



Fashioning A Sustainable Future: Reshaping Consumer Choices, Industry Practices And The Law

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Abstract: The fast fashion industry has revolutionized the accessibility of trendy clothing, fostering a culture of rapid consumption and frequent wardrobe renewal. However, this business model, driven by planned obsolescence and cost-cutting measures, has come at a steep environmental, social, and economic cost. This paper delves into the significant challenges posed by fast fashion, including its contributions to environmental degradation, and micro plastic pollution, as well as its exploitation of labour in low-income countries. The analysis also highlights the industry's reliance on unsustainable practices such as synthetic fibre use, hazardous dyeing processes, and a global supply chain that prioritizes efficiency over ethics. Despite growing consumer awareness and claims of sustainability, the industry remains plagued by opaque practices and a lack of regulatory oversight. By examining the interplay between consumer behaviour, industry practices, and regulatory frameworks, this paper seeks to uncover pathways for a more sustainable future. It emphasizes the urgent need for systemic change, integrating responsible production, ethical labour standards, and informed consumer choices to mitigate the environmental and social impacts of fast fashion while fostering a more equitable global economy.

Key words: Fast Fashion, Environmental Degradation, Exploitation of Labour, Sustainability Consumer Behaviour

Introduction

In recent decades, the fashion industry has undergone a transformation marked by the rise of fast fashion, a model characterized by rapid production cycles and disposable clothing. Fast fashion is a business model centered around the rapid and inexpensive production of clothing to keep up with ever-changing fashion trends. It utilizes a global network of suppliers and manufacturers to produce garments at minimal costs, which are then sold at low prices. The primary objective of fast fashion is to offer consumers new and trendy clothing items every few weeks, thereby encouraging frequent purchases. This model operates on the

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principles of planned obsolescence, meaning the clothes are intentionally designed to be worn only a few times before they deteriorate or become obsolete³.

While this has democratized fashion, allowing consumers access to affordable trends, it has also intensified environmental degradation and social inequalities. The need to address these challenges is pressing, calling for a comprehensive examination of how consumer choices, industry practices, and legal frameworks can collectively foster a sustainable future for fashion.

This paper endeavours to explore the intricate interplay between consumer behaviour, industry practices, and legal regulations in shaping the sustainability landscape of the fashion industry. By analysing these factors, it seeks to uncover pathways towards a more sustainable future where fashion can thrive without compromising the environment or societal well-being.

Industry Practice vis-a-vis Socio, Economic and Environmental Impact

The fast fashion industry has burgeoned into a massive entity, nearly doubling the production of new garments over the past two decades, while global fashion consumption has soared by 400%. Throughout the garment manufacturing process, waste is pervasive, causing harm to wildlife, land degradation, and pollution of soil and water sources. This industry significantly exacerbates the climate crisis, accounting for up to 10% of global carbon dioxide emissions. Animal-based textiles, like wool, further compound environmental issues by contributing to greenhouse gas emissions, water pollution, and extensive habitat loss due to deforestation and conversion of grasslands. In fast fashion, wool often blends with synthetic fibres derived from fossil fuels and is treated with chemicals, compounding the environmental impact both in production and disposal of these garments. The low quality of fast fashion apparel contributes to their short lifespans, often resulting in slow decomposition in landfills or incineration. Additionally, these garments shed micro plastic fibres, notorious for polluting marine environments. Despite the rising demand and consumption of fast fashion garments and society's apparent deepening interest in fashion, people are purchasing more clothing while wearing fewer of their possessions.⁴

Beyond environmental exploitation enabling cheap prices, worker exploitation in low-income countries where factories operate is another significant factor. Predominantly young women endure hazardous conditions and earn meagre wages, despite the industry's substantial profits⁵

Economic Impact of Fast fashion is also a matter of grave concern as it negatively affects local economies, especially in developing countries like India. The industry is controlled by a few large multinational corporations that hold a market monopoly. These corporations often set the terms of trade, resulting in unfair wages and poor working conditions for workers.⁶ Despite claims from both the fashion industry and consumers that sustainability is a priority; fast fashion remains an increasingly unsustainable

³ Mohammed Khaja Qutubuddin, 'Fast Fashion in India: The Dark Side of Cheap Clothes' (Unsustainable Magazine, 2024) <https://www.unsustainablemagazine.com/> accessed 20 November 2024.

