CHAPTER 1

THE JIZZ BIZ AND QUALITY OF LIFE

Dylan Ryder, co-author of this essay, is a contemporary porn star. Her job involves having sex with various men and women, and having that sex recorded for the voyeuristic enjoyment of others. It goes without saying that this job is unlike most of ours; we spend time in offices daydreaming at water coolers, slaving away on factory floors, cooking and serving food, teaching classes, or at sundry other occupations. She gets paid to have sex on camera, to bare what most of us would not dare – our naked bodies and sexual activities. Dylan’s job is not a “normal” occupation, at least in the sense that it is unusual. But what do you think of when you think about the life a porn star leads? Some of you may romanticize about the sexual pleasure they seem to enjoy, or perhaps think that the “rock star” lifestyle many porn stars, like Jenna Jameson, lead is attractive and fun. Being a porn star holds a taboo allure, one might think, a way of life that is more “exciting,” and better than, the life one currently lives. Dylan and Dave suspect that those beliefs are held by a small minority. More likely, the majority opinion is that the life of a porn star is worse than average.

It seems that the pre-reflective, common-sense opinion about a porn star’s quality of life holds that because (as the arguments usually go) porn stars are objectified, coerced, degraded, or exploited, their lives must be worse off than the lives of “normal people.” Don’t movies like
Boogie Nights show us that “something must be wrong or missing” in someone’s life that drives one into the porn business, and that once in things only get worse? Most people believe that porn professionals are drug addicts, have been sexually abused in their present or past, or are coerced or forced into the business by someone else, usually an abusive pimp. After all, what sort of decent, self-respecting person would have sex on camera – for money?

Our essay explores the prudential question of whether a porn actor’s life is necessarily better or worse off by virtue of his or her profession. The issue, we take it, is about one’s individual welfare, or the quality of one’s individual life. That is, one might say, how “well” or “ill” one’s life is going. We will call this “prudential” value: the value of one’s own life to oneself. So, in short, the claim for which we will argue is that being involved in porn does not necessarily interfere with one’s having a prudentially “good life.”

Our arguments will attempt to demonstrate that popular opinion is mistaken; even if it is true that the porn business is an immoral institution, which we do not believe it is, it does not follow that the individual porn actor’s life is worse off. In defense of our claim, we will discuss what we take to be the “common-sense” popular opinion sketched above, elaborate what we take to be mistaken assumptions behind it, and argue against them. We will also distinguish between various ways of valuing a human life, and suggest that part of the impetus for the common-sense view rests on confusing a distinction between the “moral” quality of life and prudential quality of life, aka “wellbeing” or “welfare.”

We will argue in favor of this distinction in an effort to show that there is no necessary connection between moral or immoral things happening to a person and the quality of that person’s life. Furthermore, we will consider potential objections to our conclusion, including the classic “Happy Slave” thought experiment that seems to give reason to reject our claims. In the end, we do not think these objections succeed. Being a porn star does not necessarily impede the prudential value of one’s life.

Eeew! Sucks to be a Porn Star!

Before we get into a discussion of our rejection of popular opinion, we ought to outline, in a little more detail, just what that is. Again, we take the main thesis to be the belief that something must be wrong in a
porn star’s life if they are making porn, and that the wrongness perpetuated by the porn industry must affect the individual welfare of that porn star. For instance, a defender of the popular opinion may point out that it is not “normal” to have sex for money and record it for others’ enjoyment; porn actors display an abnormal level of exhibitionism, and that must reveal some kind of psychological defect, more compelling addiction, or coercion. There are voids in that person’s life, in other words, that she or he mistakenly turns to porn to fill. Furthermore, one may say, it is not normal to place so little “value” on sexual activity, and that may indicate a history or current track record of sexual abuse. On the basis of this thinking, getting into the porn business seems to show that there is already some diminution of welfare that drives one into the business. Thereafter, it may appear, things get worse.

Popular opinion also sees the porn industry as propagating poor quality of life. Those who produce porn films are guilty of coercing performers into doing things they may not be comfortable with, degrading them, exploiting their damaged circumstances (e.g., taking advantage of the fact that a porn star may have a drug habit to support), and objectifying them as a matter of course; that is, treating them as “things” rather than persons. Given that they are victims of, or complicit in, so much “wrong-doing,” we must conclude that the lives of porn stars are worse off than most of ours.

