

THE NEED FOR COSMOPOLITAN RESPONSIBILITY IN PLATFORM CAPITALISM COMPANIES¹

Jânia Maria Lopes Saldanha²

Pedro Victor dos Santos Witschoreck³

ABSTRACT: The article proposes to study, in the context of globalization and transnationalization of economic relations, platform capitalism, especially the definition of this scenario, considering the logic of transnational companies that operate in this field, especially regarding labor uberization. The objectives are to a) investigate platform capitalism as a source of autonomy for workers; b) study the concept of labor uberization; c) analyze platform capitalism in the logic of transnationality; d) investigate corporate "cosmopolitanism of responsibility" for an alternative to combat the informalization of platform labor. The research problem driving the article is the following: considering 21st century platform capitalism, is it possible to find ways in the juridical cosmopolitanism of responsibility to hold responsible transnational companies operating on a platform? A dialectical approach is used, exposing contradictions causing the insecurity of the worker inserted in this environment, by means of bibliographic and documental research. The conclusion states it is urgent to formulate legislation in a global sense to deal with local problems that become universal, precisely because of the lack of an internationalized treatment of the subject. Furthermore, domestic legislations themselves must adapt to the impacts of the network society, seeking to hold transnational companies locally responsible, though bound to the global legal treatment of the issue through responsible cosmopolitanism.

Keywords: Platform capitalism; cosmopolitanism; transnational corporations; globality; labor uberization.

¹ This research was subsidized by the Coordenação de Aperfeiçoamento de Pessoal de Nível Superior – Brazil (CAPES) – Funding Code 001 and developed from the projects "Multisector and systemic crises" (n° COFECUB202229420P) and "Syndemia and Human Rights: transnational mechanisms, state accountability and corporate responsibility".

² PhD in Public Law from UNISINOS. Senior Internship at IHEJ (Institut des Hautes Études sur la Justice, in Paris). Professor of the Post-Graduation Program in Law (CAPES 6) in the research line Hermeneutics, Constitution and Realization of Rights, and of the Law Course of UNISINOS Law School. PhD in Public Law. Lawyer. Lattes: <http://lattes.cnpq.br/9285450415334580>. ORCID: <https://orcid.org/0000-0003-0081-201X>. E-mail: janiasaldanha@gmail.com.

³ Doctoral student in Law at the Graduate Law Program of the Universidade do Vale do Rio dos Sinos – UNISINOS. Scholarship CAPES/PROEX. Master in Law from the Federal University of Santa Maria – UFSM. E-mail: pedroviktor@hotmail.com. Lattes: <http://lattes.cnpq.br/2701429384864910>. ORCID: <https://orcid.org/0000-0002-5399-0023>.

1 INTRODUCTION

Uber, founded in 2009 in Silicon Valley, stands out as an actor of significant importance for changes in urban mobility practices and reshaping labor relations. Its main business is human mobility by means of an application. Passengers request trips through the Uber app, while drivers receive the request notifications through the Uber Driver app. Such a format results from a new model of capitalist practice: platform capitalism.

The ephemeral bond of the customers is established with the company providing the service, not with the vehicle drivers. It is the customers who evaluate the quality of the driver's service, transmitting the message directly to the Uber company, which, using these data, controls the drivers. Although it is clear that the drivers provide services to the company, Uber does not consider this work as establishing an employment relationship, since the company presents itself as a "technology company". This causes a breach of the protections and offers an escape from legislations involving labor issues. In order to substantiate these findings, the objectives here are to a) investigate platform capitalism as a source of worker autonomy; b) study the concept of labor uberization; c) analyze platform capitalism within the logic of transnationality and; d) explore "cosmopolitan corporate responsibility" as a possible alternative to counter work informalization on the platform.

The objectives seek to answer the research problem, to wit: considering platform capitalism as seen in the 21st century, is it possible to find ways in the legal cosmopolitanism of responsibility to hold accountable platform based transnational companies? In order to find an adequate answer, dialectic methodology will be the beacon guiding the use of concepts coined by Supiot, to define and show the contradictory scenario of platform capitalism concerning labor relations. Thus, the contradictions causing insecurity to the worker inserted in this environment are clearly evident, while the need for a cosmopolitan vision to deal with the consequences of these bonds is verified. The research for the elaboration of this text was bibliographic and documental in nature (Gil, 2010). As to the former, national and foreign authors who deal with the theme were identified. As for the second, we analysed technical reports and news in the media, as well as authors to support the criticisms and notes.

Taking into account these preliminary observations, this work, in the first part, makes the intellectual effort to demonstrate, initially, the need to disrupt the idea of autonomy existing in platformized work, showing that we are facing new ways of exploiting human labor. An effort is also made to demonstrate that the economic practices of the transnational company Uber have given rise to the phenomenon

called "labor uberization", which is undeniably close to neo-feudal forms invading all spheres of the worker's life.

In the second part, the aim is not only to demonstrate the urgency to hold platform based companies responsible for violating labor law and, consequently, the human rights of the drivers of vehicles, but, essentially, to think of them as transnational companies that aim to escape the enforcement of domestic law and also of international law, in a sort of structural hermeticism that intends to stand above any legal obligation. Precisely because of this, the text will propose, in the end, that this elusive, if not absent, responsibility can be transformed into strong and real responsibility through cosmopolitan responsibility, since the very transnational nature of the companies adopting the model of platform capitalism means acting without any regard for borders. For this reason, cosmopolitan responsibility is the cross-border response that law can provide to address corporate impunity.

2 PLATFORM CAPITALISM AND LABOR UBERIZATION

It is necessary to consider the advances in technology as a phenomenon that accompanies the transformations of technology and labor in today's highly dynamic and plural societies. So studying the role of technology as a factor capable of influencing all spheres of human life is not a new challenge. Ellul (2012) in his famous work observes that technology is endowed with an autonomy which can even reduce man to the condition of a slave. The extent of its expansion implies that all spheres of society form nothing less than a single reality, that of technological society.

In effect, platform capitalism encompasses the labor sphere, but does not represent the entire technology-labor relationship. It does elucidate part of this intertwining in the sense of reformulating employment relationships and the relationship between "boss" and employee, reconstructing the very concept of subordination. It is evident that this capitalism reproduces a discourse about working on the platform as something positive for workers, providing them with the false illusion that they do autonomous work, in dialogue with the logic of entrepreneurship and of the worker without a boss, that is, a true self-made man.

As an explicit reflex of this scenario, the Uber company is the example that defines these new forms of relationship in time and space of modern society. In this sense, the format "technology company" has even led to the creation of a neologism defining these relations: labor uberization. These facts deserve attention within globalization processes, especially in order to deconstruct not only discursive forms about the non-existence of subordination, but also aiming at visualizing that there are new forms of subordination that are detached from basic contractual issues, such as

income, time and workplace. For these reasons it is necessary to "de-romanticize" platform capitalism (2.1). And, on the other hand, one must understand "labor uberization" (2.2).

2.1 "De-romanticizing" platform capitalism as a source of worker autonomy

With platform capitalism problems arise involving economic, legal, and political issues, among them work regulation of the people involved in the platformized activity, as well as the regulation and supervision of the companies involved in the business, especially regarding their legal responsibilities.

