

WHEN LESS IS MORE: MINIMALISM AND THE ENVIRONMENT

*Crisol Lopez Palafox**

“Minimalism provides an opportunity for the individual to practice generosity on a larger scale than ever before. Minimalism allows us to redirect our finite resources away from our wants and begin to use them in practical ways to meet other people’s needs.”¹

I. INTRODUCTION

Consumerism has often been considered the economic center of the American life.² Since the early twentieth century, Americans have been encouraged to become “voracious, wasteful, and compulsive consumers.”³ Through various strategies, such as marketing he-she kits (personalized kits for males and females) for couples⁴, pushing matching accessories⁵, and discouraging the “one-car captivity” in households⁶ (suggesting that households need more than one vehicle), experts targeted Americans to encourage them to buy more and more goods, even if not necessary.

As expected, when purchasing goods in excessive amounts or when not necessary, the “throwaway spirit” became popular.⁷ Planned obsolescence, or the process of becoming outdated and no longer used, also became a part of the consumerist culture, specifically in three ways: obsolescence of function, obsolescence of quality, and obsolescence of

* Crisol Lopez Palafox, Juris Doctorate Candidate Spring 2021, Barry University School of Law. B.S. Psychology, Oakwood University, 2016. I dedicate this note to my parents who have sacrificed so much to give me the opportunities they never had. Thank you.

¹ Renata Dopierala, *Minimalism – A New Mode of Consumption?*, PRZEGLAD SOCJOLOGICZNY, Vol. 4, 67, 80 (2017).

² Tom Pendergast, *Consuming Questions: Scholarship on Consumerism in American to 1940*, AM. STUD. INT’L., (June 1998).

³ Vance Packard, *THE WASTE MAKERS* 20 (Lowe & Brydone Ltd., 1960).

⁴ *Id.* at 23.

⁵ *Id.*

⁶ *Id.* at 25.

⁷ *Id.* at 30.

desirability.⁸ It became the norm for individuals to want new goods because they believed there is a product that functions more efficiently, functions longer, or is more stylish.⁹ Through advertising on television and the radio, Americans were inspired to quickly discard products, even after only one use, which ultimately led to much waste.¹⁰

In fact, in the 1950s, U.S. consumers who participated in the consumerist culture were praised as patriotic citizens.¹¹ Consumption became equated with freedom as American citizenship was redefined “in relation to the consumer’s right to participate in the marketplace.”¹² Even now, whenever tragedies occur in the nation, Americans are urged by patriotic advertising to participate in mass consumption and “fulfill their civic responsibility of reconstructing the nation’s economy.”¹³

Currently, The U.S. is a part of The Organization for Economic Cooperation and Development (OECD).¹⁴ This is “a unique forum where the governments of thirty-six member states with market economies work with each other, as well as with more than seventy non-member economies to promote economic growth, prosperity, and sustainable development.”¹⁵ Some of these countries working alongside the U.S. are United Kingdom, Mexico, Japan, Korea, France, Canada, and Australia.¹⁶ Organizations like the OECD focus on economic growth and prosperity; concepts that tend to associate societal well-being with growth.¹⁷ However, while economic growth is important, it is not the only matter which deserves attention. Economic growth is also tied to other areas; in

⁸ *Id.* at 38.

⁹ *Id.*

¹⁰ *Id.*

¹¹ *The Rise of American Consumerism*, AM. EXPERIENCE, <https://www.pbs.org/wgbh/americanexperience/features/tupperware-consumer/> [<https://perma.cc/V2DA-HZ5A>] (last visited Sept. 29, 2019).

¹² Wan-Hsiu Sunny Tsai, *Patriotic Advertising and the Creation of the Citizen-consumer*, J. MEDIA & COMM’N STUDIES, 76, 76 (2010).

¹³ *Id.* at 76-7.

¹⁴ *Where: Global Reach*, ORG. FOR ECON. COOPERATION & DEV., <http://www.oecd.org/about/members-and-partners/> [<https://perma.cc/8HBS-UYF>] (last visited March 9, 2020).

¹⁵ *What is the OECD?*, U.S. MISSION TO THE ORG. FOR ECON. COOPERATION & DEV., <https://usoecd.usmission.gov/our-relationship/about-the-oecd/what-is-the-oecd/> [<https://perma.cc/3YNU-DQWU>] (last visited Feb. 7, 2020).

¹⁶ *Id.*

¹⁷ Miriam Meissner, *Against Accumulation: Lifestyle Minimalism, De-growth and the Present Post-Ecological Condition*, J. CULTURAL ECON., 185, 186 (2019).

fact, “economic security and development are directly tied to the health of the environment.”¹⁸ Thus, it serves no purpose to grow economically if the Earth is becoming unlivable in the process.

There is no denying that economic activity and consumption are a direct correlation to the amount of waste produced.¹⁹ On a day-to-day basis, Americans are creating municipal solid waste, construction and demolition debris, and hazardous waste.²⁰ Municipal solid-waste landfills contain household waste; construction-and-demolition debris landfills contain excess debris from construction;²¹ and hazardous-waste landfills hold properties that are harmful for humans and the environment.²² Not surprisingly, “among industrialized nations, the U.S. generates the largest amount of municipal solid waste per person on a daily basis.”²³

Unfortunately, while consumerism in itself is a problem because of the excessive waste it produces, one of the main issues of consumerism is the poor system of waste disposal.²⁴ While Americans may believe that waste has been taken care of by being taken to a landfill, that is not necessarily true. The negative effects of waste can reveal themselves within the landfills,²⁵ in the air through pollution,²⁶ in the waters through

¹⁸ Nicole C. Kilbert, *Extended Producer Responsibility: A Tool For Achieving Sustainable Development*, 19 J. OF LAND USE & ENVTL. LAW, 503, 505 (2004).

¹⁹ *Wastes*, U.S. ENVTL. PROT. AGENCY, <https://www.epa.gov/report-environment/wastes#note1> [<https://perma.cc/MN3W-X4HH>] (last visited Oct. 20, 2019).

²⁰ *Landfills*, U.S. ENVTL. PROT. AGENCY, <https://www.epa.gov/landfills> (last visited Oct. 20, 2019).

²¹ *Basic Information about Landfills*, U.S. ENVTL. PROT. AGENCY, <https://www.epa.gov/landfills/basic-information-about-landfills#whattypes> [<https://perma.cc/C7HX-R9SH>] (last visited Oct. 20, 2019).

²² *Learn the Basics of Hazardous Waste*, U.S. ENVTL. PROT. AGENCY, <https://www.epa.gov/hw/learn-basics-hazardous-waste#hwid> [<https://perma.cc/FW74-UGS6>] (last visited Oct. 20, 2019).

²³ *Municipal Waste, Generation and Treatment: Municipal waste Generated Per Capita*, ORG. FOR ECON. COOPERATION & DEV., <https://stats.oecd.org/Index.aspx?DataSetCode=MUNW#Accessed1/23/2015> [<https://perma.cc/4MRX-35BZ>] (last visited Oct. 20, 2019).

²⁴ Robert Solczak, *Planned Obsolescence: A question of Consumerism and Production of Waste*, (2013) (unpublished Thesis, Centria University of Applied Sciences, Ylivieska Unit) (on file with author).

