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Fast Fashion: A Battle Between Human Rights and Profit

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Fast fashion is a growing consumer industry, especially with the development and prevalence of a social-media-dominated culture. The increase of expected products in store and online has created an unethical chain of resources, which prohibits the full acquisition and utilization of human rights. Although varied mechanisms of human rights are afforded by national state bodies, the ascension of ethical labor policies are accounted for in international law. While capital is the ultimate purpose of business endeavors, the current cycle promotes vastly disproportionate individual protections. Business principles in this industry must prioritize the laborer at the source to assure human rights.

Glancing through a mall directory, options for clothing retailers are abundant; well-known brands fill their large stores with massive amounts of goods. With fashion trends constantly shifting and increased attention to the everyday convenience of shopping low-cost styles, it is no wonder that the fast fashion market has grown beyond the bounds of sustainable and ethical business practices. From factory workers in developing countries risking their lives without workplace safety or human rights protections, to multinational corporations profiting by the billions, the realities of this business approach require careful attention from the international community and consumers alike. Failure to adequately protect labor rights and ensure fair compensation has become a rampant problem entangled in the production of fast fashion.

The quest for being "in fashion" and increasing profitability also comes at the expense of the environment. As consumer trends prioritize the lowest price point and social media applications (such as Tik Tok and Instagram) make trend participation a necessity, multinational corporations (MNCs) gain a stronger foothold in the global fashion market. Within this growing market for acceptance and participation in the fashion sphere, exclusive brands are losing the competitive battle to prevalent chains like H&M, Zara, and Forever 21. As described by Mark K. Brewer (2019):

> The prevalence of social media fuels the virtually instantaneous movement of trends within communities and networks across the world. From the carbon footprint inherent in a supply chain spanning the globe to the reliance on enormous quantities of natural resources, the impact on society and the environment of these trends has become increasingly clear. Yet, in a world obsessed with image and social connectivity—and driven by ever-changing consumer whims, there are no quick fixes to make the fashion industry more sustainable.

Strong demands for low-cost goods and timely deadlines require fast-paced, cost-efficient labor. Unfortunately, many MNCs' clothing production facilities are exclusively located in developing countries with little sound infrastructure to support labor rights, such as safe working conditions, prohibitions on child labor, fair wages, and adequate breaks. With little-to-no safeguard for human rights and massive opportunity for exploitation, many clothing laborers remain voiceless and vulnerable. Western consumers sometimes see their suffering in news articles about workers dying in fires or collapsed buildings, but rarely do we consider the plight of those who make our clothing.[1] Within this specific global business, can workers' rights be protected against the fast fashion industry's drive for escalating profits at the expense of fundamental human rights?

[1] Stories of blatant disregard for human rights and safety within these factory systems are extensive, but none are more telling than the fall of Rana Plaza in 2013. The collapse of the eight-story building Bangladesh "epitomizes the devastating impact of poor working conditions in the garment industry" (Brewer, 2019, p. 4). Factory managers ordered garment workers to report for work despite warnings about the building's structural integrity, warning that pay would be docked for those who didn't report to work. The collapse caused the death of 1,134 people and injured approximately 2,500 others (Brewer, 2019).

The international community agrees that workers' rights ought to be respected, although enforcement of those norms is not easy. International human rights frameworks (such as the 1948 Universal Declaration of Human Rights) and ensuring international human rights law (such as the 1966 International Covenant on Economic, Social and Cultural Rights) outline obligations by state governments for protecting workers' rights. The International Labour Organization (ILO) is tasked with setting international labor standards and developing policies and programs to promote the fair and equal right to work for all individuals globally (International Labour Organization, n.d.a). The creation of this body, and the formulation of its fundamental legislation, created a specific code of conduct for global businesses to employ to ensure mutual safety. Particularly equipped to cover diverse needs and issues within the complex global system, the ILO Governing Body identifies key conventions that are fundamental for workers, including: freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labor; the effective abolition of child labor; and the elimination of discrimination in respect of employment and occupation (International Labour Organization, n.d.b).

