

Impact of Globalization on Legal Profession

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Abstract - Globalization and the Indian legal profession, it examines the impact of globalization on Indian advocates and legal practitioners both within and outside the country's borders. According to the study, foreign laws have an impact on advocacy in India, as well as on advocates practicing law in the country. The impact on our economy as a whole of the globalization of the legal profession, Because of the paper's focus on the disparity between current and previous ideas and purposes of legal education, as well as the altered legal profession as a result of globalization, an advocate's role in delivering legal aid services is critical to our economy's ability to run properly. When it comes to sustaining and bridge the gaps between the civilizations, advocates have played an important part. They also try their best to provide justice for those who truly deserve. The influence of the World Trade Organization and globalization on the judicial system, as well as the issues encountered by the legal system in India and internationally.

Keywords - Impact, Globalization, Legal Profession, etc.

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INTRODUCTION

A new age in international business has begun as a result of technological, political, and economic globalization, since countries are now more actively involved and have better access to their own domestic economies. Legal services have undergone a mini-revolution over the last decade, with corporate legal exerting the most substantial effect. It was all but unheard of in the 1980s and 1990s to talk about things like project financing or intellectual property or environmental protection or competition or corporate taxes or infrastructure contracts or corporate governance or investment legislation. Additionally, there were just a handful of law firms that could do the task. (1) While the concept of globalization is not a new one, the Internet's rapid expansion, legal process automation, data security advancements, and new technological solutions are giving it new life in the legal services industry. In the legal services market, it is clear that there is a high need for expert services.

Political globalization, economic globalization, and technical globalization are the three main drivers of globalization. A new system of global governance and a new global civil society have been created as a result of globalization. It has become increasingly difficult and time-consuming to practice law as a result of globalization. Lawyers with the necessary legal training and expertise may now move throughout the world more easily because to globalization. Offshore legal firms are becoming more common in major financial centers throughout the world. Legal professionals in India can practice in their own country's law firms, as well as in arbitration

or non-litigation work. When it comes to employment opportunities, young attorneys may take advantage of joint law ventures and law alliances, which allow them to get access to a wide range of advantages from both on- and offshore legal practices. They're swarming to these businesses. Because of advances in technology and innovative methods of office administration, legal firms now operate considerably more efficiently. India is working to open up its legal services market, which would have a good effect on the country's judiciary. (2)

What Is Globalization?

International commerce in goods and services as well as cross-border investment in technology, people and information movements are all examples of "globalization," which refers to the increasing interconnectedness of global economies and cultures. In order to facilitate these exchanges, governments have built economic alliances over an extensive period of time. The far-reaching effects of globalization are complex and politically problematic.. Many technical advances, such as the rise of globalization, have both positive and negative effects on society. Solving challenges while maintaining higher payoffs can be made possible by an understanding of the relative costs and benefits, it involves the formation of new social, financial, and geographic networks and interests. The goal of globalization is to develop connections so that the actions in India may be inferred from the activities in other countries. (3)

Globalization on the Justice System

As a result of globalization, the distribution of justice has been impacted. Information on global legal changes, such as the evolution of legislation or concepts related to human rights or intellectual property or competition or media, is disseminated. Through globalization, the economy of nations is intertwined without regard to physical or jurisdictional boundaries. As a result of the Economic Liberalization, India's market is now open to competition from both within and beyond the nation. As a result, robust law was required to ensure that business disputes could be resolved fairly, leading to the passage of the Competition Act, 2002. Established to enforce the requirements of India's competition law, the Competition Commission of India functions as a quasi-judicial authority. (4)

Global Changes in the Legal Profession

Clinging to the past does not make sense. The teaching of legal ethics must be given more attention in law schools. It's not just a few lectures at the conclusion of a law course that teach you about professional statutes, etiquette, bookkeeping, and trust account regulations. When it comes to teaching the law, it's important to think about ethical dilemmas that may arise in the course of a legal career. Ethical dilemmas and professional responsibilities confronting students when they enter the legal profession will be addressed in this manner by law schools. Even though law professors are taught to include layering and the behavior of the legal profession, they cannot avoid teaching ethics. Through the use of instances and hypotheticals, students learn about legal concepts. To paraphrase Professor Ross Cranston, it is the obligation of all law professors to educate the ethical foundations of legal practice, not only the technical regulations. Ethical concerns that practitioners encounter must be resolved and students exposed to larger issues like the unmet need for legal services in order to educate them.

