



The New Bioethics

A Multidisciplinary Journal of Biotechnology and the Body

ISSN: 2050-2877 (Print) 2050-2885 (Online) Journal homepage: www.tandfonline.com/journals/ynbi20

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To cite this article: Joona Räsänen (2026) OnlyFans and Deep Fake Porn – Can We Accept the Former but Condemn the Latter?, *The New Bioethics*, 32:1, 55-65, DOI: [10.1080/20502877.2025.2610910](https://doi.org/10.1080/20502877.2025.2610910)

To link to this article: <https://doi.org/10.1080/20502877.2025.2610910>



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Published online: 04 Feb 2026.



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OnlyFans and Deep Fake Porn – Can We Accept the Former but Condemn the Latter?

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Many people think that producing online pornography, such as creating sexual content at OnlyFans, is permissible. Many of the same people also think that creating deepfake pornography without or against the consent of the person is wrong. I argue that accepting online sex work is inconsistent with judging pornographic deepfakes as worse than non-pornographic deepfakes. This claim resembles similarity with a broader problem in sexual ethics raised by David Benatar. I apply Benatar's argument in the context of online sexual activities to highlight the ethical issues recent technological developments raise. I do this neither as a case against the permissibility of online sex work nor as a defense of pornographic deep fakes. The purpose is to point out the inconsistency. One could avoid the problem by extending or limiting the range of permissible sexual practices online. But if I am right, we cannot both accept OnlyFans and condemn non-consensual pornographic deep fakes.

KEYWORDS Porn, OnlyFans, consent, sex, ethics, bioethics

In 2024, Italy's prime minister, Giorgia Meloni, was seeking €100,000 in damages after deepfake porn videos of her were uploaded online (Gozzi 2024). Two men were allegedly involved in creating deepfake pornographic videos using her images and sharing the videos online. Many people think Meloni was wronged when pornographic videos of her having sex on cam – which she never actually did – were distributed online. Intuitively, creating and distributing deepfake pornography of someone without (or against) their consent seems morally wrong, and many consider pornographic deepfakes a form of sexual harassment.

Unwanted deepfake pornography can cause significant distress, damage reputations, and adversely affect personal relationships, harm careers, and so on and so forth. Many victims have spoken about the trauma of seeing their faces digitally edited onto photos in sexually explicit scenes. As journalist Arwa Mahdawi (2023) writes in *The Guardian*, non-consensual deepfake porn is an emergency that is ruining women's lives. Literature on the ethics or legality of deepfake technology, image-based sexual abuse, and digital sex work is vast and constantly growing (see, for example, Maddocks 2020, McGlynn *et al.* 2020, Goudsmit 2022) – yet the literature omits an important philosophical problem illustrated in this paper. Despite the powerful intuition that creating deepfake pornography against one's consent is morally wrong, accepting such a view is not without problems – or so I will claim.¹

The view of sexual ethics that states that creating and distributing non-consensual pornographic deepfakes is worse than other forms of deepfakes is inconsistent with the acceptance of online sex work, such as creating pornographic content on OnlyFans. To put it another way, one cannot easily accept the permissibility of online sex work if one thinks pornographic deepfakes are morally wrong – or, to put it more precisely, worse than non-sexual deepfakes. I raise this issue neither as a case against the permissibility of online sex work nor as a defense of pornographic deepfakes. My purpose is simply to point out an inconsistency in people's judgments. Whether one avoids the inconsistency by extending or limiting the range of practices one condemns depends on which view of the ethics of sex one eventually accepts.

