

PERSPECTIVES AND CHALLENGES INVOLVING TRANSNATIONAL INTERNET GOVERNANCE IN THE DIGITAL SOCIETY¹

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Contextualization: The study is justified in light of the accelerated expansion of digital technologies across all dimensions of human life, whose essentially transnational character reconfigures individual existence, social relations, and political institutions, challenging the traditional instruments of state governance and demanding new forms of coordination among a multiplicity of public and private actors. The text is structured as follows: initially, it characterizes the digital society and its implications for governance, drawing on the concept of digital metamorphosis as articulated by Ulrich Beck; subsequently, it undertakes a conceptual delimitation of governance, global governance, and transnational governance, arguing for the terminological and operational distinction among these categories; finally, it examines the specific challenges of Internet governance and presents practical examples of existing acts of transnational governance applicable to the digital society, at which point it responds to the central hypothesis advanced.

Objectives: The research aims to demonstrate that transnational governance constitutes the most adequate framework for addressing the regulatory demands of the digital society, particularly regarding Internet governance, given the inherently borderless and polycentric nature of digital phenomena.

Methodology: To achieve the established purpose, the Inductive Method was employed in the investigative phase and the Cartesian method in the data processing phase, complemented by the techniques of bibliographic research, categorization, and referencing.

Results: It is concluded that the digital society, characterized by the entanglement of online and offline life and by the proliferation of non-state actors operating beyond the reach of national legal systems, demands acts of transnational governance capable of coordinating a multisectoral and interdisciplinary approach to Internet governance — one that respects the contextual particularities of different regions while ensuring a safe, inclusive, and efficient digital environment.

Keywords: Digital Society; Governance; Internet; Transnationality.

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PERSPECTIVAS Y DESAFÍOS DE LA GOBERNANZA TRANSNACIONAL DE INTERNET EN LA SOCIEDAD DIGITAL

Contextualización: El estudio se justifica ante la acelerada expansión de las tecnologías digitales en todas las dimensiones de la vida humana, cuyo carácter esencialmente transnacional reconfigura la existencia individual, las relaciones sociales y las instituciones políticas, desafiando los instrumentos tradicionales de gobernanza estatal y exigiendo nuevas formas de coordinación entre una multiplicidad de actores públicos y privados. El texto se estructura de la siguiente manera: inicialmente, caracteriza la sociedad digital y sus implicaciones para la gobernanza, a partir del concepto de metamorfosis digital formulado por Ulrich Beck; posteriormente, realiza una delimitación conceptual entre gobernanza, gobernanza global y gobernanza transnacional, argumentando por la distinción terminológica y operacional entre estas categorías; finalmente, examina los desafíos específicos de la gobernanza de Internet y presenta ejemplos prácticos de actos de gobernanza transnacional aplicables a la sociedad digital, respondiendo a la hipótesis central del estudio.

Objetivos: La investigación tiene por objetivo demostrar que la gobernanza transnacional constituye el marco más adecuado para responder a las demandas regulatorias de la sociedad digital, especialmente en lo que concierne a la gobernanza de Internet, dada la naturaleza esencialmente transfronteriza y policéntrica de los fenómenos digitales.

Método: Para el logro del objetivo propuesto, se utilizó el Método Inductivo en la fase de investigación y el método cartesiano en la fase de tratamiento de datos, complementados por las técnicas de investigación bibliográfica, categorización y referenciación.

Resultados: Se concluye que la sociedad digital, caracterizada por el entrelazamiento entre la vida en línea y fuera de línea y por la proliferación de actores no estatales que operan al margen de los sistemas jurídicos nacionales, demanda actos de gobernanza transnacional capaces de coordinar un enfoque multisectorial e interdisciplinar de la gobernanza de Internet, que respete las particularidades contextuales de las diferentes regiones y garantice un entorno digital seguro, inclusivo y eficiente.

Palabras clave: Sociedad Digital; Gobernanza; Internet; Transnacionalidad.

PERSPECTIVAS E DESAFIOS DA GOVERANÇA TRANSNACIONAL DA INTERNET NA SOCIEDADE DIGITAL

Contextualização: O estudo justifica-se diante da acelerada expansão das tecnologias digitais em todas as dimensões da vida humana, cujo caráter essencialmente transnacional reconfigura a existência individual, as relações sociais e as instituições políticas, desafiando os instrumentos tradicionais de governança estatal e exigindo novas formas de coordenação entre uma multiplicidade de atores públicos e privados. O texto estrutura-se da seguinte forma: inicialmente, caracteriza a sociedade digital e suas implicações para a governança, a partir do conceito de metamorfose digital formulado por Ulrich Beck; em seguida, realiza uma delimitação conceitual entre governança, governança global e governança transnacional, argumentando pela distinção terminológica e operacional entre essas categorias; por fim, examina os desafios específicos da governança da Internet e apresenta exemplos práticos de atos de governança transnacional aplicáveis à sociedade digital, respondendo à hipótese central do estudo.

Objetivos: A pesquisa tem por objetivo demonstrar que a governança transnacional constitui o marco mais adequado para responder às demandas regulatórias da sociedade digital, especialmente no que concerne à governança da Internet, tendo em vista o caráter essencialmente transfronteiriço e policêntrico dos fenômenos digitais.

Método: Para o alcance do objetivo proposto, utilizou-se o Método Indutivo na fase de investigação e o método cartesiano na fase de tratamento de dados, complementados pelas técnicas de pesquisa bibliográfica, categorização e referenciamento.

Resultados: Conclui-se que a sociedade digital, marcada pelo entrelaçamento entre a vida on-line e off-line e pela proliferação de atores não estatais que operam à margem dos sistemas jurídicos nacionais, demanda atos de governança transnacional capazes de coordenar uma abordagem multisectorial e interdisciplinar da governança da Internet, que respeite as particularidades contextuais das diferentes regiões e assegure um ambiente digital seguro, inclusivo e eficiente.

Palavras-chave: Sociedade Digital; Governança; Internet; Transnacionalidade.

INTRODUÇÃO

Technological progress has recently undergone an acceleration of vast proportions, leading us to realize that we are still at the "dawn" of that oft-mentioned technological revolution. In this context, where, for example, the definition of Artificial Intelligence expands or contracts according to its operational context, some countries (such as those within the European Union) are a step ahead in regulating its use. Others are still debating the potential need for regulation, as if this phenomenon were not already definitively implanted and institutionalized among us in a state-free manner.

While already existing regulation does not guarantee success in addressing the novel challenges that the globalized world routinely presents, it nonetheless represents an attempt at state action, which may contribute to the development of future governance frameworks.

However, various definitions and modalities are presented in an unarticulated manner, which is wholly inadequate for such a globally pervasive phenomenon. The same goes for the use of other technologies, such as the Internet, encompassing all the substantive elements that constitute contemporary digital society.