Supiot (2015) addresses the economic relations in historical terms, saying that the socially organized human being, from the end of the Middle Ages until the industrial period (based on the temporality of the clock), is ousted in favor of a "programmable" man, that is, under the paradigm of cybernetic influence and the informational revolution. In this trajectory, signs start to be treated in a digital way, as the clock's logic is replaced by the computer's logic and the cybernetic modality. Parallel to this process, the construction of government is detached from exercising its power within terminologies and ideas such as territory, people, law, justice, morality⁴. This is because the sense of governance implies developing notions such as civil society, regulation, space, program, evaluation, goals, and other words capable of relating governance to technology.

For Supiot (2015), these new realities and connections between entrepreneurs, workers, and machines make us take a new look at law. For him, in the old model, it was understood [that there is] a property right of man over himself, as well as the alienation of goods through work power. In this context, the worker had his mental faculties "neutralized" due to a scientific organization of work. In this sense, the labor contract itself legalizes the possibility of the process altering the consciousness – the dissociation – of the thinking subject. In summary, [this subject] was reduced to a contracting party, and labor was desubjectivated, hostage to a subordinated work temporality. Labor law and consequently labor contracts, by enabling economic and physical security – even if minimally – with interests in the performance of the work itself, ensured the formulation of a labor market, making slavery unfeasible, legally preventing this form of labor exploitation, although we can identify recurrences today,

⁴ This is not to say that such understandings will cease to exist, but, on the contrary, the current context, considering the cybernetic modality, technology in general, and the links with the Internet, construct new directions for it. That is, conceptual and practical expansions occur in order to make the adaptation of "governing".

like in the condemnation of Brazil in the case *Fazenda Brasil Verde vs. Brasil*, judged by the Inter-American Court of Human Rights (2016)⁵.

The economic model stemming from old labor relations Supiot (2015) considers disrupted by the cybernetic model, since the human being is now understood as an "intelligent machine". This new type of individual, in the condition of worker, for Supiot (2015), is the "objective subject", adaptable and driven by calculation. All this is aimed at achieving the established goals. This creates a flexible worker, who is inserted in a contractual bias aiming not at the amount of work, but being attentive to the individual worker.

In the Fordist model, for example, the focus was to subordinate the worker within a scenario formed by externalized rational logic, different from the current one, in which the focus is on a kind of "programming". This means that in the cybernetic model the attention paid to the worker has to do with goals, and results are measured on a statistical basis. This aims at motivating the individual to assess his professional conduct on the basis of such evaluations in order to have positive reactions to the gap evidenced between the performance carried out and the objectives set. The labor contract in Fordism was an exchange based on quantity, that is, the quantity of working hours was equivalent to a quantity of money to be received by the worker. Labor law brought legal subordination to the heart of the matter, obliging compliance with the orders issued by the contracting party. In short, during the time sold to the employer, freedom had been given up (Supiot, 2015).

It is valid to say that this way of exercising work is not questioned, that is, the submissive condition of the employee towards the contractor during the performance of the proposed activity remains untouched. The quantification of wages is directly related to production and not to the time dedicated to it. An example of this is the logic behind the payment of commissions for predefined productive work. What both of these work formats have in common is the way in which time is set (whether previously determined or not) in relation to the employer, as stipulated by the contractor.

Santos (1996), at the end of the last century, warned about a series of events related to the hegemonic rationality coming from neoliberalism: the insertion of work spaces and workplaces is also being refounded. It is not wrong to say that this renovation occurs both in the sense of place as territory and in the spatial logic of work platformization. Santos (1996) refers that in the globalization process information

⁵ About this case: "1. The case submitted to the Court. – On March 4, 2015, the Inter-American Commission on Human Rights (hereinafter referred to as "the Inter-American Commission" or "the Commission") submitted to the Court the case of Workers of Fazenda Brasil Verde against the Federative Republic of Brazil (hereinafter referred to as "the State" or "Brazil"). The case concerns the alleged practice of forced labor and debt bondage on the Brasil Verde Farm, located in the State of Pará. [...] In this regard, the Inter-American Court of Human Rights declared the Brazilian State internationally responsible for several violations.

and technology, and consequently finances, are being renewed in order to reaffirm themselves as variable sources capable of determining new forms of work. Along the same lines, Silveira (2015) describes that the determining variables of this globalized period tend to become dominant. Therefore they are able to place themselves as producers of a quantity of material and immaterial forms so that they become paradigms of modernity. Especially in large cities and metropolitan regions, globalization – considering the cybernetic mode of work – creates new interactions between the circuits of urban economy.

In the face of these new interactions caused by the cybernetic way of working, financialization, together with technical advances in various fundamental areas of society, cause the activities that are performed on the platform to be trivialized regarding development, presumed to be the alpha and omega of life on the planet. This is because rapid technological advances become more and more natural, just like the human activities that take advantage of these advances in order to exist. In this landscape, platforms mediate the capitalization process in a socio-technical sense, ensuring not only the connection between markets, but also enabling the constant, permanent and continuous tracking of information to extract incomes, and also directly extracting income through circulation itself (Langley and Leyshon, 2016). Regarding this process, Kostakis and Bauwens (2014) address the antagonistic issue of this "digital economy": on the one hand the distribution of infrastructure, based on technology and supposedly guaranteeing that it would transform all workers into small entrepreneurs. On the other hand, oligopolies are formed, since the technical infrastructure belongs to financialized global corporations. Delmas-Marty (2013), in a luminous work, has insightfully identified the risk of subservience to new technologies as one of the factors that, on the one hand, weaken the worldwide spread of human rights and, on the other, intensify the power of economic globalization.

Under the new platform based corporate viewpoint, the promise that workers will be more autonomous does not go beyond mere promise, as algorithmic programming, by taking control, destroys the possibility of more freedom. It is in this sense that Supiot (2015) speaks of autonomy in subordination, since platform workers no longer follow orders, but rather the rules of a given program. This leads the individual as a worker to express only predefined reactions. The algorithm, although it can be reprogrammed, is a guarantor of the results that the company wants, without the need for direct orders to their "subordinates". This means a breach with the Fordist

system of competition/competitiveness, as the subordination of this model takes place in a kind of control by punishments and rewards⁶.

This logic makes work noticeably insecure in a constant manner, causing workers to assimilate this idea of insecurity so that control can be better exercised and, consequently, more effective. Companies assume greater power over workers, even though they seem more distant. Ties, given by algorithmic logic, increase the distance of direct relations, producing subjective pressures on workers, because they are not an entity, but [products of] programming exercised by human beings with financial interests.

2.2 From Uber to labor uberization

In Brazil, part of the economy has a social division of labor that is quite diverse in terms of the activities performed, as well as flexible and adaptable to the country's economic scenario. In this sense, app drivers, especially Uber drivers, are currently part of this group, typically from low-income population (regardless of whether it is an exclusive or complementary activity). However, the current scenario has demanded that qualified professionals and/or those with relatively average income also perform platform jobs. Moreover, high unemployment rates (Costa, 2020)⁷ also lead to informal work as an Uber platform driver (Abílio, 2020c).

