

# Human Rights Abuses in Fast Fashion and Black Market Industries

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## Abstract

The Anti-Slavery Society of Newcastle, England, sounded a clarion call to American cotton growers in 1838. It was asserted that the surest path to ending slavery was “a wide-spreading and thoughtful conviction, that the unnecessary purchase of one iota of slave labor produce, involved the purchaser in the guilt of the Slaveholder.” However, these castigations largely fell on deaf ears. As such, the history of abolition dates back to the early eighteenth century. Obviously, consumer politics is viewed as a modern phenomenon, but this parochial thinking ignores the fact that consumer politics was the primary tactic of the free produce movement, which emerged on both sides of the Atlantic in the early nineteenth century. Quakers and free black abolitionists urged people to avoid purchasing slave-made goods. For historians assessing the effectiveness of abolition, historical efforts such as the Free Produce Movement are extremely important; it's similar to the adage "Those who cannot remember the past are condemned to repeat it," credited to the Spanish philosopher George Santayana. Reviewing a case study from Bangladesh, this paper will also examine the economic reasons for companies that exploit free workers and why contemporary slavery is often prevalent in underdeveloped nations. Political consumerism, a key concept for understanding modern-day slavery, will also be discussed and extensively analyzed in order to investigate the differences between boycott and buycott. This discussion will then be extended into an interpretation of which specific methods are most worthwhile and potent in actually reaching consumers and companies, taking historical facts into consideration and finally deducing a series of lessons from which industries might benefit.

## Introduction

Everyone has heard the term "fast fashion" at some point in their lives. It's one of those terms that

sounds familiar but has a muddled meaning. This is probably attributable to its relatively recent

origin. In the early 1990s, the New York Times coined the term 'fast fashion' to reflect Zara's objective of getting a garment from the design process to shop shelves within 15 days. Today, the phrase signifies the authoritarian and exploitative process of mass-producing low-cost catwalk trends. Not unexpectedly, Bangladesh, Vietnam, Indonesia, Turkey, and other poor Asian nations are the most favored sites for obtaining fast fashion apparel and accessories. Fast fashion is one of the most dehumanizing economic practices that physically and psychologically subjugates and abuses laborers, yet it is one of the most ignored and mainstream areas of human rights violations. Families living in dire economic circumstances are more likely to accept any job, regardless of pay or hours, as long as they can earn money. Therefore, multinational fashion corporations especially target developing countries. In addition, some families are willing to allow children as young as three to work in factories if it will result in financial gain. There are around 170 million children between the ages of five and seventeen who are employed (International Labor Organization). In order to survive, many individuals are compelled to labor under these conditions since they lack the means to refuse any work. Consequently, multinational fashion businesses establish their operations in countries with inadequate labor regulations and minimal government oversight. Obviously, working conditions are unsafe and dehumanizing. The global cycle of self-consumption of fast fashion is

perpetuated, thereby encouraging poorer or emerging economies to continue producing clothes at low prices (cheap labor). People fail to recognize that the quick fashion cycle actually has two pipelines. It does not end with the shipment and sale of finished goods to Western countries. Secondly, inside Western nations, damaged and unwanted clothing is donated to charitable groups, from which it is redistributed to developing countries - the second pipeline. In the end, not only do poor countries create clothing at the lowest possible cost, but they also receive an influx of donated garments, which is a much cheaper alternative to establishing a self-serving textile industry within the developing country.

### **Human Rights**

Human rights, as defined by the United Nations, are intrinsic rights that all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status, retain. Every person has the right to "life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more" (United Nations). There are certain obligations that specify what a government must do to fulfill its responsibility and defend human rights within the context of international and free trade in order to promote and preserve these rights as well as the fundamental freedoms of individuals. This list of responsibilities is also referred to as the

International Human Rights Law. The Charter of the United Nations and the Universal Declaration of Human Rights are under further review. These foundations of the body of law defining a broad range of internationally accepted rights have “expanded human rights law to encompass specific standards for women, children, persons with disabilities, minorities and other vulnerable groups, who now possess rights that protect them from discrimination that had long been common in many societies” (United Nations).