To understand the problem, suppose that Giorgia Meloni had herself produced online pornographic content for OnlyFans, or another similar platform. Many would consider such acts morally permissible. While some might have considered it indecent because of her role as the Prime Minister of Italy, surely many would say she – or any woman for that matter – has a right to express her sexuality, and that includes doing online sex work. In fact, there seems to be a liberal tendency in politics to normalize sex work (both online and elsewhere) because, according to the defenders of sex work, sex work is work, and there is nothing to be ashamed of.²

However, if it is seriously morally wrong to create and distribute pornographic deepfake videos of Meloni (or any woman) but permissible for her to participate in online sex work herself, why is that so? One might claim there is an obvious answer to the question: consent (Primoratz 2001). Many think that consent makes a whole world of difference here. Consent differentiates lovemaking from rape and flirting from sexual harassment. Consent differentiates permissible medical operations from unjust autonomy violations. Consent likewise differentiates permissible online sexual practices from impermissible ones.

On this view – call it the Consent-Based Sexual Ethics – pornographic deepfakes are wrong because they are produced and distributed without or against consent; however, creating pornographic content online is permissible because it is done

¹ However, the wrongness of deepfake porn is not uncontested. For instance, Story and Jenkins (2023) suggest that non-consensually creating and privately consuming deepfake pornography is worrisome but may not be inherently pro tanto wrong. See also Öhman (2020).

² For the link between sex work stigma and effect on health of sex workers, see Benoit *et al.* (2017).

with consent. But here is the catch. There are many other acts that violate consent, yet we do not normally consider them as wrong as those acts that violate sexual consent. For instance, suppose the two men had created a deepfake video of Giorgia Meloni eating an apple, playing the piano, reading a novel, or doing some other mundane non-sexual activity. Surely, we would not judge creating and distributing such videos as equally wrong to creating fake porn of her. Many people thus think that creating and distributing non-pornographic deepfake videos is not nearly as wrong as creating and distributing pornographic deepfakes. Therefore, it is not merely the consent or lack thereof in online context that explains which acts are morally permissible and which are not – if it were, then people would judge non-consensual non-pornographic deepfakes as equally wrong as non-consensual pornographic deepfakes.

To frame the issue slightly differently, consider the argumentative method in applied biomedical ethics called the bare-difference argumentation, famously used by James Rachels (1975) in his *Active and Passive Euthanasia*. With this method, we compare two cases that are similar except for one difference. If our moral intuition says that the two cases are equally permissible or equally wrong, then the bare difference itself has no moral relevance. If, however, our moral intuition says that one case is worse than the other, then the difference itself is relevant when it comes to the ethical evaluation.³

So, consider the following cases and consult your moral intuitions:

Alex creates a sexual deepfake video of Bella and shares the video online.

Charlie creates a non-sexual deepfake video of Diane and shares the video online.

Surely, you would want to say that what Alex does is morally worse than what Charlie does. But the sole difference between the two cases is that in the former, the deepfake video is sexual, while in the latter, it is not. Since that is the only difference between the cases, there must be something in the sex(ual) itself that contributes to the difference in our ethical evaluation. If that is the case, then the mere lack of consent does not explain why certain acts are worse than others.

So, if it is not merely the lack of consent that explains why we judge creating and distributing non-consensual pornographic deepfakes as morally worse than non-consensual non-pornographic deepfakes, what explains our intuitive judgment?

A plausible answer is that there is something special about sex, and deepfake pornography violates that. One could, for instance, claim that sex is a very intimate and private activity – a mutual expression of romantic love – and that deepfake pornography violates that. However, the problem with this explanation is that consensual online sex work also violates the specialty of sex. Sharing one's sex videos on OnlyFans makes them public, thus making it not private; sharing the videos online contradicts the requirement of expression of romantic love. The main problem with the response that claims that there is something special about sex that makes deepfake pornography morally wrong can be understood if we look at the issue from another angle.

³ For a criticism of Rachels' reasoning see Räsänen and Häyry (2024). For a broader discussion on the limitations and the prospects for bare-difference argumentation see Kopeikin (2021).

Suppose we want to have a justification for why it is morally permissible for people to film sexual content of themselves, upload the videos online, and charge money from their followers to access that material. A plausible justification says that there is nothing special about sex. Sex simply is not a big deal. According to the sex-positive agenda, sex can be as normal as eating and sleeping. It can simply be enjoyable without romantic feelings or needing to be a private and intimate act between two individuals. It can be work also.

