Sustainability Paradoxes

Katrina Sark and Tanja Gotthardsen

Introduction

The current sustainability movement has been injected with unprecedented urgency partially due to climate disasters, but also thanks to the perseverance of many Indigenous activist groups and global protests, young activists like Greta Thunberg, and organisations like *Extinction Rebellion* (founded in the UK in 2018) and many others. Students, activists, designers and entrepreneurs of Generation Z (born between approximately mid-1990s and 2015) are responding to environmental degradation, colonial exploitation, systemic wage suppression and income inequality by rejecting neoliberal economics, which prioritise profit extraction over environmental and social justice. The United Nations (UN) introduced the seventeen Sustainable Development Goals (SDGs) in 2015, while the Intergovernmental Panel on Climate Change (IPCC), the UN body for assessing climate science that issues annual comprehensive Assessment Reports, pushed sustainability into the forefront of the global political discourse. As a result, a paradigm shift has begun to permeate not just in the fashion industry, which is known for being capitalism's favourite child (Wilson 2013; Hoskins 2014; Rocomora/Smelik 2016), but also fashion education and how we approach the study of fashion as a culture (Sark 2024).

Many Gen Z fashion designers and entrepreneurs have launched companies that are commonly referred to as "born sustainable" and actively position themselves against the practices of Fast Fashion that have devalued our clothing (Bick et. al. 2018: 2) – but as analysts of both culture and industry, the authors investigate what that actually means and to what extent is it even possible to be sustainable – environmentally, ethically, socially, economically and creatively. What challenges, contradictions, and paradoxes do these businesses and practitioners have to navigate, especially in an industry dominated by corporations that control market value and the supply chains? Is it possible to resolve paradoxes between sustainability and profit-driven capitalism or exploitative colonial practices in fashion? The authors initially analysed fashion and sustainability by using examples from the Danish fashion industry (Sark/Gotthardsen 2023), known as a leader in sustainability, but then expanded our research to include other fashion cultures. The authors

developed seven central paradoxes, yet this research is not exhaustive, and the authors invite further engagement with and investigations of these and other fashion paradoxes. Their research revealed that the transition towards sustainability, just as democracy and social justice, is an aspirational and continuous practice. They argue that paradoxicality must be acknowledged, and that rather than practicing greenwashing or green-hushing (refusal to disclose information and transparency) to avoid being shamed or criticised, we need to start from within these paradoxes to mitigate future paradoxicalities.

Theoretical Frameworks

In 1995, sociologist Niklas Luhmann, who analysed social systems and systems of scientific knowledge, explained that paradoxes become fashionable in periods of transition, like that of the introduction of the printing press or after the Protestant Reformation (Luhmann 1995: 47). At the end of the twentieth century, he observed that paradox has become fashionable again because of globalisation "with a plurality of cultural tradition[s]" (1995: 48). He stressed modernity's impossible task of having to resolve paradoxes in the future that often cannot be resolved in the present (1995: 51). For Luhmann, a "paradox does not prevent the operation of the system. On the contrary, it is the condition of their possibility because their *autopoiesis* [ability to renew itself] requires continuing actuality with *different* operations, actualizing *different* possibilities" (1995: 42, authors' emphasis). The question of what Luhmann called deparadoxication or dissolution of a paradox is essential for any system to continue operating, and it also relates to what David Harvey (2014) called contradictions and crises inherent in capitalist systems.

Building on Luhmann's temporal paradox, some fashion scholars have approached fashion paradoxes from social, economic and psychological perspectives or issues of representation (Esposito 2004, 2011; Von de Peer 2016). But Sandy Black (2011) was one of the first to connect fashion paradoxes with sustainability (for a more detailed literature review of fashion paradoxes see Sark 2021). In their 2020 BA thesis, entitled 'The Fast Fashion Paradox', conducted at Aarhus University, Nikolas Rønholt and Malthe Overgaard conducted a survey of the paradox of increased consumption of Fast Fashion among Gen Z consumers at a time when the climate crisis was pushing the sustainability discourse into the mainstream. They called for more government legislation and intervention because leaving the responsibility of changing the industry in the hands of the consumers or producers has proven inefficient. Similarly, in her chapter on fashion paradoxes inspired by Niklas Luhmann and Elena Esposito, Aurélie Von de Peer noted that, "every system produces its own blind spot, which ultimately leads to a paradox" (Von de Peer 2016: 206).

While paradoxes are not the same as contradictions, they are often used interchangeably when applied to modernity, capitalism, or the fashion system. David Harvey (2014) identified seventeen contradictions and provided a detailed critique of the crises inherent in capitalism, arguing that "crises are essential to the reproduction of capitalism" (Harvey 2014: ix). In its very adaptability to change, Harvey's contradictions and crises within capitalism can be connected to the temporal and social paradoxes that Luhmann observed in social systems and that Esposito identified in fashion. Harvey believed that these contradictions can be used creatively and become a source of innovation (2014: 3). However, the development of fossil fuel economies that escalated the current climate crisis proves that "contradictions have the nasty habit of not being resolved but merely moved around" (2014: 3–4). The main take-away from the theoretical discourse of paradoxes, contradiction and crises is that they have to be used as opportunities to generate new practices with more transparency and mindfulness. In this chapter, the authors use the language of paradoxes rather than contradictions because the work of identifying, deconstructing and working from within the paradoxes can bring about the necessary, and now urgent, change.