²⁵ *Wastes*, *supra* note 19.

²⁶ *Air Pollution: Current and Future Challenges*, U.S. ENVTL. PROT. AGENCY, <https://www.epa.gov/clean-air-act-overview/air-pollution-current-and-future-challenges> [<https://perma.cc/45DU-593Y>] (last visited Oct. 20, 2019).

improperly disposed of single-use plastics or chemicals,²⁷ and in the soil through releases of hazardous waste or constituents.²⁸ However, issues with products and waste don't begin in landfills. Products can impact humans and the environment throughout their entire life cycle, including: the sourcing of raw materials, manufacturing, packaging, transportation, distribution, retailing, use of the product, and of course, during the disposal.²⁹ Thus, the best way to avoid this copious unnecessary waste, is to not create, or purchase, it in the first place.³⁰

Green products are an efficient solution for the current environmental and human health issues.³¹ Going "green" is often considered synonymous to products that are more sustainable and preferable for the environment.³² The United States Environmental Protection Agency (EPA) defines green products as those that "pose less harm to human health or the environment compared to other products that serve the same purpose."³³ While there are many initiatives proposing living sustainably, being green on the road, throwing away less, choosing greener products, greening industrial and business processes, cleaner energy choices,³⁴ among others, this note is proposing something beyond that. To combat pressing environmental issues, this note is proposing minimalism as a solution; more specifically the practices of sustainable

²⁷ *Sources of Aquatic Trash*, U.S. ENVTL. PROT. AGENCY, <https://www.epa.gov/trash-free-waters/sources-aquatic-trash> [<https://perma.cc/FWM5-E2KD>] (last visited Oct. 20, 2019) [hereinafter *Sources*].

²⁸ *Guidance for Cleaning Up Groundwater, Soil and Air at Corrective Action Facilities*, U.S. ENVTL. PROT. AGENCY, <https://www.epa.gov/hw/guidance-cleaning-groundwater-soil-and-air-corrective-action-facilities> [<https://perma.cc/K95P-JFS5>] (last visited Oct. 20, 2019).

²⁹ *Frequent Questions about Sustainable Marketplace and Green Products*, U.S. ENVTL. PROT. AGENCY, <https://www.epa.gov/greenerproducts/frequent-questions-about-sustainable-marketplace-and-green-products> [<https://perma.cc/Q6CT-ZH98>] (last visited Oct. 20, 2019) [hereinafter *Frequent*].

³⁰ *Reducing and Reusing Basics*, U.S. ENVTL. PROT. AGENCY, <https://www.epa.gov/recycle/reducing-and-reusing-basics> [<https://perma.cc/F6CN-TKQZ>] (last visited Oct. 20, 2019).

³¹ *Why Buy Greener Products?*, U.S. ENVTL. PROT. AGENCY, <https://www.epa.gov/greenerproducts/why-buy-greener-products> [<https://perma.cc/CY8G-WZTM>] (last visited Nov. 24, 2019).

³² *Sources*, *supra* note 27.

³³ *Frequent*, *supra* note 29.

³⁴ *Greener Living*, U.S. ENVTL. PROT. AGENCY, <https://www.epa.gov/environmental-topics/greener-living> [<https://perma.cc/KDE5-FQB4>] (last visited Oct. 20, 2019).

living, reduction of the carbon footprint, and the minimization of consumerism. This note proposes that such practices, through state regulations or tax incentives, will encourage individual behaviors that will positively impact the environment.

Part II of this note elaborates on how minimalism serves as a solution to reduce current environmental issues. It specifically explains how minimalism can be represented by living sustainably; reducing one's carbon footprint; and downsizing consumerism and waste. This part also presents possible criticisms of the minimalist lifestyle considering whether it is non-economical, if it enables new forms of consumption, and whether or not it is a luxury for the elite. Part III focuses on how regulating individuals' behaviors that impact the environment could be an avenue through which minimalism curtails environmental issues. Taking inspiration from current legislation, Part IV proposes new regulations to encourage the minimalist lifestyle among individuals. Part V then explores balancing government interests and individual rights as a product of such proposed regulations. Assuming that such regulations were to be considered too intrusive, Part VI proposes alternatives to the proposed regulations by offering tax incentives and free education. Finally, Part VII is a call to action encouraging individuals to practice change and engage in a minimalist lifestyle that will produce a collective movement that will prosper the environment.

II. MINIMALISM AS A SOLUTION

A. DEFINING MINIMALISM

Minimalism can be defined as a lifestyle that rejects established ideals of maximizing consumption and advocates ethics of simplicity³⁵. According to Leo Babauta, author of the best-selling book *The Power of Less*, two principles encapsulate the minimalist practice: identify the essential and eliminate the rest.³⁶ Contrary to the consumerism cultures that many Americans are a part of, minimalism encourages the reduction of everyday consumption and busyness.³⁷ Minimalism is quite the opposite of consumerism and consumerism tendencies.³⁸ Some have

³⁵ Meissner, *supra* note 17, at 187.

³⁶ Jason Rodriguez, *The U.S. Minimalist Movement: Radical Political Practice?*, REV. OF RADICAL POL. ECON., 286, 286 (2018).

³⁷ Meissner, *supra* note 17, at 28.

³⁸ Meissner, *supra* note 17, at 187.

called it an “anti-consumer-oriented social practice.”³⁹ Others have gone as far as to call minimalism an “ostentatious (seeking to attract attention by gaudiness) ritual of consumerist self-sacrifice.”⁴⁰ In a more positive light however, minimalism can be seen as “an increasingly popular critical reflection on the ills of consumerism and an effort to forge new ways of resisting and living amidst capitalism in the United States.”⁴¹

Due to its philosophical roots, it is difficult to have an all-encompassing definition of minimalism.⁴² Thus, when applying this lifestyle each individual can create his or her own unique set of principles and intensity of change.⁴³ To some minimalism means moving to a tiny home while to others it means a constant process of decluttering.⁴⁴ However, as a result of such varying definitions and applications, one of the main issues with the minimalist lifestyle is that minimalist practices are not currently representing a collective challenge to consumption and waste. Instead, the U.S. minimalist movement is an individual response that lacks a “radical potential to collectively challenge the capitalist system that often traps consumers in a primarily materialistic landscape.”⁴⁵ While minimalism today tends to promote internal focalization⁴⁶, it could very easily have a positive collective effect on individuals and the environment if state regulations mandated it or incentivized it.

B. CRITICISM AGAINST MINIMALISM

As with all things, minimalism is not devoid of potential disadvantages. For example, the start-up of the minimalist lifestyle could be expensive if an individual chose to transition into a tiny home or opted to switch to energy-saving or space-saving appliances.⁴⁷ While changes

³⁹ Dopierala, *supra* note 1 at 67.

⁴⁰ Kyle Chayka, *The Oppressive Gospel of Minimalism*, THE N.Y. TIMES MAGAZINE, (July 26, 2016), <https://www.nytimes.com/2016/07/31/magazine/the-oppressive-gospel-of-minimalism.html> [<https://perma.cc/E5FT-46AY>].