That said, Morozov (2018) states this platformization of work is a new response to precarization, evidencing precisely the adaptation and flexibility of the aforementioned class. According to Morozov (2018) connectivity provided by smartphones makes workers join this platform capitalism, generating narratives of creating "new forms of entrepreneurship" under arguments involving "partnerships" with platform companies – through apps – as in the case of Uber. The fact that the rules, in this scenario, are flexible, allows the worker to be exploited, even by shifting to him the risks of work, as well as the costs. That said, almost self-regulated markets are formed, and companies, by escaping from labor regulations and responsibilities towards workers, achieve greater autonomy (Montenegro, 2020).

Such factors lead to what Supiot (2015) calls the refeudalization of relations. Thus, workers no longer focus on obeying orders in places and times defined in advance, but mobilize themselves in complete submission to the mechanisms put in

⁶ In short, the workers who follow the program are rewarded with certain bonuses, while those who do not conform to the system's commands receive punishments, including the possibility of preventing them from working on the platform, cutting them off from it.

⁷ In this sense, it is also worth noting that, according to an article published on the UN website, "the International Labor Organization (ILO) reveals that informal work represents 70% of the jobs created since the second half of 2020 in several Latin American countries. In Brazil, for example, the rate is 68%. [...]According to the UN agency, unemployment and falling labor force participation persist due to the impacts of the Covid-19 pandemic on the economy. The ILO calls for more action to combat the crisis and [promote] the creation of better quality jobs" (UN, 2021).

place in order to evaluate performance. This is Uber's operating logic: a company that enters the personal lives of its "employees". The narrative of greater freedom and autonomy in this modality, by destructuring traditional notions of work space and time, potentiates the worker's engagement in work. Control via the algorithm organizes work on Uber's platform, changing the logic of the commodity-worker into a supposedly free worker in a "neo-feudal" bond with the corporation.

The companies that own apps outsource management by transferring to the service users the evaluation of the workers, called "collaborators," while still making a profit. Ludmila Abílio (2017) states that the worker becomes a "nanoentrepreneur"⁸ of himself, while the company assumes the role of a mere supplier of the means of labor, mediating supply and demand. An immaterial control is created in which the company is an application, placing the worker as a partner managed by software. The figure of the manager dissipates in the multitude of service users. The consumer of the service, then, is also used by the enterprise of platform capitalism as its "panopticon." The evaluation work, which should be done by the entrepreneur, is directly transferred to the consumer of the services, that is, the consumer voluntarily submits to the management norms of the company and contributes decisively to the authoritarian actions committed by the company in the treatment and dismissal of their "collaborators". The company visibly profits considerably because the consumer-evaluator formula dispenses with the traditional human resource management services involved in evaluating, orienting and qualifying workers.

On the other hand, the commands to Uber's workers take place through the algorithm, where a dynamic pricing decides the price of the service. The pricing action controls the market, since it stipulates low prices, harming competition and directly influencing the working time. In this neo-feudal "partnership," labor law protection regarding the limitation of working hours is relativized by the existence of a worker-entrepreneur. The low fare prices force the driver to work more hours to achieve a decent wage, so that he dedicates many hours a day to this type of activity.

⁸ Abílio (2017, p. 20-27) explains the concept of nanoentrepreneur with the following arguments: "the elimination of ties also means that the non-working time no longer enters the capital account. The worker is a nanoentrepreneur, and the company is not an employer, but a partner, there is no kind of labor contract, not even a service contract. This worker is defined as a microentrepreneur, who has freedom over his own work, who has no boss, who manages his own life in order to survive. A worker bearing the risks himself, with a series of costs, and without the rights that were associated with the exploitation of his work [...]. This nanoentrepreneur becomes responsible for managing himself in this changing and unstable availability of his work. Besides being available for work on demand, he has to establish his own strategies that guarantee his reproduction in the time when he is not needed; after all he is alive independently of the demands of capital [...]. Transforming the worker into a nanoentrepreneur means the mediations that regulate his work will no longer have the public dimension that may – or may not – apply some brakes on exploitation."

Given this neo-feudal logic observed in Uber, it is possible to approach such relations in labor based on the so-called "labor uberization", specifically for the purpose of highlighting the need to address the issue of liability of platform companies. Taking a broad view, Abílio (2020, p. 112) states that labor uberization defines "an ongoing trend that can be generalized by labor relations, encompassing different sectors of the economy, types of occupation, levels of qualification and income, working conditions, globally. In short, the term uberization is not restricted to, nor has it started, with this company, it only indicates a new form of control, management, and organization of work. Therefore, "uberization can be considered a broader process, beyond digital platforms, even historically – as a process of informalization and consolidation of the on-demand worker" (Abílio et al. 2021, p. 36).

It is not possible to select an Uber driver based on the grade he has received, since the algorithm is responsible for selecting and directing to the location requested by the customer (Abílio et al., 2021; Morozov, 2018). This factor differentiates this platform from others like Airbnb and Mercado Livre, because in them, customers and sellers have a mutual relationship, and even the rating and other criteria can be defining factors at the time of choice. In the case of Uber, the driver and the client are automatically put in contact, and the grade given is only important for checking the quality of the service, that is, the grade is given to Uber – so it can control the worker (Abílio et al. 2021). Surveillance is constant and comes from the customers themselves, who do nothing more than supply an important function for the company. It is not even possible for them to establish loyalty with the drivers, because the randomness of the platform transforms them into Uber clients. In this vein, Felix (2022) defines the use of digital platforms and the web as a data provider for companies, for marketing and control purposes (punishment, selection, dismissal)⁹.

Work is intensified, since the salary is based on the task performed¹⁰. A disguised wage-earning system is created, which is also harmful in the sphere of workers' lives, since control goes hand in hand with rhythm, through long working hours and goals that imply a stressful routine with the aim of achieving a higher income (Abílio et al. 2021). In short, labor uberization puts on one side the groups that own the

⁹ That said, Felix points out: "By linking to the application, the user necessarily agrees with sending and collection of these data. And the worker, on the other hand, is subject to such controls, which, despite being digital, are transfigured forms of supervising the consumption of labor power, whose operation represents unproductive expenditure that, since the advent of wage labor, the capitalist seeks to reduce. Digital platforms have increased the labor productivity of this control, by using computer engineers, programmers and electronic fiscal systems instead of bosses, inspectors and supervisors.

¹⁰ Felix (2022, p. 5-6) explains that "in the case of Uber and similar app companies, even considering that the same worker is usually linked to two or more apps simultaneously, there is an exact coincidence of what we call production time with the purchase of labor power. For example, only the time that the driver is actually driving and taking the customer within the perimeter acquired through the platform is paid for. The time between trips is not paid, and the remuneration, in this production time, is given by an algorithmic formula in which factors such as demand for new purchases, location of the driver, travel time and distance in traffic are taken into account. This results in long working days, some report over 10 hours a day, and 6 to 7 days a week, as we have verified and has also been verified in other research and in reports made by the workers themselves and/or by journalists.

companies capable of making investments in services and production in technology, while on the other side are those individuals who only possess the labor to be appropriated by the former.

Technology companies have assumed an emancipatory format, based on consumption, since they produce tools supposedly designed to confront the establishment. Uber itself challenges traditional taxi services; Airbnb confronts hotels; Amazon opposes shops and bookstores; moreover there are relationship apps, restaurant services, food ordering, etc. (Morozov, 2018). Attention must also be paid to the historical development of platform based work in order to understand the continuous process of updating modes of exploration. Then it will be possible to think of ways to hold companies accountable for violations of workers' rights, and for leading them to situations of vulnerability due to technology-based strategies. It is essential to show some ways to hold the platform companies accountable for occurrences linked to them.