In this context, the present study addresses the following central question: Given its unique characteristics, can the current digital society accommodate any form of regulation or of governance? The overarching objective of this research is to argue for the necessity of implementing acts of transnational governance related to the digital society. To this end, with regard to the specific objectives, the study begins by presenting some key characteristics and considerations regarding the digital society. Subsequently, it discusses governance, global governance, and transnational governance, in order to differentiate these terminologies and identify the most appropriate one for application to the digital society. Finally, the study presents some key challenges and practical examples of existing acts of transnational governance applicable to the digital society.

Regarding the employed methodology, the Inductive Method was utilized during the investigative phase, while the Cartesian method was applied during the data processing phase. The reporting of results was based on inductive logic. Finally, the concluding remarks will present the conclusive ideas derived from the issues addressed throughout this study.

1. DIGITAL SOCIETY: CHARACTERIZATION AND RELEVANT CONSIDERATIONS

Since the World Wide Web (www) emergence in the early 1990s, the technological convergence between communications and computing has not only evolved but has also flourished impressively. The Internet and mobile communications have become essential components of contemporary society, deeply integrating into the daily lives of individuals. This new digital reality has transformed everyday human experiences, creating a significantly distinct environment from the realities in which humanity has lived for millennia.²

Dufva and Dufva note that the term 'digital' originates from the Latin word *digitalis* and refers to digits. The authors explain that in the field of information technology 'digital' refers to the binary numerical system, which was adopted in the mid-twentieth century as a primary logic for digital computers and which also implied the ability to reprogram and update the machine without physically altering it.³

Moratalla, in turn, highlights the fact that a digit is simply a figure, a number, or a piece of data. Therefore, prior to the ongoing technological expansion across the globe, digitization described merely a process of numbering, cataloging, or ordering. Currently, though, when the essential raw material for the development of modern life is based on the storage, management, and cataloging of data generated from the use of technological tools that permeate human life, digitization describes not only this process of ordering or cataloging documents, but the transformation of all natural, social, and cultural processes into data.⁴

Consequently, since the information society was transformed into a digital society—owing to the expansion and development of information and communication technology (ICT)—terms such as Internet, Artificial Intelligence, and the Internet of Things have become part of our daily lives. Thus, digitization has come to describe a new process of comprehensive cataloging and organization of daily life, reduced to data of all kinds, ranging from biological data to economic data on our consumption habits.⁵

In their “Onlife Manifesto”, Floridi point out that in the current digital age,

² LEVIN, Ilya; MAMLOK, Dan. Culture and Society in the Digital Age. *Information*, v. 12, n. 2: 68. 2021. p. 01. Special Issue Cultural Studies of Digital Society. DOI: <https://doi.org/10.3390/info12020068>. Disponível em: <https://www.mdpi.com/2078-2489/12/2/68>. Acesso em: 26 fev. 2026.

³ DUFVA, Tomi; DUFVA, Mikko. Grasping the future of the digital society. *Futures*, [S. l.], v. 107, p. 17-28, 2019. p. 18. DOI: <https://doi.org/10.1016/j.futures.2018.11.001>. Disponível em: <https://www.sciencedirect.com/science/article/pii/S0016328717302252>. Acesso em: 07 mar. 2026.

⁴ MORATALLA, Augustín Domingo. *Del hombre carnal al hombre digital: vitaminas para uma ciudadanía digital*. Bogotá: Teell Editorial, S.L., 2021. ISBN: 978-84-16511-45-7. p. 09.

⁵ MORATALLA, Augustín Domingo. *Del hombre carnal al hombre digital: vitaminas para uma ciudadanía digital*. Bogotá: Teell Editorial, S.L., 2021. ISBN: 978-84-16511-45-7. p. 10.

machines have ceased to simply operate according to human instructions. They can change state autonomously and can do so by exploiting the exponentially growing wealth of data that is increasingly available, accessible, and processable through rapidly developing and increasingly widespread information and communication technology.⁶

As the authors rightly observe, data are captured, stored, processed, and reused across various machines, applications, and devices in innovative ways, creating endless opportunities for adaptable and personalized environments. Different types of filters continue to challenge the illusion of an objective and impartial perception of reality, while simultaneously open up new spaces for human interaction and new practices of knowledge. However, the fact that the environment is permeated by information flows and processes does not render it omniscient or omnipotent. On the contrary, it demands new ways of thinking and acting at various levels to address issues such as ownership, responsibility, privacy, and self-determination.⁷

In this context, the ubiquity of digital technologies, social media, and the Internet in general has impacted nearly every aspect of daily life. As these tools have assumed a more dominant role in human life, they have reshaped our ontological state, forming a networked consciousness. This means that a new digital culture is being shaped within an entirely new reality.⁸

This new reality was keenly perceived by Ulrich Beck and described in his final work as a “digital metamorphosis,” which, in contrast to the idea of a digital revolution, refers to the unintended and often invisible side effects that transform individuals into digital human beings. While the digital revolution still maintains a clear distinction between the online and offline realms, digital metamorphosis deals with the essential entanglement of these two worlds. This phenomenon concerns digital human beings, whose transformed existence challenges traditional categories such as status, social identity, collectivity, and individualization.⁹

Attentive to the control and exploitation of data by big tech companies and by governmental intelligence and cybersecurity systems themselves, such as the United

⁶ FLORIDI, Luciano (ed.). **The Onlife Manifesto**: Being Human in an Hyperconnected Era. Oxford Internet Institute, 2015. p. 10. DOI: <https://doi.org/10.1007/978-3-319-04093-6>. Disponível em: <https://link.springer.com/book/10.1007/978-3-319-04093-6>. Acesso em: 24 fev. 2026.

⁷ FLORIDI, Luciano (ed.). **The Onlife Manifesto**: Being Human in an Hyperconnected Era. Oxford Internet Institute, 2015. p. 10. DOI: <https://doi.org/10.1007/978-3-319-04093-6>. Disponível em: <https://link.springer.com/book/10.1007/978-3-319-04093-6>. Acesso em: 24 fev. 2026.

⁸ LEVIN, Ilya; MAMLOK, Dan. Culture and Society in the Digital Age. **Information**, v. 12, n. 2: 68. 2021. p. 04. Special Issue Cultural Studies of Digital Society. DOI: <https://doi.org/10.3390/info12020068>. Disponível em: <https://www.mdpi.com/2078-2489/12/2/68>. Acesso em: 26 fev. 2026.

⁹ BECK, Ulrich. **The metamorphosis of the world**. 1st edition. United Kingdom: Polite Press, 2016. E-book (224 p.). ISBN 978-0-7456-9022-3. Disponível em: <https://ereader.perlego.com/1/book/1535931/3>. Acesso em: 07 mar. 2026. p. 145.