### Case Study in Bangladesh

To begin with, an examination of the link between cheap labor and the economy can provide background for this research. A case study of the growth of the ready-made garment (RMG) sector of Bangladesh sheds much-needed light. In Bangladesh, the RMG sector has been plagued by instances of workplace safety as well as labor unrest. Bangladesh is a developing country specializing in labor-intensive industries, specifically the RMG sector. For many years, this industry has been criticized for failing to provide adequate working conditions. To no one's surprise, the government and the Bangladesh Garment Manufacturers and Exporters Association (BGMEA) have used denial rhetoric to discredit human rights critics. Considering the RMG sector's role in facilitating the country's economic progress, the government's motivations are very simple to comprehend. Nonetheless, the government seeks to support low-labor-cost advantages while disregarding initiatives

from development partners and international agencies.

After nine arduous months of fighting for independence, Bangladesh entered the global market for the very first time in 1971, the year it gained its independence. Under the guidance of the World Bank and IMF, the country modified its government into a private sector-led export-oriented economy. The private sector experienced fast expansion, and the textile and garment sector enjoyed enormous gains from this privatization approach. In the 1980s, Bangladesh saw rapid trade liberalizations that transformed its agricultural economy into a market-driven economy. Its easy access to inexpensive labor, trade quota facilities, and cash incentives for export finally led to the growth of the country.

Year	Number of Garment Factories	Employment (in millions)	Percentage of garments exports to total exports
1984-85	384	0.12	12.44
1985-86	594	0.20	16.05
1986-87	629	0.28	27.74
1987-88	685	0.31	35.24
1988-89	725	0.32	36.47
1989-90	759	0.34	32.45
1990-91	834	0.40	50.47
1991-92	1163	0.58	59.31
1992-93	1537	0.80	60.64
1993-94	1839	0.83	61.40
1994-95	2182	1.20	64.17
1995-96	2353	1.29	65.61
1996-97	2503	1.30	67.93
1997-98	2726	1.50	73.28
1998-99	2963	1.50	75.67
1999-00	3200	1.60	75.61
2000-01	3480	1.80	75.14
2001-02	3618	1.80	76.57
2002-03	3760	2.00	75.01
2003-04	3957	2.00	74.79
2004-05	4107	2.00	74.15
2005-06	4220	2.20	75.06
2006-07	4490	2.40	75.64
2007-08	4743	2.80	75.83
2008-09	4925	3.50	79.33
2009-10	5063	3.60	77.12
2010-11	5150	3.60	78.15
2011-12	5400	4.00	78.55
2012-13	5876	4.00	79.61
2013-14	4222	4.00	81.13
2014-15	4296	4.00	81.68
2015-16	4328	4.00	82.01
2016-17	4482	4.00	81.23
2017-18	4560	4.00	83.49

Table: Yearly figures of the garments industry of Bangladesh in terms of numbers of garments factories, numbers of employees, and the percentage of exports to total exports since the trade quota facility.

## **The Free Produce Movement and Its Failure**

The free-produce movement can be dated back to the eighteenth century. Members of the Religious Society of Friends, also known as Quakers, held a belief in pacifism and the spiritual equality of all people. Obviously, the Quakers opposed slavery as well, and by 1790, they had eliminated slaveholding from their membership. Even more adamant radicals existed within the Quakers, accusing purchasers of slave-derived goods of sustaining the institution of slavery. Radical Quakers sponsored and pushed for the boycott of items created from slave labor. This was the first official attempt in history to abolish slavery; the concept of a nonviolent mechanism for battling slavery drew a great deal of interest. In the 1780s, the movement spread beyond Quaker circles owing to Quaker initiatives. In 1787, abolitionists from the United Kingdom established the Society for Effecting the Abolition of the Slave Trade. Despite persistent abolitionist efforts, parliamentary delay tactics blocked the passage of the Abolition Bill, culminating in boycott actions. In response to growing frustration among abolitionists, William Fox, a radical abolitionist pamphleteer, released a pamphlet advocating a collective boycott of sugar produced by slaves. Over a quarter million copies of this pamphlet were printed on both sides of the Atlantic, making it the most popular pamphlet of the century. In addition to consolidating and concentrating abolitionist efforts, this pamphlet also made the