3 ROUTES FOR HOLDING TRANSNATIONAL PLATFORM COMPANIES ACCOUNTABLE

In view of the panorama established by platform capitalism, the intention is to show that the companies that operate through applications and are likely to reproduce platform capitalism are also transnational companies. This means that their power and economic influence transcend borders and the legal remedies for accountability for their actions, which the traditional nation-state model – and sovereignty – is not able to deal with.

The nature of legal relationship platform capitalism companies establish with their service providers presents a number of legal problems linked to human rights violations. The transnational nature of these companies and the soft nature of their rules are issues that make it extremely difficult to reduce the architecture of impunity that has not only benefited them, but has especially allowed their growth and expansion around the world. In order to face these challenges, it is necessary to pay attention to the fact that platform capitalism companies fit the profile of transnational corporations (3.1). On the other hand, though much has been theorized about democratic or relationship cosmopolitanism (Saldanha, 2018), one can state that cosmopolitanism of responsibility is a possible and necessary way to hold such economic actors accountable (3.2).

Authors who address the issue of technology, like Castells, Abílio, Supiot etc., must be correlated with cosmopolitan thinkers who seek broad legal proposals aligned to the globalization process: not aligned in the sense of acceptance, but of breaking the hegemonies in the economic, cultural, legal and political spheres, with

the intention of "building" a *mondialité* [worldwide system]¹¹ and treating problems as common to humanity.

3.1 Platform capitalism in the logic of corporate transnationality

When thinking about transnationality, it is worth pointing out that it is understood as a determining factor of the legal and political orders of modernity. In this aspect, platform capitalism integrates this logic, and a good part of the companies that perform activities in the platform are seen as transnational companies.

Chevallier (2009) states that the logic of transnationality is structured after World War II, in the sense that States suffer different crossings, but do not know how to contain or control such flows. Obviously Law goes through this process, often leaving aside its traditional ways of structuring itself, subverting itself to anarchic orders. Harvey (2009) states that these factors are the result of the forces of private logics pushing for this deregulation. These forces consist of making the accumulated capital circulate around the world in a dematerialized way – a dematerialized monetary system. Dupas (1999) says that information technologies have boosted the economic process.

In the same sense, Canclini (2007), when differentiating globalization from internationalization and transnationalization, emphasizes the importance of technology in this historical process.¹² Canclini (2007) conducts his study understanding transnationalization as a process that comes after internationalization, although dependent on it. In short, internationalization was essential to arrive at transnationalization (which began in the 20th century). As the author points out, in this period the creation of companies begins in which their headquarters are no longer located exclusively in a single nation, but across borders. It happens that these companies, when transcending borders, take with them the characteristics of their original nation in which they were founded. Thus Canclini (2007) states that globalization was nurtured by internationalization and transnationalization, being posterior to them. The scenario then produces dependencies in greatly intensified ways – dependencies that often are reciprocal. Economy and culture are now global,

¹¹ For Delmas-Marty (2007), it is important to differentiate between *mondialisation* and *mondialité*. *Mondialisation* is broad, and standardizes processes in the present context. *Mondialité*, on the other hand, encompasses the multiple, that is, the idea of belonging is not restricted to the national and its limits, but comprises global relations and the fact that they encompass a process of interaction, capable of harmonizing, coordinating and unifying the routes to a cosmopolitanism that deals with corporate responsibility. In short, it takes into account processes that are both unique and multiple at the same time.

¹² Canclini (2007) states that internationalization, both cultural and economic, begins with the navigations that took place during the colonial period, constituting a process that lasted throughout the 16th, 17th, 18th, and 19th centuries through the relations between colony and colonizers.

allowing technology and resources involving data, algorithms, and the various relationships that emanate therefrom to strengthen deterritorialization.

Santos (2003) elucidates this very well, advocating the fight against this exclusively economic – hegemonic – globalization¹³, which aims at the expansion of capital markets, propagating liberal ideas. For the author, this struggle does not mean a return to localism, but rather the promotion of an idea consistent with counter-globalization, that is, reciprocal and equal exchanges between the global south and north should be sought, inserted in a logic of solidarity. To this end, the need for solidarity networks is evident. Such networks are present in treaties that aim to protect human rights, and in various cultural and scientific movements. Likewise, it is worth pointing out that this solidarity also materializes through networks that seek to protect the environment, like Non-Governmental Organizations (NGOs) among others.

Since the goal is to escape from this hegemonic globalization of the world with the intention of taking counter-hegemonic action, as Santos (2003) puts it, it is necessary to identify to what extent the discourses and practices of global institutions are linked to human rights and seek emancipatory policies. This path includes transnational technology companies that operate through platforms and, due to globalization, are able to re-found time and space.

It is with these contributions that corporate responsibility in platform capitalism must be conceived. The first step is to understand the historical process and the influence of technology in it – and as a result of it. Companies like Uber, being platforms, transcend not only the territory as a transnational company, but also as a distinct space and time. Their essence is in the network and the economic value comes from it, which does not annul labor relations, nor the idea of the existence of an employment relationship in the legal sense.

Supiot (2015) brings the following case judged by the French *Cour de Cassation* (2004) in an attempt to elucidate how this relationship is due to management by programming. The case deals with participation in a reality show called *Île de la Tentation*, broadcast on television. The program's dynamic consisted in allocating couples on an island, putting them in situations and activities involving single people, with the intention of "testing fidelity". For this, each individual who chose to participate received the sum of 1,500.00 Euros. The situation took on a legal dimension because the participants demanded an employment relationship with the producers of the program. The result of this was that the participants were recognized as employees because they had to follow a set of rules. It is important to note here

¹³ For Santos (2003, p. 433) "what we usually call globalization is, in fact, different sets of social relations; different sets of social relations give rise to different globalization phenomena. In these terms, there is not strictly a single entity called globalization; there are, instead, globalizations".

that these rules were defined unilaterally, that is, the producers dictated the conduct of the participants, who were now also workers (there was even talk of dismissal in case of violation of the rules). In short, the Court understood that this activity produced a good and had economic value.

The example illustrates the existence of an employment relationship based on the idea of economic value and of the unilateral power exercised by the company over the participants. In general terms, the importance of the analogy consists also in the observation that, since they are platform companies and labor is uberized, there are goods with economic value in the relationships exercised in them. In addition, the company fits the sense of transnationalization described above, that is, it holds significant power in the world economy. Therefore, it is unacceptable that it is exempt from labor responsibilities.

It is worth noting that Castells (2011) states that networks have become applicable to all activities containing electronic connections. In this sense, the author deals with five network characteristics. The first is that information is the raw material of the network, and so the second characteristic emanates precisely from this informational logic entering all processes of collective and individual existence of the human being. That said, it is possible to resume Supiot (2015) on the intensity of platform capitalism as a refeudalization of relations, since the traditional relations of space and time are deconfigured and a constant control is formed over the personal lives of workers.