States' National Security Agency (NSA), Beck asserts that the large-scale surveillance practices they engage in should not be understood as something transient, but “as a side effect of the success in creating a digital modernity, which is inevitably a modernity in which the private and the public sector and the individual are strangely enmeshed – hence, metamorphosed.”¹⁰

This entanglement forms what the author calls a “new transnational digital class,” which translates into a new “*digital intelligentsia*,” that uses digital cosmopolitization as a source of energy to reshape the world. In Beck's words:

These epistemological communities of experts challenge both the nation-state and the citizen. On the other side, individuals are the constant producers of the data oceans. The production of data happens consciously and willingly, such as via social media sites, but also unconsciously, routinely, and implicitly through the everyday use of personal devices, such as mobile phones, and the surveillance systems that are built into contemporary environments, such as swipe cards, electronic bus tickets, etc.¹¹

At the heart of this digital society, as global control of information becomes more comprehensive and total, it tends to disappear from people's awareness, becoming invisible. Hence the singular nature of digital risk and the paradox associated with it: the closer we get to the global hegemonic domain of data, the less perceptible this reality and its catastrophic character become.¹²

According to Beck, this hegemony over data is the result of an intrinsic collaboration between the state itself and digital entrepreneurs, as there is also an essential state objective in national and international security. However, this complex entanglement between private and public controls increasingly distances us from a desired “world state,” leading world society towards “an anonymous digital central power that controls the private behind a democratic façade.”¹³

In this context, the author envisions the emergence of a “new digital empire,” which, unlike recognized historical empires, is not based on military violence or the attempted integration of distant zones into its own realm. The digital empire described by Beck relies on a fundamental ambivalence, given that while we fuel important control instruments through the “voluntary” and constant provision of our data, we

¹⁰ BECK, Ulrich. **The metamorphosis of the world**. 1st edition. United Kingdom: Polite Press, 2016. E-book (224 p.). ISBN 978-0-7456-9022-3. Disponível em: <https://ereader.perlego.com/1/book/1535931/3>. Acesso em: 07 mar. 2026. p. 147.

¹¹ BECK, Ulrich. **The metamorphosis of the world**. 1st edition. United Kingdom: Polite Press, 2016. E-book (224 p.). ISBN 978-0-7456-9022-3. Disponível em: <https://ereader.perlego.com/1/book/1535931/3>. Acesso em: 07 mar. 2026. p. 147.

¹² BECK, Ulrich. **The metamorphosis of the world**. 1st edition. United Kingdom: Polite Press, 2016. E-book (224 p.). ISBN 978-0-7456-9022-3. Disponível em: <https://ereader.perlego.com/1/book/1535931/3>. Acesso em: 07 mar. 2026. p. 141.

¹³ BECK, Ulrich. **The metamorphosis of the world**. 1st edition. United Kingdom: Polite Press, 2016. E-book (224 p.). ISBN 978-0-7456-9022-3. Disponível em: <https://ereader.perlego.com/1/book/1535931/3>. Acesso em: 07 mar. 2026. p. 143.

simultaneously distance ourselves further from digital control.¹⁴

This new reality also reveals the failure of operating institutions, still conceived within a national logic, which are completely inadequate for the cosmopolitan reality. Due to the complexity and inherent risks of digital society, “answers based on the national outlook and the political and legal instruments offered by our institutions can no longer meet the challenges posed by the global risk society today.”¹⁵

This gives rise to the relevance of governance in contemporary digital society, given its fundamental role in promoting transparency, security, and inclusion in an increasingly connected world free of physical barriers. It is through governance that organizations, governments, and civil society can develop and adapt strategies and tools to face the complex challenges experienced, such as the unlimited exploitation of personal data, cybersecurity, digital inequality, privacy, etc., which is the point to which the present study now turns.

2. GOVERNANCE: NECESSARY CONSIDERATIONS

Discussing governance is not an easy task. This is due to the need to perform an accurate conceptual delimitation in order to relate it to the theme which is intended to be addressed.

The word governance shares a common origin with the word government¹⁶, as the term *gubernaculum*, from medieval Latin¹⁷, in the same Greek vein, also means helm, direction, as recorded by Gonçalves and Costa¹⁸.

However, contrary to what many claim, the term governance is not only used in the public sector, but also in the private sphere, incorporating “multiple meanings, such as: public, corporate, public policy, personnel, information technology, urban, land, local, global, environmental, etc.”¹⁹ This wide range of meanings is natural, since in any human

¹⁴ BECK, Ulrich. **The metamorphosis of the world**. 1st edition. United Kingdom: Polite Press, 2016. E-book (224 p.). ISBN 978-0-7456-9022-3. Disponível em: <https://ereader.perlego.com/1/book/1535931/3>. Acesso em: 07 mar. 2026. p. 144.

¹⁵ BECK, Ulrich. **The metamorphosis of the world**. 1st edition. United Kingdom: Polite Press, 2016. E-book (224 p.). ISBN 978-0-7456-9022-3. Disponível em: <https://ereader.perlego.com/1/book/1535931/3>. Acesso em: 07 mar. 2026. p. 144.

¹⁶ As an example, one may cite the definition of Bobbio, Mateucci and Pasquino: “[...] the group of people who exercise political power and determine the political direction of a given society. It should be added, however, that the power of government, being usually institutionalized, is morally associated with the notion of the state”. (1980, p. 553-554). Loose translation from the text in Portuguese: “[...] o conjunto de pessoas que exercem o poder político e que determinam a orientação política de uma determinada sociedade. É preciso, porém, acrescentar que o poder de Governo, sendo habitualmente institucionalizado, está moralmente associado à noção de Estado”.

¹⁷ MINOGUE, Kenneth. **Política**: uma brevíssima introdução. Rio de Janeiro: Jorge Zahar Editor, 1998. p. 101.

¹⁸ GONÇALVES, Alcindo e COSTA, José Augusto Fontoura. **Governança Global e regimes Internacionais**. São Paulo: Almedina, 2011. p. 43.

¹⁹ ALVES, 2018, p. 171. Loose translation from the original: “múltiplos significados, tais como: pública, corporativa, de políticas públicas, de pessoal, de tecnologia de informação, urbana, de solos, local, global, ambiental etc”.

activity, as Nardes assures, “there are systems of delegation and control in the search for efficient results in the most varied economic, political, technological and social areas.”²⁰

In this context, governance should also not be confused with governability²¹, as the former has a greater scope than the latter. Moreover, the former, in addition to involving the State at its most varied levels, encompasses the involvement of organized civil society.

This is the view adopted by Santos in the sense that “the concept of governance is not restricted, however, to the managerial and administrative aspects of the State”²². For the author, governance has to do with patterns of articulation and cooperation between social and political actors, institutional arrangements, and the private sector.

