

Law and Ethics in Fashion and Image Consulting

By Susy Bello Knoll¹. Published in AICI Global Magazine, April 2018.

What is law? Law is a set of rules laid down in enactments. Such is the case of intellectual property rules which protect the logo of AICI.

The concept of law includes, in addition to these formal sources, any regulation of human behavior accepted by a community as governing the relations of its members. We have to attribute the status of law to codes of conducts and guidelines developed by professional bodies, also arrangements between civilized people and other arrangements which are regarded as binding.

The importance of laws of this kind, sometimes called voluntary laws, has never been greater than today because conduct matters.

In modern society the basis of law in a wider sense is general acceptance, and enforceability is only an incident, though not of minor importance.

In the whole spectrum of law, agreements and other claims enforceable in courts and tribunals constitute only some of the prisms, and there are others which are no less important merely because they are not enforceable. Many of them are ethics rules.

The conducts against these rules trigger consequences. First, for the economy. You receive less money because you share the pie of your market with people who do not have the same attitude. Second, for quality. The market, the consumers of the services as image consultants or fashioner producers, start to consider that you are like those people who act against the rules.

AICI community works day by day to avoid this downhill because the most important responsibility is to uphold the purposes and objectives of the organization.

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The Standards of Professional Conduct of AICI indicate, for example, as fundamental responsibilities of the members: A. Maintain knowledge of and comply with all applicable laws, rules, and regulations of any government, governmental agency, regulatory organization, licensing agency, or professional association governing the members' professional activities; B. Not knowingly participate or assist in any violation of such laws, rules, or regulations (Standard I).

And also, the Standards determine the relationship with and responsibilities to the profession and the Association: not engage in any professional conduct involving dishonesty, fraud, deceit, or misrepresentation or commit any act that adversely reflects on their honesty, trustworthiness, or professional competence. (Standard III).

I am sure that all of us respect the rules but I know that there are so many people that do not care about the codes. Because of that, defend AICI ecosystem is the central concept on which our success is founded. Our activities have to be aimed at protecting all the members around the world. We are a family.

As the result of unprecedented progress in science and technology the world has become a smaller place. Many people know about your conduct, so, you need to be ethical and legal in your profession.

What is fashion? A group of designers in Buenos Aires told me these words to define fashion: expression, culture, cycle, social event.

Of course, fashion is expression because people say many things through clothes, for example. And also, it is a part of culture, of the values that a society considers relevant. It expresses the times that we live in, even our individuality.

Georg Simmel, a sociologist, said that "fashion is... a form of imitation and so of social equalization, but paradoxically, in changing incessantly, it differentiates one time from another and one social stratum from another".

But for one woman, who are one of the ten most important persons of the last century, Coco Chanel, "fashion is not only.... something that exists in dresses only. Fashion is in the sky, in the Street. Fashion has to do with ideas, the way we live, what is happening".

It operates as both a cultural phenomenon and as a highly complex business.

Apparel manufacturers produce between four or six seasonal lines per year. This happens without taking into account the fast fashion phenomenon, where countless lines are produced all through the year.

Generally, the companies work on three seasonal lines at the same time: they check the sales of one, supervise the production of the second and finally they design and cost the third one.

The fashion industry is among the most aspirational, industrious and dynamic of all industries. And we are in Fashion World every day.

In the 21st century a new area of law has been developed. This area focuses its study on the legal issues of fashion industry. Fashion is a complex sector of the economy so different branches of law are involved to help it.

When we talk about fashion and law most of the rules are intellectual property ones, as the ones we find in trademark law, trade dress, patents, copyright. But there are other rules, for example, how to set up companies, commercial agreements, human rights, contemporary slaves, pollution. The economic, political and cultural issues associated with the production are complex and the consumption of fashion impacts upon all sectors of law.

Many sciences take fashion for studying but Law centers have not studied well enough. We do not expect to seek new legislation. We want to study the rules with a different glass: a fashion glass.

At the end, we know that, around the world, the right and the recognition of the personality, is considered to be a human right. We, as an image consultant, are the builder and the defendant of this essential right.

One of the objectives of the lawyers is to defend the rights of members in society. Today we consider that also other professionals, as fashioners and image consultants, had to have the objectives to protect the rights of the people. Common job, common future.