
GLOBALISATION AND LEGAL PROFESSION IN INDIA

Legal Upanishad Journal (LUJournal.com)

Vol 1 Issue 3 | November 2023 | pp. 37-44

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ABSTRACT

This study explores the effects of globalisation on Indian legal professionals, including lawyers and legal interpreters, both domestically and internationally. The study found that foreign laws influence both Indian lawyers' practice of advocacy and the country's legal system. The globalisation of the legal profession significantly impacts our overall financial prudence and the essential role that lawyers play in providing legal aid services. The study delves into the distinctions between present and past principles and objectives of legal education, examining the evolution of the legal profession due to globalisation. Lawyers have historically been instrumental in upholding and establishing differences between various societies. Moreover, they strive to ensure fair retribution for those truly deserving it. The author attempts to analyse the impact of globalisation on the legal profession in India.

Keywords: *Education, Foreign Laws, Globalisation, Legal Profession and Services.*

1. INTRODUCTION

Globalisation has significantly impacted the legal profession in India over the past two decades. Increased cross-border business relationships, foreign investments, and international commercial transactions have transformed the landscape of legal services. External liberalisation and internal reforms have shaped the structure, practices, and regulatory framework of the Indian legal system. This article comprehensively examines the various effects of globalisation on different aspects of the legal profession and services in India.

2. GROWTH OF LARGE CORPORATE FIRMS

One of the most visible impacts of globalisation has been the rapid growth in the number and size of corporate law firms in India. Exposure to international law firm models motivated the adoption of structures like partnerships, diversification into multiple practice areas, and leveraging technology for efficient services. Leading law firms like AZB, Amarchand Mangaldas, Khaitan & Co., and Cyril Amarchand Mangaldas have become major players, housing hundreds of lawyers across various sectors and offering sophisticated legal advice on complex cross-border business transactions, disputes, and regulatory issues¹. Many global law firms like Allen & Overy, Linklaters, Baker & McKenzie, White & Case, Clifford Chance, etc. have also opened local offices in India to service their foreign clients and tap into the fast-growing legal process outsourcing industry. The corporate law sector has witnessed intense competition, with firms poaching legal talent and mergers and acquisitions between firms becoming commonplace.

3. RISE IN INTERNATIONAL COMMERCIAL ARBITRATION

Globalisation has led to a manifold increase in cross-border commercial transactions between Indian and overseas entities. This has made international commercial arbitration (ICA) the preferred mode of resolution for any disputes involving foreign parties. ICA's relative neutrality of venue, flexibility of procedures, party autonomy, and enforceability of awards across multiple jurisdictions under the New York Convention have made it the go-to recourse in case of any disputes arising out of business contracts with foreign entities. Delhi, Mumbai, and Chennai have emerged as popular arbitration centres under institutions like the Singapore

¹ AR Mulla, *Leading law firms of India: A review of the Indian legal profession*, INDIA BUS. L. J. (2018)

International Arbitration Centre (SIAC), the London Court of International Arbitration (LCIA), and the International Chamber of Commerce (ICC).² Lawyers increasingly need expertise in international arbitration law, procedures, and building strategic enforcement and challenge strategies across jurisdictions that intersect with foreign laws and practices.

4. FOCUS ON SPECIALISED DOMAINS

Legal practice today requires specialised skills and domain expertise rather than just broad generalist knowledge. Lawyers are increasingly developing niche advisory practices in diverse areas like competition law, intellectual property, international tax, and trade laws, which routinely involve cross-border elements and complex technical parameters. Deep domain specialisation has become critical for lawyers to effectively advise clients on the opportunities and legal risks arising from globalisation across sectors like technology, manufacturing, infrastructure, energy, and financial services. Boutique advisory firms and lawyers recognised for their sector-specific expertise are on the rise to cater to the needs of a globalising economy.

5. EMERGING PRACTICE AREAS

Globalisation and foreign investments have also opened up the need for expertise in newer, emerging legal areas. Practice areas like foreign exchange laws, inbound and outbound investments, technology laws, media and entertainment laws, data privacy laws, anti-dumping laws and regulations, and aircraft financing norms are gaining prominence today³. With the increasing overseas presence of Indian companies and the entry of foreign players into India, lawyers need to continually upgrade themselves on the specific legal regimes in diverse fields to provide seamless and informed cross-border advice⁴. Niche specialisations are developing around representing Indian companies in overseas jurisdictions and advising foreign companies on doing business in India across sectors.