This means that Governance encompasses society as a whole, organic and articulated, that is, the State, citizens, social organizations, non-governmental organizations, etc. As Tomassini records that, in order to achieve the objectives of governance in democracies, the concurrence of the governors (State) and the citizens and their organizations (organized civil society) is necessary “to build consensus that makes it possible to formulate policies that allow responding in a balanced way to what society expects from the government.”²³

In summary, governance is neither an isolated action of governments in public management, nor is it an isolated action of organized civil society with the desire to occupy greater spaces of participation and influence over the decisions of state authorities. On the contrary, the concept of governance is quite broad, comprising the joint action of the State and society, in an integrated, coordinated and cooperative manner

²⁰ NARDES, João Augusto Ribeiro; ALTOUNIAN, Cláudio Sarian; VIEIRA, Luis Afonso Gomes. **Governança Pública: o desafio do Brasil**. Belo Horizonte: Fórum, 2014. p. 187. Loose translation from the original: “há sistemas de delegação e controle na busca de resultados eficientes nas mais variadas áreas econômicas, políticas, tecnológicas e sociais”.

²¹ In a clear and conclusive manner, when addressing Governance and Governability, Valles Bento states that “governability is related to the conditions for the exercise of power by the government according to legitimacy and the creation of structures for political support.”. For the author, it may also be understood as “the conditions of the political environment in which administrative actions are carried out or should be carried out, based on governmental legitimacy, the credibility, and the public image of the bureaucracy.” (BENTO, Leonardo Valles. *Governança e governabilidade na reforma do Estado: entre eficiência e democratização*. Barueri: Manole, 2003. p. 21). Loose translation from the original: “governabilidade está ligada às condições do exercício de poder por parte do governo em função da legitimidade e da criação das estruturas de apoio político” and “as condições do ambiente político em que se efetivam ou devem efetivar-se as ações administrativas, à base da legitimidade dos governos, credibilidade e imagem pública da burocracia”

²² SANTOS, Maria Helena de Castro. *Governabilidade, governança e democracia: criação da capacidade governativa e relações Executivo-Legislativo no Brasil pós constituinte*. DADOS – **Revista de Ciências Sociais**. Rio de Janeiro, v. 40, n. 3, 1997. p. 341-342. DOI: <https://doi.org/10.1590/S0011-52581997000300003>. Disponível em: <https://dados.iesp.uerj.br/es/artigos/?id=526>. Acesso em: 07 mar. 2026. Loose translation from the original: “o conceito de governança não se restringe, contudo, aos aspectos gerenciais e administrativos do Estado”

²³ ALVES, Benedito Antônio. **Governança Transnacional da Sustentabilidade ambiental: a possibilidade de sua fiscalização e controle com base nas experiências das entidades fiscalizadoras superior**. 2018. 532 f. Tese (Doutorado em Ciência Jurídica) Universidade do Vale do Itajaí – Itajaí, 2018. p. 189. Loose translation from the original: “Isso significa dizer que a Governança compreende a sociedade como um todo orgânico e articulado, ou seja, o Estado, os cidadãos, as organizações sociais, as organizações não-governamentais etc, pois conforme registra Tomassini, para que haja possibilidade de lograr os objetivos de governança nas democracias, necessário se faz a concorrência dos governantes (Estado) e dos cidadãos e de suas organizações (sociedade civil organizada) ‘para construir consensos que tornem possível formular políticas que permitam responder equilibradamente ao que a sociedade espera do governo’”.

in the making of projects, containing plans, goals, which comprise efficient solutions in the search for effective results with the purpose of implementing the practice of efficient governance in the public sector, aiming at the effectiveness of a cooperative and supportive action that benefits all.²⁴

3. FROM GLOBAL GOVERNANCE TO TRANSNATIONAL GOVERNANCE

It was in 1994 that the United Nations elaborated a report by the commission on global governance, defining the term as “the totality of the diverse ways in which individuals and institutions, public and private, manage their common affairs.”²⁵

The period during which the aforementioned report was created does not reflect a random moment in history but is closely related to the experiences of the global society at the time. This “new version” of governance simply emerges as a “new meaning due to the complexities of a global society, which, in response to new demands, led to a restructuring of the concept of the State [...]”²⁶

All changes brought about by economic globalization, particularly after the fall of the Berlin Wall, led to a reconfiguration of the State, allowing space for the involvement of a wide range of actors.

With the reduction of national sovereign powers and the subsequent emergence of supranational organizations, alongside the growing presence of NGOs (National and International Non-Governmental Organizations) and the influence of multinational corporations, the balance of power and the concept of political

²⁴ PIFFER, Carla; ALVES, Benedito Antonio. Experiências de governança da sustentabilidade ambiental nacional e transnacional a cargo dos tribunais de contas. *Revista Eletrônica Direito e Política*, Programa de Pós-Graduação Stricto Sensu em Ciência Jurídica da UNIVALI, Itajaí, v. 15, n. 1, p. 79-108. p. 89. DOI: <https://doi.org/10.14210/rdp.v15n1.p79-108>. Disponível em: <https://periodicos.univali.br/index.php/rdp/article/view/16380>. Acesso em: 07 mar. 2026.

²⁵ GONÇALVES, Alcindo. Regimes internacionais como ações da governança global. *Revista Meridiano 47 - Journal of Global Studies*, [S. l.], v. 12, n. 125, p. 40-45, maio/jun. 2011. p. 40. Disponível em: <https://periodicos.unb.br/index.php/MED/article/view/4296>. Acesso em: 07 mar. 2026. Loose translation from the original: “a totalidade das diversas maneiras pelas quais os indivíduos e as instituições, públicas e privadas, administram seus problemas comuns”.

²⁶ CASTRO, Ana Carolina Elaine dos Santos Guedes de. *A Organização Mundial do Comércio e a instrumentalização do Gender Mainstreaming por meio da governança transnacional*. Tese (Doutorado em Ciência Jurídica) Universidade do Vale do Itajaí – Itajaí, 2022. p. 158. Loose translation of: “novo significado em razão das complexidades de uma sociedade global que, em decorrência de novas demandas, conduziu a uma reestruturação do conceito Estado [...]”.

power have changed significantly. Thus, we are witnessing a shift from government to global governance.^{27 28}

As Cruz warns, the rise of new legal, political, and organizational sources of power confirms the loss of sovereign power by States.²⁹ It is this state porosity that allows transnationality to belong to a “third dimension”—social, political, and legal.³⁰ With such legal dimension, it becomes necessary to construct a new approach from a legal perspective, that is, a system of rules that transcends the internal legal system.³¹

It is in this political environment that transnational demands—defined as those that do not respect borders, that affect current and future generations, and the entire community of life in a cross-border manner—have gained prominence and now call for legal and political strategies at the same level of articulation.

However, in order to direct this writing towards its central objective, the question that remains is: is there a difference between global governance and transnational governance?