If there is nothing special about sex – if sex is not a big deal – then we can easily explain why there is nothing wrong with online sex work. If sex is as normal as eating, then sexualizing oneself online is no more wrong than uploading videos of oneself eating an apple or sleeping. But once again, there is a problem. If we adopt this reasoning, then we cannot explain why creating and distributing deepfake pornography against consent is more wrong than creating and distributing non-pornographic deepfakes. If sex is not a big deal, why sexual deepfakes are? The mere (lack of) consent cannot work as an explanation because non-pornographic deepfakes are also created without consent, and we do not judge them as wrong as we judge pornographic deepfakes (remember our intuitions on the short thought experiments earlier). While the (lack of) consent cannot work as a justification for our moral intuitions, the specialty of sex cannot work as a justification either because both non-consensual and consensual online sexual activities violate the specialty of sex; they both make an act that is supposed to be private expression of love public and mundane.

A reader well-versed in the literature on the ethics of sex will have noticed by now the close similarity between the argument in this paper and the argument from the paper *Two Views of Sexual Ethics* by David Benatar (2002). Over two decades ago, Benatar argued that the view that accepts promiscuity or casual sex fails to explain the wrongness of rape and pedophilia. Likewise, he claimed that the view that fully explains the wrongness of rape and pedophilia fails to support the moral permissibility of promiscuity or casual sex.

There has been a lot of technological development in the last 20 years, making the general problem more prevalent than it was before. Thus, I wanted to apply the general argument in the context of online sexual activities to highlight our inconsistent reasoning in online sexual activities such as Onlyfans and pornographic deepfakes.

I want to bring out also that before Benatar, Jeffrie G. Murphy (1994) raised a point quite similar to Benatar's argument. When discussing about the wrongness of rape, David Archard writes:

[Murphy] asks us to imagine a person who gets hold of people, forces sushi into their mouths, and makes them swallow. Murphy thinks it evident that such a person, although guilty of the offence of assault, would not and should not be punished as severely as the rapist. As to why this might be so, he asks (p. 214), rhetorically, 'what is the difference except that forced sex is sex and forced sushi is not?' [2007, p. 386]

While Murphy discussed force feeding someone sushi, Benatar used a similar example with a tomato. I myself have asked my students why shoving a penis down one's throat is much worse than doing the same act with a banana. All of

the examples like these serve the same point: there seem to be something special about sexual itself and that makes non-consensual sexual acts much worse than non-consensual non-sexual acts. But if sex is special, how can we accept Onlyfans which treats sex as anything but special?

So how might we solve the problem? Let's consider some potential solutions. Starting with harm, one might claim that since pornographic deepfakes are harmful to the victim, they are, because of this, morally wrong. Because creating consensual pornographic content online is not harmful to the person creating it, such practice is not wrong. Therefore, there is no problem.

However, it is not clear why sexual activities should be harmful in order for them to be morally wrong.⁴ Rape is wrong even in those cases where it is not harmful to the victim (such as in cases where the victim never finds out that she was raped because she was sleeping or drugged). So, if rape can be wrong without being harmful, surely non-consensual pornographic deepfakes can also be wrong even when they are not harmful?

A successful answer to the problem would not rely on consent because the main point of the objection of harm was to bypass consent as a solution to the problem in the first place. A further problem with the harm-based solution is that it is not clear to what extent harm is the result of deepfake porn itself and to what extent it is the result of the secrecy and taboo that surrounds such sexual activities. More than that, a claim can be made that producing pornographic content on Onlyfans can be harmful even when done with proper consent, yet, many – but not all – think consensually harming oneself is morally permissible.⁵

The second solution suggests that perhaps deepfake porn is especially wrong for those who do not share the casual view – that is, for those who believe (mistakenly, according to the proponents of the casual view) that sex should be significant and special. Benatar considered a similar objection against his argument and proposed an analogy with forcing a vegetarian, Jew, or Muslim to eat pork (2002, p. 196). This would be wrong because the vegetarian, Jew, or Muslim themselves believe eating pork is morally wrong.