We believe that the popularity and plausibility of this opinion rests on several assumptions. First, there is the assumption that departing from “normal” sexual behavior represents a kind of character defect. Second, there is an assumption that sex acts have a special significance that the porn actor does not recognize or ignores due to some interfering factor. Third, and most significant, is the assumption that there is a necessary connection between morality and welfare. One could attribute these assumptions to certain religious-based views about the significance of sexual activity and definitions stipulating “normal” sexual behavior. Undoubtedly, many who hold the popular opinion accept these assumptions on the basis of their religious backgrounds. However, that may not be true, especially with respect to the belief that moral quality of life is essential to one’s welfare.² Aristotle defends this view, telling us that virtue is a necessary condition for eudaimonia, or “faring well.” That is, if we are not virtuous, we have no hope of a satisfying, good life. Of course, we reject this view and its assumptions, so we will turn now to our arguments against them.
Get Out Of My Bed!

It is manifestly false that porn stars are scummy people universally lacking in character, have drug problems, were sexually abused, have bad family lives, have mental defects, or any of the panoply of assumed flaws. Dylan, for example, has spent a great deal of time doing non-profit work for charities that “normal” people tend to praise; in fact, she was a substance abuse counselor for prison inmates preparing for their release. She has lived a regular life in which she competed in sports, was free from sexual assault, and so forth. She currently attends college, and has a great relationship with her parents and siblings. There are some, like Dylan, who simply like the business, embrace their sexuality, and relish putting it on display for the enjoyment of others. No doubt there are some who have the aforementioned issues, but the assumption that porn performers must be somehow defective to get into the business is false.

Does departing from “normal” sexual behavior represent some kind of character defect? This assumption is problematic. There are certainly clear cases in which one departs too radically from sexual norms, such as molesting children. The moral issue is clear – it involves victimizing and exploiting people who are powerless to defend themselves and cannot give informed consent. But what about cases that involve fully developed adults making informed choices to act on certain non-standard sexual preferences? Such individuals exercise their autonomy in a way that does not involve actively harming others. Does this represent a kind of “character defect”? It may, if we understand “character” in this context as conforming to some Pauline standard of sexual morality, or believe that a specific kind of sex life contributes to human flourishing, e.g., monogamy. If that were actually true, then perhaps there is some substance to this assumption and our sexuality assumes a special significance.

Whether or not this is true, however, is a matter of debate. It is not our purpose here to settle this matter entirely, so we will only pause to throw doubt on the assumption that “normal” sexual mores are justified or that they have any special connection to the prudential value of our lives. In the absence of some purpose-driven worldview, it is difficult to elaborate why sex ought to have the significance generally attached to it. If one does not go in for that sort of thing, then there’s little reason, outside of mere social convention, to believe that there is a well-defined “sexual normality.” What if sexual norms are just a matter of social convention?
Insisting that porn stars should follow social norms because they are social norms is not justified. After all, there are better and worse social norms and practices, and we ought to give some defense of why a particular set of norms and practices is acceptable. That is part of the point at issue here, so to say that porn stars are “abnormal” because they do not practice monogamy, are exhibitionists, and get paid for “doing it” is no help. The fact that most people do not act like porn stars in bed does not, by itself, mean that what the porn stars are doing is wrong. That is not to say that we cannot place limits on acceptable sexual behavior, as we have suggested above. Informed consent and lack of harm seem to place those limits nicely. But those limits do not depend on “what most people do.”

Even if there is some moral significance to “normal” sex, and some morally right way to do it, that does not establish a necessary connection to our wellbeing. It may be true that being in “normal” sexual relationships makes available to us prudential goods that we might otherwise not realize. However, a connection between those further goods, such as constant companionship, and our welfare would require demonstration, and the connection is likely to be contingent or accidental at best. Showing a relationship may be possible, but those prudential goods would have to be proven better than the goods provided by “abnormal” practices, and that is a tall order. However, there is reason to be dubious of the claim that sex plays a special role in wellbeing to begin with. There are some, e.g., priests and clerics of various religions, who abstain from any sort of sexual activity, and it would be presumptuous of us to assume that they are necessarily worse off for it.