⁴ Centre for Biological Diversity, 'At What Cost? Unravelling the Harms of the Fast Fashion Industry' (Centre for Biological Diversity, 2024) <https://www.biologicaldiversity.org/> accessed 20 November 2024.

⁵ *Id.*

⁶ *Supra* note 3, at Page 01

sector that continues to expand with limited oversight.⁷ Fast fashion has transformed the fashion industry but at a considerable environmental and human rights cost. Its business model thrives on exploiting resources and labour to swiftly produce trend-driven garments for consumers. This rapid production cycle necessitates vast quantities of raw materials, leading to substantial waste, pollution, and degradation of air, water, and wildlife habitats.⁸ The pollution generated by fast fashion has profound consequences for both terrestrial and aquatic ecosystems. It contributes to habitat degradation, the spread of chemicals and microplastics in water bodies, and exacerbates climate change through increased anthropogenic greenhouse gas emissions.

The fashion industry's significant negative environmental impact is not precisely quantified but is undeniable. This impact spans across global boundaries, with a complex and opaque supply chain that operates on multiple tiers. Trade liberalization, globalization, and persistent cost pressures have led to a scenario where few brands own the assets of their upstream factories, opting instead to outsource final production.

The production of shirts and shoes has more than doubled in the past quarter-century, with three-quarters of these items ultimately being burned or buried in landfills. This outcome evokes a sense of personal failure in confronting sustainability challenges.⁹ The fashion industry's sustainability shortcomings are multifaceted. The relentless pursuit of growth, combined with consumer demand for inexpensive and quick fashion, has played a significant role. Additionally, the prices of footwear and apparel have effectively halved since 1990, largely due to the widespread use of non-biodegradable, petroleum-based synthetic materials in most new products.¹⁰

Issues and Concerns

Environmental concerns during production

The initial stage of the global textile supply chain involves textile production, where both natural and synthetic fibres are manufactured. In the United States, approximately 90% of clothing is made from cotton or polyester, each associated with significant health and environmental impacts during their production processes. Polyester, a synthetic fibre, is derived from oil, while cotton cultivation requires substantial water usage and pesticide application. Textile dyeing introduces further risks, as untreated wastewater containing dyes is often discharged into local water systems. This discharge releases heavy metals and other toxins that can harm animals and nearby residents.¹¹

Garment assembly, the subsequent stage in the global textile supply chain, employs approximately 40 million workers worldwide. Low- and middle-income countries (LMICs) produce 90% of the world's clothing. However, occupational safety and health standards in these regions are often inadequately enforced due to weak political infrastructure and organizational management. This situation leads to a variety of

⁷ Supra note 4, at Page 02

⁸ Supra note 4, at Page 02

⁹ Kenneth P Pucker, 'Business and Society: The Myth of Sustainable Fashion' (Harvard Business Review, 13 January 2022) <https://hbr.org/> accessed 21 November 2024.

¹⁰ *Id.*

¹¹ Rachel Bick, Erika Halsey and Christine C Ekenga, 'The Global Environmental Injustice of Fast Fashion' (2018) 17 Environmental Health 92 <https://doi.org/10.1186/s12940-018-0433-7> accessed 24 November 2024.

occupational hazards, including respiratory risks from inadequate ventilation exposing workers to cotton dust and synthetic air particles, as well as musculoskeletal hazards from repetitive tasks. The health risks that historically prompted the establishment of textile labour unions in the United States and the United Kingdom in the early 1900s. have now shifted to workplaces in countries. Reported health consequences in these settings include debilitating conditions such as lung diseases and cancers, disruptions to endocrine functions, adverse outcomes in reproductive and foetal health, accidental injuries, overuse injuries, and fatalities. Occasional international disasters, like the 2013 Rana Plaza factory collapse that claimed the lives of 1134 Bangladeshi workers, serve as stark reminders of the health and safety risks confronted by garment workers.¹²

After reaching consumers in high-income countries, the fashion industry often considers its job done, but environmental injustices persist long after a garment is sold. The fast fashion model promotes a view of clothing as disposable. In the United States alone, the average person discards about 80 pounds of clothing and textiles each year, accounting for nearly 5% of landfill space. Clothing not destined for landfills typically enters the second-hand clothing trade. Annually, approximately 500,000 tons of used clothing are exported from the United States, primarily to low- and middle-income countries (LMICs). In LMICs, this clothing is sorted and re-baled by low-wage workers before being sold in local second-hand markets. Any unsold garments often become solid waste, contributing to environmental hazards such as river and park pollution, particularly in areas lacking robust municipal waste systems.