The problem with this solution is that it proves too much. When it comes to Benatar's broader problem, it would imply that raping someone who thinks sex is not special is less wrong than raping someone who thinks sex is special. Perhaps someone could be willing to accept that rape is essentially wrong only when committed against somebody who holds the significance view of sexual ethics, but most of us would not think so; raping a sex worker, for instance, is equally wrong as raping a non-sex worker. Rape is thus wrong irrespective of whether the victim sleeps around or remains in chastity. Likewise, in the context of the problem I have presented, we can ask: would – or should – we consider creating deepfake porn of a porn star less wrong than creating such videos of someone else? I doubt that many would think that creating deepfake porn of an OnlyFans model is less wrong than creating such videos of Giorgia Meloni, for instance. If I am right, then this solution does not solve the problem either.

⁴ For a discussion about the role of harm in (im)permissible sexual practices see Moen (2014) and (2015).

⁵ See for instance Feinberg (1989).

The third possible solution to the problem comes from Fiona Woollard (2019), who offers a plausible refutation of Benatar's dilemma. Woollard claims that the lack of consent does not just change the permissibility of the activity; it changes what is being done. Rape simply is not just sex without consent, it's something else. A claim that is not necessarily wrong.

However, Woollard (2019, p. 149) states that 'Rape is worse than other forms of coercion insofar as sexual autonomy is more important than other aspects of autonomy.' Fair enough – but why is sexual autonomy more important than other aspects of autonomy? Woollard does not adequately answer this question. The best explanation for the claim that sexual autonomy is more important than other aspects of autonomy is that there is something special about sex. But the problem is that if there is something special about sex, then creating pornographic content on OnlyFans seems to be morally wrong because it violates that specialty of sex. Thus, Woollard's reasoning does not solve the dilemma either.⁶

Perhaps a solution to the problem can be found in the existing literature on image-based sexual abuse. In her work, Goudsmit Samaritter asks (2022): what is the nature of the wrongfulness of image-based sexual abuse? She claims that the wrongfulness of image-based sexual abuse is that it is an infringement of autonomy, sexual integrity, privacy, and free speech; it breaches trust and reinforces inequality. The problem with these claims is that non-sexual deepfakes also include infringements of autonomy, privacy, and free speech, and breaches of trust – but the moral judgement for many is that image-based sexual abuse (pornographic deepfakes) is worse than non-pornographic image-based abuse. If that is so, then we are left with the question of why that is the case.

Sexual integrity as an explanation of the wrongness of image-based sexual abuse raises the question of why sexual integrity would be more important than other aspects of integrity; that is, why pornographic deepfakes are worse than non-pornographic deepfakes. Finally, based on Goudsmit Samaritter's explanations of the wrongfulness of image-based sexual abuse, it reinforces inequality. If we take this to mean gender inequality, it would have the counterintuitive conclusion that it would be wrong to create a pornographic deepfake of women but not of men.

Another potential solution to the problem is based on the reputational damage of deepfake pornography.⁷ For instance, it is not unreasonable to claim that Meloni's reputation was damaged (or there was a reasonable possibility for it) because of the fake videos of her distributed online. However, her reputation would hardly have been damaged if someone had created and distributed a non-consensual, non-pornographic video of her (such as a video of her eating an apple).

This objection is not without merit. For instance, a few years ago someone made a deepfake of Hollywood actor Will Smith eating spaghetti to show how much AI

⁶ An anonymous reviewer suggests that perhaps Woollard thinks sexual autonomy is more important than (many) other aspects of autonomy because it involves our bodies, and our bodies are particularly crucial to us. But this is not convincing, since many other aspects of our autonomy are about our bodies, yet violating such autonomy is not considered as wrong as violating sexual autonomy. Just consider the intuitive moral judgement when grabbing someone's breasts or arm. Both violate bodily autonomy, but grabbing someone's breasts is considered morally worse than grabbing their arm.

