undergraduates in the Koss and associates 1985 survey, 1.3% reported having committed forcible rape during the prior year while a total of 3.4% had forcefully attempted to rape or succeeded in rape.

Student participants were members of classes randomly selected from the course catalog and were

approximately representative of the national undergraduate population (Koss *et al.*, 1987). The experience fractions are thus taken to be statistically representative of the general undergraduate student population.

Overall, the 1987 data presented by Koss and associates disconfirm their own conclusion that,

“The ubiquity of sexual aggression and victimization supports Johnson’s (1980) observation that, “It is difficult to believe that such widespread violence is the responsibility of a small lunatic fringe of psychopathic men. That sexual violence is so pervasive supports the view that the locus of violence against women rests squarely in the middle of what our culture defines as ‘normal’ interaction between men and women” (p. 146).”

The data of Koss and associates instead support the view that the locus of campus sexual violence against women is primarily the responsibility of a sub-population of violence-disposed male serial abusers. They are not Johnson’s lunatic fringe, however. Such a dismissal trivializes an important insight. Sexual abuse perpetrators are naturally resident in the further reaches of the personality distribution within any statistically valid population. These are the fraction of (mostly) males predicted to occupy the low H-H, low-A and high-Impulsivity regions of the seven-dimensional HEXACO-Impulsivity personality phase-space.

5. HEXACO TRAITS AND INCIDENCE OF CAMPUS RAPE

5.1. Comparative HEXACO Traits of University Students

The Table **S1** compares HEXACO scores for cohorts of undergraduates with populational scores of young adults, university-achievers, males and females, and convicted male criminals. The undergraduate personality inventories do not seem extreme or especially removed from those of young adults. With IQ, Conscientiousness is most correlated with academic success but is not especially high within the student cohort.

Undergraduates (Lee & Ashton, 2004), N = 409, 50% female, mean age, 22.3±6.3 years; Young Adults (Dinić & Wertag, 2018), general population, mean age 30.4±12.4 years, N = 621, 50% female; University achievers (Lee *et*

al., 2022), mean age 34.4±13.6, N = 72964, world-wide sample, 83% post-university, 50.5% male; Community sample (Ashton & Lee, 2009), Males (N = 321) and females (N = 413), age range 18-85 years (Goldberg, 1999); Male offenders (Međedović, 2017) N = 256, mean age 35±9.7, 51.6% committed a violent offence.

Openness and Honesty-Humility are slightly low among undergraduates while Emotionality is slightly high. Not in evidence are the low values of Honesty-Humility and Agreeableness that correlate with high tendency to SH.

Thus, the aggregate of HEXACO personality traits of academic students is not unusual. In light of Table **S1**, it seems reasonable to suppose that Stanford undergraduates and faculty will constitute a valid illustration of the working out of personality statistics in a university setting.

Stanford University is not unique in this regard, in that it provides a sample of convenience. Similar population estimates will apply to any large university.

5.2. The Legendary Incidence of Campus Rape

The notion that 20-25% of college females suffer rape appeared first in the work of Koss, *et al.*, (Koss *et al.*, 1985, 1987).

However, Koss and associates did not carry out the research leading to that incidence rate. Rather, they referenced their 20-25% campus incidence rate to Kanin and associates (Kanin, 1957; Kanin & Parcell, 1977; Kirkpatrick & Kanin, 1957). Koss and associates reported Kanin, *et al.*, to have found that, “20%-25% of college women reported forceful attempts at sexual intercourse by their dates in which the woman ended up screaming, fighting, crying, or pleading.” However, that fractional range does not appear in the works of Kanin and his collaborators, nor is there mention of female victims crying or pleading. Rather, testimony of the victims indicated a hardy resistance.

The results from Kanin and associates were assessed in detail elsewhere (Frank, 2022). Table **S2** is taken from that assessment.

Following the misreading by Koss and associates, the mistaken 20-25% rate of campus rape was uncritically transmitted into 35 years of sexual harassment studies (Frank, 2022).

Table S1. HEXACO traits for selected cohorts.