⁴¹ Rodriguez, *supra* note 36, at 287.

⁴² Severin Mangold and Toralf Zschau, *In Search of the “Good Life”: The Appeal of the Tiny House Lifestyle in the USA*, SOC. SCIENCES, 1, 3 (2019).

⁴³ Dopierala, *supra* note 1 at 70.

⁴⁴ Rodriguez, *supra* note 36, at 287.

⁴⁵ Mangold, *supra* note 42.

⁴⁶ Meissner, *supra* note 17, at 197.

⁴⁷ Hillary Hoffower, *Some People Choose Tiny Houses to Save Money, but They Might Not Always Be the Bargain You’d Expect*, BUS. INSIDER (Feb. 26, 2019),

like these are beneficial in the long-run, making drastic modifications or purchasing such items all at once could seem like a costly initial stage. Nonetheless, they are still worthy not only because it will help the individual, but because it will positively impact the environment.⁴⁸

Some critics suggest that the minimalist lifestyle actually encourages and enables new forms of consumption⁴⁹ and that minimalism is simply a “cure-all for a certain sense of capitalist overindulgence.”⁵⁰ These new forms of consumption can manifest themselves as a desire to purchase additional items that are multi-purpose or energy-saving; or wanting to renovate a home so that it looks like the typical minimal space (white with neutral colors).⁵¹ While these are valid concerns, not every individual that chooses this lifestyle will suddenly become wasteful in order to fit a certain aesthetic or stereotype. In fact, some individuals might not care about the “aesthetics” at all. Minimalism can function on a spectrum and instead of purchasing items that might be “needed” for this lifestyle, individuals can learn to repurpose and recycle belongings already around them.

Others claim that the minimalist lifestyle is for the elite—“the richer you are, the less you have.”⁵² Minimalism is often characterized as merely an aesthetic, a luxury wealthier people can afford.⁵³ The New York Times stated that “minimalism is now conflated with self-optimization” and that such “optimization is expensive and exclusively branded by and for the elite.”⁵⁴ Admittedly, minimalism requires social capital and access to privileges like the internet, which are not possessions everybody has or can afford.⁵⁵ The underlying principle of minimalism is to live with less. This is a concept that might be more feasible for those that are affluent because they have the security of simply buying more of something if need be. However, to those that are not as financially stable, letting go of possessions that are not necessarily “essential” might prove to be difficult

<https://www.businessinsider.com/how-much-does-tiny-house-cost-worth-it-2019-2>
[<https://perma.cc/47WQ-UWS8>].

⁴⁸ *Location Efficiency and Housing Type*, U.S. ENVTL. PROT. AGENCY, <https://www.epa.gov/smartgrowth/location-efficiency-and-housing-type> [https://perma.cc/29KN-FGCX] (last visited Nov. 24, 2019).

⁴⁹ Meissner *supra* note 17, at 196.

⁵⁰ Chayka *supra* note 40.

⁵¹ *Id.*

⁵² *Id.*

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ *Id.*

and somewhat unrealistic. Nevertheless, minimalism is not reserved for a certain class of individuals. Every individual has the freedom of choosing what lifestyle changes to apply based on his or her income and socioeconomic status.

Additionally, decluttering can be oppressive to some as they obsess over what to get rid of and how many items, they “should” own. In a sense, the “ban” on clutter can create pressure for people to get rid of as many possessions as they can.⁵⁶ However, others that choose to live and consume less claim that they feel happier than consumers.⁵⁷ In fact, such individuals believe that the minimalist lifestyle is actually “quite calming.”⁵⁸

While these aforementioned concerns are proper, perhaps the most concerning issue is determining what would happen with all discarded items if minimalism was suddenly practiced en masse. Minimalism calls for the riddance of unnecessary items, but it does not take into account what will happen to such items afterwards. Will they go in a landfill? Where will they accumulate? Will this ironically create more waste instead of reducing it? While these are complex inquiries, such questions reaffirm the need for individuals across the globe to act as a collective to protect Earth.

C. MINIMALISM AS A LIFESTYLE

In the past, minimalism gained popularity as an art movement, later evolving into other disciplines such as music and architecture.⁵⁹ Gradually over the years, minimalism has gained popularity in countries that are high on consumerism such as the U.S., Japan, and other European countries.⁶⁰ It is now common to see the hashtag “minimalist” or “minimalism” on social media sites such as Instagram or Twitter and see a plethora of aesthetically pleasing photographs. Such photographs are

⁵⁶ *Id.*

⁵⁷ Carol S. Walther et al., *Voluntary Simplifiers, Spirituality, and Happiness*, HUMANITY & SOC’Y, 22, 38 (2016).

⁵⁸ Maria Tickle, *What’s Behind the Rise of Minimalist Living?*, ABC NEWS, (Dec. 15, 2017), <https://www.abc.net.au/news/2017-12-16/whats-behind-the-rise-in-minimalist-living/9258084> [<https://perma.cc/A4C4-7BZP>].

⁵⁹ HARTMUT OBENDORF, MINIMALISM: DESIGNING SIMPLICITY 6 (Springer-Verlag 2009).

⁶⁰ Ylva Ugglä, *Taking Back Control: Minimalism as a Reaction to High Speed and Overload in Contemporary Society*, SOCIOLOGISK FORSKNING, 233, 233 (2019).

usually characterized by neutral color palettes, plants, and natural textures such as cotton or jute.⁶¹ Minimalist bloggers and vloggers are also more popular than before.⁶² Books such as “The Life-Changing Magic of Tidying Up” (2014) by Marie Kondo and “Goodbye, Things” (2017) by Fumio Sasaki⁶³ have brought the minimalist lifestyle to the mainstream.⁶⁴ And while minimalism can be reduced to only aesthetics in art or literature, many see it as a way to address environmental issues.⁶⁵

D. MINIMALISM AND SUSTAINABLE LIVING

Minimalism is oftentimes reflected in forms of sustainable living. A practical avenue for individuals to create a progressive sustainable path is to be aware of how to reduce energy use.⁶⁶ Some ways to create a more sustainable household are to install energy-efficient light bulbs, carpool, and utilize energy-efficient appliances.⁶⁷ An additional way to have a more sustainable minimalist way of life is to reduce home size or invest in a tiny home.⁶⁸

The tiny home movement began to pick up in the U.S. after the 2008 global economic recession.⁶⁹ Varying from person to person, tiny homes are usually between 100 and 400 square feet.⁷⁰ This is a drastic difference to the median American single-family home of 2,426 square feet, as

⁶¹ Chayka *supra* note 40.

⁶² *About the Minimalists*, THE MINIMALISTS, <https://www.theminimalists.com/about/> [<https://perma.cc/MB7E-9G9Q>] (last visited, Jan. 25, 2020).

⁶³ Meissner *supra* note 17, at 187.

⁶⁴ Deborah Weinswig, *Millennials Go Minimal: The Decluttering Lifestyle Trend That is Taking Over*, FORBES, (Sept. 7, 2016), <https://www.forbes.com/sites/deborahweinswig/2016/09/07/millennials-go-minimal-the-decluttering-lifestyle-trend-that-is-taking-over/#2a3a5f337550> [<https://perma.cc/JMA6-N99C>].

