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Zemiology in the Age of Surveillance Capitalism: toward an understanding of the Ultra-Fast Fashion industry

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Abstract

This paper addresses the need for zemiology to modernise through the recognition of deeper levels of harm being inflicted through surveillance capitalism (Zuboff, 2019). Emphasising a needs-based approach to zemiology (Pemberton, 2016) highlights the existential threat being faced through the utilisation of surveillance mechanisms and the normalization of their presence in our lives. The right to our identities and our autonomy must be defended – and for this to be possible, studies of power and harm must develop. This draws upon a case study of ultra-fast fashion to provide an anchor point through which new harms can be explored, bringing criminological awareness to an exceptionally harmful industry at the forefront of globalisation. Through this, the preliminary theoretical findings from a doctoral study interrogating the intersection between technological development and harm production are shared, culminating in an invitation to a unique theoretical orientation and emerging field of study: Digital Zemiology.

Key Words: digital zemiology, zemiology, fast fashion, surveillance capitalism, digital society

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Introduction

This article presents the initial theoretical findings from an ongoing doctoral study investigating the impacts of surveillance capitalism (Zuboff, 2015; 2019) on consumer identity and autonomy in the digital age through a case study of the ultra-fast fashion industry. By interrogating the intersection between developments in digital technology and harm production, this article aims to acknowledge the proliferation of normalized corporate surveillance through a new system of capitalism (Zuboff, 2015; 2019) and to outline opportunities for theoretical development presented by the digital context, drawing upon works within zemiology (Pemberton, 2016) and surveillance studies (Brusseau, 2019; 2020) to present an invitation to both a unique theoretical orientation and an emerging field of study. This article will provide a succinct introduction to the issue of fast fashion, the harms of the industry, and the development of ultra-fast fashion; this is followed by an introduction to surveillance capitalism and the implications of this for studies of crimes of the powerful (Tombs and Whyte, 2020) and zemiology (Pemberton, 2016; Tifft and Sullivan, 2001). The intersection between clothing consumption and identity construction is interrogated, with the implications for studies of relational and autonomy harms (Pemberton, 2016) explored. This article concludes with an invitation to the discipline to embrace an interdisciplinary approach in addressing the deepening harms of technologization.

The Harms of Fast Fashion and the Rise of Ultra-Fast Fashion in the Digital Context

Characterised by quick response times, high product turnover, and ever lowering production costs (Sull and Turconi, 2008), the fast fashion business model rapidly rose to dominate the clothing industry following the turn of the millennium, becoming ubiquitous on our high streets and in our wardrobes. Embodied by household-name brands such as Primark, H&M, and Zara, the fast fashion corporations of the high street battle to maintain the lowest prices to entice consumers into a cycle of constant consumption, with the every-shortening trend cycle deviating from the traditional two-season structure of the fashion industry and allowing for accelerated product turnover. This has proven to be a hugely financially successful business model, as the industry has expanded to international markets and now comprises of fashion conglomerates, with numerous smaller brands operating under more recognisable names. However, mass production on this scale has not come without cost; as the industry has grown, so too have the harms of cheap clothing.

The harms of the industry are widespread and well-documented, having been the subject of countless industry exposés and mass protests in recent years. As highlighted through green

criminological enquiry, environmental harms constitute a major threat to human survival yet are often ignored by mainstream justice systems (Lynch and Stretsky, 2014) – a regard in which the fast fashion industry is an avid contributor. Clothing manufacturing can be seen to contribute to global pollution more than aviation, naval travel, and all other transportation methods combined (Stallard, 2022), being responsible for one fifth of industrial water pollution and 8% of global carbon emissions (UN Environment, 2019). However, the environmental impacts of the industry are not confined to the supply chain but span the entire lifecycle of each garment. The land and water usage required to produce enough raw materials to mass manufacture clothing at this scale is astronomical, with the industry being responsible for 20% of all pesticide use (McKinsey, 2020) in meeting manufacturer demands. Such pesticide use has run-off effects, polluting water sources and inflicting irreversible damage to land resources and wildlife. The environmental harms of the industry continue post-consumer, with 3 out of 5 garments being disposed of in landfill within a year of their purchase (Remy, Speelman and Swartz, 2016), with these landfill sites being housed in the very same countries as manufacturing thus rerouting further environmental harms back to the populations suffering from the industry the most (Bick, Halsey, and Ekenga, 2018). Not only does this allow for the obfuscation of the harms of the industry to consumers in the Global North but is indicative of the vast asymmetries of power between manufacturing states and the Northern corporations. The heavy use of cheap synthetic fabrics within the industry further contributes to water pollution, as with each wash of a garment micro-plastic particles are released into water systems (European Environment Agency, 2022).