Factor	Undergrads	Young Adults	University Achievers	Males	Females	Male Offenders
Honesty-Humility	3.36±0.60	3.53±0.60	3.27±0.75	3.76±0.55	3.98±0.50	3.02±0.63
Emotionality	3.20±0.55	3.11±0.51	3.12±0.63	2.87±0.49	3.37±0.54	2.64±0.50
Extraversion	3.29±0.57	3.28±0.56	3.24±0.65	3.26±0.59	3.32±0.65	3.18±0.57
Agreeableness	2.94±0.49	2.94±0.55	2.80±0.63	3.23±0.56	3.38±0.54	2.78±0.60
Conscientiousness	3.32±0.51	3.50±0.60	3.53±0.56	3.73±0.52	3.73±0.51	2.81±0.62
Openness	3.37±0.57	3.46±0.70	3.75±0.57	3.62±0.64	3.59±0.65	3.02±0.70

Table S2. Percent of rape victims and offenders reported by Kanin and associates.

Female Victims ^a	Male Offenders ^b	Time Frame	Reference
13.4	4.7	prior to college	(Kanin, 1957) ^c
10.7	8	college	(Kirkpatrick & Kanin, 1957) ^d

Note: a. Percent of females victimized. b. Percent of males who committed rape. c. Year prior to college (Nf = 262; Nm = 742). d. College students (Nf = 291; Nm = 388).

6. THE PREDICTED INCIDENCE OF UNIVERSITY FACULTY SH OR RAPE FROM EVOLUTIONARY PSYCHOLOGY

Again, the demographics of Stanford University provide a convenient matrix for illustrating the working out of the statistics of SH or rape from Evolutionary Psychology.

Among the 2,153 members of the Stanford University faculty in 2018, 28% were female and 72% male. If the population averages apply, the combined low H-H plus low A personalities may have characterized 81 male and 14 female faculty members. Similarly, the estimate of a propensity rate for sexual violence (low H-H, low A, and high Impulsivity) among faculty members would be about 8 males and perhaps 1 female.

However, the real world is more complex. The nationwide Academic Sexual Misconduct Database records 280 unique abusive incidents between January 2019 and 30 June 2023, averaging 80 incidents per year in the U.S. (Libarkin, 2023). The US National Center for Education Statistics indicates 1,489,400 persons employed in post-secondary education in 2020 (NCES, 2022). Of these, 734,600 (49%) were male.

An upper limit estimate of male offender fraction assumes all academic sexual offenders are male. The maximal average fractional population of male academic sexual offenders is then $(80/734,600) \times 100 = 0.011\%$ per year. This upper limit estimate is far below even the populational fraction of 0.5% of males with a personality prone to violent criminality, and is about 0.12% of the 9% Low H-H low-A male population average.

Even were only 1% of sexually harassing incidents to be reported, the adjusted rate of 1.1% of the academic male population rises to only 12% of the 9% fraction.

A possible explanation for the low incidence rate is that male academics appear high in the Prudence facet of HEXACO Conscientiousness (C), which tracks impulse regulation, deliberativeness, and self-control (A. de Vries *et al.*, 2011; R. E. de Vries & van Gelder, 2013; Lee *et al.*, 2022). Further, Sokić, *et al.*, recently found a significant positive correlation between post-graduate academic achievement and the HEXACO trait of C, but only weakly with H-H and A (Sokić *et al.*, 2021). HEXACO C includes the facets of diligence along with prudence (Ashton & Lee, 2007, 2010). Diligence is central to successful study and prudence includes impulse control and self-reflective behavior (Lee & Ashton, 2004). Barrett Impulsivity, in contrast correlates with deficits in attentiveness, self-control, perseverance, and cognitive complexity (Casini *et*

al., 2020; Maurer *et al.*, 2021). The positive manifestation of all these facets with the concomitant low impulsivity are necessarily present among those attaining high levels of academic achievement.

Thus, the more likely explanation for the low fractional rate of sexual offense by male academics, relative to the population at large, is that the intense intellectual effort required to achieve high academic standing filters the distribution of personalities to emphasize both high HEXACO C and low Impulsivity. This personality filter may produce a skew to self-reflective restraint and forbearance in the face of innocent sexual harassment.

To illustrate, suppose the high-C and low-I filter constrained personalities to the distributional region beyond one standard deviation from the mean (a 0.16 fraction). If the Conscientiousness and Impulsivity traits are inherited independently, then the fraction of the general population with both traits is $(0.16)^2 = 2.6\%$. The high-C low-I males in the high-achievement academic cohort are drawn from this fraction of the population. The population of male academics with low H-H and low-A males is then the product of these fractions: $(0.09 \times 0.026) \times 100 = 0.23\%$.