6. IMPACT OF GLOBALISATION ON LEGAL PROFESSION

² Dr Venkata Narasimha Rao Gogiseti, *Changing Trends of International Commercial Arbitration in India*, SSRN ELEC. J. (2021)

³ David B. Wilkins & Mihaela Papa, *Globalisation, lawyers and India: Toward a theoretical synthesis of globalisation studies and the sociology of the legal profession*, 18(3) INT'L J. LEGAL PROF. (2013)

⁴ *Id.*

6.1 Mobility of Foreign Lawyers

A significant development that has taken place is the liberalisation of restrictions on the practice of foreign lawyers and law firms in India. While their full and direct entry into the Indian legal services market is still not allowed, foreign lawyers can provide advice on their home country laws, third country laws, international law, and customary practices. Foreign law firms are also allowed to open liaison offices in India, albeit with certain limitations and conditions. Such relaxed norms have provided opportunities for Indian lawyers and law firms to gain exposure to international legal systems and practices. However, local bar councils continue to resist full reciprocity with foreign lawyers, fearing the loss of jobs and competition. The issue remains open from a regulatory standpoint.

6.2 Extensive Use of Technology

Globalisation has made the adoption of technology integral to the delivery of legal services. The use of videoconferencing, cloud computing, data analytics, online libraries, and digital documentation has become commonplace among law firms and lawyers. Artificial intelligence and machine learning are also entering the sector in a big way for legal research, due diligence, document review, and prediction of case outcomes. Lawyers extensively use smart devices, internet-based platforms, and virtual data rooms to collaborate with international teams in real-time across time zones. Tech-savvy lawyers with competence in effectively leveraging the latest technologies are valued for their ability to provide cutting-edge and efficient client service.

6.3 Thrust on International Legal Education

Recognising the cross-border nature of legal practice, the emphasis on securing foreign law degrees, studying international laws, and obtaining certifications from leading global institutions has gone up⁵. Premier Indian law schools like NLSIU Bangalore and NALSAR Hyderabad have updated their curriculum to provide greater exposure to subjects like comparative constitutional law, private international law, conflict of laws, arbitration laws, and international taxation. The prestigious LL.M. programmes at Ivy League universities like

⁵ Dr. Jharasri Paikaray & Prof. Madhusudan Dash, *Globalisation and Future of Legal Education*, 6 INT'L J. LEGAL DEV. & ALLIED STUDIES (2020)

Harvard, Yale, Oxford, and Cambridge have also become popular destinations for Indian law graduates to gain expertise in niche areas and foreign legal systems. Global exposure helps lawyers gain deeper perspectives on different legal practices and builds networks with overseas professionals.

6.4 Heightened Competition and Standards

Globalisation has heightened both domestic and foreign competition for Indian lawyers and law firms. Clients today demand international quality standards, specialized expertise, ethical conduct, and professional management from legal service providers⁶. Adopting global best practices in areas of client services, communication, research, confidentiality, and billing has become imperative for success. Leading law firms are investing heavily in branding, talent acquisition, and training lawyers to gain a competitive edge in the global legal landscape. The quality of legal services has improved significantly, with competition necessitating higher benchmarks.

6.5 Regulatory Reforms

India's legal profession regulator, the Bar Council of India (BCI), has implemented some reforms in response to the evolving landscape. Rules around the entry of foreign law firms and lawyers have been liberalised in a phased manner⁷. Emphasis is being placed on improving standards of legal education in India to enhance the global competitiveness of Indian professionals. The BCI and state bar councils are also investing in training programmes for lawyers and laying down standards of professional conduct. The legislature and courts have proactively updated laws to address issues arising from foreign litigants and cross-border transactions. Regulatory changes are aiming to balance public interest with the opportunities and challenges presented by globalisation.

6.6 Investments in Legal Infrastructure

⁶ David B. Wilkins & Mihaela Papa, *supra* note 4

⁷ Rishi Gulati, *Globalisation and the Development of the Indian Legal Profession*, 52(2) HARVARD INT'L L. J. (2011)

Globalisation has led the Indian government to invest more in upgrading the country's legal and judicial infrastructure in recent years⁸. Initiatives like increasing the number of commercial courts, computerising court records, training judges in handling cross-border disputes, and efforts to reduce delays and backlogs are steps intended to improve India's legal environment for foreign investors. Policy reforms recommended by the Law Commission of India increasingly reflect global best practices. The current justice delivery framework is still inadequate for supporting a thriving globalised economy. But targeted advancements in key areas have been made to bring India's legal and regulatory regime closer to international standards.

