

# FASHION CONSUMPTION AND HUMAN RIGHTS, FROM A CONSUMER PERSPECTIVE

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## ***Abstract***

Fashion, an intricate fusion of culture, self-expression, and industry, envelops a hidden reality: consumer vulnerability. Within apparel products, consumers navigate a landscape where trends and personal aesthetics often overshadow a critical aspect—the right to information. Vulnerability in this domain transcends susceptibility to external influences; it delves into the power imbalance between consumers and providers, creating a concept of hyper-vulnerability that disproportionately exposes consumers to risks and uncertainties, particularly in the face of limited or distorted information. This paper aims to unravel these multifaceted layers of vulnerability in fashion consumption, emphasizing the nexus between information rights and consumer decision-making. The paper asserts that beyond convenience or preference, the right to access accurate and transparent information stands as a cornerstone of ethical consumerism. It advocates for a change in basic assumptions where informed choices are integral to human dignity, emphasizing the urgency for an empowered populace in a sustainable, ethically conscious world. The exploration unfolds with an examination of fashion as a cultural expression and industry, delving into its economic significance. Finally, the paper delves into consumers' rights to information in fashion consumption, addressing various facets like textiles, their composition, impacts on skin and body, post-consumption waste. In conclusion, this paper advocates for a future where access to accurate and transparent information in fashion consumption is not a luxury but an inalienable right, essential for the integrity of human dignity.

## ***Keywords***

Fashion. Beauty. Consumption. Consumers. Right. Information. Vulnerable. Freedom. Human right.

## ***Summary***

1. Introduction: Understanding Vulnerability in Fashion Consumption. 2. What is fashion, at least? 3. How is it that fashion consumption is a human right? 4. Consumers right to information in fashion consumption. Do you know what you wear? 5. Transparency and traceability as key steps on the road of consumer information. 6. Conclusions

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## 1. Introduction: Understanding Vulnerability in Fashion Consumption

Fashion, an intricate tapestry of culture, self-expression, and industry, often conceals a hidden reality—the vulnerability of consumers. In the realm of apparel and beauty products, consumers navigate a landscape where the glamour of trends and personal aesthetics often overshadows a crucial aspect: the right to information.

Vulnerability, an inherent aspect of consumerism, takes on an amplified form within the domain of fashion. It transcends mere susceptibility to external influences, delving into the imbalance of power between consumers and providers. The concept of hyper-vulnerability emerges when this power imbalance is magnified, rendering consumers disproportionately exposed to risks and uncertainties, especially when faced with limited or distorted information.

In this context, the complex system of information rights stands as the cornerstone of consumer empowerment and as an immediate consequence, a keystone for freedom of choices. They serve as the bedrock for making informed choices in an industry where opacity often shrouds crucial details regarding products—be it the composition of textiles, the impact on health and the environment, or the post-consumption waste management.

Understanding the profound implications of information rights is pivotal. It is not merely about the freedom to choose; it is about the right to choose responsibly. The absence of comprehensive and transparent information distorts this freedom, impeding consumers from making choices aligned with their values, health, and ethical considerations.

This paper aims to unravel the multifaceted layers of vulnerability and hyper-vulnerability within fashion consumption. By

exploring the nexus between information rights and consumer decision-making, it seeks to underscore the urgent need for transparency and accountability within the fashion and beauty industries. Only through an informed populace can we envisage a future where consumer choices not only reflect personal preferences but also contribute to a more sustainable and ethically conscious world.

This paper acknowledges that the ability to make informed and autonomous choices while consuming fashion and beauty products is not merely a matter of preference—it is a fundamental human right. At the heart of this right lies the empowerment of individuals to exercise agency in their consumption patterns, aligning their choices with personal values, ethics, and health considerations.

The United Nations, in its Universal Declaration of Human Rights, articulates the right to information as an integral component of human dignity<sup>2</sup>. In the context of consumerism, this right manifests as the fundamental freedom to access accurate and comprehensive information about products and their implications. This right is not confined solely to the realms of politics or governance; it permeates into the fabric of everyday life, especially in the context of fashion consumption.

However, the contemporary landscape of fashion often undermines this fundamental right. Consumers are frequently left grappling with incomplete, ambiguous, or misleading information about the products they purchase. This information asymmetry,

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<sup>2</sup> Universal Declaration of Human Rights. Article 19 : <https://www.un.org/en/about-us/universal-declaration-of-human-rights#:~:text=Article%2019,media%20and%20regardless%20of%20frontiers>. (accessed November 30, 2023)

deliberately or inadvertently perpetuated by industry stakeholders, creates a chasm between the ideal and the reality of consumer empowerment.