⁶⁵ Ugglä, *supra* note 60.

⁶⁶ *Location*, *supra* note 48.

⁶⁷ *Id.*

⁶⁸ Hillary Hoffower, *Here's What Living in a Tiny House is Really Like, According to People Who Traded Their Homes for Minimalism*, BUS. INSIDER (Feb. 20, 2020), <https://www.businessinsider.com/photos-tiny-house-living-pros-cons-2018-9> [<https://perma.cc/RSW2-2TXW>].

⁶⁹ Timothy Michael Carlin, *Tiny Homes: Improving Carbon Footprint and the American Lifestyle on a Large Scale*, DIGITALCOMMONS@CSB/SJU, 1, 2 (2014).

⁷⁰ Charlie Kilman, *Small House, Big Impact: The Effect of Tiny Houses on Community and Environment*, 2 UNDERGRADUATE J. OF HUMANISTIC STUDIES 1,1 (2016).

reported by the U.S. Census Bureau in 2017.⁷¹ Due to the great reduction of the physical housing area, there is almost an automatic reduction in the amount of gas and water needed to run the home.⁷² Consequently, this equates to a smaller carbon footprint⁷³ and less overall possessions, which are a part of the minimalist lifestyle goals. Calculating how much space individuals need to sustain their current behavior, a recent study reported that the energy consumption by tiny house dwellers was decreased by 45%.⁷⁴ After downsizing to a tiny home, individuals inadvertently practiced the minimalist lifestyle: they adopted more environmentally-conscious eating habits, traveled less by car, recycled more, and bought less consumer goods.⁷⁵

The prices of tiny homes vary on whether individuals build or buy the home.⁷⁶ In 2017, the average price for a tiny home (from twenty-five tiny home building companies in thirteen different states) was \$59,884.⁷⁷ This is a radical difference to the median price of an average American home: almost \$200,000.⁷⁸ However, while tiny homes can range from less than \$10,000, they can also increase to \$150,000 if they are luxurious.⁷⁹ Even at this extreme, tiny homes prove to be more affordable than the

⁷¹ Katie Warren, *The 15 American Cities with the Biggest Average Homes, Ranked*, BUS. INSIDER (Oct. 29, 2018), <https://www.businessinsider.com/cities-with-biggest-homes-in-america-2018-10> [<https://perma.cc/2G5M-C3V3>].

⁷² Adrienne Wimberley Kautz, *The 880 Square Foot House: A Small Residential Design That Transforms to Accommodate Multiple Household Types* (June 30, 2011), (unpublished Masters thesis, The Florida State University) (on file with author).

⁷³ Taylor White, *Real Estate Alternatives: 8 Reasons Millennials are Choosing Tiny Homes*, USA TODAY (Jun. 18, 2018), <https://www.usatoday.com/story/money/personalfinance/real-estate/2018/06/18/real-estate-alternatives-reasons-millennials-choosing-tiny-homes/693153002/> [<https://perma.cc/V4MR-VZPK>].

⁷⁴ Christopher Cameron, *Tiny Houses Have Big Environmental Impacts: Study*, N.Y. POST (Aug. 7, 2019), <https://nypost.com/2019/08/07/tiny-houses-have-big-environmental-impacts-study/> [<https://perma.cc/2X2M-FV6Z>].

⁷⁵ *Id.*

⁷⁶ *Some People Choose Tiny Houses to Save Money, but They Might Not Always Be the Bargain You'd Expect*, *supra* note 47.

⁷⁷ *Id.*

⁷⁸ Emmie Martin, *The Median Home Price In the U.S. is \$200,000 – Here's What That Will Get You Across The Country*, CNBC (Jun. 29, 2017), <https://www.cnbc.com/2017/06/29/what-the-median-home-price-of-200000-will-get-you-across-the-us.html> [<https://perma.cc/L4Z8-PCJP>].

⁷⁹ *Id.*

median American home. Furthermore, tiny homes provide mobility⁸⁰ and an opportunity to reduce one's environmental impact.⁸¹ If 10% of Americans transitioned to a tiny home, 366 million acres of biologically productive land could be saved.⁸² Tiny homes are a tangible solution to the loss of green space, increased air pollution and energy consumption, and ecosystem fragmentation that the size increase of the average American home has caused.⁸³ Additionally, every major component (food, transportation, consumption of goods and services) of an individual's life is positively influenced after downsizing.⁸⁴ All in all, tiny homes, as a form of minimalism, encourage pro-environmental behaviors and help reduce ecological footprints.⁸⁵

E. MINIMALISM AND THE REDUCTION OF CARBON FOOTPRINT

The reduction of one's carbon footprint is another concept associated with the minimalist lifestyle. Carbon footprint is defined as a measurement in which an individual's impact on the environment is measured via carbon-producing activities in the home, transportation, and waste.⁸⁶ The carbon footprint relates to the number of greenhouse gases produced and is measured in units of carbon dioxide emitted.⁸⁷ According to 2014 data by the Intergovernmental Panel on Climate Change, the United States is the second highest carbon dioxide emitter in the world, following China by 15%.⁸⁸ This is alarming since carbon dioxide is the

⁸⁰ White, *supra* note 73.

⁸¹ Maria Saxton, *When People Downsize to Tiny Houses, They Adopt More Environmentally Friendly Lifestyles*, THE CONVERSATION (Apr. 10, 2019), <https://theconversation.com/when-people-downsize-to-tiny-houses-they-adopt-more-environmentally-friendly-lifestyles-112485> [<https://perma.cc/Y7DM-VHLD>].

⁸² *Id.*

⁸³ *Id.*

⁸⁴ *Id.*

⁸⁵ *Id.*

⁸⁶ *Carbon Footprint Calculator*, U.S. ENVTL. PROT. AGENCY, <https://www3.epa.gov/carbon-footprint-calculator/> [<https://perma.cc/R7Y7J-BJA6>] (last visited Nov. 24, 2019).

⁸⁷ Subramanian Senthilkannan Muthu et al., *Carbon Footprint of Shopping (Grocery) Bags in China, Hong Kong and India*, 45 ATMOSPHERIC ENV'T 469, 469 (2011).

⁸⁸ *Global Greenhouse Gas Emissions Data*, U.S. ENVTL. PROT. AGENCY, <https://www.epa.gov/ghgemissions/global-greenhouse-gas-emissions-data> [<https://perma.cc/8DKN-M3G2>] (last visited Nov. 24, 2019).

primary greenhouse gas that humans emit through their activities in transportation, electricity, or industry.⁸⁹

Greenhouse gases commonly enter the environment through forms such as: the burning of fossil fuels for cars, ships, and planes; during the production and transport of coal, natural gas, and oil; burning fossil fuels for heat; or from chemical reactions necessary to produce goods from raw materials.⁹⁰ Greenhouse gas emissions make the planet warmer, which leads to global warming and a ripple of negative effects on the environment.⁹¹ Some of these effects are rising temperatures and more extreme climate events which not only affect the environment as a whole but humans as well.⁹² Because emission sources are extensive, it is imperative that individuals attempt to reduce their carbon footprint in their everyday lives as much as possible. Currently, the EPA offers carbon footprint calculators where individuals can calculate a household's carbon footprint.⁹³ Various ways in which the carbon footprint in the household can be reduced are: eating less meat, unplugging devices, driving less, not buying "fast fashion", planting a garden, eating local or organic, and line-drying clothes.⁹⁴ Additionally, many individuals have taken it upon themselves to reduce their carbon footprint by using hybrid vehicles or using energy-efficient appliances.⁹⁵

⁸⁹ *Overview of Greenhouse Gases*, U.S. ENVTL. PROT. AGENCY, <https://www.epa.gov/ghgemissions/overview-greenhouse-gases> [<https://perma.cc/TDL2-XRRH>] (last visited Nov. 24, 2019).