Indeed, although some texts choose to treat these categories as synonymous, it is understood that they have considerable differences, as evidenced by Gomes and Merchán:

One could argue that it is precisely to highlight this complex web of relationships between public actors (i.e., the State, its organizations and agencies) and private

²⁷ PIFFER, Carla; CRUZ, Paul Marcio. A governança transnacional ambiental e a organização mundial do comércio. In: PIFFER, Carla; CRUZ, Paulo Márcio; BALDAN, Guilherme Ribeiro (org). **Transnacionalidade e sustentabilidade: dificuldades e possibilidades em um mundo em transformação**. Porto Velho: Emeron, 2018. p. 130. Loose translation of: “Com a diminuição dos poderes soberanos nacionais e a consequente emergência de organizações supranacionais, além da presença crescente das ONGs (Organizações Não-Governamentais Nacionais e Internacionais) e do poderio das empresas multinacionais, o balanço do poder e o conceito de poder político alteraram-se de forma significativa. Assim, estaríamos assistindo a mudança do governo para a governança global”.

²⁸ According to Pascal Lamy, then Director-General of the World Trade Organization, “Global governance refers to the system we have established to help society achieve its common objectives in a sustainable way—that is, with equity and justice. Increasing interdependence requires that our laws, social norms and values, as well as the other mechanisms that structure human behavior, be examined, debated, understood, and applied collectively in the most coherent manner possible. This is the necessary condition for attaining truly sustainable development from economic, social, and environmental perspectives.” (LAMY, Pascal. *La Gobernanza Mundial tras los pasos de William Rappard. Organización Mundial del Comercio*. WTO Noticias: Discursos, 15 mar. 2010. Disponível em: https://www.wto.org/spanish/news_s/sppl_s/sppl149_s.htm. Acesso em: 26 fev. 2026.). Loose translation from the original in Spanish: “Por gobernanza mundial entiendo el sistema que hemos establecido para ayudar a la sociedad humana a alcanzar sus objetivos comunes de manera sostenible, es decir, con equidad y justicia. La creciente interdependencia requiere que nuestras leyes, nuestras normas y valores sociales, así como los demás mecanismos que estructuran el comportamiento humano sean examinados, debatidos, comprendidos y aplicados conjuntamente en la forma más coherente posible. Esa es, a mi juicio, la condición necesaria para lograr un desarrollo verdaderamente sostenible desde el punto de vista económico, social y ambiental.”.

²⁹ CRUZ, Paulo Márcio; LACERDA, Emanuela Cristina Andrade (orgs.). **Da Soberania à Transnacionalidade: Democracia, direito e Estado no século XXI**. Itajaí: Coleção Sul, 2014. p. 105.

³⁰ VIEIRA, Patrícia Elias. Estado contemporâneo e sociedade: há possibilidade do direito contratual solidário? **Revista da Faculdade de Direito São Bernardo do Campo**, v. 20, p. 1-22, 2014, p. 14. Disponível em: <https://revistas.direitosbc.br/fdsbc/article/view/22>. Acesso em 25 fev. 2026.

³¹ MELO, Flávio Henrique de; SANTOS, Franklin Vieira dos. O transjudicialismo e o direito penal: um diálogo com as cortes estrangeiras na busca de fundamentos para afastar a imputação por causas não previstas pelo legislador interno. In: PIFFER, Carla; BALDAN, Guilherme Ribeiro; CRUZ, Paulo Márcio (org). **Transnacionalidade e sustentabilidade: dificuldades e possibilidades em um mundo em transformação**. Porto Velho: Emeron, 2018. p. 137.

actors (i.e., corporations, social movements, non-governmental organizations, or multilateral bodies—which blur the boundaries between State and market) that the term transnational is preferred over global. The latter tends to unify these relationships around the idea of a singular global entity, diminishing the importance of contextual particularities, which is one of the distinctions between global and transnational governance.³²

This is why, when referring to global governance, Gonçalves states that it's broader in nature in the sense that it encompasses actions on a global scale, comprising a set of cumulative processes of a multidimensional scope, which includes a "significant change in the organization of human activity and the shift of power from local or national orientation to global patterns, with interconnection and interdependence on a global scale."³³

Additionally, the same understanding was adopted by Castro in her Doctoral Thesis, suggesting that the transnational perspective of governance is characterized by state permeability, triggering a third social, political, and legal dimension. According to the author, transnational governance goes beyond what can be understood by global governance, which is subordinate to the idea of an entity with hierarchical superiority, like the State. While globalization refers to the idea of a whole, a globe—essentially, the world synthesized as one—transnationalization is tied to the reference of a permeable State, but the State still serves as the reference of a declining entity. Furthermore, the idea of "global" is related to an association between nations, which does not apply to transnationality.³⁴

This shift in perspective—from global to transnational—also implies a change in the perception of space and time caused by new technologies, where the world has acquired a new composition, along with new strategies of cooperation and the actions of new actors to tackle the transnational challenges that arise today.³⁵

³² GOMES, Marcus Vinícius Peinado; MERCHÁN, Catherine Rojas. Governança transnacional: definições, abordagens e agenda de pesquisa. **Revista de Administração Contemporânea**, Rio de Janeiro, v. 21, n. 1, p. 84-106, p. 90, jan./fev. 2017. DOI: <https://doi.org/10.1590/1982-7849rac2017150332>. Disponível em: <https://rac.anpad.org.br/index.php/rac/article/view/1205/1201>. Acesso em: 07 mar. 2026. Loose translation from the original: "Pode-se argumentar que é justamente para destacar este emaranhado de relações entre atores públicos (i.e., Estado, suas organizações e agências) e privados (i.e., corporações, movimentos sociais, organizações não governamentais ou organismos multilaterais) –que tornam as fronteiras entre Estado e mercado nebulosas, que prefere-se o termo transnacional ao global, pois o último tende a unificar estas relações ao redor da ideia do global único, diminuindo a importância das particularidades contextuais, sendo essa uma das distinções entre a governança global e transnacional."

³³ GONÇALVES, Alcindo e COSTA, José Augusto Fontoura. **Governança Global e regimes Internacionais**. São Paulo: Almedina, 2011. p. 41. Loose translation from the original: "mudança significativa na organização da atividade humana e o deslocamento do poder da orientação local ou nacional para padrões globais, com interconexão e interdependência na esfera mundial".

³⁴ CASTRO, Ana Carolina Elaine dos Santos Guedes de. **A Organização Mundial do Comércio e a instrumentalização do Gender Mainstreaming por meio da governança transnacional**. Tese (Doutorado em Ciência Jurídica) Universidade do Vale do Itajaí – Itajaí, 2022. p. 164.

³⁵ PIFFER, Carla; PAULA, Felipe Mottin Pereira de. A estruturação da governança ambiental global e a necessidade de criação de um órgão de controle externo do patrimônio ambiental transnacional: uma análise a partir da

Among the main phenomena that have attracted the attention of actors in the global community is the digital society, which is the central focus of this study. Due to its complexity and the numerous overlapping conflicts of interest, it presents itself as a topic of profound complexity. Achieving effective solutions depends on the implementation of an appropriate structure of transnational governance.

Given the occurrences and manifestations that have transnational repercussions, such as the digital society (including new technologies, the Internet, Artificial Intelligence, etc.), the actors involved are both state and non-state, to which effective action strategies based on transnational governance would apply.