Furthermore, Beck (2006) states that the old Westphalian relations give way to the transnational mode (local-global, national-global, or a relation between global actors), giving rise to the so-called cosmopolitanism of reality. It happens that, even with all this reasoning that highlights the cosmopolitan logic, some reasoning is constituted by the old metaphysics of national States. Perhaps it is more pertinent to follow Supiot's (2015) lessons on the neo-feudal relationship of platform capitalism, under the symbol of the Internet (Castells, 2011), which are paradigms of contemporaneity. That said, it can be seen that the platformization of work, exercised by companies in the transnational molds exposed by Canclini (2007), cause the weakening of worker protections, precisely because of the legal treatment of the subject according to Westphalian logic, that is, disregarding globalization.

In turn, the third characteristic addressed by Castells (2011) is the use of mathematics as the basis of the network and the structuring of relationships within it and involving it. This causes a dynamic capable of structuring that which is not essentially structured, which causes a constant movement capable of building continuous innovations. The fourth characteristic, as a reflection of this movement, is precisely the ease of flexibilization. Various processes are capable of being reversed,

institutions are molded, refounded, and may undergo modifications in the course of this process in order to adapt to the logic of the network society. In short, this leads to a social reorganization.

Platform capitalism corresponds exactly to these two characteristics insofar as labor relations are flexible (albeit often in a negative sense). At this point, for Morozov (2018), building employment relations along the lines of a new form of entrepreneurship is the result of adapting labor to technology in a way that also displaces it from the classical forms of legal protection. As a reorganization of sectors, there is a restructuring of how transportation occurs, how the leasing of real estate occurs, among other factors. The very act of detaching workers from the company is the main point of this approach. The structuring of the unstructured can be observed, especially when it comes to Uber, precisely because of the contact between the driver and the client, without any bond, i.e., the algorithm brings them closer and creates relations at a distance.

The fifth and last feature exposed by Castells (2011) is the integration between systems provided by internet technology. Aligned with the other elements, it builds an informational society, in which production modes are competitive, but depend on a continuous generation of processes based on information. In this sense, the contemporary economic mode is also global, since the activities related to production, as well as the circulation and consumption of what is generated, are globalized, that is, they are organized on a global scale due to the networks that are able to connect the players. This is why it is possible to define a network society, since production, consumption, and all the conditions that surround the market, including labor itself, are carried out through a global network, which also provides interaction between networks of companies.

Platform capitalism corresponds to this stage of the production mode, since productive activity is fragmented. As Manuel Castells (2011) puts it, production on a global scale, both of goods and services, occurs through transnational networks in which companies are essential – however, it is noteworthy that a series of performances carried out by them would not be possible without the rest of the network disconnected from this specifically economic aspect. The mark of this structural organization of business activities is being decentralized regarding productive economic activities.

It is evident that platform capitalism and the companies in this scenario correspond to these requirements. For Abílio (2020a; 2020b) the essence of informalization in this scenario is the loss of stability in contracts; however, in platform capitalism the tendency is to make this socially accepted and agreed upon

regarding labor rules¹⁴. An important factor in this process is the change in the stable forms of what work means, as well as what can be counted or not as working time. Consequently, this impacts on issues such as work remuneration and on what is or is not a workplace.

These informalized labor relations relate to the issue of so-called app enterprises. It is important to emphasize here that these are companies, yet they appear as applications to those who consume the service. In the same way, many times they also appear in the form of an application for the worker – such as Uber. It is in this sense that the need to consider the possibility of a cosmopolitan responsibility for transnational platform companies becomes evident, since their actions are embedded in the cosmopolitanism of reality. This perspective stands out to the extent that for global problems, the answers must also be global.

3.2 Towards a corporate "cosmopolitanism of responsibility" as an alternative to combat the informalization of platform work

Considering the functioning of platform capitalism, the need is evident to think through a cosmopolitan approach about the issue of corporate responsibility of transnational¹⁵ companies operating from the platform. This involves building a path demonstrating the function of a cosmopolitan proposal and taking into consideration the network, under the sign of the Internet, as well as the informalization of work as a motivation for adopting this approach. The importance of tracing such a route becomes more and more urgent, both due to the speed of technological advances before the law, and for the adequate protection of the worker, weakened and insecure within platform capitalism due to the power of the companies and the prevailing political-economic interests¹⁶.

¹⁴ About the above, Abilio et al. (2021, p. 30) state: "This scenario questions us whether all these platformized forms of work would still be developments of industrialism, that is, whether, despite the many technological, managerial and labor relations changes, the cooperative-industrial form (Amorim and Grohmann, 2021) would still be structured as a central form to organize this mass of informal, precarious, degraded and flexible workers (Amorim and Moda, 2020). We are thus faced with increasing difficulty in stabilizing the very terms of analysis."

¹⁵ For Saldanha (2019, p.158) "when the subject is the legal entities' responsibility for human rights violations, the problem of extraterritoriality inevitably comes to the fore, that is, the question arises, to this day not satisfactorily and fully answered, about which is the competent court to act in claims against transnational corporations for human rights violations. In effect, taking into account the plurality of legal persons in the globalized world, it is unquestionable that their territoriality is much more fluid and extended than that of the States which, as is known, is traditionally dense and restricted to well-defined geographical borders". In the same vein, the author (2019, p. 165) argues that "[...] the structure of globalized trade, spearheaded in many areas by large transnational corporations, indicates that the economic and administrative dependence of the production chain composing companies on transnational corporations is a common fact. The countless episodes of human rights violations in production chains have given rise to the debate about whether responsibility for these violations can be imposed on the large companies that benefit from the labor and products supplied by the production chains.

¹⁶ In this sense "[...] from the point of view of labor rights, for example, it is nothing new that States relax the requirements on companies that establish themselves in their territories, and that these private actors of the most diverse branches commit numerous violations that affect individuals in their dignity, which undoubtedly infringes the guidelines of the International Labor Organization about decent work" (Saldanha, 2019, p. 166).

That being said, the observation by Delmas-Marty (2007) is relevant when evidencing the worldwide interdependence of tensions, which escape the possibility of a single and exclusive treatment by a State in the traditional molds. The globalization of financial flows, of the economy as a whole, and of information and algorithmic governance, in particular, calls attention to the idea of a common destiny for humanity. Consequently, this causes a series of vulnerabilities for citizens, leading to the relevance of seeking ways to deal with legal problems also on a global scale. Delmas-Marty conducts such an approach with the intention of highlighting how incomplete and contradictory the positivized law has become in face of the established relations. An example of this is the very insufficiency of law in relation to platform capitalism. It is clearly impossible to find answers to global problems as long as legal logic continues being dichotomous, taking into account only the international, and the national under the idea of a sovereign State.

The emergence of these new actors on the global stage turns legal relations, whether within the State or abroad, so complex as to have consequences, such as the construction of a law aligned with technical management issues, focusing, as Supiot (2015) puts it, on a governance of numbers. This presupposes a globalized universe in which laws now compete for space with forms of management that require experts in the area of technology.

In the case of digital platforms, Abílio (2020a) affirms their power as global vectors, influential in the centralization of capital and potentializing the controlled dispersion of labor. This is because, by informalizing work, they establish new forms of outsourcing risks and costs. The researcher affirms that the condition of workers as just-in-time workers, who, based on technical means, combine information with informality, constructs an algorithmic management of labor relations. For Zuboff (2021), the development of technology enables mappings about work processes, through the automation of productive decisions, based on algorithms, conventionally understood as artificial intelligence. A combination of variables is extracted from the data, enabling the identification of workers' daily activities and strategies, as well as the dynamics of consumption.