argument for consumer complicity in slavery. "If we purchase the commodity, we participate in the crime. The slave dealer, the slaveholder, and the slave driver are virtual agents of the consumer, and may be considered as employed and hired by him to procure the commodity ... For every pound of sugar used we may be considered as consuming two ounces of human flesh." In the early 19th century, Americans joined British abolitionist efforts. The American abolitionist boycott campaign began in earnest in 1826 in Wilmington, Delaware, when abolitionist Quakers drafted a formal free-produce organization's charter. In the same year, Benjamin Lundy, a New Jersey-born American Quaker abolitionist, started a business in Baltimore, Maryland that sold exclusively goods produced by free people. It is also crucial to remember that most, if not all slaves were of African-American heritage, hence the 1830 formation of the "Colored Free Produce Society of Pennsylvania" by African-American males was rather expected. In 1831, African-American women eventually established the "Colored Female Free Produce Society of Pennsylvania." In 1838, only a few years later, a Free Produce store was established in Pennsylvania Hall. The very first meeting of the Required Labor Society was conducted in this particular room, where proponents of free produce from different states assembled. In spite of the fact that the Pennsylvania Hall had been destroyed by fire, another meeting was convened in Sandyford Hall four months later, which led to the establishment

of the American Free Produce Association. This included, but was not limited to, searching for non-slave alternatives to slaveholders' products, establishing slave-free distribution channels, and publishing pamphlets, tracts, and journals such as *Non-Slaveholder*.

However, something distinguished early nineteenth-century consumer activism from prior individual initiatives. The divergence can be attributed to the shift from producers or importers to their ability to concentrate their efforts on a much larger consumer base. Naturally, the activism highlighted the influence of peer pressure over personal choice. Frederick Douglass and Harriet Beecher Stowe, both prominent abolitionists, were among the earliest supporters, consumers, and investors in free labor enterprises, and they found the unique shift and new movement to be appealing.

The Free Produce Movement's widespread failure was not without reason. Produce grown without the use of slave labor was more expensive, difficult to locate, and subject to high tariffs blocking imports. Moreover, the quality of these items was significantly inferior. These issues were completely disregarded by abolitionists since they were so engrossed in their personal aspirations and ideas to abolish slavery. However, the majority of consumers valued price and quality over the ethical question of what type of labor was used to create the products. The movement did not account for the reality that consumers placed little

importance on the ethical issue itself. In addition, acknowledging the necessity of pragmatism in their mission and actually constructing industry were two different enterprises. Free produce stores existed for a brief period of time, not to mention that the vast majority of these establishments were economically unstable.

### **Boycott vs. Buycott: The Psychology of Political Consumerism**

To evaluate the feasibility of initiatives to eradicate slavery, it is crucial to study political consumerism. That is, it is imperative to understand the distinction between boycott and buycott. Either notion has both positive and negative consequences, and together they constitute a growing form of political behavior. First things first, a boycott is the deliberate refusal to consume something, whereas a buycott is the intentional purchasing of products.

Modern Americans are more than accustomed to labor-related boycotts. For abuse of employees, consumers have launched boycotts against large corporations such as Nike, H&M, Walmart, Driscoll's, etc. Activists for workers' rights have also supported the concept of buycotting. Buycotting, as its name suggests, is the deliberate purchase of goods to support and advocate for companies that pay workers fair salaries and provide more than adequate working conditions. Consumers may help sustain improved working

and living conditions for people in developing nations by investing in companies that offer decent wages. One of the most significant distinctions between the two concepts is that activist groups advocate boycotts because they favor protest strategies, whereas boycotters favor rewarding approaches. Boycotts are intended to target a particular company, whereas boycotts are typically multitarget. One may argue that boycotting is the more successful kind of consumerism because it not only targets plural businesses but also encourages other, less virtuous enterprises to support a more transparent and ethical system. The decision of modern consumers to boycott or boycott is impacted by factors beyond price, quality, and fashion trends. Rather, social values and political inclinations also influence customer decisions (Endres and Panagopoulos 2017). Additionally, consumers have demonstrated an increasing emphasis on corporate social responsibility (CSR). This politically and publically motivated consumption is now known as political consumerism.