The Indian Legal Profession

A legal degree or a career in the legal field has a profound impact on our lives. It is critical for our economy's smooth operation and our ability to keep up with developed economies that the legal profession or legal education plays such an important part in today's globalized globe. The tyranny of the rule of law enshrouds us all.

We are governed by law on every level, from the food we eat to the water we drink to the air we breathe to the location we call home, yet we are hardly aware of it. The legislation protects everyone, from a small child buying a bag of chips to a couple wanting to spend the rest of their life together to the many elderly individuals who are homeless and in need of food, housing, and clothes. Everyone is

obligated to follow the law, and ignorance of the law is not an acceptable justification. (5)

Advantages

Manufacturers across the world and economies around the world benefit from globalization in the following ways: Assuring specialization and the benefits of comparative advantage for foreign locales, Corporations can gain from economies of scale and higher demand for their products by gaining access to broad markets, both of which lead to lower average production costs. As a result of globalization, businesses are able to compete in both domestic and worldwide markets since they have access to cheaply priced raw materials. The term "worldwide sourcing" refers to the practice of procuring the most cost-effective materials from all around the world. Because of lower prices and more revenue, globalization has the potential to increase shareholder wealth. Manufacturing in countries with less stringent regulations, such as several Least Developed Countries, is a strategy of avoiding regulation.

Disadvantages

As a result of globalization, there are a number of threats to one's abilities, including the following: A common criticism of globalization is the over-standardization of products as a result of global branding. For instance, Windows is the operating system of choice for the vast majority of business computers. However, detractors contend that standardizing computer operating structures and systems results in a loss of product diversity and raises barriers to entry for small, local companies. It is also possible for large multinational firms to experience economies of scale challenges, such as the coordination of sports activities among subsidiaries headquartered all over the world. Using many as a good-sized disadvantage of globalization, the increased power and influence of corporations may be seen. (6)

Impact of Globalization on Indian Lawyers

One of the greatest benefits of globalization has been the opening up of the Indian market to cutting-edge technology from around the world. When countries throughout the world were able to speak with one other quickly, it allowed our legal experts to interact with those in other countries. Our renowned specialists used to interact with professionals outside India using telephones, telegraphs, fax, pagers, etc., but today they communicate over the internet. With this arrangement, Indian legal firms were able to collaborate with international firms on specific instances and solo practitioners were able link and work outside of India. In addition, young law graduates profited from this, since they were able to learn how to work on both onshore and offshore projects with clients from all over the world from the outset of their careers. In light of the widespread, if mistaken, belief that a career in the corporate

sector offers more room for professional advancement than a career in litigation, changes brought about by globalization gradually altered the demographics of graduates seeking employment in the latter rather than the former. Because Indian courts and lawmakers are still preventing foreign litigators from working in Indian courts in full capacity, litigation is falling behind in the race.

Effect of Globalization on the economy

In today's world, globalization and the legal profession go hand in hand. Since the advent of globalization, political and social changes have been radically transformed. The significance of the information economy is being recognized by everyone in the globe right now. Because of the growing importance of the knowledge economy, emerging countries like India will increasingly require the establishment of educational institutions with a global reputation for quality as well as a new educational strategy that meets global standards. Law school curricula and the legal profession in India have undergone a sea change as a result of increased internationalization. The economic consequences of globalization are far-reaching. Legal professions now compete on a worldwide scale because of the emergence of globalization. As a result of globalization, our legal practitioners in India are increasingly receiving worldwide recognition for their work. As a result, our economy is benefiting from their international recognition. Advocates who are recognized on a worldwide level may help our economy grow. (7)

Effect of Globalization on the Legal Industry

Legal firms from across the world would simply compete with local businesses' foreign operations 10 years ago. A comparable international business is now vying for contracts in the local area with domestic legal firms since local law firms cannot compete on an equal level with them. It is because of this that local law firms are progressively losing ground to their overseas counterparts. The legal industry has been profoundly altered by technological advancements. Social media and data management systems are reshaping the relationship between customers and businesses. As a result of these developments, the power dynamic is moving in favor of consumers. Professional responsibility, ethics, and equality regulations have all been influenced by global economic standards. Legal companies are becoming more aware of global practices in order to suit the demands of their worldwide clientele and remain competitive in the global market. (8)

In order to remain competitive, law firms are joining up with larger rivals, buying out smaller rivals, and establishing joint ventures throughout the world. Web growth, legal procedure automation, and new technological tools are all fueling this economic

growth.. The economic process has the potential to revolutionize the legal business in the next years as law firms attempt to expand their worldwide footprint.