The 0.011% annual average rate of known sexual offenses implies that at least $(0.011/0.23) \times 100 = 4.8\%$ of the low H-H, low-A male academics perpetrate some form of sexual abuse in a given year. In this case, even if the cohort of male academics includes the populational 9% fraction of low H-H plus low-A, the achievement filter selecting for high HEXACO C and low Impulsivity countervails the likelihood to sexually harass. Low Impulsivity also reduces to near negligibility (0.014%) the fraction of male academics with personalities prone to sexual violence. The same estimation for high-C, low-I female academics predicts 0.10% to possess personalities with low H-H and low-A. If the same 4.8% of these perpetrate some form of sexual harassment, then one might expect an upper limit rate of about 34 incidents annually.

Spread across the universities of the United States, the very low fractions of academic faculty possessing the requisite personality types are nevertheless numerically sufficient to fully explain the incidence of sexual harassment. The same analysis from Evolutionary Psychology thus also absolves the overwhelming majority of academic faculty of any suspicion of a propensity to sexually harass (Frank, 2022) or, even more so, to commit sexual violence.

7. TOWARD CLARIFICATION AND ADJUDICATION OF SH

7.1. Actionable SH

Among males, positive mating behaviors directed toward females include sexualized appraisal, approach, speech, and touch. Among females, positive mating behaviors directed toward males include sexualized display, glance, welcome, and permission. Directed behavior of each category induces an innate, complimentary and reflexive evolutionary response in the recipient. In relaxed social settings, such behavior is entirely acceptable.

However, these behaviors are malapropos in professional, pedagogical, or other settings where serious neutral deportment is expected. Negative receipt of these behaviors produces stress because they violate personal and professional integrity, conflict with the expected formal deportment, and can diminish professional or social standing. Inner reflexive responses must be suppressed. Insistent and repeated imposition of malapropos sexual behavior can produce the psychological harm and corrosion of health that legal testimony has indicated can ruin a work experience and perhaps derail a career.

A foundation in Evolutionary Psychology brings a needed and welcome objectivity to determinations of sexual harassment. There is no need to make categorical distinctions based on the gender of the actor. Confusion about whether a behavior is violative is removed. Further, the assignment of behavior from Evolutionary Psychology absents the requirement that the recipient (or target) feel stressed, in order to diagnose harassment. That is, the contextually violative mating behaviors of a male are deliberative sexual harassment, even if thrown off with justifiable irritation by a strong-minded female. Likewise, the contextually violative sexualized displays by females constitute deliberate sexual harassment, no matter the imperturbability of the targeted male. As with assault, the identification of offense (sexual harassment) is determined by the behavior of the offender, not by the response of the target.

Thus, the subjective response of the recipient is no longer part of the diagnostic assessment. The behavioral repertoire and the context that distinguish sexual harassment are apart from any actor and are determined objectively by reference to Evolutionary Psychology. This approach has the added advantage of admitting a third-party observation and diagnosis.

Civil action under EEOC regulation can now be qualified by reference to intent as implied by observables. That is, a sexualized approach or display in a venue requiring neutral deportment implies an intent to cause discomfit by imposing an uncomfortable reflexive response, which meets the definition of offense under EEOC rules. An insistent repetition of such behavior, especially in the face of emphatic rejection, seems sufficient to demonstrate a criminal intent to harass.

7.2. Innocent Sexual Harassment

The recognized need for intent to entrain a legal violation leads naturally into the notion of innocent sexual harassment. Sexual harassment is deemed innocent when intent to cause distress is absent. However, socially normative behavior can trespass into positive mating behavior. With respect to females, innocent sexual harassment is mating-oriented sexualized display in serious venues, but absent an intention to cause stress. This distinction is sufficient to distinguish the display featured in Fig. (4) from that of Fig. (3). Innocent sexual harassment by males can be an uninvited and contextually disconcerting attempt to negotiate a sexual encounter, initiated within a serious venue that otherwise calls for sexually neutral deportment.

Innocent sexual harassment, then, is sexualized behavior that has unwisely been allowed to become normative. It then traverses into the positive mating-oriented conduct in venues where behavior is expected to be sexually neutral. As with the offensive variety of SH, the diagnosis of innocent sexual harassment derives from Evolutionary Psychology rather than from the subjective perception of the recipient.

It is not controversial that an external observer is able to judge certain behaviors as foolish. That standing -- susceptible to external judgment -- can now be extended to sexual harassment. One may hope that in the population fraction (>95%) with no disposition to impose stress, the light from Evolutionary Psychology may come to inform and perhaps rectify personal behavioral choices.