	Boycott		Buycott		Both		Neither		Min.	Max.
	Mean	SD	Mean	SD	Mean	SD	Mean	SD		
Political consumer categorization	4.5%		16.0%		14.2%		65.3%		0	3
Categorization as a proportion of political consumers (N=7475)	13.0%		46.1%		40.9%					
<b>Social capital</b>										
Generalized trust	5.2	1.9	5.9	1.7	5.9	1.7	5.0	2.0	0	10
Trust in institutions	4.6	1.9	5.4	1.7	5.2	1.8	4.8	1.9	0	10
Associations	2.5	2.0	3.0	2.1	3.5	2.2	1.6	1.8	0	12
<b>Altruism</b>										
Competitive	3.5	1.0	3.4	1.0	3.4	1.0	3.6	1.0	1	6
Altruistic	4.8	0.7	4.9	0.6	5.0	0.6	4.8	0.7	1	6
<b>Socio-demographics</b>										
Women	0.4	0.5	0.5	0.5	0.6	0.5	0.5	0.5	0	1
Education level	3.3	1.5	3.6	1.4	3.8	1.4	2.8	1.4	0	6
Income	6.5	2.3	7.0	2.3	7.0	2.3	5.7	2.4	1	12
N= 21 535	976		3451		3048		14060			

Table 1.

	Model 1 (reference = boycott)			Model 2 (reference = neither)			Model 3 (reference = not boycott)		
	Boycott	Both	Neither	Boycott	Buycott	Both	Boycott	Buycott	Both
<b>Social Capital</b>									
Generalized trust	0.12** (0.02)	0.10** (0.02)	0.01 (0.02)	-0.01 (0.02)	0.11** (0.01)	0.09** (0.01)	0.04** (0.01)	0.04** (0.01)	-0.08** (0.01)
Trust in institutions	0.17** (0.02)	0.08** (0.02)	0.13** (0.02)	-0.13** (0.02)	0.04** (0.01)	-0.05** (0.01)	-0.05** (0.01)	-0.05** (0.01)	-0.22** (0.01)
Associations	0.06* (0.02)	0.15** (0.02)	-0.18** (0.02)	0.18** (0.02)	0.25** (0.01)	0.14** (0.01)	0.22** (0.01)	0.22** (0.01)	0.22** (0.01)
<b>Altruism</b>									
Competitive	-0.05 (0.04)	-0.09* (0.04)	0.13** (0.04)	-0.13** (0.04)	-0.16** (0.02)	-0.21** (0.02)	-0.15** (0.02)	-0.15** (0.02)	-0.15** (0.02)
Altruistic	0.17** (0.06)	0.36** (0.06)	-0.15* (0.05)	0.15* (0.05)	0.29** (0.03)	0.49** (0.04)	0.49** (0.04)	0.51** (0.03)	0.51** (0.03)
<b>Socio-demographics</b>									
Women	0.43** (0.08)	0.47** (0.08)	0.09 (0.07)	-0.09 (0.07)	0.34** (0.04)	0.38** (0.05)	0.16** (0.04)	0.16** (0.04)	0.16** (0.04)
Education level	0.06 (0.03)	0.15** (0.03)	-0.18** (0.03)	0.18** (0.03)	0.24** (0.02)	0.35** (0.02)	0.23** (0.01)	0.23** (0.01)	0.23** (0.01)
Income	0.02 (0.02)	0.01 (0.02)	-0.09* (0.02)	0.09* (0.02)	0.11** (0.01)	0.10** (0.01)	0.07** (0.01)	0.07** (0.01)	0.07** (0.01)
Constant	-1.66** (0.35)	-2.59** (0.34)	3.59** (0.29)	-3.59** (0.29)	-5.25** (0.19)	-6.18** (0.21)	-4.08** (0.17)	-4.08** (0.17)	-4.08** (0.17)
N	21 535		21 535		21 535		21 535		21 535
LR $\chi^2$	4661.91**		4661.91**		4661.91**		4661.91**		4661.91**
Pseudo R <sup>2</sup>	0.11		0.11		0.11		0.11		0.11