Further to this, human rights abuses within the industry are a commonplace recurrence. Instances such as the 2012 collapse of the garment factory Rana Plaza in Bangladesh, an incident in which 1,134 people lost their lives and over 2,500 more were injured (Clean Clothes Campaign, no date), have prompted calls for industry accountability. However, whilst case studies like this are important in recognising the harms of the industry, the prevailing emphasis on such deadly incidents runs the danger of presenting them as isolated and 'exceptional' tragedies. This distracts from the everyday, ongoing ways in which risks to health mark the routine workings of the 'global sweatshop regime' (Mezzadri, 2017). Audits have found workplace codes of conduct commonly flaunted, with workers forced to exceed legal limits on working hours, often being paid grossly below legal minimum wage, and child labour still used despite being banned. The lack of health and safety measures means that workers are routinely exposed to fumes and chemicals, with leather tannery workers having a 20-50% greater risk of cancer due to working with the toxic chemicals without protective equipment (The True Cost, 2015). High levels of depression, anxiety, and exhaustion are routinely

reported among garment workers (Lynch and Strauss, 2007; Ashraf and Prentice, 2019), whilst the lack of a living wage negatively impacts the health of the workers as the cost of maintaining health is greater than wages earned (McMullen, 2013).

In the interest of preventing further similar incidents, the focus since the collapse of Rana Plaza has been on improving the physical infrastructure of garment manufacturing. The most intensive efforts have taken place in Bangladesh, where a range of new safety initiatives - including the Accord on Fire and Building Safety (Reinecke and Donaghey, 2015a; 2015b) – have sought to enforce safer working conditions. The Accord is a legally binding agreement between the international corporations sourcing from Bangladesh and national trade unions, this attempts to strengthen labour standards by holding international corporations accountable for the safety of the factories from which they source. The Accord has been widely criticised, both nationally in Bangladesh and internationally by advocacy groups, for focusing only on the Bangladeshi industry, for creating a semi-private system that undermines the state's responsibility to audit factories and protect workers, for failing to account for the vast number of informal garment units, and for further strengthening corporate power by proportioning more control to corporate entities over their business practices (Anner and Bair, 2016; Scheper, 2017). Whilst this opt-in, soft law approach may have been intended to raise labour standards in a deregulated neoliberal market (Tombs and Whyte, 2020) by pressuring corporation to act in a socially responsible manner (Palpacuer, 2017; Sabel et al., 2000), in practice this has proved to be a weak governance system with in-built conflicts of interest. Powerful corporations have the ability to appropriate such agreements, further reinforcing the asymmetries of power between international corporations and the nation states from which they source. Such systems continue to allow for quick 'tick-box' approaches to garment worker's health and safety, allowing corporations to continue to avoid accountability for malpractice in the event of wrongdoing being discovered and to easily sever ties with manufacturers in the event that mistreatment is uncovered. It is clear that dynamics of corporate harm are at play here, and, in this way, the fast fashion industry represents a grossly under-researched area of corporate crime (Simončič, 2021). This is a distinct harm of globalization (Tombs and Whyte, 2020), with criminological knowledge production remaining focused on the Global North to the comparative neglect of the Global South within which these harms are disproportionately proliferated (Carrington, 2016).