This is because there is an increasing contribution from non-state actors in the articulation of common policies, the accomplishment of agreements and technical regimes, and the establishment of cooperation networks, for example. On the other hand, it is observed that these actors have been granted (intentionally or unintentionally, formally or informally) considerable power, which is neither regulated nor “monitored,” due to having their own structures and advanced decision-making processes without any regulation or intervention by the State.³⁶

Given these characteristics, transnational governance seeks to articulate “local and global power, highlighting the need for cooperative partnerships between local spheres of power while simultaneously multiplying local efforts to produce the best outcomes on a global scale.”³⁷

This thinking aligns with Rosenau's idea, who suggests that governance “without government” involves the division of power among multiple non-state and state actors on a global scale.³⁸ Thus, transnational governance can be described as polycentric, and its arrangements, in addition to involving transnational actors—such as international organizations, non-governmental organizations, large corporations, and other distinct

experiência do Tribunal de Contas Europeu. In: PIFFER, Carla; CRUZ, Paulo Márcio; BALDAN, Guilherme Ribeiro (org). **Transnacionalidade e sustentabilidade**: dificuldades e possibilidades em um mundo em transformação. Porto Velho: Emeron, 2018. p. 60.

³⁶ GONÇALVES, Alcindo e COSTA, José Augusto Fontoura. **Governança Global e regimes Internacionais**. São Paulo: Almedina, 2011. p. 41.

³⁷ CRUZ, Paulo Márcio; BODNAR, Zenildo. O clima como necessidade de Governança Transnacional: reflexões pós-Copenhague 2009. **Planeta Amazônia**: Revista Internacional de Direito Ambiental e Políticas Públicas. Macapá, n. 2, 2010, p. 139-153, p. 148. ISSN: 2177-1642. Disponível em: <https://periodicos.unifap.br/planetaamazonia/article/view/688>. Acesso em: 07 mar. 2026. Loose translation of: “*ressignificação do poder e da Democracia, atuando na ampliação de espaços em que se possibilita a participação de todos os envolvidos, como os atores sociais, políticos, pessoas e organizações*”.

³⁸ ROSENAU, James N. Governança e democratização. In: ROSENAU, James N.; CZEMPIEL, Ernst-Otto. **Governança sem governo**: ordem e transformação na política mundial. Brasília: Ed. UnB; São Paulo: Imprensa Oficial do Estado, 2000. p. 15.

structures—can take various forms.³⁹

In this sense, Corrêa and Piffer describe transnational governance as “the reinterpretation of power and democracy, acting to expand spaces where the participation of all involved—such as social actors, political entities, individuals, and organizations—is made possible.”⁴⁰ The authors further state that it is precisely due to transnational occurrences—including the digital society and its impacts—that the establishment of a democratic entity capable of resolving overarching divergences is necessary, as no current organization can achieve such breadth.

4. TRANSNATIONAL INTERNET GOVERNANCE: CHALLENGES FOR DEFINITION AND PRACTICAL EXAMPLES

As mentioned earlier regarding governance and transnational governance, the definition of Internet governance is also a controversial topic that reflects different perspectives, approaches, and political interests. As Kurbalija aptly observes, this is not due to linguistic issues but rather to how the Internet is perceived by different actors.⁴¹

In his work “An Introduction to Internet Governance,” the author highlights and details five major areas that address various relevant issues concerning the realm of the Internet, which are also at the core of the digital society.

The first point the author details about Internet governance concerns aspects involving infrastructure and standardization. Topics such as Transmission Control Protocol (TCP), Internet Protocols (IP), Domain Name System (DNS), root servers, Internet Service Providers (ISPs), Internet Broadband Providers (IBPs), web standards, cloud computing, cybersecurity, encryption, and spam are part of this “basket”⁴² encompassing Internet governance from his perspective.

The second point described by the author relates to the legal aspects surrounding the topic. In this section, the author discusses issues related to Intellectual Property Rights

³⁹ GONÇALVES, Alcindo e COSTA, José Augusto Fontoura. **Governança Global e regimes Internacionais**. São Paulo: Almedina, 2011. p. 41.

⁴⁰ CORRÊA, Fernando Rafael; PIFFER, Carla. A Governança Transnacional como Ressignificação do Poder e da Democracia. **Resenha Eleitoral**, Florianópolis, SC, v. 24, n. 2, p. 43-64, p. 58-59. jul./dez. 2020. DOI: <https://doi.org/10.53323/resenhaeleitoral.v24i2.21>. Disponível em: <https://resenhaeleitoral.tre-sc.jus.br/revista/article/view/21>. Acesso em: 12 mar. 2026.

⁴¹ KURBALIJA, Jovan. **Uma introdução à governança da Internet**. Tradução Carolina Carvalho. São Paulo: Comitê Gestor da Internet no Brasil, 2016, p. 19. Disponível em: https://www.cademo.org.br/CademoCGIbr_Uma_Introducao_a_Governanca_da_Internet.pdf. Acesso em 26 fev. 2026.

⁴² KURBALIJA, Jovan. **Uma introdução à governança da Internet**. Tradução Carolina Carvalho. São Paulo: Comitê Gestor da Internet no Brasil, 2016, p. 51. According to the author, the infrastructure and standardization basket comprises the fundamental, mainly technical issues related to the functioning of the Internet. The term “basket” was introduced in diplomatic practice during the negotiations of the Organization for Security and Co-operation in Europe (OSCE).

(IPR), trademarks, patents, cybercrime, labor law, data protection and privacy, and electronic commerce.

Economic aspects are also described by the author as central to the discussion and to the definition of Internet governance. At this point, economic issues regarding electronic commerce are presented, along with discussions on the content economy and Internet access, as well as relevant issues concerning electronic banking, electronic money, virtual currencies, taxation, and digital signatures.

Kurbalija also describes development-related aspects, highlighting topics such as digital exclusion, the development of telecommunications and Internet infrastructure, and institutional policy aspects that should be considered in discussions about Internet governance.

Finally, the author addresses relevant sociocultural aspects, highlighting human rights, the rights of people with disabilities, content policies, education, children's safety in the online environment, multilingualism, and cultural diversity.

The study of Kurbalija's work reveals important details about the development of each of the described topics, emphasizing the discrepancies, in many cases, regarding the handling of these issues across different parts of the world. This underscores the complexity of the subject and the challenges posed by the lack of coordination and cooperation among the various actors involved in Internet governance.

In the same vein, Eeten and Muller point out that Internet governance represents one of the main arenas for testing new theories in Internet studies. It encompasses traditional issues such as the transformation of the role of the State and the private sector, security dynamics among major powers, and the scope of global economic and cultural integration.⁴³

The authors disagree with the prevailing conceptualization of Internet governance, not with the verbal definition itself, but with the manner in which the term is employed. They contend that the label "Internet governance" is frequently applied to the study of centralized and formalized institutions, such as the Internet Corporation for Assigned Names and Numbers (ICANN), the Internet Governance Forum (IGF), and the World Summit on the Information Society (WSIS).