Sustainability Paradoxes in the Global Fashion System

The concept of sustainability (or *Nachhaltigkeit* in German) originated in Germany in 1713, but it was not until 1987, that the language of sustainable development was mobilised by the Norwegian Prime Minister Gro Harlem Brundtland to describe "development that meets the needs of the present generations without compromising the ability of the future generations to meet their own needs" (Brundtland 1987: 41). Current research treats sustainability as an absolute, emphasising systemic interrelation between our lifestyles and our ability to stay within planetary boundaries, signifying the sum of our practices, rather than one product or practice in isolation (Hauschild 2015: 5). The global fashion system has witnessed a long history of paradoxicality, as consumers in the Global North know that clothing is made by people primarily in the Global South under still colonial economic exploitation, often in extremely poor working conditions, at an unsustainable cost to the environment [see Hock and Kenel's as well as Ladiges's chapter in this volume]. As Tansy Hoskins noted in her critical study 'Stitched Up: The Anti-Capitalist Book of Fashion' (2014), "no clothing exists that has been made without the exploitation of human labour," and that "everything we wear is the direct result of detailed, repetitive, human toil" (Hoskins 2014: 69). One in six people now work in the global fashion industry worldwide (Thomas 2019: 6) – from textile farming to social media influencers. Yet, we live completely disconnected from the production processes, in our own social (media) bubbles and our own collective echo chambers [see McRobbie's chapter in this vol-

ume]. And as with other responses to crisis situations, attempts to normalise this reality include shame, guilt, and denial that manifest themselves through different coping strategies like greenwashing, green-hushing, slacktivism (supporting political causes on social media without real life activism), addiction, apathy or anxiety.

Rebecca Burgess, an educator who runs a textile fibershed in California, argued that our passive role as consumers is due to our disconnectedness from the impacts our clothes have on land, air, water, labour, and our own human health and that it is essential to create "opportunities to build new relationships that are rooted in sharing skills, physical labour, and creativity" (Burgess 2019: 4). Burgess illustrated how the role of technological advances within the clothing production industry are also paradoxical, as for example with the case of toxic chemical poisons like DDT (Dichlorodiphenyltrichloroethane), designed to kill insects and widely used on cotton until it was banned in 1972 because it generated a host of unintended consequences including human autoimmune diseases (ibid). The many thousands of synthetic toxins used in the fashion industry to "soften, process, and dye our clothing are linked to a range of human diseases, including chronic illnesses and cancer" (Burgess 2019: 17).

Simultaneously, so-called sustainable fashion is becoming the new coveted luxury commodity for the generations of informed young professionals. But the practices of conspicuous over-consumption have not only become the norm, but also the driving force behind global economies feeding and sustaining the Fast Fashion economies. Paradoxically, despite more transparency and information available about the toxicity of the whole industry, we still continue to desire more and more variations of the same products, with slight upgrades, in a perpetual accumulation of commodities, resulting in a throwaway culture that devalues fashion products from the moment of purchase (Birtwistle/Moore 2007: 214). Whenever we reach a closet overflow, we donate the used items to charities, or simply dispose of them in landfills. As Dana Thomas found in her research, worldwide we dispose of 2.1 billion tons of fashion (2019: 7), most of which is shipped to Africa, which destroys the local fashion and design industries that cannot compete with the oversaturation of cheap used clothing, and whenever the East African Community (EAC) attempts to end these unwanted importations, the EU and North American countries threaten with trade wars (2019: 8). The rest is disposed of in landfills, where it decomposes for centuries, often polluting the groundwater and soil, or is burned, polluting the atmosphere. We constantly want more and better stuff (that includes fashion, technology, entertainment, media, and other goods), and so, we live with this cognitive dissonance – ability to hold two contradictory ideas, concepts, or values simultaneously – not knowing how to reconcile the countless human rights abuses, exploitative labour conditions, environmental damage, use of pesticides, soil toxicity, water pollution, micro-plastic pollution and animal cruelty with our desire for novelty, status, recognition, or acceptance.

In 2019, the publication of 'This Is Not a Drill: An Extinction Rebellion Handbook' (2019) brought together global scientists, activists, Indigenous leaders, economists and organisers to present one of the first unified efforts to work as a global community for global change. In her foreword, Indian scholar and environmental activist Vandana Shiva provided a useful definition of economy and ecology both of which derived from the Greek *oikos* – our home, the Earth, arguing that ecocide and genocide are one indivisible process, and they began with the idea of colonization of the Earth and that "Extinction Rebellion begins with the liberation of our minds from colonizing categories" (2019: 6). The Handbook proved that the current issues of sustainability are no longer divisible from issues of ethics, decoloniality, inclusivity and global responsibility. Kate Raworth's chapter 'A New Economics' expanded on the idea of inherited economies that are degenerative, divisive and addicted to growth, and urged us to transform them into economies that are regenerative, distributive and able to thrive beyond growth, by shifting from degenerative to regenerative design and more equitable and re-designed economies (2019: 148). As Franz Alt pointed out in the introduction to the book he co-authored with the Dalai Lama, 'Our Only Home: A Climate Appeal to the World' (2020), "we forgot to ask economic growth for what and for whom?" (Alt 2020: 1). Both books represent calls to action from across the globe and across generations. The ubiquity of these publications continues to grow each year, and the urgency they generate can no longer be ignored.