Labor rules are lost in a limbo, leaving space for an unstable organization that is difficult to locate, even though being in continuous movement. One can plausibly consider the existence of algorithmic despotism (Abílio et al. 2021), since the forms of labor subordination avoid contractual ties, that is, not even wages are established. Work on the platform does not take place in advance agreement with the company – agreement as a labor bond. The distribution of work is obscure, as is the pricing, leading to a world in which workers only adapt to the rules established by the companies and, based on this, formulate their strategies, entering a universe based

on guesswork. Parallel to this informalization, algorithmic governance maps and manages work distribution, both in time and space, made even easier by the inexistence of fixed locations.

This alternation of time and space makes it impossible for law positivized in the logic of state sovereignty to fulfill its role in regulating such activities, because time and space in the network have been recast. This perspective demonstrates the empowering role of technology when aligned with the transnational phenomenon, since, according to Canclini (2007, p. 42-43), "the new computerized communication flows generate global processes when associated with large concentrations of industrial and financial capital", all this aligned with the relaxation and elimination of existing national restrictions and controls that had the function of limiting international transactions¹⁷.

It falls back on what Dupas (1999) warned about: the agility and flexibility of these networks, with the intention of responding to demands as quickly as possible, aligned with decentralization, separates the decision center from industrial production. That is, the transnational companies no longer concentrate production in the original country (headquarters), but at the same time control when and where production will take place and, especially, how it will take place in the most distinct places, doing the maintenance and distinction of profits. Platform capitalism companies adapt themselves to the places where they are located, take advantage of the legal weaknesses of these places and exploit them with the intention of profit (Morozov, 2018), but, at the same time, they do not adapt to national legislation nor to the justice system of the States.

In this sense it is extremely important to think of ways in a legal cosmopolitanism capable of dealing with the responsibility of transnational companies within the platform. Delmas-Marty (2007) understands globality [*mondialité*] as the other side of globalization [*mondialisation*], that is, globality, instead of being reductionist and seeking uniformity, covers the existing multiplicities. It also recognizes the changes that globalization proposes to belonging: belonging, now, is no longer restricted to traditional borders. National boundaries are dissolved, evidencing a need for coordination, harmonization, and unification.

This plural ordering proposed by Delmas-Marty (2007) consists of the following:
a) coordination occurs through intersections, horizontally, to the extent that the

¹⁷ "In fact, the new computerized communicational flows generate global processes when associated with large concentrations of industrial and financial capital, with the relaxation and elimination of national restrictions and controls that once limited international transactions. It was also necessary that the cross-border movements of technologies, goods and finance were accompanied by an intensification of migratory and tourist flows that favor the acquisition of languages and multicultural ideas [...]. These economic, financial, migratory and communicational dimensions of globalization are brought together by several authors [...] who state that globalization is a new regime of production in space and time" (Canclini, 2007, p. 42-43).

authority of decisions on a given subject claims to itself cross-references, that is, there is a dialogue between jurisdictions. Delmas-Marty considers this stage as a transitory process with respect to the construction of a worldwide legal order. In turn, b) harmonization seeks to bring the systems closer together, taking coordination into account – without one system overlapping the other – and recognizing hierarchical diversities. Finally, c) unification is basically the union of the distinct regional legal orders, reproducing the hierarchical model of these traditional orders. Of course, there is no guarantee that domination of a certain order over the others will not occur, reproducing contemporary hegemonic logic. Moreover, considering Saldanha's (2019) point, it is important to take into account the existence of risk regarding the use of extraterritoriality through a universal jurisdiction, to the extent that this way can also favor the hegemonic politics of States considered strong.

The contemporary global structure facilitates the expansion of decentralizing administrative and legal techniques, but without renouncing control and relations between societies. It is in this sense that transnational companies interweave their relations in a legal sense, to the extent that they cross through various legal systems, in different States, at the same time as they also cross international law and regional systems of law. The platformization process itself, according to Van Dijck (2016), considers that the protagonism occurs in the private sphere – that is, as already noted, they are transnational companies. This makes them develop their own mechanisms and regulations, bypassing local state controls.

It can be said that the conceptual relationship of platform capitalism companies with transnationalization begins with Helmond (2015) when he addresses "web platformization" in the light of the platform emerging as an infrastructural model, directly linked to the economic and dominant sense of what the author calls the social web. Other authors such as Plantin et al. (2016) have developed an important study identifying a kind of two-way movement: platformization of structures and infrastructuralization of platforms. This research addresses the fact that platforms exist everywhere at the same time, reaching all people, even when considering the digital exclusions. The proposal consists in demonstrating that the platforms integrate themselves to daily life beyond the web, occupying also the "physical world", causing mutations in all spheres of life.

Providing another view of the perspective, Van Dijck et al. (2018) approach [the subject] with the term "platform society" in order to highlight how platforms are organizing public and private life in a variety of sectors (health, education, mobility, lodging). Morozov (2018) brings as an example Uber's relationship with Boston's city government, where the public authority used data from the company to carry out urban planning – in short, it acquired accumulated traffic data to carry out public

management of the city. This means that a transnational company has built a bond with a city government – adapting to local legislation. However, there is an adaptation based on location (territory).

Labor risks in this scenario are transnational, as are fiscal and contractual risks. This makes States with less developed economies become subordinate given the direction in which the global economy is moving. The fact that the most expressive capitalist consortiums are based in countries considered economically more developed, for example, causes transnational companies to exploit the countries considered peripheral, where there are more legal and political fragilities.

In order to verify the need for cosmopolitan accountability regarding platform companies, it is of utmost importance to pay attention to algorithmic procedures that, according to Gillespie (2014), are guided by desired outcomes. This does not mean they are reflections of abstract technical achievements; the point is precisely to identify human and institutional choices – to think about the business and marketing logic that governs them. In other words, when thinking about the companies that operate through apps, as in the case of Uber, it is necessary to think about labor control by understanding the multiplicity of uberized workers. The informal workers themselves represent a diversity in cultural and professional sense – considering that many of them have other jobs. In this sense, the algorithm itself acts on a dynamic of distinct human choices that has a relationship with the individual and the collective.

Rosenblat and Stark (2016) move in the direction of questioning who has the power to define the rules of work on the platform, and address the subject of how they operate. In this vein, the authors identify that the rules on important issues such as working time and pay are not clear to workers. Although they are inserted in the application, these fundamental factors for exercising a job are not clear – there is uncertainty about the rules. With this, quality and quantity in the logic of work undergo profound changes, mediated by the algorithm.

Beyond work relations, the very issue of the algorithm leads to the need to think about accountability in a cosmopolitan sense. For the algorithm is a highly relevant factor that, besides dictating the processes and rationalizing them, also implies questions about surveillance in the network society. By turning life encoded in data, it is possible to use such data in obscure ways, both for the Uber worker and the consumer of the service. This subordinate self-management, for Abílio (2019), starts precisely from this limbo surrounding such relationships. In addition to the legal difficulties involving the recognition of a labor bond, the issue of self-management involves definitions and determinations of work time and amount to be received, which are in the power of the platforms by means of the algorithm in their favor – acting according to business interests.