Role of Consumers

Trade policies and regulations are essential for driving large-scale change in the fast fashion industry. However, consumers in high-income countries also have a significant role in supporting companies and practices that minimize negative impacts on humans and the environment. While certifications aim to raise industry standards, consumers must be vigilant against green washing and critically evaluate which companies genuinely uphold high standards versus those that make vague claims about their social and sustainable practices. The fast fashion model thrives on the idea of "more for less," but consumers must embrace the principle that "less is more" to address environmental justice issues in the fashion industry. The United Nations' Sustainable Development Goal 12, "Ensure sustainable consumption and production patterns," aims to rectify the injustices caused by unchecked materialism. Consumers in high-income countries can contribute to global environmental justice by buying high-quality clothing that lasts longer, shopping at second-hand stores, repairing clothing they already own, and purchasing from retailers with transparent supply chains. The global environmental injustice of fast fashion.¹³

¹² *Id.*

¹³ Rachel Bick, Erika Halsey and Christine C Ekenge, 'The Global Environmental Injustice of Fast Fashion' (2018) 17 *Environmental Health* 92 <https://doi.org/10.1186/s12940-018-0433-7> accessed 25 November 2024.

Customer the culprit in growth of fast fashion

Academics, human rights advocates, and experts in fashion and sustainability have long been warning about the detrimental impacts of clothing overconsumption. The rise of fast fashion characterized by the rapid production of trendy, low-cost clothing has fostered a culture of constant buying, often without regard for the broader consequences on people, animals, or the environment. Every piece of clothing comes with two costs: the purchase price we pay and the true cost, which includes the environmental impact of production and shipping, as well as the conditions faced by workers. For instance, if a garment is sold for Rs. 50/-, it obviously imply about the wages of those who made it and the materials used.

Companies are driven to cut corners to minimize costs, which often mean lower wages for workers, unethical material sourcing, and poor animal welfare. This pursuit of overproduction and overconsumption has led to a decline in the quality and ethics of many products, from clothing to electronics. Given the rapid pace required to keep up with fashion trends, producing items that are well-made, ethically sourced, and affordable simultaneously is nearly impossible.

Despite these issues, the fashion industry's problems are not widely discussed, and consumers often hesitate to critically examine their own buying habits.¹⁴ For instance the fashion garment giant Shein has massively succeeded in capturing a large share of the fashion market because of the buying habit of consumers. Shein's biggest selling point is its low-priced clothing, shipped to over 150 countries and regions worldwide, primarily targeting women in their teens and 20s. The business model functions similarly to Amazon, with a vast online marketplace that unites around 6,000 clothing factories in China under the Shein label. Internal management software collects near-instant data on sales performance to promote popular items.¹⁵

According to a Rest of World investigation, Shein added between 2,000 and 10,000 new styles to its app daily from July to December 2021. The clothes are showcased in polished advertising campaigns managed by Shein's headquarters. The company has invested millions in Google and Facebook ads, advertisement deals, and even a social media reality show co-hosted by Khloé Kardashian.¹⁶

A key element of Shein's marketing strategy is leveraging influencers and their #SHEINhaul videos. The company partners with numerous micro-celebrities, fashion bloggers, and reality show contestants who showcase their Shein deliveries. Before the Indian government banned the app in 2020 as a retaliatory move against China, Shein reportedly collaborated with about 2,000 Indian influencers and had already established its mark in the fashion market.¹⁷

In essence, Shein produces an astonishing number of items daily, which is a primary reason the company's model is considered unsustainable. Despite concerns, the brand's popularity continues to soar globally, especially in countries like France, Ireland, Iceland, Egypt, Sudan, South Africa, Saudi Arabia, and China.¹⁸

¹⁴ Izzie Ramirez, 'It's Time to Break Up with Fast Fashion' (Vox, 14 November 2023) <https://www.vox.com/even-better/2023/11/14/23955673/fast-fashion-shein-hauls-environment-human-rights-violations> accessed 27 November 2024.

¹⁵ Time, 'Shein Is the World's Most Popular Fashion Brand—at a Huge Cost to Us All' (Time, 2024) <https://time.com/6247732/shein-climate-change-labor-fashion/> accessed 27 November 2024.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

International Measures to Curb Fast Fashion

Internationally several initiatives have been launched to address the environmental damage caused by fast fashion.