Despite the urgency, we do not yet have the capacity to see all human beings, all of nature, all ecological environments and even our own histories and relationships as deeply interconnected, which is a conceptual prerequisite for intergenerational sustainability. Perpetually caught between guilt and fear, shame and inaction, we numb ourselves by consuming, binging, and purging stuff that we do not need. But fashion, as a daily necessity (through clothing) and a creative mode of expression (through symbols, identities, and styling) continues to fuel our imagination and desire, as well as our capacity for imagining a better, fairer, less ecologically damaging vision of our own fashion-ability. So, this is our current social paradox – innovation and creativity are delegated to the privileged or diluted by economic motivations. Creativity and imagination require incubation, support, nourishment and empowerment. They do not exist in a vacuum. They are collaborative, and just like sustainability, systemic in nature.

Paradoxes in the Danish Fashion Industry

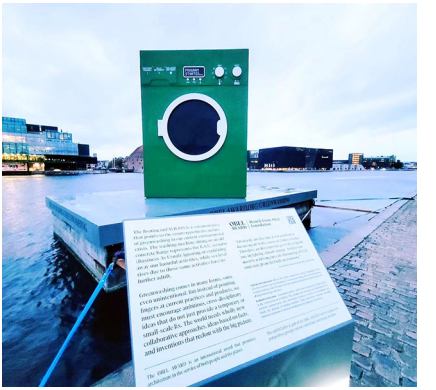
Fashion is Denmark's fourth largest export industry since the mid-1960s. From its beginnings in the post-war reconstruction years, the Danish fashion industry was split between Copenhagen and the textile production towns of Herning, Ikast and Brande in central Jutland, with Fast Fashion brands that produce higher revenues,

while Copenhagen became the centre of "mainly small-to-medium-sized design-driven fashion companies" and international media attention (Spandet-Møller 2011: 35). Since the financial crisis of 2008, the Danish fashion industry went through "a significant consolidation" (Spandet-Møller 2011: 24), resulting in three Danish conglomerate corporations (*Bestseller*, *DK-Company* and *BTX Group*, all located in central Jutland) that own most Danish Fast Fashion brands. Recently, some smaller independent brands began to actively work against the Fast Fashion business model, but it is the combination of them all that makes up Danish fashion today.

Both *Copenhagen Fashion Week* and *Global Fashion Agenda* (formerly *Copenhagen Fashion Summit*) received criticism for green-washing. The *Global Fashion Agenda* billed itself as the leading business event on sustainability in fashion, which led to the creation of the *Union of Concerned Researchers in Fashion* (UCRF) to highlight "the paradoxical or even misleading use of language in describing 'sustainable fashion' activity" (UCRF 2019), lack of collaborations with researchers, as well as a lack of representation of garment worker in meaningful ways. In October 2020, the *Clean Clothes Campaign* tried to call attention to the matter with their mock-brochure, entitled "CFS+: Redesigning value for garment workers" by altering the statements of the *Copenhagen Fashion Summit* into "At CFS+ we talk about prosperity for brands at the cost of garment workers" and "Global Fashion Agenda: Maximize Profits, Minimize Costs" (Clean Clothes Campaign 2020: 16). Unfortunately, public criticism has rarely been able to obtain mainstream prevalence because fashion media, especially in Denmark, is not critical of its industry.

In summer 2023, during the *World Congress of Architects* (UIA) and then *Copenhagen Fashion Week* (CPHFW), a floating art installation in the shape of an oversized green washing machine called *unPAVILION* was installed in Copenhagen harbour to draw attention to the greenwashing and business-as-usual practices across creative industries (Fig. 1+2). At the same time, the *Alternative Fashion Week* platform facilitated panel discussions with fashion, climate and consumption researchers who were not part of the official CPHFW programming. At a time when Oslo and Berlin were adopting the sustainability agenda designed by CPHFW to promote designers who adhered to their sustainability standards, local researchers, educators and experts began to distance themselves from what CPHFW deemed as sustainable fashion (TV2 Echo 2023). Moreover, CPHFW continued to work with a sponsor who was ruled against by the EU Commission on the greenwashing complaint since 2021, and giving out so-called sustainability awards sponsored by *Zalando*.

Fig. 1 and 2: unPAVILION, Green-Washing Machine, Copenhagen, August 2023, photos by K. Sark



Seven Fashion Paradoxes

To deconstruct the challenges of fashion sustainability, the authors developed a framework of analysis consisting of seven paradoxes that reveal persisting interconnections of fashion and colonial capitalism. Currently, most brands, consumers, producers and legislators still struggle to see the big picture of how fashion – not only as an industry and a social system, but also as an educational field and a culture – is mired in colonial exploitation and violence, environmental degradation, greenwashing and economic growth addiction that has from its very beginnings in industrialised production privileged profitability over human rights, dignity and well-being. The three pillars of social (ethical), environmental (ecological), and economic (fair) sustainability are still fragmented and undermined at best, and greenwashed or ethical-washed at worst. Through extensive research, academic and consultancy work, and in educating the next generation of fashion professionals about ethics, human rights, sustainability and decoloniality, the authors developed the following framework to help not only to see the bigger picture and map out the concrete challenges of the fashion industry, but also to begin taking more concrete actions.