Concern about accountability of these transnational companies is not new. In the 1970s, the so-called "new independent countries" were concerned about the interference of such companies in the sovereignty of States with low economic and institutional development. Moreover, this period was marked by the fact that multinational companies influenced coups, such as the one in Chile, and invested in companies in South Africa during Apartheid. One can say that these factors brought about the first moments in the UN where transnational corporations were accused and treated as a "hidden power" posing a threat, to the extent that the UN Economic and Social Council itself requested the Secretary General to create a group of experts to analyze the impact of such companies (Saldanha; Bohrz, 2018).

These transnational companies, which at the time already caused some distrust, only increased their power with the advent of technology, which improved their ways of impacting society and the sovereignty of States. In Glissant's (1995) view, a relationship is not only internal, but assumes a role of interferences from multiple possibilities, even inducing cultural intermingling. The author goes against a root-identity, in search of a relationship-identity, conducted in a rhizomatic way as essential for cosmopolitan understanding. In short, the human community is the expression of this rhizomatic sense of identities, since it represents the belonging of the collectivity and the individuality in the world, which is why the limits imposed by the States' sovereignty are insufficient for coping with the situation.

As seen, the algorithm itself imposes a rhizomatic functioning of society. Beyond the transnational business logic itself, the platform companies are transnational in essence by the fact that they are networked and act through data. In this sense, difficulties arise in holding these companies accountable when they violate human rights, even if indirectly through labor, considering the uberization of work. In this sense, Saldanha and Bohrz (2018) ensure the importance of transnational companies being considered subjects of public international law while they evade the rules through the outsourcing of their production.

Dupas (1999) addresses exactly this aspect in dealing with the business logic in the current stage of capitalism, to the extent that he states there is a concentration in the sense of business leaderships, forming the giant companies on a global scale (including technology companies or those that heavily invest in them). For the author, fragmentation occurs by outsourcing processes, by investment in the creation of franchises, and by the informalization of activities. In the same way, Abílio (2020a) speaks of outsourcing work management and outsourcing risks and of certain sectors.

Thus, Saldanha and Bohrz (2018) even recognize the possibility of jurisdictional displacement and, consequently, an action by universal jurisdiction. Therefore the formation of a global normative framework capable of positing the paths of

accountability of these transnational platform companies places them as subjects of international law and builds a mandatory law capable of being sanctioned – establishing legal responsibility and not just leaving it at the level of moral and social responsibility¹⁸.

The de-territorialization and de-temporalization produced by transnational corporations is due to the fact that society is networked. Nevertheless transnational companies of platform capitalism need the limiting logic by means of borders and of the exercise of the old sovereignty, precisely in order to exercise their domination and exploit the internal legal weaknesses of these States. According to Saldanha and Bohrz (2018), they perform colonizing practices in relation to law, exploiting weak points with the intention of strengthening themselves. In this sense, "the commitment of domestic public agents to the strong interests of these economic segments has repercussions, as seen, on the content of laws originally intended to impose limits on the activities of transnational corporations" (Saldanha; Bohrz, 2018, p. 21).

Therefore, it is important to seek ways to strengthen international human rights law through regional human rights systems (Saldanha; Bohrz, 2018) that, even if they do not remedy the problem, can show the ways for a more ambitious future by pursuing cosmopolitan accountability. Frydman (2018) emphasizes that technical standards seek to standardize human actions when it comes to management. In this vein, the processes and procedures follow certain standards precisely to normalize the ways of behaving and conducting work within technical-productive logic.

The absence of accountability norms at the global level contributes to these local issues – involving internal legislation – becoming a global problem. This does not mean abdicating the internal laws of States, but adapting them to take into account the power and impacts of transnational corporations. Furthermore, the same goes for labor laws, which must be adapted to remedy the weaknesses involving work on the platform. However, for this to be possible, it is also important to seek legal internationalization of the norms that deal with network flows and data protection in the pursuit of a cosmopolitanism of responsibility for the transnational companies of platform capitalism.

CONCLUSION

¹⁸ Using the knowledge produced by the jurist Martin-Chenut, the authors state that "the construction of a responsible legal humanism presupposes taking international human rights law as a vector for the toughening of Corporate Social Responsibility, because, even if it presents limits, it has a decisive role in strengthening, at the domestic level, the provision of justice, through the sophistication and improvement of the mechanisms of corporate accountability, especially for their actions in other countries. Moreover, international human rights law can contribute significantly to domestic law transformations in order to facilitate the accountability of transnational corporations" (Saldanha and Bohrz, 2018, p. 19).

In light of the above, it is imperative to think of ways to hold the transnational companies of platform capitalism accountable from a perspective of legal cosmopolitanism. To this end, it is more than urgent to mobilize international political-legal institutions and States to work on the formulation of solidary legislation in order to prevent violations of labor relations on the platform.

It is necessary to conceptualize and define these relations as labor relations, to break with the idea that the platform allows a worker without a boss, an entrepreneur who makes his own time. [For the time being] the result is basically an exploited and legally unprotected worker, hostage to the company's pre-established policies, constantly watched and evaluated by individuals who enjoy his service, but have a link to the platform company. That being said, the responsibility of these global players requires broad observations that allow the law to keep up with technological developments. Even while not feasible in a full way, internal legislations must at least be updated by considering the legal fragilities in each culture in which these companies are inserted. Thus local individualities are assimilated while also considering the collectivity and, consequently, the common problems.

In this sense, from what has been said, it is clear that there are still difficulties in holding transnational platform companies accountable due to factors such as deterritorialization and the very meaning of platformization in relation to time and space. This indicates that international law should pay attention to human rights issues that cut across labor law and vice versa. However, this does not reduce the responsibility of domestic law to protect platform workers. On the contrary, it is based on cases that occur within a certain state and on violations that are evidenced domestically that we can see the need for a cosmopolitan approach to the issue in order to ensure the protection of human rights.

BIBLIOGRAPHY

- Abílio, Ludmila, "Uberização: a era do trabalhador just-in-time?", *Estudos Avançados*, v. 34, n. 98, 2020a, p. 111-126.
<https://www.scielo.br/j/ea/a/VHXmNyKzQLzMyHbgcGMNNwv/?format=html&lang=pt#>
- Abílio, Ludmila, "Uberização: Do empreendedorismo para o autogerenciamento subordinado", *Revista Psicoperspectivas*, v.18, n. 3, 2019, p. 41-51.
https://www.scielo.cl/scielo.php?script=sci_arttext&pid=S0718-69242019000300041.
- Abílio, Ludmila, "Uberização e juventude periférica. Desigualdades, autogerenciamento e novas formas de controle do trabalho, *Novos Estudos*", CEBRAP, v. 39, n. 3, 2020b, p. 579-597 https://novosestudos.com.br/wp-content/uploads/2020/12/07_artigo_abilio_118_p578-597.pdf.