In their view, academic literature tends to focus almost exclusively on international institutions that explicitly discuss global Internet governance. However, the authors point out that the term "Internet governance" is rarely applied to studies of

⁴³ EETEN, Michael Jd Van; MULLER, Milton. Where is the governance in Internet governance? *New Media & Society*, v. 15, n. 5, p. 720-736, ago. 2013, p. 721. DOI: <https://doi.org/10.1177/1461444812462850>. Disponível em: <https://journals.sagepub.com/doi/10.1177/1461444812462850>. Acesso em: 26 fev. 2026.

practical activities that actually shape and regulate the operation of the Internet.

Examples of these activities include interconnection agreements between ISPs, routing arrangements, content filtering by national governments, spam control, copyright infringement, and botnets. According to the authors, these activities are, for the most part, not grouped under the label of Internet governance, even though they are crucial to its development and understanding.⁴⁴

Furthermore, according to the authors, an overview of Internet governance reveals that the field is distributed across four distinct categories, only one of which explicitly identifies itself as such. However, each category encompasses the theme and can be considered an autonomous field of study, with its own conferences, associated journals, and commonly used field designator. These categories are: Internet governance, telecommunications policy, the economics of information security, and cyberlaw.

Regarding the first category, Eeten and Muller explain that the field of Internet governance developed its topics and boundaries through a historical process, initially focused on the global coordination of domain names and addresses, culminating in the creation of ICANN in 1998. According to them, ICANN, a United States initiative based on a non-governmental model, generated critical literature regarding its performance. They also point out that the United Nations' WSIS, held between 2002 and 2005, broadened the debate, challenging the preeminence of the U.S. and mobilizing civil society advocacy networks. As a result, they assert that the definition of Internet governance evolved to include a broad range of political issues, involving governments, businesses, and civil society. The unresolved political conflicts in the WSIS led to the creation of the United Nations' IGF, a forum for multisectoral dialogue.⁴⁵

The field of Internet governance studies is interdisciplinary, encompassing institutional economics, political science, international relations, communication, sociology, and law. The main areas of study include the analysis of ICANN and the Regional Internet Registries, aspects of the WSIS and the IGF, and discussions on global governance, multisectoralism, and the relationship between private sector self-governance and intergovernmental organizations.⁴⁶

The second category, identified by the authors as the “telecommunications policy

⁴⁴ EETEN, Michael Jd Van; MULLER, Milton. Where is the governance in Internet governance? *New Media & Society*, v. 15, n. 5, p. 720-736, p. 722, ago. 2013. DOI: <https://doi.org/10.1177/1461444812462850>. Disponível em: <https://journals.sagepub.com/doi/10.1177/1461444812462850>. Acesso em: 26 fev. 2026.

⁴⁵ EETEN, Michael Jd Van; MULLER, Milton. Where is the governance in Internet governance? *New Media & Society*, v. 15, n. 5, p. 720-736, p. 724, ago. 2013. DOI: <https://doi.org/10.1177/1461444812462850>. Disponível em: <https://journals.sagepub.com/doi/10.1177/1461444812462850>. Acesso em: 26 fev. 2026.

⁴⁶ EETEN, Michael Jd Van; MULLER, Milton. Where is the governance in Internet governance? *New Media & Society*, v. 15, n. 5, p. 720-736, p. 725, ago. 2013. DOI: <https://doi.org/10.1177/1461444812462850>. Disponível em: <https://journals.sagepub.com/doi/10.1177/1461444812462850>. Acesso em: 26 fev. 2026.

field,” encompasses research on telecommunications and mass electronic media policies, emerging as an interdisciplinary field in the 1970s due to the increasing importance of communications infrastructure. Eetel and Muller highlight that, while it includes studies on regulation and broadcasting, a growing portion of research in this area focuses on Internet-related policy, such as the net neutrality debate, which combines classic telecommunications issues with Internet governance.⁴⁷

Regarding the third category, the authors observe that since 2001, interdisciplinary literature has sought to integrate knowledge from computer science and information systems with economic insights to study cybersecurity problems. This field, called Economics of Information Security, recognizes that Internet security problems are driven by the economic incentives of actors and firms.

Furthermore, the authors highlight that some research on Internet security focuses on the national and transnational power implications of Internet vulnerabilities, addressing topics such as cyber warfare, the use of the Internet by terrorist groups, and threats to critical infrastructure. They also emphasize that some researchers explore the relationship between governance, States, and the development of Internet technical standards related to security. However, they observe that despite the relevance and direct connection between the themes addressed in this field, few works explicitly designate themselves as Internet governance research.⁴⁸

The last category suggested by the authors is, according to them, the most complex and developed alongside the Internet, with many scholars considering their work part of the discourse on Internet governance. In the early years (1995-1999), in the field of cyberlaw, there were extensive discussions about cyberspace and jurisdiction, with questions about the possibility of the network being governed by territorial states.

According to the authors, two observations should be considered in this regard: firstly, the fact that the label of Internet governance is frequently used in the context of ICANN discussions; secondly, the fact that cyberlaw literature has expanded to address legal, political, and legislative issues related to cyberspace. Much of this literature focuses on copyright, privacy, and censorship in cyberspace, addressing transnational problems and international institutions. However, few works on these topics label themselves as Internet governance, except for the literature on trademarks and domain names, which

⁴⁷ EETEN, Michael Jd Van; MULLER, Milton. Where is the governance in Internet governance? *New Media & Society*, v. 15, n. 5, p. 720-736, p. 725, ago. 2013. DOI: <https://doi.org/10.1177/1461444812462850>. Disponível em: <https://journals.sagepub.com/doi/10.1177/1461444812462850>. Acesso em: 26 fev. 2026.

⁴⁸ EETEN, Michael Jd Van; MULLER, Milton. Where is the governance in Internet governance? *New Media & Society*, v. 15, n. 5, p. 720-736, p. 726, ago. 2013. DOI: <https://doi.org/10.1177/1461444812462850>. Disponível em: <https://journals.sagepub.com/doi/10.1177/1461444812462850>. Acesso em: 26 fev. 2026.

typically refers to ICANN.⁴⁹

Thus, it is evident that the definition of Internet governance encompasses a diverse and relevant series of issues and challenges to be faced. Reducing this concept to one aspect or another, or to the scope of action of the institutions that deal with a relevant but not global part of the Internet, would be to neglect the complexity and interconnectedness of the factors that influence its functioning.

Understanding Internet governance in its entirety is essential for developing policies and practices that promote a secure, inclusive, and efficient digital environment. Only through a broad and interdisciplinary approach is it possible to address emerging challenges and ensure that the Internet continues to be a powerful tool for social, economic, and cultural development.

