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## DENATIONALIZATION PRODUCTION AND SOCIAL EXCLUSION IN LABOR ECONOMICS GLOBALIZED

*Ilton Garcia da Costa*

*Suelyn Tosawa*

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### **ABSTRACT**

This study aims to address the effects of globalization in the absence of limiting competition and competitiveness of the neoliberal market. The denationalization of production is one of the factors resulting from the ease of movement in search of places with better installation for businesses. Therefore, competitiveness leads to incessant quest for higher productivity at lower cost. The migration of capital goes against countries which demonstrates a broad consumer market, while the raw material is readily available and labor is cheap. In addition to reviewing the tax and other advantages or disadvantages presented in each place. Occurs that ends up in increased social exclusion of the worker who is treated as disposable. Therefore, the intention of this work is to demonstrate that globalization tends to facilitate capital market, however should stick to the respect of decent work and competition. The nation-state must be careful to balance these unequal relations.

### **KEYWORDS**

Globalization. Denationalization. Production. Social Exclusion.

### **DESNACIONALIZAÇÃO DA PRODUÇÃO E EXCLUSÃO SOCIAL DO TRABALHADOR NA ECONOMIA GLOBALIZADA**

### **RESUMO**

Este estudo visa abordar os efeitos da globalização na ausência de limitadores da concorrência e competitividade do mercado neoliberal. A desnacionalização da produção é um dos fatores resultantes da facilidade de locomoção em busca de locais com melhores condições de instalação para as empresas. Assim, a competitividade leva a busca incessante por maior produtividade com menor custo. A migração do capital vai de encontro com os países que demonstrem haver vasto mercado de consumo, ao mesmo tempo em que a matéria-prima seja de fácil acesso e a mão de obra seja barata. Além de analisar a tributação e outras vantagens ou desvantagens apresentadas em cada lugar. Ocorre que isso acaba em um aumento da exclusão social do trabalhador, que é tratado como algo descartável. Por isso, a intenção deste trabalho é demonstrar que a globalização tende a facilitar o mercado do capital, no entanto deve se ater ao respeito de condições dignas de concorrência e trabalho. O Estado-nação deve ficar atento para equilibrar essas relações desiguais.

### **PALAVRAS-CHAVE**

Globalização. Desnacionalização. Produção. Exclusão Social.

## INTRODUCTION

Globalization has brought several changes to socio-economic relations among the countries. The economy has been affected by the ease and speed of production. The neoliberal concern in producing in an insane rhythm is just one of the points that lead to the problems discussed in this work.

At first, the globalized economy introduced a production rhythm that was far beyond the rhythm traditional companies were used to. This led them to seek alternative solutions to ensure their competitiveness in a neoliberal market.

On a second moment, the denationalization of production is discussed, this being one of the facilitating possibilities regarding competition in a global scope. Companies search for locations that provide better production conditions, raising their profits and lowering their costs.

Finally, the third point is that this process does not care about protecting workers, who suffer from the turnover in the companies. They increasingly require workers to renounce labor conditions that influence the cost on the excuse that there are others who would accept the required conditions.

The workers are led to informality, once the new production model excludes them. It is important to take action regarding this excluding process and this disrespect to their rights. The State needs to position itself in order to face such problems without losing capital.

The aim of this research is to demonstrate how the nation-state requires not only attention to economic aspects, but also to social aspects, since one depends on the other in order to generate good results. The concern should be in all possible areas to prevent catastrophic side effects.

The method used to carry out this research was the deductive-inductive, having main doctrines, legislation, case laws and articles on electronic media as bibliographical sources. This work originates from discussions in the GPCERTOS study group, from Universidade Estadual do Norte do Paraná.

### 1. GLOBALIZED ECONOMY AND NEOLIBERALISM

The current socio economic situation makes globalization highlight the reduction in geographical distances and facilitate the moving among continents in a more efficient way than before.

Such ease conveys a sense of falling borders and disappearance of limitations. The side effect that can be observed from this situation is the lack of control that drives this phenomenon. The lack of determination, discipline and self-propulsion of the world discussions shows the new global order as being the total disorder.