⁹⁰ *Sources of Greenhouse Gas Emissions*, U.S. ENVTL. PROT. AGENCY, <https://www.epa.gov/ghgemissions/sources-greenhouse-gas-emissions> [<https://perma.cc/P3LB-VVGU>] (last visited Nov. 24, 2019).

⁹¹ *The Causes of Climate Change*, NASA, <https://climate.nasa.gov/causes/> [<https://perma.cc/Q5K2-7TY3>] (last visited Nov. 24, 2019).

⁹² *Climate Change Indicators in the United States*, U.S. ENVTL. PROT. AGENCY, <https://www.epa.gov/climate-indicators> [<https://perma.cc/8TY7-U8WS>] (last visited Nov. 24, 2019).

⁹³ *Carbon Footprint Calculator*, *supra* note 86.

⁹⁴ Jesse Holth, *7 Instant Ways to Reduce Your Carbon Footprint*, HUFFPOST (June 6, 2017), https://www.huffpost.com/entry/7-instant-ways-to-reduce-your-carbon-footprint_b_59321992e4b00573ab57a383 [<https://perma.cc/6KGQ-C6GU>].

⁹⁵ Jennifer Mankoff et al., *Leveraging Social Networks to Motivate Individuals to Reduce Ecological Footprints 2* (unpublished manuscript) (on file with Carnegie Mellon University).

F. MINIMALISM AND CONSUMERISM

Compared to the 1930's, women have tripled the amount of clothing that is in their closet.⁹⁶ It is common for individuals to associate consumerism with personal happiness or social status; this would not be problematic if consumerism was not one of the main causes of environmental issues.⁹⁷ While some individuals may be aware of the link between consumerism and the environment and they lament that the environment is suffering, they may not associate this gradual environmental damage with their own choices.⁹⁸ Nevertheless, there is no denying that the accumulation as a consequence of high levels of consumerism has a negative impact on the environment and natural resources.⁹⁹ Higher levels of consumption equate to larger inputs of energy, materials, and waste byproducts which leads to more damage to the environment.¹⁰⁰ This is where minimalism or the minimalist lifestyle springs into action. Minimalism seeks to cut down on everyday consumption in a world of "too much."¹⁰¹ Encouraging individuals to be mindful of their purchases, minimalism serves as the negation of compulsive and mindless purchasing.¹⁰²

High volumes of consumerism lead to high values of created waste by human beings.¹⁰³ For this reason, many minimalists often practice "zero waste," which is a step further from reducing their consumption.¹⁰⁴ While literal zero waste is likely impossible, the Zero Waste Strategy means reducing one's waste as much as possible and redesigning the resource's life cycle so no product goes to waste.¹⁰⁵ The link between consumerism and waste is simple: the fewer resources owned equates to fewer resources processed and less waste generated.¹⁰⁶ With this line of

⁹⁶ Weinswig, *supra* note 64.

⁹⁷ Rita J. Erickson, Paper or Plastic?: Energy, Environment, and Consumerism in Sweden and America 1, (Greenwood Publishing Group, Inc. 1997).

⁹⁸ *Id.* at 2.

⁹⁹ Meissner, *supra* note 17, at 185.

¹⁰⁰ Carlo Orecchia, *Consumerism and Environment: Does Consumption Behavior Affect Environmental Quality?*, ISAE, 1, 3 (2007).

¹⁰¹ Meissner, *supra* note 17, at 187.

¹⁰² Dopierała, *supra* note 1, at 69.

¹⁰³ Nina Brosius et al., *Reacquiring Consumer Waste: Treasure in Our Trash?*, J. OF PUB. POL'Y & MARKETING 286, 288 (2013).

¹⁰⁴ Dopierała, *supra* note 1, at 69.

¹⁰⁵ Qingbin Song, et al., *Minimizing the Increasing Solid Waste Through Zero Waste Strategy*, J. OF CLEANER PROD. 199, 199 (2015).

¹⁰⁶ Dopierała, *supra* note 1, at 69.

thinking in mind, more radical minimalists strive to fit their year's (or more) waste in a single sixteen (16) ounce mason jar.¹⁰⁷ This serves as a reminder and ensures that they're aware of what cannot be recycled and what contains the most plastic or damaging items to the environment.¹⁰⁸

III. REGULATING INDIVIDUAL BEHAVIORS THAT IMPACT THE ENVIRONMENT

According to the Constitution of the United States, the government is prohibited from depriving individuals "of life, liberty, or property, without the due process of law."¹⁰⁹ The Federal Trade Commission (FTC) has stated that it does not regulate or intervene but rather rely on the consumer making his or her own purchasing decisions.¹¹⁰ However, the U.S. government influences the market economy, which is correlated with the environment.¹¹¹ Some governmental regulations might have a negative connotation but "America needs a balance between markets free from unnecessary impediments and public rules to prevent businesses from inflicting grievous harms on people and the environment."¹¹² Finding a balance between freedom and governmental restrictions can be difficult as government prerogatives and individual liberties need to be considered simultaneously.¹¹³ Direct laws from the government regulating individual behaviors are likely to create perceptions of

¹⁰⁷ Susie East, *Four Years' Trash, One Jar...Zero Waste*, CNN, (July 6, 2016), <https://www.cnn.com/2016/07/04/us/lauren-singer-zero-waste-blogger-plastic/index.html> [<https://perma.cc/8AHX-YHWR>].

¹⁰⁸ *Id.*

¹⁰⁹ U.S. Const, Amend. V; *id.* amend. XIV, § 1.

¹¹⁰ Commission Statement of Policy on the Scope of Consumer Unfairness Jurisdiction, 4 Trade Reg. Rep. (CCH) 13,203 at 20,907 (June 23, 1988).

¹¹¹ Committee for Economic Development of the Conference Board, *Regulation & the Economy: The Relationship & How to Improve It*, (Sept. 27, 2017), <https://www.ced.org/reports/regulation-and-the-economy#section2> [<https://perma.cc/46DU-EBWA>].

¹¹² Michael Lipsky, *Why Regulation is Necessary and Proper for a Well-functioning Democracy and Market Economy*, SCHOLARS (Apr. 12, 2016), <https://scholars.org/contribution/why-regulation-necessary-and-proper-well-functioning-democracy-and-market-economy> [<https://perma.cc/H3R8-RJGN>].