The United Nations Alliance for Sustainable Fashion

In 2019, the United Nations established the Alliance for Sustainable Fashion. This group comprises industry leaders and experts dedicated to promoting sustainable practices within the fashion industry.

The Sustainable Apparel Coalition

Founded in 2010, the Sustainable Apparel Coalition is a collective of companies, organizations, and governments focused on reducing the environmental and social impacts of the apparel and footwear industries. It includes members from over 30 countries.¹⁹

The Fashion Industry Charter for Climate Action

Launched in 2018 by the United Nations Framework Convention on Climate Change (UNFCCC) in collaboration with the fashion industry, this charter aims to cut greenhouse gas emissions by 30% by 2030 and achieve net-zero emissions by 2050.

The European Green Deal

The European Union's Green Deal is a comprehensive plan to make the EU's economy sustainable by cutting greenhouse gas emissions and promoting eco-friendly practices. The fashion industry is one of the key sectors targeted by this initiative.

The Ellen MacArthur Foundation

This charity advocates for a circular economy, where resources are reused for as long as possible. It has program named 'Make Fashion Circular' an initiative specifically aims to minimize the environmental impact of fashion.²⁰

Measures by Indian Government to Address the Negative Impact of Fast Fashion

The Indian government has implemented significant measures to mitigate the environmental and societal impact of fast fashion.

Sustainable Fashion Policy

In 2020, the Ministry of Textiles launched National Handloom Day with the theme "Handloom for Atmanirbhar Bharat." This policy promotes sustainable fashion and textiles, supports local artisans, and aims to reduce the environmental impact of the fashion industry.

Extended Producer Responsibility

In 2018, the Ministry of Environment, Forest, and Climate Change mandated Extended Producer Responsibility (EPR) for plastic waste management. This regulation requires manufacturers and brand owners to take responsibility for the collection and disposal of their products after their useful life.²¹

¹⁹Sanjana, 'Fast Fashion and its Legal and Environmental Effects' (Legal Service India) <https://www.legalserviceindia.com/legal/article-10769-fast-fashion-and-its-legal-and-environmental-effects.html> accessed 28 November 2024.

²⁰ *Id.*

²¹ *Id.*

Ban on Single-Use Plastics

In 2019, the government announced a ban on single-use plastics, including items such as plastic bags, cups, plates, and cutlery.

Clean Ganga Fund

Launched in 2015, the Clean Ganga Fund raises money for initiatives to reduce pollution in the river Ganges, including efforts to address textile pollution.

Green Building Norms

Issued in 2016 by the Ministry of Environment, Forest, and Climate Change, these norms aim to reduce the environmental impact of buildings by encouraging the use of sustainable materials and technologies.

National Action Plan on Climate Change

Initiated in 2008, this plan addresses the impacts of climate change in India and includes several initiatives to reduce greenhouse gas emissions, such as promoting sustainable practices in the textile industry.

Textile Waste Management

The Ministry of Textiles has launched various initiatives to promote textile waste management. These include the Swachhta Saarthi Fellowship, which trains youth in textile waste management, and the Green Wardrobe Initiative, which encourages consumers to donate and recycle old clothes.

These measures reflect the Indian government's commitment to reducing the negative impact of fast fashion on the environment and society, highlighting the need for a more sustainable and responsible fashion industry.²²

Possible Solutions and Recommendations

Fashion industry should view the environmental and social impact seriously and take necessary measures to address the issue.²³

Reduce waste

The industry needs to minimize waste by using sustainable materials, recycling, and upcycling. Brands can also curb waste by producing clothing in smaller quantities and avoiding overproduction.²⁴

Fair Labour Practices

Brands must ensure fair labour practices by paying workers fair wages and providing safe working conditions.²⁵ For instance in November 2022, Balenciaga released a holiday ad campaign featuring children holding teddy bears dressed in bondage harnesses and costumes, reminiscent of BDSM accessories also seen on the runway at Balenciaga's Paris Fashion Week show. The images sparked immediate backlash, with the hashtag #cancelBalenciaga trending on Twitter and TikTok. Many accused the brand and its creative director, of promoting paedophilia and child exploitation.²⁶ Many international models and celebrities condemned and disassociated themselves from the brand.