For this reason, Zygmunt Bauman defends the idea that:

The integration and the division, the globalization and the territorialization, are *mutually complementary processes*. More precisely, they are two sides of the same process: the global redistribution of sovereignty, power, and freedom of acting triggered (but somehow determined) by the radical leap in the

speed technology. The coincidence and the interlacing of the synthesis and the dispersion, of the integration and the decomposition are anything but accidental; and even less subject to rectification. (emphasis added) (BAUMAN, 1999, p. 77)

On the other hand, Litz Vieira (2005, p. 71) focuses in presenting globalization as a tool that resizes the notions of time and space, since local phenomena influence global phenomena and vice versa, making them inseparable. It would be as if the locations became combinations instead of complements. The globalization process brings, as an example, the speed with which information is disseminated throughout the world, at an almost instant manner; or how capital can migrate from one location to another by means of simple electronic transfers; and, moreover, how products are manufactured in various countries at the same time, but are not made in a complete and isolated way in any of them.

In the words of Amartya Sen and Bernardo Kliksberg:

Globalization agents are not exclusively European or Western, neither are they necessarily linked to Western domination. In fact, Europe would have been much poorer – economically, culturally and scientifically - had it resisted the globalization of mathematics, science and technology at that time. And, nowadays, the same principle applies, although in the opposite direction (from West to East). Rejecting the globalization of science and technology because it represents the Western influence and imperialism not only means neglecting global contributions – originated in various parts of the world – that are solidly behind all science and technology called Western, but it's also a very foolish decision from a practical point of view, given the extent of how much the whole world can benefit from the process. (SEN; KLIKSBERG, 2010, p. 19)

It is important to highlight how social action or organization can reach various locations. The impacts of local events can reach the whole world and vice versa. There is no geographic or social time limitation that can impose fixed barriers, once distances shrink and social interaction occurs at an almost instantaneous speed (HELD; MCGREW; 2001, p. 12-13).

This way, transnational companies use the territory according to their particular interests. For this reason, they don't pay attention to economic, social, political, cultural, moral or geographic issues, which creates a certain disorder. It enters a particular place, changing it to suit its needs, breaking the social solidarity, which had prevailed until then (SANTOS, 2008, p. 85).

In regard to companies, especially the transnational ones, it is believed that they are free to produce in a given country, paying taxes to another and demanding public investment in infrastructure from a third one. Individuals became more competent and now move with greater ease because they aim to apply their work ability where it is most advantageous. This all occurs so that the countries are able to keep up with the global competition (BECK, 1999, p. 18-19).

Richard Sennett (2008a, p. 163) exemplifies:

The most convincing practical proposals I have heard to tackle the problems of the new capitalism are concentrated in the places where it operates.

Modern companies like to present themselves as having gotten rid of place requirements; a factory in Mexico, an office in Mumbai, a communication center in lower Manhattan – they appear as mere nodules in the global network. Nowadays, towns, cities or countries are concerned that, if they exercise their sovereignty, for example, imposing taxes or restricting summary dismissals, a company can, just as easily, find another island on the network, a factory in Canada rather than in Mexico, an office in Boston instead of Manhattan. For fear of making IBM leave for good, many locations in the Hudson Valley retreated from challenging the company's decision of devastating the work lives of citizens such as programmers.

The fact that private entities have a key role regarding the economy setting is emphasized, once they can deprive society from its production and reflexes. Hegemonic companies act on a certain area of the territory, the totality of it being the object of several companies. The problem is that each of them is acting according to their own interests, their own goals being their only concern. And this affects the behavior of other companies and institutions (SANTOS, 2008, p. 86).

For Octávio Ianni (2006, p. 102), globalization globalizes the most traditional and typical institutions from dominant capitalist societies. The differences between cultures and civilizations are ignored, generalizing the principles involved in the market and in the contract, so that they become standards for all peoples and the various forms of life and social work organization are applied. This context conveys the idea of deterritorialization, i.e. people, ideas and things are crossed by it: "*Principles that progressively become patrimony of each other, in islands, archipelagos and continents: market, free enterprise, productivity, performance, consumerism, profitability, technicalization, automation, robotization, flexibilization, computers, telecommunication, networks, production techniques of virtual realities*".

The progressive disparity between the communication that existed before among the elites and the rest of the population is one of the current concerns. That's because that one is increasingly becoming global while this one is increasingly becoming local. Productivity is out of reach of the disadvantaged portion of the population, once they lack local limitations (BAUMAN, 1999, p. 9).