Thus, although the concept presented by WSIS is widely disseminated, according to which “Internet governance is the development and application by governments, the private sector and civil society, in their respective roles, of shared principles, norms, rules, decision-making procedures and programs that shape the evolution and use of the Internet,”⁵⁰ it is necessary to keep in mind the full complexity involved in the interpretation of this definition.

This reinforces the idea that Internet governance is essentially transnational, since the digital society is composed of a varied and complex range of actors and issues that interrelate and transcend national borders. From this emerges the need for a collaborative and coordinated multisectoral approach to policy-making and problem-solving, ensuring that the decisions taken reflect the diversity of interests and perspectives from different regions of the world. It is fundamental, however, to consider this diversity not as a “uniform global mass,” once the transnational character and the complexity inherent in Internet governance in today's world must be respected.

Furthermore, the role that States and governmental entities play in Internet governance cannot be ignored. In this context, seeking to bring this study closer to a practical perspective, it is possible to find a variety of institutions directly related to Internet governance that connect in some way with governmental structures.

In the Brazilian scenario, the Brazilian Steering Committee (CGI.br) stands out. According to the description presented on its website, the entity is responsible for

⁴⁹ EETEN, Michael Jd Van; MULLER, Milton. Where is the governance in Internet governance? *New Media & Society*, v. 15, n. 5, p. 720-736, p. 726, ago. 2013. DOI: <https://doi.org/10.1177/1461444812462850>. Disponível em: <https://journals.sagepub.com/doi/10.1177/1461444812462850>. Acesso em: 26 fev. 2026.

⁵⁰ Loose translation of: “governança da Internet é o desenvolvimento e a aplicação pelos Governos, pelo setor privado e pela sociedade civil, em seus respectivos papéis, de princípios, normas, regras, procedimentos de tomadas de decisão e programas em comum que definem a evolução e o uso da Internet”.

establishing strategic guidelines related to the use and development of the Internet in Brazil and guidelines for the execution of Domain Name registration, the allocation of Internet Protocol (IP) addresses, as well as the administration pertaining to the “.br” Top-Level Domain.

The Committee also promotes studies and recommends procedures for Internet security and proposes research and development programs that allow the maintenance of the level of technical quality and innovation in the use of the Internet. It describes itself as a multi-stakeholder model that, since its creation in 1995, brings together various segments of Brazilian society and government.

In Italy, the Agenzia per l’Italia Digitale– Agency for Digital Italy (AgID)– can be noted, which is the technical agency of the Presidency of the Council of Ministers that ensures the achievement of the objectives of the Italian digital agenda, coordinating all national public administrations. It also contributes to the dissemination of information and communication technologies, promoting innovation and economic growth, promoting digital literacy and its dissemination, in collaboration with international, national, and local institutions and organizations.

Also noteworthy is the Internet Governance Forum Italia (IGF Italia), a non-profit association that represents the country in international initiatives on Internet governance, pursued by the IGF Global under the aegis of the UN. It is a national point of reference for digital issues and e-government, operating on the basis of the Internet Rights Declaration of 2015. The IGF Italia facilitates dialogue between institutions, businesses, academia, the technical community, and civil society, promoting the exchange of knowledge with the IGF Global.

Within the European Union framework, the European Data Governance Act emerges as a fundamental pillar of the European data strategy, with the scope to enhance trust in data sharing, reinforce mechanisms for augmenting data availability, and overcome technical barriers to data reuse.

The Regulation — in force since June 23, 2022, and applicable since September 2023 — also aims to support the creation and development of common European data spaces in strategic domains, involving public and private stakeholders in sectors such as health, environment, energy, agriculture, mobility, finance, manufacturing, public administration, and skills.

These examples demonstrate that Internet governance is already a concern and a reality in both national and supranational scenarios, as in the case of the European Union. Additionally, they show that this governance is practiced in diverse ways, including through management committees, intelligence agencies, debate forums, and legislative acts.

However, it is observed that there is still a lack of broader coordination that considers the essentially transnational character of Internet governance and that goes beyond the spectrum of institutions that are normally recognized as responsible for this governance, but which, in fact, only cover specific points of its vast universe.

FINAL CONSIDERATIONS

The question that motivated the present research and to which it sought to respond occupies a prominent space in today's world. Understanding how and whether digital society, given its peculiarities, accommodates some form of regulation or governance to meet the demands and innovations that permeate our daily lives is vital to ensuring not only the proper functioning of emerging technologies, but also to developing them in an intelligent and safe manner.

This is because, as this study has sought to demonstrate in its initial part, the new way of being digital and having a digital view of the world, as well as imagining and doing politics also in a digital way, are by no means a destiny or an unavoidable necessity, but rather “a form and process of metamorphosis that is in the process of replacing one frame of reference with another frame of reference, which so far is mainly unknown or foggy.”⁵¹

In a scenario in which data from virtually all human activities and relationships have become the most valuable product and seem to be adrift, being used and traded without any form of control, in an environment that escapes state power by being free of borders and difficult to regulate, this study has sought to demonstrate the relevance of transnational governance as a tool and strategy for cooperation and action by the new actors that make up the social fabric in the world today and who need to face the transnational challenges that constantly arise in a coordinated manner.

Paying attention to the subtle differences between the terms governance, global governance, and transnational governance, this study also sought to discuss what differentiates them, defending the idea that transnational governance best accommodates the needs and vicissitudes of digital society.

As this study has sought to assert and demonstrate, Internet governance demands an integrated, coordinated, and collaborative approach, capable of dealing with the diversity of issues and actors involved. In this context, it is essential that the policies and practices developed in the digital environment promote a safe, inclusive, and efficient space, especially considering that, in the digital society, online and offline life are

⁵¹ BECK, Ulrich. **The metamorphosis of the world**. 1st edition. United Kingdom: Polite Press, 2016. E-book (224 p.). ISBN 978-0-7456-9022-3. Disponível em: <https://ereader.perlego.com/1/book/1535931/3>. Acesso em: 07 mar. 2026. p. 147.

increasingly interconnected, which is why a transnational Internet governance is certainly the most appropriate path, given its multifaceted and transdisciplinary character.

In conclusion, this study presented some practical examples of the existence of governance acts applicable to digital society that operate to defend national and also supranational interests. Although these acts are relevant and well-structured, they could be much more efficient if they acted in a more connected and coordinated manner, taking into account the transnational character of the digital space, in order to ensure that the Internet continues to be a valuable tool for social, economic, and cultural progress worldwide. Therefore, any decision made must reflect the multiplicity of global interests and perspectives, respecting the transnational nature and the complexity inherent in Internet governance.

Finally, it is highlighted that the present study aimed to stimulate reflection on the topic, without intending to exhaust all the issues and variables involved. The intention of this research was, above all, to point out and seek to understand some of the challenges that arise on the horizon of the digital society, proposing the strengthening of transnational Internet governance as a strategy and support tool in decision-making processes. The importance of further studies on this governance is hereby noted, not only in the legal universe, but in all branches that integrate the digital world in which we are inserted.

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