1. Paradox of Cost

Ultra-Fast Fashion has created consumer expectations for extremely low prices and swift changes, possible through exploitation of workers in the Global South (and increasingly also in Europe), branded as the democratisation of fashion for its affordability for low-income consumers in the Global North. This fundamental injustice is

anti-democratic and exploitation-based, but ultimately sold to Western consumers (especially consumers with little prior knowledge of colonial history or economics) as progress. While most consumers state a demand for ethically made products, many continue to purchase Fast Fashion (Rønholt/Overgaard 2020: 3). This discrepancy in consumer behaviour is often referred to as "intention-behaviour gap" (Carrington et al. 2014: 2759). Consumers exhibit some willingness to pay more for products that are perceived to be less environmentally or socially burdensome, yet many fashion businesses struggle to establish pricing strategies that can foster economic stability (Pires et al. 2024: 109). Large Fast Fashion brands and department stores regularly promote sales of approximately 70 per cent, and smaller brands and retailers commonly cite competitive pressure as a barrier in embracing both a higher, more cost-indicative price point and rejecting sales altogether. Even brands that are publicly accepted as ambitious for their efforts may embrace sales as a necessary means to make ends meet. Adopting an exclusive direct to consumer approach may avert this issue. The paradox of cost ties itself to all the other paradoxes presented below, as it is based on profitability for producers and the ability to fuel conspicuous consumption in the Global North at the expense of workers and communities in the Global South as international corporations continue to evade legislation. Consumers need to continue educating themselves and hold brands accountable. But as Elizabeth Cline wrote, "it's unacceptable and arguably deeply unethical to ever tie human 'goodness' to what we buy" (Cline 2020: n.p.). We need collective efforts to call for corporate accountability, as well as legal reforms and regulations. In her article, Cline restores the consumer to political citizenship, proposing a shift from individual, privileged ethical consumerism to structural and more inclusive consumer activism, and, as shown in the next paradox, consumption alone will not resolve the challenges facing the industry.

2. Paradox of Overproduction

Sustainability is often mobilised as a vehicle for continued (over)production and (over)consumption because, even in welfare-state market economies like Denmark and Germany, scalability, profitability and global market reach continue to define what constitutes good business practices. The fashion industry must reduce its resource use, with forecasts suggesting reductions of as much as 75 or 95 per cent (Fletcher/Tham 2019: 14), yet reductions are still mere PR talking points of CSR and sustainability managers hired to reiterate them after every environmental or labour scandal. While many smaller brands have accepted the paradox as a transitional reality, using continued production to create safer workplaces, increasing wages, and reinstating longevity within design, most established brands and corporations have continuously diverted attention from their unsustainable business models, by highlighting material innovation, capsule collections, and promises of unobtainable cir-

cularity as a means for increased production and consumption. While more sustainable materials and material circularity may sound promising, they are in no way a solution on their own and are often mired by bad data, but must be accompanied by strategies for de-growth, as proven by a recent cross-disciplinary study, stating that "long-term stability of the fashion industry relies on the total abandonment of the Fast-Fashion model, linked to a decline in overproduction and overconsumption, and a corresponding decrease in material throughput" (Niinimäki et al. 2020: 198). Transitioning to business models based on made to order, made to measure and seasonless designs helps slowing down fashion, but does not really address real de-growth of the fashion industry.

3. Paradox of Coloniality

The fashion industry is held together by an economic hegemony that leaves manufacturers in the Global South unable to hold brands in the Global North accountable for their unethical, exploitative, or illegal actions. The mechanisms behind this colonial-capitalist system pertain to an oversaturated manufacturer's market, lack of secure funding, unequal risk division, lack of legal power and effective legislation and unsustainable buying practices (Transformers Foundation 2020). Even social certifications rarely offer manufacturers protection, as they mostly regulate conduct of the manufacturer and their products, rather than the conduct of brands and businesses. This colonial imbalance was exposed during COVID-19, with innumerable fashion brands attempting to salvage profitability by cancelling payments for already manufactured orders, by delaying payments, and demanding discounts on existing and coming orders. In November 2020, the twenty most profitable brands increased their market value by 11 per cent, while manufacturers have been pressured into average discounts of 12 per cent, and garment worker wages have decreased by 21 per cent (Worker Rights Consortium 2020b). Had it not been for activist groups such as *REmake*, who succeeded in unlocking $22 billion in cancelled orders for suppliers around the globe, these exploitative practices would have escalated and continued unchecked. But decoloniality offers us a valuable lens to understand the roots and persistence of existing power imbalances.