⁷ I thank anonymous reviewer at *The New Bioethics* for this solution.

had improved. Yet people did not generally think Smith suffered reputational damage because of the video. People also did not think it was seriously morally wrong to create the video. This seems to imply that reputational damage plays a role in explaining the wrongness of pornographic deepfakes.

However, the response is not entirely satisfying for several reasons. First, we might ask why there is reputational damage for Meloni (or any woman) from a pornographic deepfake. While ‘cancel culture’ and online shaming sometimes go to extremes, public shaming usually happens for a reason. It is a collective reaction to moral wrongdoing. Perhaps the reader remembers the case where a woman made a racist joke on Twitter and was quickly and harshly publicly shamed. Reputational damage is an apt punishment (in kind, not necessarily in its severity) in such cases because it is wrong to be racist. But reputational damage is not an apt punishment in the case of sex work, because there is nothing wrong with sex work. So people should not shame sex workers or others who have sex on cam – or who, because of deepfakes, are portrayed as having sex on cam – since there is nothing wrong with having sex on cam. So the potential reputational damage should not happen.

One might claim, though, that while people should not publicly shame porn stars, sex workers, or people who simply have sex on cam, they are, in fact, doing so because a non-negligible portion of people mistakenly believe that sex work or having sex on cam is morally wrong. Because the harms from the reputational damage from pornographic deepfakes are very plausible, it distinguishes pornographic deepfakes from non-pornographic deepfakes and thus solves the problem.

But imagine a deeply racist society where a non-negligible portion of people hold the belief that it is morally wrong even to talk to a person of a different race. Suppose that a person X in such a society creates and distributes a deepfake video of a person Y talking to a person Z, where Z happens to be of a different race than Y. Because of the widespread racism in this society, this would likely cause reputational damage to person Y.

Would it be morally worse to create the video of person Y talking to a person who happens to be of a different race than Y than to create a video of Y talking to a person of the same race?

If there is the intuition that the race of the people in the video does not matter when evaluating the wrongness of creating and distributing the video, it is easily explained by the claim that the wrongness in question is the racism in such a society – not creating the video where nothing morally wrong happens.

If there is the intuition that the race of the people in the video does matter when evaluating the wrongness of creating and distributing the video, it seems that the potential reputational damage itself plays the role when evaluating the wrongness of the act of creating deepfake videos.

If it is the case that the potential reputational damage explains the wrongness of the deepfake videos in the racist society example, then perhaps the potential reputational damage explains the wrongness of the pornographic deepfakes in our society. But if the reputational damage is doing the explanatory work in our moral judgements about pornographic deepfakes, then it leads to conclusions

that are difficult (although not impossible) to accept. For instance, it would mean that it would not be as wrong to create a pornographic deepfake video of someone who does not suffer similar reputational damage. This might imply that creating pornographic deepfakes of celebrities is morally worse than creating similar videos of laypeople – but intuitively this is hard to believe. Some might think this can be accepted. However, there are further worries.

Imagine we lived in a society where it is reasonable to believe that pornographic deepfakes would not cause any reputational harms to the victim (and they would not, in fact, cause such harms); it seems that then it would not be wrong to create such videos – or at least it would not be morally worse to create such a video than it would be to create a non-pornographic video of the same person. I believe that most people would say that creating pornographic deepfakes is morally wrong not because of, but despite, the potential reputational harms. If that is the case, reputational harm as a solution to the paradox does not work.

Perhaps more importantly, the more principled worry remains. If the problem is explained away by the claim that people unjustly impose reputational harms on the victims of pornographic deepfakes, then the claim that pornographic deepfakes are morally wrong is based solely on the belief that people treat the victims unjustly – not that there is something inherently wrong in non-consensual pornographic deepfakes. I suspect many people hold the view that creating pornographic deepfakes cannot be morally wrong only because of how other people react to them.

An anonymous reviewer also proposes an example of creating a deepfake video of someone making a Nazi salute or otherwise acting racist, and suggests that there would likely be similar reputational damage because of such a video as with a pornographic one. Interestingly, though, it might be difficult to say which is worse: creating a pornographic deepfake of someone or a racist deepfake of someone. This example seems to support the view that reputational harms play a role in explaining the wrongness of deepfakes.