However, this is not to say that no harms occur in the Global North due to this industry, in fact the harms of the industry are also experienced by consumers. The fast fashion industry has led to higher rates of consumption (Pierre-Louis, 2019), with consumers wearing items less

frequently (Remy, Speelman, and Swartz, 2016). They are also increasingly unwilling to pay for ethically and sustainably produced garments (Albouy and Adesida, 2018) due to the normalization of undervalued garments. Further harm is inflicted on consumers themselves through the psychological influence of fast fashion marketing and the emphasis on constant consumerism (Kasser and Kanner, 2004), which has been found to be linked with lower well-being and higher rates of depression (Dittmar and Kapur, 2011), body-image issues and low self-esteem (Halliwell and Dittmar 2004; Kim and Lennon 2007; Tiggemann and Lynch, 2001).

The industry, however, shows no signs of modifying their harmful business model and has instead accelerated these practices within the online market. The digital context has ushered in the era of ultra-fast fashion, embodied by brands such as boohoo, Pretty Little Thing, and SHEIN. These corporations forego the physical retail space of the high street to operate entirely within an online market. Through this they have quickly surpassed the traditional fast fashion companies and have risen to dominate the industry, boasting ever-increasing profits amid the continued outcry from sustainability advocates whilst capitalising on social media marketing and globalisation to access an international consumer base and accelerate the consumption cycle tenfold. The use of targeted advertising to drive these profits is widespread, with the predictive capabilities of machine learning and algorithmic influence allowing consumers to be targeted by marketers constantly and with unprecedented success rates of purchases. And, of course, with greater accessibility to consumers comes higher rates of consumption and thus an aggressive acceleration of the aforementioned harms to the environment and garment workforce. For example, the ultra-fast fashion giant SHEIN's contribution to air pollution in 2021 alone amounted to an estimated 6.3 million tons of carbon dioxide, with almost all of this impact taking place in its supply chain (Kent, 2022). Meanwhile the company has also been subject to many controversies for its exploitation of workers (Channel 4, 2022), public relations weaponization to neutralize consumer concerns (Ng, 2023), and is facing numerous lawsuits for the plagiarism of clothing designs from small independent designers (Bain, 2023).

The digital context allows such brands unprecedented access to consumers, and whilst the use of advertising to influence consumer behaviour is not a new concept (Arrington, 1982), the rate of exposure to advertising is increasing through social media (Lee and Hong, 2016). Thus this possesses a new value in terms of social control. Social media platforms such as Instagram, YouTube, and TikTok, and search engines such as Google have become the new arena for consumer targeting as online shopping rapidly replaces the high street. This has coincided with the societal shift toward technologization and our increasing reliance on digital

devices. This accelerating technologization is symptomatic of a new system of capitalism, and with this comes new modes of power in which the capitalist ideology and logic of accumulation has mutated beyond our prior understandings of neoliberalism. Surveillance capitalism (Zuboff, 2015; 2019) is the system within which this takes place, with the world's largest corporations generating revenue through the collection and selling of user generated data. Profit derives from the surveillance and analysis of our online behaviour, utilising the predictive capabilities of machine learning and monetizing this through the selling of access to real-time online activity to directly influence and modify consumer behaviour for corporate profit (Zuboff, 2015; 2019). We commonly witness this in the form of targeted advertising; however, this extends far beyond a singular mechanism and instead forms an all-encompassing manipulation of digital space to further corporate gains. The use of predictive analytics has made the market *knowable;* in this way, the market is no longer open to the ebbs and flows of consumer choice and autonomy but is instead rigged for the constant expansion of surveillance profits (Zuboff, 2019).

This surpasses our prior understandings of corporate harms that are anchored by an understanding of the neoliberal capitalist ideology (Michalowski and Kramer, 2006; 2007; Tombs and Whyte, 2015; 2020), with an individualistic justification for wealth accumulation and a meritocratic fallacy fostering its palatability. Comparatively, surveillance capitalism represents a drastic departure from this as a new collectivist ideology has risen to dominance. This serves to neutralise concerns for the loss of individual freedoms and the use of private data for corporate interests by pitching the benefits of unregulated use of personal data to consumers as societal efficiency, convenience, and for the 'greater good'. This form of power is instrumentarian (Zuboff, 2019), indifferent to the attitudes and beliefs held by users as long as data continues to be generated and control continues to be enacted. By eliminating the need for a reciprocal relationship between corporation and user, this creates an asymmetry of knowledge within which users are entirely knowable whilst the corporation maintains a faceless obscurity. This asymmetry extends to the state/corporate relationship, as the role of the state as regulator can no longer be fulfilled through a failure to develop knowledge and understanding of these mechanisms, and a lack of economic power to restrict or penalize the conduct of surveillance corporations (Paul and Bhuiyan, 2023).