Therefore, this paper asserts that beyond being a matter of convenience or preference, the right to access accurate and transparent information stands as a cornerstone of ethical consumerism. It is a fundamental human right that demands acknowledgment, protection, and realization within the context of fashion and beauty consumption.

By elucidating the nexus between information rights and human rights within consumerism, this paper seeks to advocate for a change in basic assumptions—a future where informed choices are not a luxury but an inalienable right integral to the integrity of human dignity. To reach that point I try to answer a few basic questions following next. It is relevant to state that this paper focuses on two of the various industrial sectors of Fashion Industry, which are textile and apparel.

## **2. What is fashion, at least?**

Fashion is as old as human being, or a little bit fewer, but just a little. Let me introduce you some thoughts about it.

### 2.1 Fashion

When was fashion born? This is a question with many answers. But, at the end of the way human being is the answer. We created fashion since, as human, we covered our bodies, and the need of clothing was fulfilled. We can say that one of the aspects that sets us apart from animals, and even nowadays from artificial intelligence, is the feeling of ambition that goes beyond instinct.

Fashion transcends mere clothing; it embodies a cultural expression, a reflection of societal trends, attitudes, and values. It encompasses not just the garments one wears but also the prevailing styles, aesthetics, and preferences that define a particular period or community. But also, fashion serves as a language—a visual narrative that communicates identity, aspirations, and social belonging. It evolves in response to historical, economic, and cultural influences and heritages, reflecting changes in attitudes, technology, and societal norms. For instance, before the 20<sup>th</sup> century, women wearing pants was unacceptable and an advocate of trousers was Elizabeth Smith Miller, who wore Turkish pants to a women’s right convention held in New York. Another example, in the 1920s flapper style symbolized women's liberation, while the grunge fashion of the 1990s conveyed an anti-establishment sentiment. In consequence, fashion serves as a standard to show status and identity but also as a way in which we can express or visibilize our cultures through what we are wearing. Further research shows that clothing, for example, is a tool that assist consumers in achieving an ideal appearance<sup>3</sup>.

Moreover, fashion is an industry where contemporary styles are reflected in apparel, accessories, jewelry, cosmetics, furniture, music, food and more. Eventhough, the most common materialized aspect of fashion is garment. Anyway, fashion is a pivotal economy driver. As McKinsey & Company reports *“In 2023, the global industry was estimated to be worth \$1.7 trillion. And more than three hundred million people all over the world work on clothes, somewhere along the value chain”*<sup>4</sup>.

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<sup>3</sup> KANG *et al* 2013, 43 2

<sup>4</sup> McKinsey & Company, “What is fast fashion?” available online: <https://www.mckinsey.com/featured-insights/mckinsey-explainers/what-is-fast-fashion> (accessed December 14, 2023)

As for this paper, we analyze fashion as an industry and its multiple implications within consumers, society, and human rights.

### **3. How is it that fashion consumption is a human right?**

When basic human needs are not accomplished, like access to water, food, shelter and healthcare, fashion consumption is far from being recognized as a human right. In this scenario the human right related is being dressed as a primary need.

To express identity and exercise the right to choose freely what to wear, having the ability to participate in fashion consumption is seen as a part of socio-economic rights. Moreover, wearing clothing that aligns with personal preferences and cultural norms contributes to a sense of dignity and self-esteem. It is considered essential for mental well-being and confidence. Thus, access to fashion can be argued as a component of the right to a dignified life. In some societies, the right to clothing is explicitly mentioned or implied in legal frameworks as part of the right to a standard of living adequate for health and well-being, as established by international human rights laws.

On the other side, lack of mentioned freedom can be imposed by economic situation, culture, religion or even legislation. In these circumstances, when right to choose is not an option, scarcity of freedom becomes relevant to the point of becoming a fundamental aspect for the enjoyment of people's rights.

In the scarcity is when we realize the relevance of clothes, eventually mentioned as a banal aspect of life related to fashion and the right to select what to wear.

Apart from that, it is mandatory to analyze different situations. Diving deeper, in correct economic, social, or even physical freedom to choose what to wear you may not decide completely and truly

informed. At this point, consumer information turns critical and lack of information biases consumer freedom to choose.