However, there is a simpler solution that explains why a Nazi deepfake is wrong. It is not wrong to create Nazi deepfakes because of potential reputational harms to the victim; it is simply wrong to create such a video because it is wrong to be a Nazi. But while it is wrong to be a Nazi, it is not wrong to have sex on cam. So we are left without an explanation for the wrongness of pornographic deepfakes, since having sex on cam is not itself morally wrong.

Finally, one might claim that the problem is not merely the creation of deepfake pornography; it matters what kind of pornography is used to create it in the first place.⁸ For instance, it could be that some kinds of porn are more demeaning than other kinds of porn. If that is so, then if one uses very demeaning pornography when attaching someone's face to it, it is morally worse than if another kind of porn is used. So, for instance, the reaction of Giorgia Meloni could be explained by the claim that the pornography her face was attached to was morally problematic in itself.

However, this reasoning is not entirely convincing because it seems to assume that some kinds of sex (and porn) are worse than others. But the casual approach to sex precisely says that there are no right or wrong ways to have sex (putting the issue of consent

⁸ I would like to thank Johanna Ahola-Launonen for this solution to the problem.

aside). If the casual view of sex is correct, then there is no demeaning sex and therefore no demeaning pornography – or if there are such forms of sex and pornography, they are not morally worse than other forms of sex and pornography. If this is the case, then it does not matter what kind of porn is used when creating deepfake porn.

If, on the other hand, we reject this reasoning, we reject the casual view and adopt the significance view instead, by claiming, for instance, that sex should not be demeaning. If we do this, then we have ‘solved’ the problem simply by accepting some form of the significance view – this would condemn OnlyFans also – or at the very least we should morally condemn OnlyFans that is demeaning.

I have argued here that it is not an easy task to condemn creating and distributing pornographic deepfakes as worse than non-sexual deepfakes. I considered a few possible ways to solve the dilemma and explained why these solutions are not successful.

The kernel of the problem is this. Either sex is or is not a big deal. If sex is a big deal, then Onlyfan models should not have sex on cam for the whole world to see. If sex is not a big deal, then sex does not have to be a private, romantic and intimate activity between two people; it can be a public activity as well. In that case, creating pornographic content for OnlyFans is permissible, as many seem to think. But if sex is not a big deal, then why do we think victims of pornographic deepfakes are being wronged so severely when videos and pictures of them having sex, which they actually did not do, are distributed online? If sex is not a big deal, why should we, or the victims of deep fake pornography, get upset about such videos? If having sex on cam is not a big deal, why Giorgia Meloni reacted the way she did? Meloni said in the court that her demand for legal compensation is meant to ‘send a message to women who are victims of this kind of abuse of power not to be afraid to press charges.’ But how are pornographic deep fakes abuse of power if there is nothing bad or wrong to have sex on cam in the first place? How can it be that an act done with consent is fully permissible – perhaps even laudable – but becomes hideous when done without consent (even when it does not violate the victim physically), even though the lack of consent does not make other acts much worse?

Until the problem is solved, those who support online sex work but criticizes deepfake pornography have cause for unease. The disturbing conclusion is that perhaps deepfake porn is not that wrong after all. Alternatively, perhaps we should think that sex is a private and intimate act that is supposed to be the expression of romantic love between two people, not an act to be shared online with millions of viewers. Whatever view we eventually accept, there is a difficult bullet to bite.

Contributors

JR is the sole author.

Acknowledgements

The author wishes to thank the participants at the ESPMH 2025 conference in Manchester as well as two anonymous reviewers at the New Bioethics for commenting on an earlier version of the paper.

Funding

European Union's Horizon Europe research and innovation programme under the Marie Skłodowska-Curie Actions grant agreement No. 101081293.

Disclosure statement

No potential conflict of interest was reported by the author(s).

Notes on contributor

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