What about the Aristotelian claim that virtue is a necessary condition for human flourishing? Will being morally good climax in my own wellbeing, or at least make wellbeing possible? Putting it bluntly, no. Many philosophers have noted that one can conceive of a perfectly immoral person enjoying personal welfare in spite of his wickedness; doing so does not result in contradiction, which means such a case is logically possible. Thus, being virtuous is not necessary for our personal welfare. What of other moral theories? Is acting morally a condition of the good life? Again, it does not seem so. Utilitarianism’s value maximizing principle leaves open the possibility, despite the fact that the valued end is both morally and prudentially valuable, that doing the “right thing” would force us to sacrifice our own welfare for that of others. Kant’s deontology severs clean the connection between welfare and ethics; we are obligated to follow morality’s principles regardless of how it affects the quality of our lives. Taking a cue from the utilitarians and Kant, then, we should
understand morality as setting limits on our quality of life, or at least the ways in which we are allowed to pursue it. However, being moral is not a condition for our wellbeing, and it is perfectly conceivable that a villain could enjoy as much prudential quality of life as the rest of us. Thus, even if those working in the porn industry are doing something immoral, or have tarnished characters, it does not follow that they are “worse off” from the perspective of their own welfare. Neither does it follow that having immoral things happen to us necessarily inhibits our welfare. To see why the latter is true, we need to sharpen the distinction between moral and prudential value.

Ways of Valuing Lives

There are as many ways of valuing lives as there are kinds of values. A life may be morally valuable, aesthetically valuable, intellectually valuable, historically valuable, and so on. For any such value, we can say with a straight face that one leads a “good” or “bad” life; that is, good or bad relative to whatever value we mean when we make the judgment. Sometimes these evaluations overlap. Mother Teresa, for instance, lived a morally and historically significant (that is, good) life. While these values are distinct, the fact that they often overlap and the fact that we use the same evaluative terms for each (good, bad, and so forth) creates ambiguity. This ambiguity is responsible, we think, for the concern that the porn industry propagates poor quality of life. It is based on confusing, once again, the moral quality of one’s life with one’s welfare.

What exactly distinguishes moral quality of life from prudential wellbeing? When we are talking about the welfare, or wellbeing, of an individual we mean roughly how well or ill that person’s life is going. There must be someone whose life is going well, and furthermore, that person must be able to recognize that it is so. Prudential value is the value of your life from your perspective; there is an essentially subjective element to welfare. What constitutes welfare varies from person to person, so Dylan’s beliefs about what makes her life worthwhile could radically differ from Dave’s. For example, Dylan may think her life is better off because of her ability to swim, exercise, or have sex for a living, while Dave finds satisfaction in teaching. If Dave tells us that teaching contributes to his life being “good,” or worthwhile, he is not saying at the same time that we all ought to teach and attain that good. Given the subjective
nature of welfare, it also seems that the person best positioned to make welfare judgments is the individual whose life is in question. Dylan is the best judge of how Dylan’s life is going, in other words.

Morality, if it is worth its salt, is not “optional” in the way our welfare seem to be. Morality and its dictates seem to be universal and not purely contingent on our subjective mental states; that is, if there are moral rules Dave ought to follow or character traits that Dylan ought to develop, then so ought everyone else. Judgments about the moral standing of one’s life, then, need not involve reference to anything subjective. Judging the wickedness of Hitler or Dahmer does not depend at all on whether they thought what they were doing was wrong, in other words. It is perfectly possible that one could fail to recognize a diminished or increased moral quality of life. But this, we suggest, is not true with one’s own welfare, precisely because what constitutes one’s welfare depends upon one’s own subjective viewpoint. The two ways of judging the “quality of one’s life” are distinct, and thus it is possible that one could have a low moral life-value and high welfare, or vice versa.

If we are right, then we have advanced our claim that even if the porn business is immoral and subjects its employees to moral harms, it does not follow that the particular porn performer’s wellbeing is necessarily diminished.