The Danish Fast Fashion conglomerate *Bestseller* put forward their Fashion FWD strategy in late 2018, pledging to bring "fashion FWD until we are climate positive, fair for all, and circular by design" (Bestseller 2018). Yet, in March 2020, *Bestseller* was reported to be cancelling already manufactured orders around $59 million in Bangladesh alone, leaving their suppliers unable to pay their workers during a global pandemic. In May 2020, the *Worker Rights Consortium*, the independent labour rights monitoring organisation that had initially discovered that *Bestseller* was cancelling orders, reported that Bestseller is imposing retroactive price reductions, which means large financial losses for the affected supplier that the suppliers are

pressured into (Worker Rights Consortium 2020a). The paradox of coloniality allows brands in the Global North to speak of fairness for all while simultaneously placing suppliers and workers in the Global South in precarious conditions. It reveals the colonial injustice that the privileges and profits sustained in the Global North can continue to be extracted at the expense of the people and resources in the Global South [see Lawson Jaramillo's as well as Marina et al.'s chapter in this volume].

4. Paradox of Education

Fashion education is still grounded in colonial frameworks of privileged capital extraction of human and natural resources from the Global South to benefit no-longer sustainable lifestyles in the Global North. In their paradigm-shifting book, 'Fashion History: A Global View' (2018), Linda Welters and Abby Lillethun quoted the anthropologist Eric R. Wolf, who wrote that "we have been taught, inside the classroom and outside of it, that there exists an entity called the West, and that one can think of this West as a society and civilisation independent of and in opposition to other societies and civilizations" (Welters/Lillethun 2018: 1). This myth of Eurocentric and white-supremacist exceptionalism has been perpetuated in fashion education long after postcolonial theory has reformed many other educational disciplines. Many fashion theoreticians (Simmel, Lipovetsky, etc.) claimed that the history of fashion starts in Paris, completely ignoring or denying other fashion cultures. Niessen, Welters, Lillethun and other scholars have made decoloniality a priority in fashion studies. Two problems have prevented such understanding to date: first, the repeated claim that fashion did not exist before the late medieval period, and second, the assumption that it does not exist outside the West. As a result, designers and other fashion professionals have not been trained to change the exploitative and repressive systems and industries, but rather to join the creative classes of white-collar professionals maximising profits for their local economies and personal gain [see McRobbie's chapter in this volume].

Decoloniality and ethics are still largely absent from the educational fashion curricula, and when sustainability is taught, it is often with a reductive and insulated focus on environmental sustainability in the Global North. The bigger picture of how everything is interconnected – not just the three pillars of social, economic and environmental sustainability – but also a larger sense of responsibility, is not part of current education systems. Designers and other fashion professionals are not taught to criticise the colonial history of resource-extraction-based fashion systems, theories that have upheld these colonial practices and histories, and the colonial discrimination and violence that underpin all layers of fashion production. Thus, fashion education is a paradox – precisely in its creative potential to empower new generations to produce change, but continuously failing to do so. Efforts to counterbalance this unethical oversight in fashion education are spearheaded by collective volunteer

organisations like the *Research Collective for Decoloniality and Fashion* (RCDF), *Fashion Act Now* (FAN), the *Union of Concerned Researchers in Fashion* (UCRF), and the *Canadian Fashion Scholars Network* that make educational and research resources available for wider audiences beyond academic structures. But researchers also need the institutional support to do more rigorous investigative research, analysis, and knowledge mobilisation to make their decolonial work more accessible for wider audiences, and to create more spaces and funding for multi-generational and cross-talented think-tanks and labs.

5. Paradox of Representation

Representation matters because it mirrors back our values as a society, reflected, for example, in the #BlackLivesMatter protests, #MeToo testimonials and political campaigns such as the #DeGenderFashion movement started by Alok Vaid-Menon to break the gender binaries of how clothing is coded as masculine or feminine. Luxury fashion brands, as well as select Fast Fashion brands, have long avoided size inclusivity to maintain a sense of exclusivity, with Karl Lagerfeld arguing that "no one wants to see curvy women on the runway" (Vogue Britain 2013), while *H&M* has used computer generated bodies to model lingerie and swimwear, thus moving beyond mere retouching and augmented reality (Hoskins 2014: 111). Even brands perceived as ambitious about sustainability appear to have inherited the lack of size inclusivity, with sizes rarely going beyond size EU46 (Extra Large and XXL), but mostly stopping at size EU42 (Large). Moreover, racial inclusivity, non-binary identification, trans-inclusivity and ability have to be reflected not just in the wearers of fashion, but also in creative and managerial positions. In most fashion sectors, progress is scarce and the risk of tokenism persists (Business of Fashion & McKinsey 2020: 66–68). Social responsibility and inclusivity, design outside the gender binary and ableism have barely begun to be addressed, while design for privileged bodies and maintaining directorial hegemonies continues to be business as usual. The paradox of representation is directly linked with education, coloniality and over-production, as some diversity activists use the argument of a wider market-reach to convince many brands to go beyond size exclusivity or tokenism in their visual communication. This is where the paradoxes can be seen to entangle and collide, making social, economic and environmental sustainability diametrically opposed and simultaneously unattainable.