Place is geography, a location for the policy; community evokes social dimensions and local people. A place becomes a community when people use the pronoun 'we'. Talking like that requires a particular connection, though not local; a country may constitute a community when the people in it translate shared values and beliefs into daily practices. [...] (SENNETT, 2008a, p. 165)

The relationship that existed among the countries has been modified by the globalization process, particularly affecting the issue of competitiveness between international companies and labor relations (COSTA; TOSAWA, 2012, p. 191).

The deterritorialization has generated new paradigms of production and requires transnational companies to be subject to it because they come across a neoliberal economy. No one is prevented from increasing his or her productivity because of geographical limitations. Companies go to the places where they will have their needs met in the best possible way.

## 2. OFFSHORING - DENATIONALIZATION OF PRODUCTION

The denationalization of production, also known as offshoring, addresses the migration of companies to locations that offer better productivity conditions at the expense of others. In order to do so, some points are analyzed, such as the low cost of labor, the availability of raw materials, the tax applied, the regional consumer market, among others.

The transnationalization of markets and denationalization of production have conditioned the autonomy of the nation-state to decisions that do not belong to their functional jurisdiction. Its organizational unit suffers from varying public interests, resulting in alliances between national governments and corporations, which are the core of the discussion between economic globalization and political fragmentation, and on how to organize norms to be applied in a worldwide reality (FARIA, 2004, p. 213-214).

Transnational companies seek places in the world where it's easy to obtain merchandise, comparing prices and costs, saving with low cost and high volume. This practice is called global sourcing (BRIGADÃO; RODRIGUES, 2004, p. 21).

According to José Eduardo Faria (2004, p. 79-80), the price of the final product makes the fragmentation of the production process at different stages possible, since it radically reflects on the cost structure. Expenses with unskilled labor, raw materials and energy are observed. For this reason, companies distribute services to several territories or continents where they have units installed by dissociating the processes of design, manufacturing and marketing:

From there, thanks to a growing *upgrade* of production factors, companies start adopting structures that are more and more decentralized, where a triple partnership predominates: (a) capital with qualified work, in the form of 'rental networks, subcontracting and contracting' (better known as 'outsourcing'); (b) 'assembly' sectors with suppliers, research contracts, franchises, patent and brand license as an instrument of technological support to small and medium-sized companies; (c) and integrated chains and competition systems (network based competition), forming competitive schemes in which companies of industrialized countries join large systems of production and/or distribution of developed countries [...] (emphasis added) (FARIA, 2004, p. 79-80)

The mobility of capital allows the displacement of businesses to countries where labor is cheaper, lowering the cost of labor and favoring a certain competition among workers from all places. The national company disengaged itself from its national territory to conquer the international market, which gave it a status of a multinational, leaving the competition for the workers. It happens not only among fellow workers, but also among those on the other side of the world who are obliged to accept miserable wages, which, consequently, makes the work precarious (BOURDIEU, 1998, p. 124).

The employees and the location are already installed in a particular place, and cannot change according to the company's requirement. The only ones who are not attached to the space and have freedom to act according to their interests are the shareholders, since their businesses do not depend on the company's geographic location (BAUMAN, 1999, p. 15).

Temporary work<sup>1</sup> was altered in the modern institutional structure. The search for more flexible organizations transformed the companies' structure, which went from a pyramid type to a network type. In order to do so, they removed their layers of bureaucracy and suffered frequent structural changes, such as unclear job tasks, which were clear and fixed only to deal with promotions and dismissals (SENNET REMINDS, 2008a, p. 23).