“Not so fast, my friend,” Lee Corso might exclaim at this point. “There is an objection to your view that you have not considered.” That is true. So, in the next section, we will consider some important objections to our argument and attempt to show that they fall short of the mark.

Climax: Happy Slaves, Oppression, and Quality of Life

Suppose we were to consider the lot of a slave. What would we think when we considered her life? Most of us, when asked if that slave had a high quality of life, would think that she endures the worst kind of life. The slave is oppressed, compelled to work against her will, and enjoys very little opportunity for advancement or prospects for what we might normally associate with factors contributing to wellbeing. Nevertheless, if asked, our slave might report that her life is just fine. In fact, she may claim that she enjoys a high degree of wellbeing. Our intuitions seem to be at variance with her subjective judgment about how her life is going; while she may report satisfaction with her life, we recognize immediately
that something is amiss. Intuitively, we see that oppression and slavery reduce quality of life.

What the aptly named Happy Slave example supposedly shows is that in order to make sense of these judgments, we must draw a distinction between subjective quality of life (or wellbeing) and objective quality of life. The subjective sort simply depends on the perspectives, preferences, desires, or whatever, of a person (consonant with our position outlined above), but the objective judgment that the slave’s life is worse off, despite her subjective mind states, requires some external, objective understanding of wellbeing. Thus, wellbeing does not simply amount to whatever we like or find worthwhile – something else matters, too. If this is true, then one may be mistaken about whether one actually enjoys a meaningful level of wellbeing.

We can replace the “happy slave” with the “happy porn star” and we get essentially the question that is the target of our essay. Why isn’t the porn star simply wrong about her quality of life? It may seem to her as if her life is a good one, but in fact it is not. To establish our claim that being a porn star does not necessarily diminish one’s wellbeing, then, requires our dealing with the Happy Slave problem.

Fortunately, others working in the context of medical ethics have blazed a trail for us to follow. Ron Amundson, in defense of the plausibility of subjective accounts of wellbeing, argues against the intuitions “shown” by the Happy Slave problem by pointing out some epistemological problems. We seem to have an upper hand in understanding the slave’s plight because we are third-person observers, that is, outsiders, who recognize the objectification, coercion, and so forth. And we think “if only the slave knew what was good for her, she would recognize how horrible her life really is.” That may be true, Amundson concedes, but that special standpoint does not generalize beyond obvious cases like slavery. There are many cases in which third-personal knowledge of a person’s situation does not yield grounds for accurate judgments about another person’s welfare. Amundson points out that precisely the opposite is true with respect to physical disability. A curious fact about quality of life reports from disabled people is that they tend to be about the same, or sometimes even better, than those of “normal” people. That is, their subjective quality of life does not differ on the basis of physical limitations, despite the fact that our “intuitions” tell us that such a life is worse than normal. Who is really in the right position to make the judgment that disability decreases quality of life: a disabled person or an outsider? The answer seems clear – the person who has
endured the disability knows better the quality of her life than those of us who have not “walked a mile in her shoes.” Furthermore, Amundson argues, unless we have a robust understanding of what “objective” quality of life consists in, we have no way of telling whether our judgments about the wellbeing of the disabled are legitimate, or the result of social stigmas.5

One could apply the same response, changing what needs to be changed, to the case of the porn star. Is it more like the plight of the slave, or the plight of the disabled? What are the “objective” factors that determine our wellbeing? Do our judgments about the quality of porn star lives simply reflect a social stigma? We are inclined to think the latter is true. Are there objective factors that determine our quality of life? Perhaps there are, but we suspect that any putative objective factor offered as an answer will be susceptible to the “anomaly” seen above in the case of physical disability. Our lives may lack some, or many, of the putative objective “facts” about wellbeing, yet nevertheless our subjective reports of prudential value could be “normal” or better. We make psychological adjustments to the objective conditions of our lives, and those adjustments preserve the possibility of our maintaining a high degree of wellbeing.