8. THE STATISTICAL ABUSE OF RAPE VICTIMOLOGY

8.1. Abuse by Statistical Implication

Following from Sections 4ff, males who commit rape or sexual violence tend to belong to a low H-H, low A, high-impulsivity sub-population. They generally are serial offenders, often including other violent crimes or more than one commission of rape or sexual violence. Those disposed to rape constitute an extreme sub-population (~0.5%) among the general male population. The realization that most sexual abuse, most sexual violence, and most rapes are committed by a small sub-population of repeat offenders removes the substantive basis for existence claims of a generalizing toxic masculinity or of a rape culture (McGinley, 2018; Pappas, 2018; Rozee & Koss, 2001). These are now identified as an inference from researcher tendency reduced to defamatory misapprehensions.

Males and females with personalities outside the pathological extremes of Impulsivity, Agreeableness or Honesty-Humility constitute the majority of any general population. They are not disposed to violence or to criminality. About 16% of the general population, males and females both, will be relatively low in Agreeableness, or low in Honesty-Humility, or high in Impulsivity. But only about 0.41% (0.16³) of males or females will carry all three traits to a violent extreme of personality relative to the

population mean that typifies their gender.

In a country of 324 million people, of whom about 201 million are between ages 18 and 64, a 0.41% fraction of dangerous adult personalities involves about 825 thousand people. Among these, the entire male portion (~404,000) will tend toward violent crime, but only one-quarter of the female portion (~105,000) will do likewise because of the higher H-H mean of females (Fig. S2a). However, the remaining ~316,000 females are not likely to provide positive encounters.

Among the 201 million people age 18 to 64, the low H-H, low A population involves 8.9 million males and 4.3 million females. Excluding the to-be-avoided high impulsivity few leaves

199.5 million adults who will not be disposed to violent crime. Among that 199.5 million, about 8.9% of the males and 4% of the females will nevertheless have high LSH personalities, alone (*i.e.*, with low-to-moderate impulsivity). They will be prone to non-violent sexual harrising. Continuing the subtraction, about 89 million males and 98 million females will not be disposed to sexual maltreatment, equivalent to $(1878/201) \times 100 = 93\%$ of the population.

However, the statistical statements in the literature of violent sexual abuse ignore these specifications. Instead, they provide general probabilities of rape victimhood that give no indication that the perpetrators are primarily from sub-populational cohorts. Neither those who publish nor those who protest seem cognizant of the distinction between statistics and specification, nor perhaps are the latter capable of making it.

For example, Fitzgerald and associates reported that, "*Sexual harassment of college students by their professors is a fact of campus life that many educators learn to ignore, and, in their silence, accept*" (Fitzgerald *et al.*, 1988). There was no qualifying '*... by a few of their professors...*' Even from the outset of research, victim accounts of harassment have repeatedly indicted serial harassers (Foubert *et al.*, 2020; Gutek, 1985; Kanin, 1957; Kirkpatrick & Kanin, 1957; Lovell *et al.*, 2016; McWhorter *et al.*, 2009; Till, 1980; Williams *et al.*, 2019), but this eventuality has little currency.

In the same fashion, Ilies and associates generalized that, "*Across a variety of work environments and based on 86,578 respondents from 55 independent probability samples, 58% of women report having experienced potentially harassing behaviors and 24% report having experienced sexual harassment at work*" (Ilies *et al.*, 2003). However, the possibility that a small population of serial offenders might be responsible for these multiple offenses is nowhere entertained. Instead, the implication is that some equivalently large fraction of males (58%) is guilty of sexually offensive behavior. The same ambiguity attends the use of statistics in the 2016 EEOC Select Task Force on the Study of Harassment in the Workplace (Feldblum & Lipnic, 2016). Those researchers stated that 25% to 75% of females report experiencing sexual harassment, depending upon study group and how the

question is asked. 'By whom?' was apparently not asked. Nor evidently was the question 'harassment by which males?' of interest.

In her 2009 legal study, Nancy Chi Cantalupo remarked that, "*the only type of campus violence that is unfortunately common enough to be characterized as "ordinary" is peer sexual assault and similar forms of campus gender-based violence.*", followed three pages later by, "*[r]ape is the most common violent crime on American college campuses today. Studies estimate that 20–25% of college women are victims of forced sex during their time in college*" (Cantalupo, 2009). To read these statements is to be instructed to fear college campuses. Any college male might be a rapist, and every college female may become a victim of rape. However, the 20-25% figure stems from a misreading of the peer-reviewed literature (Frank, 2022), (see Appendix A1).