Despite these international foundations for workers' rights, these conversations are typically driven nationally, with more emphasis placed on individual governments and their domestic laws. Yet this cannot always be relied upon, especially in developing countries where the foundation for basic protection and security of person is not always provided. Countries supplying much of fast fashion's labor, like Bangladesh, lack the policing and enforcement capabilities necessary to uphold workers' rights. Meanwhile, the United Nations does not have a functioning internal system of enforcement that can assist (or force) countries to follow human rights norms. Notably, enforcement is often also thwarted by a lack of coherent, definitive definitions about rights. Sara L. Seck (2018) argues that despite the existence of the ILO and associated international instruments, many "core" labor standards are vague and don't provide clear substantive rules. Indeed, international labor standards are often

"contingent on levels of economic development" (p. 143). In the countries where most fast fashion production occurs, human rights instruments may not be effective because of inabilities to define and enforce workers' rights.

For investors, however, fast fashion is incredibly profitable. The current model, labeled as a "race to the bottom" (Morgan, 2015), has created a wildly efficient system that generates high profits for businesses at low cost for consumers. This model ensures consumers' consistent access to a wide range of products, even in times of economic instability. Rather than relying on traditional marketing, the fast fashion industry employs influential social media personalities to reach customers; the low cost of advertising, while simultaneously reaching a global audience, perpetuates demand for increased goods and styles. Increased visibility creates a greater need for the mass circulation of cheap goods. For industry stakeholders, the true purpose of business development and success lies in the end goal of profit – and the fast fashion industry delivers. Corporations such as Inditex, which owns Zara, reported a $621 million profit from February 1-April 30, 2016 (Halling, 2016).

Although profitability may remain the main purpose of fast fashion and other business endeavors, some argue that more ethical behavior can also be profitable. Charles Handy (2002) writes: "The purpose of a business, in other words, is not to make a profit, full stop. It is to make a profit so that the business can do something more or better. That 'something' becomes the real justification for the business. Owners know this." Indeed, MNCs such as Walmart, Starbucks, and Nike have learned that negative publicity about rights abuses can hurt their bottom line – and an essential duty for MNCs is to provide a steady profit to its investors and shareholders. In a roundabout way, prioritizing rights and increasing protections for workers may support that goal – all while creating an ethical business model.

What could that look like for fast fashion? Its current business practices, from production to purchase of fast fashion goods, prioritize the system that has occupied much of the global marketplace

since the onset of mass factory production. The system fails to serve the laborer on the ground, while fulfilling quotas and boosting profits. This structure may seem unchangeable because it is so central to the global supply chain – and because workers in poor countries take these jobs, even if it makes them vulnerable to exploitation and harm. Indeed, that is what unethical corporations are banking on; an unlimited supply of cheap labor combined with demands for inexpensive consumer goods.

The solution to this problem could lie in the intersection of international human rights law and business strategy. Seck (2018) highlights the area of business responsibility, especially "[t]he responsibility of business enterprises to respect human rights refers to internationally recognized human rights – understood, at a minimum, as those expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the International Labour Organization's Declaration on Fundamental Principles and Rights at Work" (p. 145). Multinational corporations have the knowledge and ability to modify current systems and strategies to ensure basic rights protection, but the question is how to push MNCs into respecting those norms.

Remedies for this crisis rest with both the business executive and the everyday consumer. First, a push for increased transparency for business practices and labor statistics has ignited much of social media. Companies such as H&M and Adidas have incorporated these pledges of transparency, which are readily available for perusal by potential customers. These newly available reports often show exactly how unsustainable these businesses really are. It is important to make such reports more extensive and ineffective, as well as take action to remedy the shortcomings they uncover. Reports are meaningless without sustained action to modify practices in support of human rights and environmental sustainability.

Second, the consumer votes for preferred practices and levels of ethical standards with their dollar. The customer has the opportunity to invest in sustainable business using their most effective

agent: their money. We choose our participation in capitalism through our earned or awarded capital. If a person does not want to associate with big business markets, they can choose to shop locally; if they have specific ethical beliefs, they can support a business they agree with. The choice of spending within a capitalist society can pose the greatest threat or victory for business. This can easily be supported with mass participation through organized "black-outs," or boycotts of specific retailers. Unfortunately, the ability to afford more favorable options is a privilege, and one that many customers of these fast fashion retailers do not have.

The current system of fast fashion does not work for protecting human rights or the environment. The infrastructure and protective measures necessary for ethical business practices are not present within these garment factories, and the corporations that employ them are often not responsive. For the sake of human rights, each person with a dollar to spend has a responsibility to ensure it is used ethically – and to participate in the capitalist system with intention. Businesses owe the consumer, and the laborer, the decency of transparent internal conduct. These small examples of shifting current priorities can amount to a large difference if many consumers participate. Human rights protection is not possible within the current sphere of fast fashion – unless we force it to change.

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