

“Ethical Porn” and the Right to Withdraw Consent

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Abstract : This paper offers a philosophical argument against the possibility of so-called “ethical porn,” that is, pornographic material produced in a way attempting to remain consistent with feminist principles and female empowerment. One key feature of such material is the requirement for the material to be consensual on the part of the actors or those involved in the material. However, in the contemporary pornography industry, this typically amounts to a single historic act of consent given in exchange for a lump-sum payment which grants the producer lifetime property rights over the explicit material. This paper argues that, by the lights of feminist principles, this situation is inherently unjust and that, as a consequence, the pornography industry requires a radical systematic upheaval before any material produced within it can be considered genuinely ethical. These feminist principles require that for the consumption of pornography to be genuinely ethical, the actors must consent not only to the acts recorded in the material but also to the consumption of that material. This paper argues that this consent to consumption should be treated as on par with other matters of sexual consent and, therefore, that actors should have the right to withdraw consent to the consumption of their material. From this, it is argued to follow that the system of third-party ownership of property rights over someone else’s sexually explicit material legally nullifies this right and therefore is inherently unjust.

Keywords : consent, feminism, pornography, sex work

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