The 2018 US National Academy of Science (NAS) Report on Sexual Harassment in STEM similarly summarized the professional outlook by informing the reader (page 1) that, "*about 20 percent of female science students (undergraduate and graduate) experienced sexual harassment from faculty or staff ...*" (National Academies of Sciences, Engineering, and Medicine, 2018). The NAS Report persists in this unqualified vein throughout. Although serial harassment or repeat offenders of violent sexual abuse are mentioned in passing several times, the possibility is treated only as a subject for research. The high likelihood of serial harassment or offense is not acknowledged and does not condition the use of statistics. The implicit message is that if 20% or 75% of females report having been harassed, then 20% or 75% of males must be harassing them. These generalizing statistics make no distinction as to class of harassers, except that it is male.

No notice is taken that harassment is very likely restricted to a small sub-group of serial perpetrators.

The sociological literature on sexual abuse seems to indicate no interest at all in assessing whether personality plays into sexual abuse or sexual violence. This indifference is not shown by academic psychologists, however (Browne, 1997, 2006; Långström *et al.*, 2015; Perry *et al.*, 1998; Studd & Gattiker, 1991; Zeigler-Hill *et al.*, 2016). Nevertheless, none of the common knowledge in Psychology seems to have translated over to the sociological studies. It appears that the present analysis is the first to quantitatively assign fractional cohorts of personality-type in a society-wide assessment of sexual abuse and sexual violence.

8.2. The 2018 NAS Report as Sexual Harassment

The widely influential 2018 Report from the U.S. National Academies of Science, Engineering, and Medicine (NAS), "*Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine*," falls under the verdict of generalized indictment by statistical abuse (Frank, 2022; Johnson *et al.*, 2018). Within the NAS Report, the exclusive use of generalizing statistics to discuss the incidence

sexual harassment fails to transmit the knowledge that only a sub-population with certain categories of personality are likely to commit sexual harassment or violent abuse. Although the psychological literature was available to inform these central questions, the authors of the NAS Report evidently managed to not find any of it. It should seem central to sociologists studying sexual abuse and sexual violence to ask after the populational cohort of personalities that commit such acts. However, they apparently did not. The correlations between personality and socio-sexual abuse made here could have been derived 20 years ago. However, they certainly were not. Instead, the statistically generalized presentation encourages an inference that every male, any male, is a potential harasser or abuser.

Both the NAS Report and the general sociological literature on sexual abuse, in their extraordinary lack of insight, have indicted entire classes of people in full light of knowledge that had been readily available in the published psychological literature for 20 years, namely that sexual abuse is dominated by a high LSH sub-population of serial abusers. A result of this neglect is to inject undeserved fear and caution into every professional or casual relationship.

The workplace atmosphere is then encouraged to become poisoned with suspicion. Indeed the current view, including of the American Psychological Association itself, indicts masculinity per se as responsible for sexual abuse (Pappas, 2018; Pascoe & Hollander, 2015). Such a view promotes antagonism toward males as a class.

Were institutional policies to be explicitly based upon the NAS Report, factual sequelae of a hostile work environment would sustain a charge of sexual harassment against the National Academies by virtue of their facile and incorrect analysis, when viewed in light of the EEOC guidelines. A similar legal vulnerability may accrue to a university that uncritically implements policies based upon that Report. The NAS authors themselves also seem vulnerable to such a charge.

8.3. Sexual Assault and Rape

The HEXACO personality inventory combined with BIS-11 impulsivity predict that about 0.52% of males are prone to violence including sexual violence; a fraction validated by the real-world data described in Section 4ff. Data on the incidence of rape clearly indicate dominance by repeat offenders.

The data of Koss and associates instead support the view that the locus of campus sexual violence against women is primarily the responsibility of a sub-population of violence-disposed male serial abusers. These are the fraction of (mostly) males predicted to occupy the low H-H, low-A and high-Impulsivity regions of the seven-dimensional HEXACO-Impulsivity personality phase-space. Analysis of the rates of campus sexual offense provided by the 2019 AAU Campus Climate Survey on Sexual Assault and Misconduct tells the same story.

These results falsify the view of a widespread male

tendency toward rape, which has been encouraged by the use of generalizing statistics. Maleness itself has been unjustly defamed by this careless use of statistics (Pappas, 2018). To avoid this mistake, future study of rape and sexual assault should qualify rates by the population of offenders rather than by incidence of victimizations alone. The existence of serial abuser sub-populations lifts the indictment of all males as potential harassers/abusers; widely and inaptly implied by scholarly tendency and statistical generalization.

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