- Abílio, Ludmila, et al., "Uberização e plataformação do trabalho no Brasil: conceitos, processos e formas, Sociologias", v. 23, n. 57, 2021, p. 26-56.
<https://www.scielo.br/j/soc/a/XDh9FZw9Bcy5GkYGzngPxB/#>.
- Abílio, Ludmila, "Uberização traz ao debate a relação entre precarização do trabalho e tecnologia", Entrevista concedida a Rafael Machado, Revista do Instituto Humanitas Unisinos – IHU on-line, São Leopoldo, n. 503, 24 abr. 2017, p. 20-27. <https://www.ihuonline.unisinos.br/media/pdf/IHUOnlineEdicao503.pdf>.
- Canclini, Nestor Garcia, A globalização imaginada, São Paulo: Iluminuras, 2007.
- Castells, Manuel, A sociedade em rede - a era da informação: economia, sociedade e cultura, trad. por Klaus Brandini Gerhardt e Roneide Vanancio Majer. 8. ed. São Paulo: Paz e Terra, 2011.
- Chevallier, Jacques, O Estado Pós-Moderno, trad. de Marçal Justen Filho. Belo Horizonte: Fórum, 2009.
- Corte Interamericana De Direitos Humanos, Caso Fazenda Brasil Verde Vs. Brasil. San José da Costa Rica, 2016.
http://www.corteidh.or.cr/docs/casos/articulos/seriec_318_por.pdf.
- Costa, Simone da Silva, "Pandemia e desemprego no Brasil", Revista de Administração Pública [online], v. 54, n. 4, 2020, p. 969-978.
<https://doi.org/10.1590/0034-761220200170>.
- Delmas-Marty, Meirelle. Les forces imaginantes du droit (III). La refondation des pouvoirs. Paris: Seuil, 2007.
- Delmas-Marty, Meirelle Résister, responsabiliser, anticiper: ou comment humaniser la mondialisation. Paris: Seuil, 2013.
- Dupas, Gilberto, Economia global e exclusão social: pobreza, emprego, Estado e o futuro do capitalismo, São Paulo: Paz e Terra, 1999.
- Ellul, Jacques. *Le Système technicien*. Paris: Cherche Midi, 2012.
- Felix, Gil, "Uber, superexploração do trabalho e o capitalismo de plataforma em contexto de pandemia: novas e velhas formas de controle e resistência" Revista Ciências do Trabalho nº 21, 2022, p. 1-9.
<https://rct.dieese.org.br/index.php/rct/article/view/281>.
- Frydman, Benoit, O fim do Estado de direito: governar por standards e indicadores, Porto Alegre: Livraria do Advogado, 2018.
- Gil, Antônio Carlos, Como elaborar projetos de pesquisa, 5ª ed. São Paulo: Atlas, 2010.
- Gillespie, Tarleton "The Relevance of Algorithms", In Gillespie, Tarleton et al., Media Technologies: Essays on Communication, Materiality, and Society. Cambridge, 2014. <https://doi.org/10.7551/mitpress/9780262525374.003.0009>.
- Glissant, Edouard, Introduction à une poétique du divers, Paris: Gallimard, 1996.
- Harvey, David, O novo imperialismo, São Paulo: Loyola, 2009.

- Helmond, Anne "The platformization of the Web: Making Web data platform ready", *Social Media + Society*, v. 1, n. 2, 2015, p. 1–11.
<https://journals.sagepub.com/doi/10.1177/2056305115603080>.
- Kostakis, Vasilis y BAUWENS, Michel, *Network Society and Future Scenarios for a Collaborative Economy*, Basingstoke: Palgrave, 2014.
- Langley, Paul y Leyshon, Andrew, "Platform capitalism: the intermediation and capitalization of digital economic circulation", *Finance and Society*, v. 2, 2016, p. 1-21.
https://www.researchgate.net/publication/307601540_'Platform_capitalism_The_intermediation_and_capitalization_of_digital_economic_circulation'.
- Montenegro, Marina Regitz, "Do capitalismo de plataforma à difusão dos aplicativos: apontamentos sobre novos nexos entre os circuitos da economia urbana em tempos de Covid-19", *Espaço e Economia*, n. 19, 2020.
<http://journals.openedition.org/espacoeconomia/17256>.
- Morozov, Evgeny, *Big Tech: a ascensão dos dados e a morte da política*, trad. de Claudio Marcondes, São Paulo: Ubu Editora, 2018.
- ONU, Organização das Nações Unidas, "Emprego informal representa 70% dos novos postos de trabalho na América Latina", *ONU News*, 9 set. 2021, Seção Desenvolvimento Econômico. <https://news.un.org/pt/story/2021/09/1762572>.
- Saldanha, Jânia M. L; Bohrz, Clara "Dupla influência e dupla projeção entre global e local: o "Caso Mariana" e a (ir)responsabilidade social das empresas de mineração", *Homa Publica - Revista Internacional De Derechos Humanos Y Empresas*, v. 2, n. 2, fev./jul., 2018.
<https://periodicos.ufjf.br/index.php/HOMA/article/view/30567>.
- Saldanha, Jânia M. L., *Cosmopolitismo jurídico: teorias e práticas de um direito emergente entre a globalização e a mundialização*, Livraria do Advogado, 2018.
- Saldanha, Jânia M. L.; Mello, Rafaela C. Um imaginário possível: rumo ao cosmopolitismo jurídico. *Revista da Faculdade de Direito UFMG, Belo Horizonte*, n. 70, pp. 435 - 459, jan./jun. 2017.
http://www.mpsp.mp.br/portal/page/portal/documentacao_e_divulgacao/doc_biblioteca/bibli_servicos_produtos/bibli_informativo/bibli_inf_2006/Rev-FD-UFMG_70.17.pdf.
- Saldanha, Jânia M.L., "Responsabilidade das empresas transnacionais por violação de direitos humanos: desafios para o exercício da justiça universal", *In Streck, Lenio, et al. (Orgs.), Constituição, Sistemas Sociais e Hermenêutica*, Anuário do Programa de Pós-Graduação em Direito da Unisinos, 1ª ed., São Leopoldo: Karyawa, 2019, v. 15, p. 154-174.
<https://editorakarywa.files.wordpress.com/2019/08/anuc3a1rio-ppg-direito-2019.pdf>.
- Santos, Boaventura S., "Por uma concepção multicultural de direitos humanos", *In Santos, Boaventura de Sousa (Org.). Reconhecer para libertar: os caminhos do cosmopolitismo multicultural*. Rio de Janeiro: Civilização Brasileira, 2003.
- Santos, Milton, *A natureza do espaço: Técnica e tempo, Razão e emoção*, São Paulo: Hucitec, 1996.

Silveira, María L, “Modernização contemporânea e nova constituição dos circuitos da economia urbana”, *Geosp – Espaço e Tempo (Online)*, v. 19, n. 2, 2015, p. 246-262. <https://www.revistas.usp.br/geosp/article/view/102778>.

Supiot, Alain, *La gouvernance par les nombres*, Paris: Fayard, 2015.

Van Dijck, José, #AolR2016: Opening Keynote “The Platform Society” by José van Dijck, publicado 02 nov. 2016. <https://www.youtube.com/watch?v=-ypiiSQTNqo>.

Van Dijck, José *et al.*, *The Platform Society: Public Values in a Connective World*. Londres, Oxford, 2018.

Zubboff, Shoshana, *A era do capitalismo de vigilância: a luta por um futuro humano na nova fronteira do poder*, trad. de George Schlesinger, Rio de Janeiro: Intrínseca, 2021. [recurso eletrônico].