¹¹³ Katrina Fischer Kuh, *When Government Intrudes: Regulating Individual Behaviors that Harm the Environment*, DUKE L.J., 1111, 1125 (2012).

government overstepping even if these regulations are meant to salvage the environment.¹¹⁴

Ironically, government laws already regulate so many aspects of our lives: food safety regulations, toxic substances regulations, and even investor protection regulations.¹¹⁵ In essence, government regulations reach all aspects of daily living.¹¹⁶ However, such regulations rarely or never address private individuals and their behaviors and those that do, are often controversial during enforcement.¹¹⁷ Price signals and product mandates are common attempts to change environmentally significant individual behaviors.¹¹⁸ However, although mandates are a common tool for environmental harm control, these mandates do not commonly focus on individual behaviors that are environmentally significant.¹¹⁹ This is partly because implementing regulations that enforce environmentally significant individual behaviors seems infeasible considering the fact that individuals are 1) in numerous locations throughout the world, 2) can engage in environmentally significant behaviors in private, and 3) the enforcement of such regulations could be too expensive.¹²⁰ Additionally, attempting to implement eco-friendly regulations, such as some with a minimalist agenda will likely face resistance, with individuals claiming it invades privacies or other civil liberties.¹²¹

This, however, can be alleviated through government facilitation. For example, in states that require vehicle-inspection and maintenance programs, individuals did oppose the program but they “appear to have objected primarily to the inconvenience of the requirements, as opposed to the government invasion of privacy or liberty that they effected.”¹²² This implies that the public is more receptive to regulations if they do not present a great inconvenience. Thus, if the government facilitates the implementation of regulations promoting a minimalist lifestyle, such

¹¹⁴ Kuh, *supra* note 113, at 1166.

¹¹⁵ Paul Boothe, *Making Good Regulations*, 39 CANADIAN PUBLIC POLICY/ANALYSE DE POLITIQUES JSTOR, 359, 359 (2013) (discussing a world without regulations).

¹¹⁶ Committee for Economic Development of the Conference Board, *supra* note 111.

¹¹⁷ Kuh, *supra* note 113, at 1115.

¹¹⁸ *Id.* at 1117.

¹¹⁹ *Id.*

¹²⁰ *Id.* at 1120-21.

¹²¹ *Id.*

¹²² *Id.* at 1139.

regulations will receive better feedback and participation from the public at large.

While regulations addressing individuals' behavior can feel intrusive, such laws and regulations are necessary for the greater good and a civil society.¹²³ Nevertheless, enforcing these laws can be difficult as the public can simply not consider the negative impacts on the environment as immediate or tangible.¹²⁴ It is difficult to grasp the idea that one individual's actions can have a great effect on the environment. However, the need for regulations for some seemingly small actions might not have seemed necessary in the past but overtime, accumulation of such actions has had a significant adverse impact.¹²⁵ Thus, there is a definite need for regulating individual harms to the environment.¹²⁶

A. CURRENT LEGISLATION

In an effort to protect the environment, many laws and regulations have been set in place. For example, many agencies such as the EPA, already regulate a plethora of environmental issues such as atomic energy, clean air, clean water, endangered species, and nuclear waste.¹²⁷ These regulations however, are mostly aimed at manufacturers and big companies. Currently, environmentally impactful behaviors at the individual level are regulated by the government through indirect regulation.¹²⁸ "The government regularly alters individual environmental behaviors and reduces or increases the environmental impacts of individual behaviors without imposing mandates directly on individuals."¹²⁹ Implementing regulations that encourage the minimalist lifestyle on an individual level is a natural extension of what the government is already regulating. For example, some states require that

¹²³ Bryce Wilkinson, *Evaluating Government Regulations*, 10 AGENDA: A J. OF POL'Y ANALYSIS & REFORM 325, 338 (2003) (Discussing need for principled government).

¹²⁴ Kuh, *supra* note 113, at 1178.

¹²⁵ Keith H. Hirokawa, *At Home with Nature: Early Reflections on Green Building Laws and the Transformation of the Built Environment*, 39 ENVTL. L. 507, 562 (2009).

¹²⁶ Kuh, *supra* note 113, at 1115.

¹²⁷ *Laws & Regulations*, U.S. ENVTL. PROT. AGENCY, <https://www.epa.gov/laws-regulations/laws-and-executive-orders> [<https://perma.cc/KBB4-2HV4>] (last visited Jan. 25, 2020).

¹²⁸ Kuh, *supra* note 113, at 1174.

¹²⁹ *Id.* at 1160.

their residents sort out their trash into waste, compostable, and recyclable.¹³⁰ Other municipalities require that people's houses have an automatic shut-off nozzle, others require that its citizens have tree-protecting ordinances in place.¹³¹ Some states will not allow individuals to drive their vehicles if the vehicles emit pollutants above a certain prescribed level.¹³² When contrasted with existing regulations like these, regulations promoting the minimalist lifestyle seem very plausible. Regulations enforcing minimalism could be the answer to the problems of consumerism and waste that exist currently. Such minimalist lifestyle regulations could take the aforementioned regulations and take it a step further by requiring individuals to follow all or some aspects of the minimalist lifestyle. For example, some regulations could mandate citizens to live sustainably, reduce their carbon footprint/waste, or reduce their consumption.

The regulations would explain the reasoning behind them: the benefits of the minimalist lifestyle and the positive impact these individual behaviors will have on the environment.¹³³ Such regulations could also include local information and statistics and possibly create locally-appropriate exemptions or exclusions.¹³⁴ This would help the public grasp how tangible and real environmental issues are and why such regulations are needed. Communicating clearly and tailoring as necessary would help balance potential resistance to the regulations and make the transition smoother.¹³⁵ Combining all of this, regulating environmentally impactful behaviors by individuals could prove more feasible than before.¹³⁶

IV. PROPOSED MINIMALIST LIFESTYLE REGULATIONS

A. REGULATING SUSTAINABLE LIVING

The language of such regulation will explain that due to the danger that the environment is in, each household and business is required to participate in a more sustainable way of living. The proposed state regulations mandating citizens to live sustainably would focus on the

¹³⁰ *Id.* at 1132.

¹³¹ *Id.*

¹³² *Id.* at 1137.

¹³³ Kuh, *supra* note 113, at 1179.

¹³⁴ *Id.* at 1180.

¹³⁵ *Id.*

¹³⁶ *Id.*, at 1181.

family size and house size ratio. Ideally, individuals would live in a smaller space that was comfortable for their family size. If not, regulations could still enforce sustainable living in a variety of ways. For example, a home of one would only be required to have one of the sustainable living options mentioned previously while a family of five would be required to follow at least three. One way to ensure that each home is implementing a sustainable practice is to add a feature that is common in tiny homes; this could be multi-purpose furniture that promotes space-saving or the incorporation of solar panels in the home. For apartment complexes, regulations or ordinances would require community gardens full of fruits and vegetables that not only promote health but sustainability.

Due to distinct geographical areas and a variety of resources, regulations would vary by state. For example, for states with a majority of sunny days, the regulation would mandate the use of solar panels. For states with open valleys, regulations would require gardens. As a final alternative, the regulations would allow the individual to decide what practice of sustainable living he or she will implement, whether it be switching to energy-saving appliances or moving into a tiny home.