#### **4. Consumers right to information in fashion consumption. Do you know what you wear?**

This paper does not emphasize on any local legislation since, when addressing the right to consumption as a human right, associated with fashion consumption, it is developed beyond legislations. The approach presents the sociological and supranational legislative aspects, mentioning European projects and regulations alone. In this sense, and on an almost global level, the right to information in consumer law is ubiquitous and extends to fashion. Correctly informed consumers make better choices. Information -not the same as knowledge-, is a basic empowerment tool for consumers.

Think about it, production of textiles and garments involves one of the most complicated industrial chains in manufacturing. Between links in those chains, information dilutes or, sometimes, is intentionally hidden. Moreover, labels are the on-hand tool that consumers can use for information about products. This availability of information is extremely related to transparency and traceability in companies. Both concepts are increasingly mandatory by authorities, especially in the European Union (EU). EU is developing the Green Deal as a system of strategies and regulations for sustainability. This deal strives to be Europe the first climate-neutral continent<sup>5</sup>. As part of this road and set of proposals, the Ecodesign framework for sustainable products (which is part of a circular economy package and

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<sup>5</sup> The European Green Deal. [https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal\\_en](https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal_en) (accessed December 13, 2023)

includes a strategy for sustainable textiles) rise a group of setting standards<sup>6</sup> as:

- Longer product lifespans and better-informed consumers
- Ban on the destruction of unsold products.
- Transparency and traceability of supply chains
- Human rights compliance

Although, the information is not completely available every time for consumers. Eventhough dealing with educated and responsible consumers, biases are often. Most buyers are unaware of the consequences that their purchases have on the environment and even on themselves. Following, I comment on just the tip of the iceberg of the matter since it could be the subject of a work, or of a book, as they already exist, and I quote in this article.

#### 4.1 Textiles dyeing and degradation.

It is noteworthy to mention that *“In the mid-1800s, everything changed as the first synthetic dye was created. In 1856 it was created a “coal tar” or aniline dye from petrochemicals which gave a strong, vivid, and lasting color. As these synthetic creations gave manufacturers a way to colour fabrics without the limitations of natural colourants, such as unreliable colour replication, they altered the fashion dyeing process permanently. Unfortunately, aniline dyes were later found to be highly toxic but they set the scene for synthetic dyes to dominate from then on. In today’s sector, the natural dyes that reigned throughout most of History make up just 10% of dyed textiles.”*<sup>7</sup>

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<sup>6</sup> Ecodesign: new EU rules to make sustainable products the norm. <https://www.europarl.europa.eu/news/es/press-room/20230612IPR97206/ecodesign-new-eu-rules-to-make-sustainable-products-the-norm> (accessed December 13, 2023)

<sup>7</sup> TIDSWELL 2013

As for the purpose of this paper, consumers in the post consumption step of the road, discarding goods which have been chemically modified contaminates soil and air.<sup>8</sup> Therefore, the question is, are consumers warned about the diverse consequences in environment and even themselves when discarding clothes? Even if they so, do they know if the clothes that are discarding would contaminate or not?

Also, degradation process of chemical modified products can be harmful for environment contaminating water, soils, and air indiscriminately.

#### 4.2 Impact on skin and body

Beyond negative and known effects on the environment, which are not the subject of this paper, textile composition, including chemicals utilized for fabric dye, can have substantial effects on skin and health even comfort in many ways as skin sensitivity irritation, moisture and breathability, thermal regulation, chemical exposure, microbial grow, odor.

The dyeing process of textiles, while is not natural based, may include reactive, acids, and other chemicals utilized for enhancing colors, making more brilliant combinations or shades.

Among these above-mentioned chemicals used to dye textiles, the most used are azo dyes, which are a class of synthetic dye product.

One of the most common outcomes reported on body is allergic reaction but we can add more adverse consequences such as

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<sup>8</sup> SLATER 2003

contact dermatitis, respiratory issues, carcinogenic effects, among others.<sup>9</sup>

As for this year, has come to our knowledge the Alaska Airlines attendant case, who suffered severe health issues upon receiving new synthetic uniforms in 2011. Health issues as hacking cough, rashes, migraines, and various other symptoms were identified after wearing the new uniform. Similar complaints from hundreds of attendants arose, including blistering rashes, swollen eyelids, and even cases of breathing difficulties. Tests conducted by Alaska Airlines and the flight attendants' union revealed the presence of numerous chemicals in the uniforms, including tributyl phosphate, lead, arsenic, and other substances known to cause allergic reactions and health problems. Despite this evidence, the uniform maker, Twin Hill, evaded responsibility in court by asserting that individual chemical levels were not sufficiently high to cause such varied reactions.<sup>10</sup>