²² *Id.*

²³ *Supra* note 3, at Page 01

²⁴ *Id.*

²⁵ *Id.*

²⁶ The Cut, 'What to Know about the Balenciaga Ad Scandal' (The Cut) <https://www.thecut.com/article/what-to-know-about-the-balenciaga-ad-scandal.html> accessed 28 November 2024.

Transparency

Brands should be transparent about their supply chain and production processes. Consumers should have access to information about where and under what conditions their clothes are made. This transparency enables consumers to make informed choices and hold brands accountable.

Circular Economy

The industry should transition to a circular economy model. This involves designing clothes to last longer, repairing and refurbishing them, and recycling them at the end of their lifecycle. This approach reduces waste and conserves natural resources.

Collaboration

The fashion industry should collaborate with governments, NGOs, and academics to address environmental and social issues. Such partnerships leverage the expertise and resources of different organizations to work towards common goals.

Education

Investing in consumer education about the environmental and social impacts of fast fashion is crucial. Educated consumers can make more informed choices and help reduce the demand for fast fashion.

Innovation

The industry should invest in research and development to find new and innovative solutions for sustainable and ethical fashion. This includes developing new materials, processes, and technologies that reduce the environmental impact of fashion and improve working conditions.²⁷

Role of Consumers in Containing Fast Fashion

As awareness of these issues grows, consumers are increasingly recognized as pivotal agents of change. By making more informed and conscious purchasing decisions, individuals have the power to influence the market and drive the shift towards more sustainable and ethical fashion practices. The consumers play a humongous role in containing the fast fashion industry, and their choices and behaviours can promote sustainability and social responsibility within the fashion sector.

Buy Second-Hand Clothes: Purchasing second-hand clothing is an effective way to minimize the environmental impact of fast fashion. Since these garments are already in circulation, buying them reduces the need for new production. Thrift stores, consignment shops, and online resale platforms offer a range of quality options at lower prices.

Opt for Eco-Friendly Fabrics: Choosing clothing made from sustainable materials can also reduce environmental harm. Fabrics such as organic cotton, linen, hemp, and bamboo are biodegradable and typically require fewer resources to produce compared to conventional materials.

Invest in Quality Over Quantity: Focusing on high-quality garments that are built to last can significantly reduce waste. Well-made clothes tend to have a longer lifespan and are less likely to end up in landfills.

²⁷ Supra note 23, at page. 07

Repair and Repurpose: Instead of discarding worn-out clothing, consider repairing or repurposing it. Learning basic sewing skills or transforming old garments into new items can extend their life and reduce waste.

Donate and Recycle: Donating clothes to charity or recycling them ensures they don't contribute to landfill waste. Charitable donations give garments a second chance, while recycling helps repurpose materials into new products.

By making informed choices and adopting sustainable practices, consumers can play a pivotal role in managing the waste generated by the fast fashion industry. From buying second-hand and choosing eco-friendly materials to investing in quality and recycling, there are numerous ways to contribute to a more sustainable future.²⁸

Conclusion

Waste-to-Energy is a potential solution to the fast fashion waste problem. While it has its benefits, it also has some drawbacks that need to be considered. It is essential to explore other solutions such as recycling and reducing the amount of waste produced in the first place. However, Waste-to-Energy can play a significant role in reducing the environmental impact of the fast fashion industry.²⁹

If we look at the criticism surrounding brands like Shein it clearly shows an impact on influencer partnerships. Georgia Portogallo's decision to distance herself from Shein highlights how public awareness and media coverage are influencing influencer choices and brand collaborations. This shift reflects a growing trend where influencers are considering the ethical implications of their partnerships and how their choices affect their followers' perceptions. This kind of public accountability will lead though slower, but definitely a broader changes in the industry.³⁰

Access to an abundance of inexpensive clothing for the sake of fashion isn't a fundamental human right, nor is it necessary for self-expression. As political theorist John Stuart Mill argued over two centuries ago, individual rights end when they infringe upon the rights of others. "If it comes at a cost to another human, is it justifiable?" Are we are definitely not entitled to cheap clothing at the cost of harm to other people.

²⁸ FasterCapital, 'The Role of Consumers in Fast Fashion Waste Management' (FasterCapital) <https://fastercapital.com/topics/the-role-of-consumers-in-fast-fashion-waste-management.html/> accessed 29 November 2024.

²⁹ *Id.*

³⁰ *Supra* note 15, at. page 05