B. REGULATING THE CARBON FOOTPRINT

Regulations similar to the ones above would be implemented to enforce the reduction of the carbon footprint. Regulations for the reduction of carbon footprint would be implemented individually but also with the help of house realtors and apartment complexes. For example, it would be mandatory for a carbon footprint calculator to be included in every application filled out for housing, whether it be to buy or rent. Once the carbon footprint for the household is calculated, as explained previously, the regulation would state what practices each household has to follow. This would be based on the carbon footprint of each household or on the socioeconomic status of the household. For example, the regulation would require that everyone over a certain tax bracket must install all energy-efficient appliances. In contrast, those with lower tax brackets would only be required to have one energy-efficient appliance per household.

Another way in which minimalist-based regulations would help reduce the carbon footprint of a household is by regulating individuals' waste. These regulations would work in the same manner that electricity and water are already measured. Due to the familiarity with having such services tracked and measured, the extension that this regulation is

implementing would be organic. Waste accumulated by each individual household would then be compared and contrasted to the household size and the predesignated carbon footprint. If the predesignated waste levels per household are surpassed for the designated time, then monetary fines would be imposed.

C. REGULATING CONSUMPTION & WASTE

Perhaps one of the most difficult environmentally impactful actions to regulate would be that of consumption. This is largely in part because environmental laws tend to regulate issues of production rather than consumption.¹³⁷ Historically, “no country’s laws have addressed the environmental impacts of consumption in a systematic manner.”¹³⁸ A possible explanation to this problem is that it can be difficult to pinpoint when regular consumption has turned into overconsumption.¹³⁹ Nonetheless, the minimalist lifestyle directly advocates against unnecessary consumption which turns into unnecessary waste. While it may be difficult to know a quantitative value of the fast-fashion or belongings an individual purchases, it is easier to enforce waste production, which is a direct consequence of consumption. Some states use radiofrequency identification (RFID) tags to monitor individuals’ garbage volume or recycling rates.¹⁴⁰ Along with a carbon footprint calculation, these type of tags or similar technology would be used to lower waste and promote a minimalistic lifestyle. As example, a carbon footprint calculation would be done per household and this would estimate a reasonable amount of waste that a household that size should produce. These type of tags or similar technology would then determine if the household was in accordance with the regulation and whether or not the household needed to be fined accordingly.

V. POTENTIAL ISSUES WITH MINIMALIST LIFESTYLE REGULATIONS ON INDIVIDUALS

In *Poe v. Ullman*, a case where a state statute prohibited the use of contraceptives and medical advice about contraceptives, Justice Douglas dissents and suggests two possibilities as to why mandates on individual

¹³⁷ James Salzman, *Sustainable Consumption and the Law*, ENVTL. L., 1243, 1253 (1997).

¹³⁸ *Id.* at 1255.

¹³⁹ *Id.*

¹⁴⁰ Kuh *supra* note 113, at 1134.

behaviors raise concerns.¹⁴¹ First, he explains that enforcing regulations on individuals may impose liberty deprivations.¹⁴² Ensuring that minimalist lifestyle regulations are being carried out will likely require governmental insight into the lives of individuals. This can create issues of “governmental snooping” in the home.¹⁴³ Secondly, he points out that individuals do not have extensive history with the police power of the States unlike business and commercial dealings.¹⁴⁴ This creates issues of substantive due process review as its basic function is to “impose boundaries on government restrictions of individual liberty.”¹⁴⁵

Enforcing minimalist lifestyle regulations would likely result in enforcing behavior that occurs in the privacy of individuals’ homes. This is troublesome since “substantive due process cases recognize the home as a private space warranting special protection from government invasion.”¹⁴⁶ It is much easier to regulate public behavior than that that is solitary and occurs within the four walls of a home.¹⁴⁷ The mere fact that certain behaviors occur in the home hints that they were meant to stay private, outside of the government’s radar.¹⁴⁸ This can create worries about “legal compliance” in the home when individuals are having to conform to “small, mundane home-life decisions and behaviors” such as worrying about whether the vegetable peels need to be thrown in a trash or compost bin, if they left everything unplugged, or if they produced too much waste for their household.¹⁴⁹ This can be problematic as the home is supposed to be a place free of outside judgment by providing a place for reflection and free thinking.¹⁵⁰

¹⁴¹ *Poe v. Ullman*, 367 U.S. 497, 519 (1961) (Douglas, J., dissenting).

¹⁴² *Id.*

¹⁴³ John Hart Ely, *The Wages of Crying Wolf: A Comment on Roe v. Wade*, 82 YALE L.J. 920, 929-30 (1973).

¹⁴⁴ Poe, *supra* note 141.

¹⁴⁵ Kuh, *supra* note 113, at 1156.

¹⁴⁶ *Id.* at 1170.

¹⁴⁷ *Id.*

¹⁴⁸ *Id.* at 1172.

¹⁴⁹ *Id.* at 1173.

¹⁵⁰ *Id.*

VI. ALTERNATIVES TO PROPOSED REGULATIONS

A. TAX INCENTIVES

It is a probability that the proposed regulations would be faced with opposition from the public. In California, smart meters were installed to collect information about individuals' electricity usage to encourage voluntary conservation of energy; this caused opposition, with individuals claiming that it constitutes as a "breach of privacy."¹⁵¹ Due to the nature of the minimalist lifestyle regulations, it is likely that they will face similar opposition. However, resistance to regulations, specially regulations that encourage a minimalist agenda and help the environment, might arise not because of fear of government intrusion but simply because the public does not give environmental issues the appropriate importance.¹⁵²

Accordingly, tax incentives can be another method employed to encourage the minimalist lifestyle. Using taxes as a way to shift consumption patterns for environmental reasons is not common.¹⁵³ However, that does not mean that the movement towards minimalism ends there. If the proposed regulations were not implemented state-wide, tax incentives would serve as a great motivator to encourage the minimalist lifestyle. Allowing individuals to have the freedom to exercise this option would encourage willing participation. Similar to how monetary incentives are given when people turn in bottle deposits, tax incentives would be put in place to encourage taxpayers to engage in the minimalist lifestyle.¹⁵⁴

In addition, individuals would receive benefits or other monetary incentives to encourage participation in environmentally friendly companies. Companies such as *Getaway* allow individuals to experience living in a tiny home (cabin) for an average price of \$100 per night.¹⁵⁵ To inspire interested individuals who are uncertain about making the transition into the minimalist lifestyle, the government would be in communication with app developers to sponsor or waive fees for said

¹⁵¹ Felicity Barringer, *New Electricity Meters Stir Fears*, THE N.Y. TIMES, (Jan. 30, 2011), <https://www.nytimes.com/2011/01/31/science/earth/31meters.html> [https://perma.cc/VVE8-PVPT].

¹⁵² Kuh, *supra* note 113, at 1155.

¹⁵³ Salzman, *supra* note 137, at 1265.

¹⁵⁴ Kuh, *supra* note 113, at 1127-28.