Surveillance is inescapable as the apparatuses of surveillance capitalism see a far more diffuse form of power that is enacted through various mechanisms surpassing the binary of the online and the offline. However, our current understandings of the digital maintain an outdated online/offline binary (Powell, Stratton and Cameron, 2018). This treats these as

separate spaces when the reality of modern life has long since started to blur the line between the two. The prevalence of entry points into the digital within our daily lives serve as the apparatuses of ubiquity through which surveillance powers are enacted (Zuboff, 2019). Each of our devices is a gateway both into the digital and through which mechanisms outflow into the physical space, eliminating the possibility of reprieve from surveillance. The digital, in its diffuse simultaneously online and offline form, is a space of control within which the user and the data they produce are commodified, identities consolidated and dissected into knowable, marketable demographics which, once reassembled, no longer represent the human being once behind them (Brusseau, 2020; Hammond, 2016). Nowhere is this more tangible than through the ultra-fast fashion system, as the construction of identity through clothing is now subject to corporate manipulation and commodification.

Clothing, Harm, and the Construction of Identity in the Digital Age

Within the context of ultra-fast fashion, we see these new harms take form. The fracturing of identity to serve algorithmic influence is an assault on human autonomy through which we witness direct corporate profiteering. Clothing has long been one of the most powerful forms of non-verbal communication we have at our disposal, as the ways in which we dress convey to others our personalities, our emotions, our states of mind, forming a key part in the everyday formation and communication of our identities (see Kaiser, 1990; Raunio, 1995). Our clothing is the only item that we allow to sit with such close proximity to our corporeal selves and yet we barely notice it, we often feel and perceive the world through our clothing - it becomes a part of us. This key pillar of our identity formation and self-expression is now one of the many ways in which surveillance capitalism manipulates who we are for the sake of corporate profits. Our decisions about how we express ourselves and how we form our identities are decided for us by an algorithm, with even a rejection of this feeding into future predictions of behaviour (Zuboff, 2019). It is the predictive capabilities of machine learning which fuels the mass overconsumption of clothing – further fuelling the previously mentioned and identified harms of the fashion industry. The ultra-fast fashion industry provides a tangible case study through which to investigate the harms of this system within the digital context and with an applied understanding of the mechanisms of surveillance capitalism. To be broken down into a knowable set of interests and demographics that can be efficiently marketed to impacts our construction of self and our understandings of ourselves (Brusseau, 2019), and with these very interests and attitudes that shape our identities being subject to hidden influence, we begin to see this system for the existential threat that it is.

The ability to present one's own identity as we wish is a vital facet of self-actualization, with the obstruction of this comprising a key form of relational harm (Pemberton, 2016). Relational harm denotes 'harms resulting from enforced exclusion from social relationships, and harms of misrecognition' (Pemberton, 2016:30). Within the current context, we begin to see a reframing of relational harms through which the individual faces forced exclusion from their own identity construction and misrecognition in the wake of identity commodification. This moves the focus of the 'relational' away from an externalized conceptualization and allows this to also account for the relation to the self. In this way, the ability to construct our own identities is a human need to which surveillance capitalism is an existential threat. Algorithmic influence directly interferes with and obstructs the formulation and presentation of self, manipulating user choice toward those options most profitable for the corporation and undermining self-actualization. This is not an inherently new concept and is not a mechanism unique to the ultra-fast fashion industry, as persuasive marketing has long been a tool utilized by corporations to sway consumer choice. However, the point of departure lies with the knowability and behaviour modification now possible within surveillance capitalism. The knowable market of surveillance allows for algorithms to target users to achieve guaranteed outcomes, this has the capability to directly interfere with the development of personal attitudes, beliefs, and self-image, through the consumption of products and information algorithmically determined to guarantee surveillance profits. The evidence of this capability has long been publicized by surveillance corporations themselves (Bond et al., 2012). This signifies a deeper level at which relational harms are now able to be inflicted and requires a broader understanding of identity formation to fully conceptualize.