Gabriela Neves Delgado (2006, p. 166) calls network-company the economic activities decentralized by multinationals, which creates several small and medium-sized enterprises that are interdependent and interconnected, these being controlled by a management company, helping in the accumulation of capital. However, this transfer of production and employment was not accompanied by the displacement of capital. With the optimization of operating costs, there is a benefit in the retention of revenue by big companies. Faced with this situation,

[...] The entire universe of material or cultural, public and private production, is, thus, swept away in a vast process of precariousness, *including the deterritorialization of the company*, which had hitherto been linked to a nation-state or to a place (Detroit or Turin, for the automotive industry). It increasingly tends to disassociate itself from it, with what is called a 'network-company', which is articulated on a continent or even an entire planet scale, connecting segments of production, technological know-how, communication networks, training paths dispersed in more distant places. (BOURDIEU, 1998, p. 123, emphasis added)

The instability generated by the permanent threat of capital flight has hit the emerging economy countries and has made the risk rating agencies (*rating*) along with private intelligence and information service companies dictate the rules of the global economy in order to define who they are, when and where the economy of a given country is ready to receive investments. The problem with all this is that the evaluation is done in a crude way, destabilizing the whole region, besides the indicated country (BRIGADÃO; RODRIGUES, 2004, p. 76).

According to Thomas L. Friedman (2005, p. 145),

It is not only to get cheaper labor for the products they intend to sell in the US or Europe that most companies decide to move abroad. Another reason is to attend to that foreign market without having to worry about trade barriers and to stand there - especially in a gigantic market such as China [...] Many studies indicate that every dollar invested by companies in foreign facilities generates new exports from their native country, since about a third of the global trade is now in the hands of multinational companies. And the opposite is true. Even when the sole objective of the production when leaving the country of origin is to save on wages, it is rarely fully transferred abroad.

As an example, there's China,

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<sup>1</sup> Law n°. 6019, from 1/3/1974, which regulates temporary work in Brazil. Available at: <[http://www.planalto.gov.br/ccivil\\_03/leis/L6019.htm](http://www.planalto.gov.br/ccivil_03/leis/L6019.htm)>. Access in 05-30-2014.

With the twentieth century drawing to a close, the most feared expansion in American industrial circles was the 'Chinese price'<sup>2</sup>. The fact that Chinese workers were willing to work for wages thirty times smaller than the American average raised the specter of the accelerated fall in wages in the United States and the mass transfer of industrial jobs to the world's factory, China [ ...] (CHANDA, 2011, p. 416-417)

China has all the requirements for *offshoring*, since it brings together large quantities of low skilled or disqualified cheap labor, at the same time it needs a large volume of manual, technical and intellectual workers and has a huge consumer market. It is made up of 160 cities with more than 1 million inhabitants,

Here we touch the truly leveling aspect of China's openness to the world market. The more attractive it becomes as the base of *offshoring*, the more attractive its competitive developing countries, such as Malaysia, Thailand, Ireland, Mexico, Brazil, Vietnam also have to become. Everyone looks at what is happening to China and the transfer of jobs to that country and they think: 'Gee, I'd better start offering those same incentives' - starting a process of competitive flattening, where different countries fight to see who can offer the multinationals, in addition to cheap labor, the best tax incentives, the best skilled professionals and the biggest allowances in order to bring offshoring to their side. (FRIEDMAN, 2005, p. 138-139)

This mobility demonstrates an absence of commitment both to individuals as employees and to future generations and their general living conditions. They have no commitment to the life of the community, since power is in the hands of those who understand the extraterritorial reality of companies. Therefore, they explore places without taking the consequences, without any responsibility, which although is not accounted for as investment, end up finding other ways to charge its price (BAUMAN, 1999, p. 17).

The demand for some sort of global control of volatile flows brings out a discussion regarding the creation of the Tobin tax (proposed by the economist James Tobin), which is nothing more than a kind of toll to move capital around, in order to inhibit merely speculative flows. "*The respected British magazine The Economist, known for their position in favor of economic liberalism, for the first time since its foundation in 1843, has admitted, in an article in May 2003, the possibility of some sort of control of capital for the emerging countries*". (BRIGADÃO; RODRIGUES, 2004, p. 77)

The dominant technical system is invasive, because it spreads through production and territory. It is the vocation and foundation of global companies that fragment production everywhere. The articulation of the process that binds it all together through the capacity of the company to finalize the product happens according to internal command and technical organization of the transnational company. However, there is no policy of global market command, leading Milton Santos (2008, p. 26-27) to say that if the reasoning is taken to its extreme, "the global market does not exist as such".

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<sup>2</sup> Critics of Chinese business practices object that their size and economic power will not take long to level down not only wages but also the rigor of labor laws and professional standards around the world - a phenomenon known in business as 'the Chinese price'. " (FRIEDMAN, 2005, p. 139)

This way, the offshoring occurs when the company chooses one of its factories and transfers it entirely abroad, where it will produce the same product through the same process, but with advantages regarding cheaper labor, lower taxes, subsidized energy and the reduction of the expenses with employees' health care. The companies transfer their production abroad in order to integrate them into global supply chains.