¹⁵⁵ GETAWAY, <https://getaway.house/> [https://perma.cc/D4TZ-4NYT] (last visited Jan. 26, 2020).

individuals. Similarly, the government would encourage individuals to participate in companies such as *Cladwell*, a company that helps with clutter by creating thoughtful wardrobes for individuals so that they shop intentionally and love and wear every item that is in their closet.¹⁵⁶

Upon receipt, levels of engagement with apps like these would be measured and then a tax break given accordingly. The more minimalist the lifestyle becomes, the greater the tax break. This would allow for individuals to change and grow in their minimalist lifestyle as their tax break increased with them over time.

B. EDUCATION

Another way that the minimalist lifestyle could be encouraged is through the use of education. If the aforementioned regulations were found to be too intrusive or too conservative, minimalist lifestyle classes could be implemented in high schools. This would be a separate class where children learn about tiny homes, reducing their carbon footprint, and learning to reduce their consumption and waste. This class could explain the benefits and disadvantages of the minimalist lifestyle and present this as an alternative for their futures. If such regulation mandating schools to teach young children about the minimalist lifestyle did not occur, perhaps the topic could be implemented into another class such as Home Education or Science. Here, students could engage in practical application by learning how to shop “green,” preserve energy, and be conscious of their consumerist decisions.

VII. CONCLUSION

While the minimalist lifestyle can have grand positive impacts on the atmosphere and environment, it can also prove greatly beneficial on an individual level. There are countless testimonies of people claiming that minimalism has improved their mental health.¹⁵⁷ In fact, minimalism can

¹⁵⁶ CLADWELL, <https://cladwell.com/> [<https://perma.cc/9MSP-M76V>] (last visited Jan. 26, 2020).

¹⁵⁷ Robert T. Muller, *What Can Minimalism Do For Mental Health?*, PSYCHOLOGY TODAY, (Feb. 07, 2019), <https://www.psychologytoday.com/us/blog/talking-about-trauma/201902/what-can-minimalism-do-mental-health> [<https://perma.cc/QHB6-7Q8Y>].

even be used as a method to fight depression as there is a link between materialism and depression.¹⁵⁸

A. MILLENNIALS AND MINIMALISM

Currently, millennials are the generation that is primarily interested in the minimalist lifestyle.¹⁵⁹ Millennials are those that are currently between 20 and 36 years of age.¹⁶⁰ They grew up during the recession and put great importance on technology and social media.¹⁶¹ Most importantly, they favor products that are marketed as “ethical, sustainable, and environmentally friendly.”¹⁶² Millennials make up over a quarter of the U.S. population, and if most truly favor environmentally-friendly products and experiences, the government should take advantage of the cultural shift.¹⁶³ Millennials are investing in experiences and lifestyles rather than tangible items, and it is time for regulations to reflect this changing worldview.¹⁶⁴

B. THE NEED FOR CHANGE

Change can be a difficult process, especially when it involves changing beliefs and lifestyles that have been deeply rooted for so long. Unfortunately, there are not enough resources to sustain the consumerist lifestyle that is currently happening.¹⁶⁵ The environment is in danger and drastic change is needed to save it. Minimalism and minimalist lifestyle regulations are the solution. Establishing the aforementioned regulations might seem radical or impossible but change is bound to happen if there is a cultural and mindset shift towards the minimalist lifestyle.¹⁶⁶ Millennials are already showing interest in this lifestyle so governmental encouragement of the minimalist lifestyle is more plausible now than

¹⁵⁸ *Id.*

¹⁵⁹ *Millennials Go Minimal: The Decluttering Lifestyle Trend That is Taking Over*, *supra* note 64.

¹⁶⁰ *Id.*

¹⁶¹ *Id.*

¹⁶² *Id.*

¹⁶³ Deborah Weinswig, *From Housing to Groceries, Millennials Are Disrupting Industries*, *FORBES*, (March 2, 2016), <https://www.forbes.com/sites/deborahweinswig/2016/03/02/from-housing-to-groceries-millennials-are-disrupting-industries/#2c2a5fc956d1> [<https://perma.cc/25YG-6WW4>].

¹⁶⁴ *Id.*

¹⁶⁵ Brosius, *supra* note 103, at 286.

¹⁶⁶ Meissner, *supra* note 17, at 195.

ever.¹⁶⁷ Individuals are even willing to pay more money for a product if it means that it will cost the environment less.¹⁶⁸ It begins with the individual. Individual behaviors are at the core of environmental issues such as climate-change, but individual behaviors are also the potential solutions.¹⁶⁹

Concerns about government intrusion are valid but they must be balanced with the pressing issues that the environment is in. The public at large must become educated and understand the benefits of such regulations, not only for themselves but for the environment.¹⁷⁰ It is the public's duty to attempt to preserve limited resources, avoid climate change, reduce consumer waste, and conserve the Earth.¹⁷¹ Minimalism might not be for everybody but there is certainly an aspect of it that anyone can learn to apply in his or her everyday life.

Minimalism does not mean living in a deprived manner; there are no set rules. On the contrary, it means living and learning to be content with less or only what is actually necessary according to the needs of each individual. Minimalism is not a call for every American to do away with half of their possessions and never treat themselves to something that is not essential to survive. It also does not mean that individuals must only own a certain number of items or become environmentalists to help the cause. Minimalism does not mean that individuals cannot have hobbies or that their homes must look plain and void of unnecessary décor. It simply means that individuals should be more conscious about the choices they make every day. Being more conscious can mean tracking one's carbon footprint or simply being aware of how much waste is being produced.

Minimalism is not simply a fun aesthetic and it is definitely not just a trend. The words "minimalist" and "minimalism" might have gained more popularity in the recent years, but it is a concept has been around for centuries.¹⁷² Regulations encouraging the minimalist lifestyle do not

¹⁶⁷ *From Housing to Groceries, Millennials Are Disrupting Industries*, *supra* note 163.

¹⁶⁸ Jamie A. Grodsky, *Certified Green: The Law and Future of Environmental Labeling*, THE YALE J. ON REGULATION, Vol 10 147, 149 (1993).

¹⁶⁹ Kuh, *supra* note 113, at 1114.

¹⁷⁰ *Id.* at 1178.

¹⁷¹ Brosius, *supra* note 103, at 289.

¹⁷² Rosie Leizrowice, *Six Common Misconceptions About Minimalism*, HUFF POST (Feb. 05, 2017), https://www.huffingtonpost.co.uk/rosie-leizrowice/minimalism_b_16357880.html?guccounter=1&guce_referrer=aHR0cHM6L

have to be burdensome. Similar to mandates in general, these regulations can succeed if “they do not impose disproportionate burdens on a select few, do not unduly transgress the home, minimize inconvenience and other costs to the public, and are effectively “sold” to the public through communication and demonstration of the measure’s benefits.”¹⁷³ The minimalist lifestyle works on a spectrum. For some, minimalism is living in a tiny home or only using green products. For others, it is being more conscious about the waste they produce or decluttering their homes. Either way, downsizing or minimalizing leads individuals to practice behaviors that are positive for the environment.¹⁷⁴ The range of minimalism is wide and with some thought and determination, everyone can find a comfortable place to begin their journey.

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¹⁷³ Kuh, *supra* note 113, at 1177.

¹⁷⁴ Saxton, *supra* note 81.