6. Paradox of Manipulated Desires

The process of identity formation has long been intercepted by brands that profit from consumers' low self-esteem and the human need for both uniqueness and belonging. While the blame for fashion's changeability has often been placed on

consumers by brands that claim to be fulfilling consumer demands, studies in behavioural psychology have shown that brands create these needs by fuelling addictions (Mair 2018). Strategists and forecasters are hired by big corporations to identify and amplify new trends, leading to the collection frequencies and the stress of keeping up. One in seven young women are socialised to be afraid to be seen in the same outfit twice on social media and considers it a fashion *faux pas* (Business of Fashion & McKinsey 2019: 39), and a transnational survey found that for 65 per cent of shoppers the newness of a purchase or shopping buzz passes within less than 24 hours (Greenpeace 2017: 9). McNeill and Moore found that "given the importance of identity construction to many consumers, drivers to be fashionable often outweigh drivers to be ethical or sustainable" (2015: 212). The paradox of desiring individuality, sustainability and self-empowerment while simultaneously not being in control of our own desires and consumption choices only begins to uncover the complex layers of psychological manipulation and damage that the fashion and beauty industries have been generating for generations. Regulation, education and media literacy are key, especially for consumers exposed to extensive media manipulation across different platforms.

7. Paradox of Legislation

In the 1930s, the US government implemented the New Deal measures in response to the Great Depression, forcing manufacturers to adhere to strict national labour laws (Thomas 2019: 4), which were gradually dismantled during the Raegan/Thatcher years in the 1980s, giving corporations unprecedented power to avoid national and international legal repercussions for human rights abuses, union busting, and environmental ecocide. Fashion law and compliance guidelines have usually covered topics such as licencing (a sale of a licence authorising external use of intellectual property), copyright (authorship of original work), or trademarks (names, symbols, or design used to identify and label products) (Clark-Esposito 2018). The Universal Declaration of Human Rights is ratified by nations and upheld by the UN, but when it comes to international corporations, enforcement has proven insufficient, given that instead of binding, mandatory legislation, companies have widely been subjected to guidelines and voluntary due diligence, under the UN Guiding Principles on Business and Human Rights or the OECD Guidelines for Multinational Enterprises. The UN Guiding Principles on Business and Human Rights define due diligence as "the process through which enterprises can identify, prevent, mitigate and account for how they address their actual and potential adverse impacts in their sourcing practices" (United Nations 2011), but penalties for malpractice have been limited to expressions of soft power, such as mediation, rather than sizeable fines and sanctions. The fashion industry has historically avoided accountability, as most corporations or brands do not own the factories and supply chains producing their

goods (Hoskins 2014: 78), and hence, blame has been placed with factory owners and their subcontractors.

After an increase in national calls for mandatory due diligence to combat opaque supply chains, the EU finally adopted its Corporate Sustainability Due Diligence Directive (CSDDD) in 2024. After intense negotiations, almost resulting in the proposal's demise, the scope of the CSDDD was watered down and its effectiveness remains to be seen. The EU proposed its Textile Strategy in 2022, with 16 regulations covering fashion and textiles, but again, its effectiveness will depend on its ability to balance industry interests with the reduction of environmental and social pressures. Meanwhile, individual countries such as Norway and France continue to pilot tools to underpin legislation, such as the Norwegian proposal for Targeted Producer Responsibility and the French Ecobalyse and its efforts to target and regulate Ultra-Fast Fashion.

Conclusion

These paradoxes not only alert us to the power dynamics governing global fashion systems, but also to the layers of ambiguity inherent in the current sustainability discourse. Luhmann believed that a system can continue to operate by dissolving and working through the paradoxes, even when generating other paradoxes in the process, but perhaps the systems that have been set up since industrialisation for clothing production and fashion were never meant to contain and reconcile so many paradoxes all at once. Even brands celebrated for pioneering sustainability struggle with the reality of cost, labour equity, inclusivity, environmental justice, colonial history and cultural sustainability [see Boța-Moisin and Winkler's chapter in this volume]. Until we have established the boundaries for a safe and just operating space for fashion production and consumption, and until a functional definition of sustainability pertaining to fashion is developed, we will keep projecting the deparadoxification of sustainable fashion into the future. What we currently have is a balancing act, a negotiation of the lesser of all evils in making sustainability work. This research also revealed that perhaps the biggest paradox is that there is an entire global fashion industry transitioning towards sustainability without a functional definition and shared understanding of what that entails. There are more than 70 different definitions of sustainability, but what would it actually look like to create, design and build things that respect the needs of future generations, promote intra-generational justice and regenerate what has been exploited within planetary boundaries?

It is useful to conclude on a note about moments of crisis and the opportunities they provide if we chose to learn from history. When clothing rationing was introduced due to fabric shortages in Europe and North America in 1941–42, the restrictions forced designers and consumers to think creatively and inventively about their

wardrobes, as well as recycling and repurposing of old clothing and textiles (Worsley 2011: 98). In many ways, this represents a time in recent modern history when resource management was prioritised. This time of enforced creativity and sustainability, which continued with parallel economies of vintage boutiques and second-hand shops and millennial DIY culture made accessible directly to the consumer online (Worsley 2011: 101). Historically, government interventions at this scale only happened in times of war, but in our current global climate crisis, it is important to remember that every step we take from now on to work through the paradoxes in the direction of creativity can have lasting effects for generations.