The production loses its location when it starts to worry about settling in a place according to the advantages that it will conquer. The advantages of cost, consumption, transportation, among others, help the economy of the companies face global competition.

### 3. SOCIAL EXCLUSION OF THE INFORMAL WORKER

Exclusion is considered an act of automatic suspension under the law because it limits its concern to just keeping the individual outside the area governed by the standard jurisdiction. It acts only to claim that the excluded person is not its responsibility. There is no law applicable to its case. Thus, the nation state can no longer govern ignoring the world economy, but there is still an impetus of basic sovereignty, which gives them the right to exclude (BAUMAN, 2005, p. 43). In the same sense, Professor Paulo Mazzante de Paula argues in recent work (2012, p. 97–100).

The news affects the shortcomings and vicissitudes of the excluded part of the society. The shortage here becomes more sensitive, facilitating awareness and, thus, the poor can clearly understand their situation. Besides, there is some repudiation regarding the political ideas and practices that underlie the current socio-economic process and the demand for new solutions, which are not anymore focused on money, seeking in the individual the basis for the construction of a new globalized world (SANTOS, 2008, p. 118).

Ulrich Beck (1999, p. 86) touches a neuralgic point when he says that the social existence of man finishes when people become what they buy. The result of a cultural globalization where essence and appearance must be similar can only result in exclusion.

Zygmunt Bauman (2005, p. 55) categorically declares that:

Superfluous people are in a situation where it is impossible to win. If they try to align themselves with the lifestyles that are praised nowadays, they are soon accused of sinful arrogance, false appearances and impudence for claiming unearned awards, if not of criminal intentions. In case they openly complain and refuse to honor those styles that the rich enjoy, but that look more like poison to the dispossessed ones, this is seen as evidence of what 'public opinion' (more correctly, its elected or self-proclaimed spokespeople) 'had already warned about' – that the superfluous are not only a foreign body, but a cancerous tumor that erodes social healthy tissues and sworn enemies of 'our lifestyle' and of 'what we respect'.

Anthony Giddens (2005, p. 113) divides the types of exclusion into two. Nowadays there is the exclusion of those who are below, excluded from the flow of the main opportunities offered by society. In counterpoint, there is a voluntary exclusion of those who are at the top, which he calls "revolt of elites". The most affluent public

institutions choose to live separately from the rest of the society. Privileged groups are formed as if they were fortified communities, retreating from public education and public health systems.

Amartya Sen e Bernardo Kliksberg (2010, p. 36) point out that the downside of the attention given to the unjust inclusion rather than to the exclusion, since it is not enough for demonstrators to shut down production units because of the abuse of workers without helping the workers afterwards. The consequences become worse than the act itself. Worse than being included unfairly is to be excluded:

This is particularly important because some 'exclusions' have received much less attention in public discussions than they deserve. In fact, in some cases, the reverse thrust of the language of 'unfair inclusion' has turned the punishment of exclusion much less noticeable than the one of the unjust inclusion. For example, it's easy to organize a campaign in any country in the West, especially in a University campus against the exhaustive work products in developing countries, but it is much more difficult to get adhesion to campaigns in favor of more jobs and more economic inclusion. The fact that people who are far away are interested in tackling the problem of exhausting jobs even when it happens far from their countries is, of course, a good thing in itself. It is constructive because these protests can, in many cases, improve the working conditions of the workers involved, and also because this type of involvement, of people from a different part of the world being really interested in the situation of people who live in distant places, is a push in the direction of global justice. (SEN; KLIKSBERG, 2010, p. 36)

Equality is defined as inclusion and inequality as exclusion according to the new policy. The first refers to "citizenship, civil and political rights and obligations that all members of a society should have, not only formally, but as a reality in their lives". In addition, it also refers to the opportunity of involvement in the public space. The current society sees work as something essential for the maintenance of self-esteem and the living standard of the individual, being a main context of opportunity, accompanied by education, which would be important for employment possibilities (GIDDENS, 2005, p. 112-113). Then:

The former Big Brother was worried about including - integrating, guiding people and keeping them that way. The concern of the new Big Brother is the exclusion - identifying 'unadjusted' people wherever they are, banishing them from this place and deporting them to 'their' place, or better, never allow them to get closer. The new Big Brother provides immigration agents with lists of people whose entry should not be allowed, and the bankers, with the lists of those who should not be included in the group of those who deserve credit. It instructs people to join the surrounded community. It inspires the neighborhood watch to observe and kick out the thieves and suspicious drifters - strangers out of place. It offers the owners closed circuit TV to keep the unwanted away from their homes' doors. It is the patron saint of all bouncers, either in the service of a nightclub or a Minister of Interior. (BAUMAN, 2005, p. 162)

Inclusion and exclusion are important concepts in the analysis of inequality, because their modifications affect the structure of industrialized countries. In the mid-1970s, most workers had manual jobs based on manufacturing. Technological

innovations have affected this model of production, reducing the demand for unskilled labor. There has been a replacement of manual by mechanized labor, and nowadays less than 10% of the workforce from developed countries still works with manufacturing. This index tends to decrease even more. The traditional working class had its character changed in an irreversible way by the advent of information technology (GIDDENS, 2005, p. 113).

The promise of education for the youth becomes a little illusory because the young people fail to achieve the minimum formal schooling required in order to reach the requirements of the labor market due to weak qualitative learning. All these things reinforce the various segmentations in an unequal region such as Latin America (SEN; KLIKSBERG, 2010, p. 232-233).

The search for talent works in order to include, since it has an ambivalent character and can be demonstrated when companies merge or opt for downsizing. Reviews and tests are performed to level the workers, the best ones being rewarded with the guarantee of their jobs. On the other hand, those who cannot follow are excluded as if they were dead liabilities through discharge without justification due to impersonal, rushed and arbitrary organizational changes. The role of bureaucracy is to try to legitimize the dismissal of employees claiming their incapacity to work (SENNETT, 2008b, p. 106-107).

Therefore,

In the globalization era, the 'damage' and 'collateral casualties' produced by the continuously fed enmities, that occasionally erupt among liquid-modern versions of the cattle barons and the bandits on horseback, gradually become the basic and the bulkiest products of the garbage industry. While one can (if not in practice, at least in theory) fight fiercely against the adverse verdict of an authority at a trial, fight to reverse it, argue to prove a claim, appeal to a higher court in case the argument is rejected, try to provoke public indignation and outcry, and – if everything else fails – seek refuge escaping the domain of the court's sovereignty, none of these things are available to the victims of 'collateral damage'. There is no authority to which they can resist, process, accuse, or ask for compensation. They are the scrap of the permanent creative destruction of the legal, political and ethics global order. (BAUMAN, 2005, p. 110-111)

The new economic demands outline the strategies used for the creation of jobs and the future of the work need, paying attention to the global standards required for goods and services by companies and consumers. These have the ability to buy whatever they want wherever they want, not respecting geographical limits, since the global distribution removes the connection of the goods with their production site. This causes pressure, which also reflects in work forces, deepening the social exclusion processes. The differences among individuals are related to their function, such as a manual worker or a more educated one, as well as their qualification and their perspective regarding space, which may be local or cosmopolitan (GIDDENS, 2005, p. 134).

Secondly, there are more and more affected groups, at least temporarily, by unemployment and poverty. In Western industrialized countries there is a new 'lumpenproletariat' (Marx), a growing group of excluded. The exclusion corresponds to the sociological concept regarding this poverty case, which is

in the interior of the modern society: without residence, there is no work; without work, there is no residence; without residence and work, there is no democracy. (BECK, 1999, p. 263)

Mauricio Godinho Delgado (2006, p. 140) explains the core of the question saying that it is essential to highlight the shock between the minimum acceptable standards of evolution of the capitalist system in the Western world and the real situation that the serious social exclusion of the great majorities in Brazil expresses. The millions of workers without the minimum conditions of labor law protection.

Exclusion requires an involvement in the work force, which has benefits such as income generation for the individual, the sense of stability and direction in life. However, for an inclusive society, it is necessary to provide the basic needs for those who cannot work, recognizing the wide diversity of goals that life offers.