Significances on human beings are underestimated and jaundiced to our knowledge on the part of the suppliers. Only private studies and research determine these types of adverse reactions. Thus, information about composition and chemical modification on textiles must not only be complete, true, detailed, truthful, correct, but suppliers must also ensure that it reaches consumers. Eventhough some regulations state a list of restricted substances permitted in textiles, the truth is that controlling chemicals in textile is a hard and expensive work for governments. To help companies and

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<sup>9</sup> "Do fabrics affect human skin?" <https://www.sahnifabrics.com/blogs/news/do-fabric-dyes-affect-human-skin> (Accessed, December 13, 2023)

<sup>10</sup> "Are your clothes making you sick? The opaque world of chemicals in fashion." <https://www.theguardian.com/fashion/2023/jul/02/fashion-chemicals-pfas-bpa-toxic> (Accessed December 10, 2023)

manufacturers, many private initiatives provide an own developed Restricted Substance List or RSL, as better known, for example American Apparel and Footwear Association<sup>11</sup>.

This is one more reason to deep profoundly on consumers knowledge (better than information) as a human right. Health is an undisputed human right, and it is threatened in these circumstances by textiles.

## 5. Transparency and traceability as key steps on the road of consumer information

Stating that information evolves in knowledge is the first step to then understand that suppliers, retailers, and consumers should interact permanently in producing, buying, discarding relation.

The textile sector is facing a growing demand on more sustainable products. Also, consumers are more interested about what they are wearing. This said in terms of composition, durability, disposition.

Hence, transparency and traceability are keys for producers and suppliers to give accurate, relevant, and complete information to their clients.

*“Product transparency is defined as the disclosure of information concerning a specific product about traceability and sustainability conditions for the supplier, as well as the entire lifecycle and the buying firm's purchasing practice”<sup>12</sup>*

*As traceability could be understand as “(...) the ability to identify and trace the history, distribution, location, and application of products, parts, materials, and services. A traceability system records and follows the trail as*

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<sup>11</sup> [https://www.aafaglobal.org/AAFA/Solutions\\_Pages/Restricted\\_Substance\\_List.aspx](https://www.aafaglobal.org/AAFA/Solutions_Pages/Restricted_Substance_List.aspx) (Accessed, December 10, 2023)

<sup>12</sup> OSPITAL *et al* 2023.

*products, parts, materials, and services come from suppliers and are processed and distributed as final products and services.”<sup>13</sup>*

The necessary tandem between both definitions to acknowledge full enjoyment of information as a consumer right turns to be evident. As traceability comes first and it is found in every link of supply chains, transparency is a voluntary step towards consumer’s rights. Producers have already its own evidence. Exhibiting it, making it accessible, even more, educating its own community and stakeholders about it, could be the first step to a complete recognition of consumption as human right.

Although, there will always be an unintentional gap. Information is given but in occasions, knowledge does not arrive. Could be lack of interest, curiosity, or intention but it is factual, that gap exists.

## 6. Conclusions

Educating consumers is pivotal in fostering a discerning approach towards product choices that extend beyond immediate utility. While producing high-quality, environmentally friendly, and ethically sound products is commendable, their recognition and appreciation hinge upon consumer education. A well-informed consumer can discern the nuances of quality, understand durability, and perceive long-term value, thereby gravitating towards products that, despite potentially higher initial costs, offer superior returns over time. Moreover, consumer education facilitates an understanding of sustainability and

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<sup>13</sup> United Nations Global Compact – BSR “A guide to traceability. A Practical Approach to Advance Sustainability in Global Supply Chains.” [https://www.bsr.org/reports/BSR\\_UNGC\\_Guide\\_to\\_Traceability.pdf](https://www.bsr.org/reports/BSR_UNGC_Guide_to_Traceability.pdf) (Accessed December 15, 2023)

ethical production practices, empowering consumers to make choices aligned with their values. Awareness of a brand's reputation regarding social responsibility further influences consumer decisions, underlining the significance of consumer education in fostering a marketplace receptive to products that uphold environmental and human rights standards.

Consumer education serves as a conduit for discernment, enabling consumers to evaluate products not only based on immediate functionality but also on broader ethical, environmental, and quality considerations. This holistic understanding, fostered through education, drives consumer behavior towards more responsible choices, reshaping market dynamics to prioritize products that embody ethical, sustainable, and high-quality attributes. Consequently, integrating consumer education initiatives into the discourse on product evaluation becomes imperative, fostering a society more attuned to the multifaceted impacts of consumption beyond mere transactional value.

At the end, if information given does not evolve in consumer knowledge, an inevitable gap would undermine the sustainability path.