References

Bestseller (2018): Bringing Sustainable Fashion Forward. https://about.bestseller.com/sustainability/sustainability-in-bestseller [Accessed 25 June 2021].

Bick, Rachel/Halsey, Erika/Christine C. Ekenga (2018): The Global Environmental Injustice of Fast Fashion. In: Environmental Health: A Global Access Science Source, 17(1), 92.

Birtwistle, Grete/Moore, Christopher M. (2007): Fashion Clothing – Where Does It All End Up? In: International Journal of Retail & Distribution Management. 35(3), pp. 210–216.

Black, Sandy (2011): Eco-Chic: The Fashion Paradox. London. Black Dog Publishing.

Brundtland, Gro Harlem (1987): Our Common Future: Report of the World Commission on Environment and Development. Geneva, UN-Dokument A/42/427. http://www.un-documents [Accessed 25 June 2021].

Burgess, Rebecca/White, Courtney (2019): Fibershed: Growing a Movement of Farmers, Fashion Activists, and Makers for a New Textile Economy. London: Chelsea Green Publishing Company.

Business of Fashion & McKinsey (2020): The State of Fashion 2020. Ebook. https://www.mckinsey.com/~/media/mckinsey/industries/retail/our%20insights/the%20state%20of%20fashion%202020%20navigating%20uncertainty/the-state-of-fashion-2020-final.pdf. [Accessed 25 June 2021].

Carrington, Michael J./Neville, Benjamin A./Whitwell, Gregory J. (2014): Lost in Translation: Exploring the Ethical Consumer Intention–Behavior Gap. In: Journal of Business Research. 67(1), pp. 2759–2767.

Clark-Esposito, Deanna (2018): A Practical Guide to Fashion Law and Compliance. New York: Fairchild Books.

Clean Clothes Campaign. www.cleanclothes.org [Accessed 25 June 2021].

Clean Clothes Campaign. (2020): CFS+ Redesigning Value for Garment Workers. https://cleanclothes.org/campaigns/pay-your-workers/take-action-cfs [Accessed 25 June 2021].

Cline, Elizabeth L. (2020): The Twilight of the Ethical Consumer. Atmos. 10.19.2020. https://atmos.earth/ethical-consumerism/ [Accessed 25 June 2021].

Corporate Justice (2021): Off the Hook. https://corporatejustice.org/wp-content/uploads/2021/06/Off_the_hook_report_Final_CEO_ECCJ_FOEE.pdf [Accessed 25 June 2021].

Dalai Lama/Alt, Franz (2020): Our Only Home: A Climate Appeal to the World. Hanover Square Press.

Esposito, Elena. (2004): Die Verbindlichkeit des Vorübergehenden: Paradoxien der Mode. Frankfurt am Main: Suhrkamp.

European Commission (2020): Initiative on Substantiating Green Claims. https://ec.europa.eu/environment/eussd/smgp/initiative_on_green_claims.htm [Accessed 25 June 2021].

Extinction Rebellion (2019): This Is Not a Drill: An Extinction Rebellion Handbook. London: Penguin.

Fashion Revolution. www.fashionrevolution.org [Accessed 25 June 2021].

Fletcher, Kate/Tham, Mathilda (2019): Earth Logic: Fashion Action Research Plan. The JJ Charitable Trust [ebook].

Greenpeace Germany. "After the Binge, the Hangover: Insights into the Minds of Consumers." Carolin Wahnbaeck, Lu Yen Roloff. https://www.greenpeace.de/publikationen/2017-05-08-greenpeace-konsum-umfrage-mode.pdf [Accessed 25 June 2021].

Harvey, David (2014): Seventeen Contradictions and the End of Capitalism. London: Profile Books.

Hauschild, Michael (2015): Better – But is it Good Enough? On the Need to Consider Both Eco-efficiency and Eco-effectiveness to Gauge Industrial Sustainability. Procedia CIRP. 29. 1–7.

Hoskins, Tansy (2014): Stitched Up: The Anti-Capitalist Book of Fashion. Halifax: Fernwood Publishing.

IPCC, The Intergovernmental Panel on Climate Change. https://www.ipcc.ch/ [Accessed 25 June 2021].

Klug, André Kaare (2020): En værdiansættelse af et famlieejet selskab. HD/BA Thesis, Copenhagen Business School. https://research-api.cbs.dk/ws/portalfiles/portal/62169723/830595_Bestseller_En_vardiansattelse_af_et_familieejet_selskab.pdf [Accessed 25 June 2021].

Luhmann, Niklas (1995): The Paradoxy of Observing Systems. Cultural Critique. Autumn, No. 31, The Politics of Systems and Environments, Part II. 37–55.

Mair, Carolyn (2018): The Psychology of Fashion. London: Routledge.

McNeill, Lisa/Moore, Rebecca (2015): Sustainable fashion consumption and the fast fashion conundrum: fashionable consumers and attitudes to sustainability in clothing choice. In: International Journal of Consumer Studies. 39(3), pp. 212–222.

Morgan, Louise R./Birtwistle, Grete (2009): An investigation of young fashion consumers' disposal habits. In: International Journal of Consumer Studies. 33(2), pp. 190–198.