6.7 Emergence of SMAC Law Firms

The 21st century has given rise to SMAC (Social, Mobile, Analytics, and Cloud) law firms that incorporate the latest technology effectively in client service and functioning. Leading law firms extensively use digital platforms, smart devices, data analytics, and social media for collaboration, communication, and research in real-time across borders. Analytics help lawyers rely on data-driven insights for recommending strategies aligned with global industry best practices. A culture of innovation, diversity, flexibility, and social media-based marketing is also becoming integral for law firms to succeed in the new age.

6.8 Threat from Legal Start-ups

Technology-leveraging legal startups like Vakil Search, Legally, and Spot Draft have emerged in India recently. Using AI, machine learning, and crowdsourcing, such disruptors provide standardised legal services like registration, documentation, and rent agreements in a customised, low-cost manner. By directly competing for certain repetitive, volume-driven tasks not requiring specialised skills, they pose a disintermediation threat to traditional law firms. Established firms are adapting by building their own cost-effective tech capabilities and value-based billing models and collaborating with start-ups where viable. Complex, high-value legal advice still requires personal expertise and relationships.

6.9 Greater Research and Analytical Focus

⁸ Nipun Bansal, *Globalisation and its impact on Indian Legal Profession with reference to AK Balaji vs Government of India*, 8(10) INT'L J. CREATIVE RSCH. THOUGHTS (2020)

As deals and disputes transcend national boundaries, thorough research and analysis of foreign statutes, case laws, and contracts have become crucial⁹. Reliance solely on domestic laws is inadequate when international parties are involved. Indian lawyers are developing expertise in forensic legal research using digital databases, collating intelligence from different jurisdictions, and constructing strong arguments using comparative analysis. Junior lawyers are trained specifically in advanced research methodology to aid practitioners in navigating the multi-jurisdictional global legal environment.

6.10 International Expansion of Law Firms

Leading Indian law firms are adopting an aggressive international expansion strategy through mergers, alliances, or setting up their own offices abroad. Firms like Cyril Amarchand Mangaldas, AZB, ELP, and Khaitan & Co. have opened overseas offices in global hubs like London, Singapore, Dubai, Abu Dhabi, Beijing, and Tokyo¹⁰. International presence helps attract bigger clients, talent, and better service outbound requirements from domestic clients. However, competition is increasing as foreign firms also expand into India. Developing a cross-border practice requires strategic partnerships, cultural adaptability, and astute client-focused solutions.

6.11 Collaborations between Law Firms

Increased collaboration is being seen between Indian and foreign law firms to pool expertise and expand their footprint. Foreign law firms tie up with Indian partners to jointly service international clients across jurisdictions; domestic regulations prevent the former from practicing Indian law directly¹¹. Referrals and partnerships also facilitate meaningful exchange of talent, sharing of best practices, innovation, and better training. Clients benefit from seamless, coordinated, and optimal legal advice at global standards delivered through such strategic alliances.

6.12 Investments in Training and Development

⁹ Pallavi Nayyar, *Impact of Globalisation on Legal Profession*, 8 LEGAL DESIRE INT'L J. (2020)

¹⁰ Rishi Gulati, *supra* note 7

¹¹ Nipun Bansal, *supra* note 8

Recognizing the wide-ranging expertise required today, law firms are investing heavily in the continuous training and development of lawyers in diverse domains. In-house leadership programmes, mandatory training hours requirements, and secondments¹² to foreign law firms help lawyers gain exposure. Training helps improve legal and soft skills, cultural adaptability, language abilities, and overall employability in the global legal services sector. Work-ready talent has become crucial for India to fully leverage the opportunities created by globalisation across legal domains.

7. CONCLUSION

Globalisation has comprehensively transformed the structure, practices, services, and regulation of the legal profession in India over the past two decades, as seen above. The impacts on education, training, ethics, technology use, client demands, and business models have been wide-ranging and relatively fast-paced. Concerns around competition and regulatory liberalisation remain, which are being addressed to balance public and national interests. With constant innovation, higher benchmarks, and ethical practices, India is strengthening its position in the global legal sector. The legal fraternity has adapted reasonably well so far to maximize opportunities and manage the challenges presented by globalisation. But continuous upgradation, reforms, and all-round development are required to elevate India as a preferred global hub for legal services.

¹² A temporary arrangement of relocation of employee to other country for a specified period.