Table 2. Multinomial logistic regression of social capital, altruism, and socio-demographics on political consumerism

An analysis of 21,535 persons undertaken by the Department of Sociology at Ohio State University sheds more light on the distinction between boycott and buycott. Consistently, boycotting has been associated with feelings of mistrust, injustice, annoyance, and unhappiness, according to research. Moreover, those with higher levels of trust and association involvement are more likely to buycott than boycott. Buycotters are more trusting of people than boycotters (0.12,  $p < 0.001$ ). This can be explained in part by the fact that boycotts are more media-centric, and so visible evidence that others are boycotting gives the required drive to boycott. Buycotts, on the other hand, are less visible, thus one would have to be generally trusting of others in society to presume that enough individuals are equally publicly-motivated in their consumption for such activity to be effective; boycotters are less likely to have corrupt intentions than boycotters. Buycotting relies heavily on the idea of collective behavior based on trust, whereas an organized boycott effort is more literally a communal act. As a result, boycotters' motivations are frequently short-lived and changeable. One may wonder how individuals

become aware of boycott issues, given that media and direct involvement in a boycott organization are plausible sources of knowledge for boycotters, whereas there are no definitive sources of information for boycotters. The solution to this problem is social capital. Boycotters are more socially linked through different networks and social ties, and as a result, are exposed to a wider range of issues and perspectives. This exposure equips boycotters with sufficient capacity to coordinate boycott activities even in the absence of media coverage. Aside from social capital, those with higher altruism are more likely to boycott than boycott (0.17, p 0.01). Boycotters are also provably more self-directed, suggesting that their intentions underlay acts that are fundamentally more gratifying. Boycotting is perhaps more difficult than boycotting because it is simpler to not purchase something than to seek a specific product. However, this is not entirely standard. In fact, the satisfaction obtained from self-determination and a natural desire to contribute to the well-being of others keeps altruistic people (boycotters) engaged in the long run. It can also be argued that social norms have a greater and more determinant in influencing boycotters than the desire to harm undesirable businesses. In other words, their objectives and charity may not be sufficient to bring about genuine societal change. Boycotters may want evidence that their action will be repeated by others in order for their action to be worthwhile. Simply said, boycotters want a

constant sense of confidence in order to sustain the justification for their campaign.

In essence, boycotting is related to a greater amount of negative emotions, such as frustration, whereas boycotting is generally associated with a more selfless and voluntary attitude. Even so, the effectiveness of either concept is strongly correlated with these attitudes. Boycotting, which is primarily motivated by frustration, fails to present major or lasting effects. In other words, because boycotts are less controversial than boycotts, they are likely to have a more far-reaching impact.

### **Lessons for the Fast Fashion Industries and Consumer Organization of Today**

Taking everything into account, we can draw a few lessons and solutions that fast fashion sectors and consumer organizations can endorse in order to collectively move closer to the abolition of modern slavery.

The first point to remember is that boycotting is less controversial and potentially more effective than boycotting. Boycotts are "attempts by one or more groups to achieve specific goals by persuading individual consumers to desist from making selected purchases in the marketplace," whereas boycotts encourage "people to purchase items in accordance with an established set of criteria." Instead of forbidding consumer purchases, boycotts urge and encourage them. As

boycotting is not perceived as coercive or interfering with individual rights to make, sell, and purchase items, it is less controversial than traditional boycotts such as the entire Free Produce Movement. As previously noted in the paper, the Free Produce Movement met with failure since it neglected to consider what consumers are driven by when purchasing things. Boycotting would be more effective if all consumers prioritized the ethical issue at hand. Unfortunately, reality does not support such a claim. Boycotting not only offers a solution to a problem that previous efforts failed to recognize, but it also provides an incentive for companies to advocate for transparent policies and improve working conditions for workers in developing nations because doing so would only benefit them. Furthermore, boycotting has the potential to impede human rights. The American Federation of Labor, the male-dominated working class, was found illegal by the United States Supreme Court in 1908 because its boycott, the "We Don't Patronize" list, violated the Sherman Antitrust Act (1890) by interfering with interstate trade. The AFL then devised the union label, which, unlike a typical boycott, was a non-prohibitive tactic or boycott and was thus regarded as a "weapon" that could not be "touched by lawyers or the courts." The union label was a feasible tool for consumer mobilization that did not violate the Sherman Antitrust Act. At the time, a North American Review commentator observed, "The label builds up the fair employer's trade instead of tearing

down the unfair man's business, as did the boycott." The union label is constructive rather than destructive."