Niessen, Sandra (2020): Regenerative Fashion: There Can Be No Other. State of Fashion. https://www.stateoffashion.org/en/past-editions/intervention/longreads/long-read-titel/?fbclid=IwAR2pErEanJ7gKLBqqypqP7RD4Ge2VnWzNsjTio8p8yRICC1OEBJdDDKUlno [Accessed 25 June 2021].

Niinimäki, Kirsi/Peters, Greg/Dahlbo, Helena/Perry, Patsy/Rissanen, Timo/Gwilt, Alison. (2020): The Environmental Price of Fast Fashion. In: Nature Reviews Earth & Environment 1, pp. 189–200.

Nguyen, Terry. (2020): Fast fashion, explained. Vox. Feb 3, 2020. https://www.vox.com/the-goods/2020/2/3/21080364/fast-fashion-h-and-m-zara [Accessed 25 June 2021].

Pires, Paulo/Morais, Cláudia/Delgado, Catarina/Santos, José (2024): Purchase Intention of Sustainable Fashion: The Relationship with Price. 10.4018/979-8-3693-3049-4.ch006.

REmake. https://remake.world [Accessed 25 June 2021].

Research Collective for Decoloniality and Fashion. https://rcdfashion.wordpress.com [Accessed 25 June 2021].

Rocomora, Agnes/Smelik, Anneke (eds.) (2016): Thinking Through Fashion: A Guide to Key Theorists. London: I.B. Tauris.

Rønholt, Nicholas/Overgaard, Malthe (2020): An Exploratory Study: The Fast Fashion Paradox. BA Thesis. Aarhus University. https://www.researchgate.net/publication/342049195_An_Exploratory_Study_The_Fast_Fashion_Paradox [Accessed 25 June 2021].

Sark, Katrina (2021): The Fashion Paradox. In: Sark K. (ed.) Ethical Fashion and Empowerment, Special Issue of Clothing Cultures 7(1), pp. 3–22, https://doi.org/10.1386/cc_00024_2.

Sark, Katrina/Gotthardsen, Tanja (2023): "Bæredygtighedsparadokser i modesystemer." Grønne designkulturanalyser: Perspektiver på bæredygtighed. Odense: SDU University Press, pp. 157–174.

Sark, Katrina (2024): Locational Fashion Cultures. In Fashion Theory 28(3), pp. 1–24, https://doi.org/10.1080/1362704X.2024.2338578.

Slow Factory. https://slowfactory.foundation [Accessed 25 June 2021].

Spandet-Møller, Henrik (2011): Danish Fashion Going Global. Hellerup: Henrik Spandet-Møller / HSMH Holding ApS.

The OR Foundation. https://theor.org [Accessed 25 June 2021].

Thomas, Dana (2019): Fashionopolis: The Price of Fast Fashion and the Future of Clothes. London: Penguin.

Transformers Foundation (2020): Brand and Retailer Behavior: The Denim Supply Chain Speaks Up. https://static1.squarespace.com/static/5efdeb17

898fb81c1491fb04/t/5f96f334c4620651d9bb29c9/1603728222304/Transformers+Foundation_Ethical-Report_LowRes.pdf [Accessed 25 June 2021].

TV2 Echo (2023): Eksperter kritiserer modeugen – tyder på greenwashing, siger organisation.

https://echo.tv2.dk/2023-08-09-eksperter-kritiserer-modeugen-tyder-paa-greenwashing-siger-organisation [Accessed 3 October 2024].

United Nations. Responsible Consumption and Production: Why It Matters. https://www.un.org/sustainabledevelopment/wp-content/uploads/2016/08/12.pdf [Accessed 25 June 2021].

Union of Concerned Researchers in Fashion. https://concernedresearchers.org [Accessed 25 June 2021].

Un-Pavilion in Copenhagen. OBEL AWARD, (2023): https://obelaward.org/initiatives/unpavilion/ [Accessed 25 June 2024].

Vogue Britain (2013): Karl Lagerfeld Sued for 'Fat' Comments. https://www.vogue.co.uk/article/karl-lagerfeld-fat-comments-legal-action-france [Accessed 25 June 2021].

Von de Peer, Aurélie (2016): Niklas Luhmann – Fashion between the Fashionable and Old-fashioned. Rocomora, Agnes and Anneke Smelik. Thinking Through Fashion: A Guide to Key Theorists. London: I.B. Tauris. 200–214.

Welters, Linda/Lillethun, Abby (2018): Fashion History: A Global View. New York: Bloomsbury.

Wilson, Elizabeth (2013[1985]): Adorned in Dreams: Fashion and Modernity. London: I.B. Tauris.

Worker Rights Consortium (2020a): Updates and Analysis – Bestseller. Brand Tracker. https://www.workersrights.org/updates-and-analysis/#May05Bestseller [Accessed 25 June 2021].

Worker Rights Consortium (2020b): Hunger in the Apparel Supply Chain. https://www.workersrights.org/wp-content/uploads/2020/11/Hunger-in-the-Apparel-Supply-Chain.pdf [Accessed 25 June 2021].

Worsley, Harriet (2011): 100 Ideas That Changed Fashion. London: Laurence King Publishing.