Furthermore, the ability to formulate our own attitudes and beliefs is fundamental, as Pemberton states: 'self-actualization is predicated on the achievement of a sufficient level of autonomy insofar as an individual possesses the ability to formulate choices and has the capacity to act on these' (2016:29) – this is a capacity to which surveillance capitalism is an existential threat. Autonomy within this system is diminishing as it becomes increasingly difficult to escape the hidden influence of surveillance and the internalization of our commodified identities. The disparity between *perceived* autonomy and the capacity for true autonomy within the digital space is distinct (Wertenbroch et al., 2020), as the imbalance between the two continues to widen in the wake of mechanisms fostering perceived autonomy in users. This allows for apathy and indifference in the face of surveillance, as perceived autonomy furthers surveillance's normalization and the continuing widespread reliance on technological convenience. Through any other less normalized mechanism, such corporate manipulation would be seen for what it is. However, the mechanisms through which this

operates are so deeply entrenched within our experiences of modern life that this becomes difficult to confront and acknowledge.

Pemberton's 'needs-based' approach to harm (2016) allows for these abstract and internal harms to begin to be recognised. This reorientates the focus of social harm conceptualisations away from singular events of harm, instead identifying human needs that through their deficit result in identifiable harms (2016:27). However, whilst the framework itself is orientated around a philosophical approach to harm, it is clear from this analysis that conceptualisations of harm require deeper consideration to fully grasp the harms of technologization. We now face the urgent need to deepen the levels to which harm is recognised through the acknowledgment and incorporation of the digital context into our understandings of harm production.

Taking the Digital Seriously: Towards a Digital Zemiology

Herein lies an opportunity. The implications of this system for modern life are insidious; corporate manipulation has reached deeper, far more internalized, and hidden levels than previously conceptualised and is able to inflict harm through a seemingly infinite number of mechanisms. In the wake of this, contributions can be made to our understandings of harm by exploring the implications of surveillance capitalism for the formulation of identity, the expression of self, and the present and future of human autonomy. Zemiology has long been the critical gaze most equipped to be applied to a wide and varying array of instances and inequalities, providing a lens through which harms can be articulated and rearticulated to address systems and abuses of power. However, the emergence of surveillance capitalism has been such an extreme point of departure from the familiar systems within which our understandings of harm were originally formulated that developments must be made before these harms can be conceptualised. From this discussion it clear that the digital context is a ubique site of harm production. Diffuse in its mechanisms and modes of power it is able to inflict harm continuously, whilst being decentralised from a singular entity and location, with harm often inflicted upon many users simultaneously without awareness. This requires a bespoke approach to comprehend, as the fluidity of this form of harm is a drastic deviation from prior understandings. Current understandings of the digital within criminology transpose pre-existing frameworks into the digital context, based on the assumption that dynamics of harm remain the same and therefore these fail to account for harms that are not inflicted by another human being on the other side of a screen (Powell, Stratton and Cameron, 2018). This approach needs to develop in order to fully grasp the harms of technologization and the current digital context.

In the wake of this, we face the urgent need for the development of a Digital Zemiology – a zemiology informed by the modern era and built upon an understanding of this new system of capitalism. To embed the digital into our understandings of harm would by no means be a limiting factor for its applicability, but instead represents a framework through which the distinctly contemporary and widespread harms of technologization, and the many forms this takes outside of a strictly 'online' context, can finally be recognised. To do so would be to develop not only a theoretical orientation which recognises digital harms but would constitute an approach to the digital society at large. This holds a transformative capacity, as in order to confront these harms it is the voices of users and those with the experiential knowledge of this system which must be amplified. This represents new frontiers in the development of research methodologies that are specific to the digital context - allowing criminology to embrace innovative and creative methodologies that utilise the many languages of the digital space by exploring the visual and curatorial expressions prevalent within online sharing. Finally, it must be addressed that to develop a digital zemiology would not be a case of splitting theoretical hairs but would represent a distinct contribution to the field. To do so is a matter of urgency as in order for the rights to our identity and autonomy to be defended criminology must develop.

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