Another important lesson is that boycotts, like any other organized activity, must be managed and supervised by reliable groups. Boycotts can only be effective if consumers regard them as legitimate, which requires them to be certified and regulated by trustworthy organizations. This is the most important step because the AFL's failed attempts were all the result of their respective consumer strategies failing to remain valid and credible.

Consumer sovereignty is fundamental, because attempts to restrict consumer choice may limit the number of prospective participants or be labeled coercive if they obstruct so-called free trade. Furthermore, anti-consumer sentiments are unlikely to attract many mainstream supporters.

## References

- Aaronson, Susan Ariel, and Jean Pierre Chauffour. "The Wedding of Trade and Human Rights: Marriage of Convenience or Permanent Match?" [https://www.wto.org/english/res\\_e/publications\\_e/wtr11\\_forum\\_e/wtr11\\_15feb11\\_e.htm](https://www.wto.org/english/res_e/publications_e/wtr11_forum_e/wtr11_15feb11_e.htm). Accessed 2 May 2021.
- Asghar, Mohammad Sohail. "World Trade Organization and Human Rights." [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2796430](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2796430). Accessed 2 May 2021.



Bartels, Lorand. *Oxford Handbook on International Trade Law*. Oxford University Press, 2009.

Cassimatis, Anthony E., and Catherine E. Drummond. *International Trade and Human Rights*. Oxford University Press, 2014.

Dommen, Caroline. "Trade and Human Rights: Towards Coherence." <https://sur.conectas.org/en/trade-human-rights-towards-coherence/>. Accessed 2 May 2021.

Howse, Robert, and Makau Mutua. "Protecting Human Rights in a Global Economy: Challenges for the World Trade Organization." [https://www.iatp.org/sites/default/files/Protecting\\_Human\\_Rights\\_in\\_a\\_Global\\_Economy\\_Ch.htm](https://www.iatp.org/sites/default/files/Protecting_Human_Rights_in_a_Global_Economy_Ch.htm). Accessed 2 May 2021.

Ibrahim, Abadir M. "International Trade and Human Rights: An Unfinished Debate." <https://www.cambridge.org/core/journals/german-law-journal/article/international-trade-and-human-rights-an-unfinished-debate/F1D9CE6895B967EDE172DE7700FD952E>. Accessed 2 May 2021.

Krajewski, Markus. "Ensuring the Primacy of Human Rights in Trade and Investment Policies: Model clauses for a UN Treaty on transnational corporations, other businesses and human rights." [https://media.business-humanrights.org/media/documents/files/documents/CIDSE\\_Study\\_Primary\\_HR\\_Trade\\_Investment\\_Policies\\_March\\_2017.pdf](https://media.business-humanrights.org/media/documents/files/documents/CIDSE_Study_Primary_HR_Trade_Investment_Policies_March_2017.pdf). Accessed 2 May 2021.

Lang, A. T. F. "Rethinking Trade and Human Rights"

Lewis, Meredith Kolsky. "Human Rights Provisions in Free Trade Agreements: Do the Ends Justify the Means?" *Loyola University Chicago International Law Review*, vol. 12, no. 1, pp. 1-22.

Walker, Simon. *The Future of Human Rights Impact Assessments of Trade Agreements*. Sydney, Intersentia, 2009.

Zerk, Jennifer. *Human Rights Impact Assessment of Trade Agreements*. Chatham House, 2019.

Moulds, Josephine. "Child Labour in the Fashion Supply Chain." *The Guardian*, Guardian News and Media, [labs.theguardian.com/unicef-child-labour/](https://labs.theguardian.com/unicef-child-labour/).