Anthony Giddens (2005, p. 119-120) clarifies that inclusion should go beyond work, since a portion of the society cannot be in the work force regardless of time, and also because life provided with just an exaggerated work ethic would be considered as completely devoid of attractions.

*Ipsa facto:*

In fact, a large part of the problems created by deprivation arises from unfavorable terms of inclusion and from adverse conditions of participation, and not from what one might call, without forcing the term, a case of exclusion. For example, with forced labor or child labor in semi-slavery conditions, or more commonly in deeply 'unequal' terms of participatory relationship, the immediate focus is not on exclusion, but on the unfavorable nature of the inclusion involved. (SEN; KLIKSBURG, 2010, p. 35)

Global integration tends to seek a safer future for those outside globalization. The interconnection between everyone and everything generates a real and necessary fight for inclusion. Improvements are sought for those who live in a constant state of alert. Their desires, aspirations and fears unite everybody's destinies regardless of social classes or positions (CHANDA, 2011, p. 445).

The large majorities and their social inclusion process through the classical pathway of the Western democracies was connected to the generalization of labor law, not succeeding in its implementation in Brazil as a result of political, institutional and practical reasons, even after the creation of the Rural Worker Statute (1963) (DELGADO, M. G., 2006, p. 133). Likewise, we note that:

[...] the fundamental right to social inclusion aims to be the legal position of advantage, which gives the human being access to a political and social space of opportunities and protection. But it's not simply about social assistance because it must go beyond to provide conditions for the conscious and full development of human potential in order to establish them as subjects of their own history, free from dependencies that they did not know they suffered from, and that may democratically interfere in decisions that affect their life and the collective, through specific rights such as education, health, culture, among other rights that have this emancipation ability. (LIMA, 2012, p. 64)

Gabriela Neves Delgado (2006, p. 216) points out that: "This way, simultaneously, the Labor Law promotes, within its legal system, inclusion (of employment relationship) and exclusion (of other working relationships) guidelines". She also affirms that the exclusion criterion tolerated by the Labor Law should have as reference the work relations that do not infringe the dignity of man, for example, the slave labor.

There's a discussion on how to reshape the Labor Law so that it can deal with the excluded that the market presents. The suggestion would be:

The *redefinition* of work, Labor Law's object, can be reached through reform projects seeking to formalize a minimum core of guardianship for any productive activity - *work without adjectives* – associated with a series of contractual typology. Among these, the employment contract for an indefinite period of time would work as the place in which the maximum of guardianship is applied in its entirety and unconditionally, as it was historically generated. This is how this theme has been currently dealt with in the Italian Labor Law debate. (DELGADO, 2006, p. 217-218, emphasis added)

The new society does not welcome the excluded because they believe they have no useful function and are considered a problem. They take them away in order to protect society, imprisoning them in order to get away with the obstacles that they represent.

Moreover, social exclusion results in informal labor, which is based on labor relations not governed by the Labor Law. It is necessary to recognize their legal guardianship so the employees may exercise their rights by means of legal protection.

#### 4. FINAL CONSIDERATIONS

The global economy presents a new reality for companies facing global competitiveness. The need to seek alternative means of making their production different is one of the competitive alternatives experienced by them.

Therefore, there is an incessant search for countries where the company's operating conditions are profitable. There are several requirements for the choice of those places, such as low cost with raw material and labor, the consumer market, the easiness to export the goods produced, the tax incidence, among others.

The denationalization of production (offshoring) reflects one of those alternatives sought by companies when looking for a level of competitiveness according to the global requirement. Thus, the migration of companies targeting places they deem ideal for their production is something extremely common.

The ones who produce with less costs have more profit and can survive longer. Transnational companies have no choice. The problem happens when, in order to do so, there is a suppression of social concerns regarding the worker, who, for example, is subject to decisions aimed only at the profit at any cost.

The workers end up losing their jobs in the formal market because there is an exclusion of the less qualified ones who are forced to turn to informality. This is because the lower costs sought by the companies take advantage of the high demand of

workers at the expense of the ease to move to places where people accept to work in worse conditions.

It is, therefore, important to discuss alternative means of reducing this practice, because reality shows that companies exploit the territory of a certain place, removing everything that suits them, and then leave the place without any kind of support. This process then happens in another place and so on.

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