We are not convinced that the Happy Slave shows what it wants to show in the first place. Are we forced to conclude that there must be some objective factor to wellbeing on the basis of the fact that we make the third-person judgment that the slave is worse off? No. We believe that this example has force precisely because it confuses or conflates the distinction made above concerning moral and prudential value. It is clear that something is wrong in the slave case – something immoral occurs when people are forced into servitude against their will, oppressed, and so forth. The patent immorality of the situation confuses us into accepting that the slave’s life must be worse off; she is the non-consensual victim of a wicked institution, cruel treatment, and restrictions on her autonomy. Her life is morally worse off, that much is clear. Nevertheless, as we argued above, this does not determine anything with respect to her wellbeing. She may, without contradiction, genuinely judge that her quality of life is high, despite the fact that she suffers ill use at the hands of others. Again, changing what needs to be changed, the same applies to the case of a porn performer.

One might point out that we have good reason to doubt the sincerity of a porn star’s subjective report about her wellbeing. How do we know that when a porn performer, like Dylan, tells us her life is great and that she
enjoys porn she really means it? Is it not likely that her claims are coerced, either directly and indirectly, and if so, why should we believe what she says? The same may be true of the slave, women in oppressive cultures, and regular dudes who work for Budweiser. It is a common occurrence. Few of us are willing to risk getting in trouble by not “towing the party line,” as it were. The porn star risks her livelihood by being honest. Telling the truth about how much porn star lives suck would be a quick route to the industry blacklist.

We concede that this is possible, in practice. Some porn employees may simply be towing the party line when they tell us how much they love their jobs, working in the industry, having hot nasty sex for money, and so on. But suppose we fixed the conditions under which they made assertions about their wellbeing. Suppose we could assure that no one in the industry would ever discover what they said, and do so in a way that promised no repercussions or loss of livelihood? Why then would we doubt what they told us? In principle, the interference or coercion would be obviated, so we would have no reason to doubt their sincerity. Besides, this is an empirical question we could resolve with the right kind of blind survey, and is somewhat beside the point of whether a porn star could enjoy a high quality of life despite her industry.

The last objection we will consider might go as follows: “Suppose you are right that being exploited, coerced, and so on does not necessarily diminish one’s wellbeing. Doesn’t this seem to excuse the bad behavior of oppressive individuals and institutions? For example, one may argue that ‘since so-and-so (insert victim or victim group here) is not necessarily ‘worse off’ for my oppression, there is little reason for me to stop doing what I am doing.’ After all, no one is necessarily ‘hurt’ by the oppressive activity – one can live a fulfilling life in spite of it all.”

In response, we concede that in practice some may rationalize their bad behavior in this way. However, it does not follow that one legitimately justifies their oppressive conduct by appealing to the fact that the oppression does not necessarily diminish the wellbeing of the oppressed. We have distinguished moral value from wellbeing, so where there are genuinely oppressive or exploitative institutions or individuals, we can condemn them on independent moral grounds. An adequate moral theory should enable us to make these judgments irrespective of whether or not the victims of moral villainy are “worse off” prudentially. Incidentally, we are not convinced that the porn biz is an institution of oppression, like slavery, guilty and in need of condemnation. We will leave those arguments to others writing in this anthology, though.
Afterglow

If our arguments are correct, we have shown that popular opinion about the wellbeing of porn stars is misguided. It is not true that all porn performers are character deficient or flawed, and even if some are it may make no difference to whether they find their lives satisfying. Neither is it necessarily true that working in porn contributes to a lack of well-being; some porn stars may find great satisfaction in their work, even if the porn business treats them badly. What constitutes their wellbeing is something that only they, individually, can determine, and it is not for us to pity them or think “we know better” on the basis of misguided social stigmas.

NOTES

1 Note that we are not interested in developing a robust account of welfare. We will base the distinction between morality and quality of life on features we believe to be essential to any adequate theory of welfare; e.g., the fact that welfare judgments require a first-personal component, or the perspective of the person whose life it is.

2 For a defense of this kind of view, see Vincent Punzo, “Morality and Human Sexuality” in Reflective Naturalism (Upper Saddle River: Prentice-Hall, 1969).

3 We assume that minors are not cognitively developed or informed enough to rationally decide to engage in sex with those older than them.

4 Again, we are not interested in deciding the source of those standards, such as desire-satisfaction, personal pleasure, and so forth. Our goal is not to elaborate a fully defended account of welfare, but we are convinced that whatever it is, it is essentially subjective.