Role of Advocates in Informal Settlement of Disputes

Outside of the courtroom, advocates play a critical role in resolving conflicts and avoiding lengthy judicial hearings that can last for years. This occurs when the two parties engaged in a dispute come to a mutual agreement without the intervention of an arbitrator. ADR (Alternative Disagreement Resolution) is the greatest method of resolving a dispute outside of the courts. ADR primarily comprises: (9)

- Arbitration
- Mediation and
- Conciliation

Difficulty faced by Indian legal education system due to Globalization

- **Inadequate Infrastructure:** A student's legal education is framed by a solid and well-structured infrastructure. India's legal schools are lagging behind their overseas counterparts. Students benefit from a well-structured educational environment that helps shape their lives and provide a solid understanding of legal education. The development of talents is greatly influenced by the availability of resources for both the instructors and the students. Those who practice law across the world set a high bar for legal education.
- **Foreign direct investments in education systems:** The era of transition has begun as a result of the social, political, and professional upheavals brought forth by globalization. The globalization of commerce and industry has had a profound effect on legal education in India during the past 30 years. The automatic method allows 100 percent FDI into the Indian legal education system. Foreign Direct Investment (FDI) has given India's legal system an edge and a challenge.
- **Global programs and international experiences:** It is imperative that Indian universities engage in programs like student exchanges in foreign countries and provide education that is comparable to the standards and norms of other universities throughout the world in order to expand their worldwide reach.
- **Continuous legal approach and research-based education:** As long as you're in the business of being a lawyer, you'll need more than academic

knowledge. Having excellent research abilities is the only way to gain an advantage over other pupils. As a measure of the accountability of the legal profession, continuing legal education (CLE) is a critical component of the legal sector.

Major Issues Deterring the Opening-Up of Indian Legal Service Sector

When it comes to legal services, the Indian legislature and the Bar Council of India have not been unambiguous. Most people are opposed to foreign law firms opening up shop in the nation because of the widespread fear of harsh competition from overseas companies, which are seen to have superior infrastructure, more in-depth knowledge, and more highly developed abilities in legal writing and documentation. To avoid violating WTO regulations, India opted out of taking part in the subsequent rounds of negotiations.

Section 24 of the Advocates Act, 1961, serves as a major disincentive because of its strictness. In order to practice law, a person must be a citizen of India, have a legal degree from a BCI-recognized institution or university, and be on the state roster of advocates. Other parts of this Act may allow a citizen of another country who is lawfully qualified to practice law in that country to practice law in the United States. It's also stipulated that no one will be able to work as an advocate beyond the specified date in accordance with Section 33 of this Act or any other law in force at the time. However, India's government has a plan to open up the legal services business to the private sector. (10) In an effort to allow foreign attorneys and foreign law firms to set up shop in India, efforts were undertaken. For international attorneys and legal firms to open offices in India, they must be enrolled as advocates under the Advocates Act, 1961, the Bombay High Court said in 2009. It was later determined that foreign attorneys and legal firms cannot practice law in India, both in litigation and non-litigation matters, unless they meet the standards of the Advocates Act and Bar Council Rules. It had, however, held that they might fly in and fly out of India to provide foreign law advice to clients. In addition, it had ruled that they might come to India to arbitrate issues involving international commercial arbitration without restriction. The Hon'ble Supreme Court recently ruled that international law firms cannot "practice" or create offices in the country, but permitted foreign attorneys to visit India on a "fly in and fly out" basis to provide legal advice to their clients on foreign law. (11)

Indian Scenario

Outsiders were only allowed to participate in Indian marketplaces after a lengthy era of dominance by foreigners. If India had not imposed tight immigration restrictions at the time, the country would have been vulnerable to another round of colonialism. In 1991,

the Indian government opened its doors to international manufacturers and specialists alike, both of whom were invited to work in India. The Indian markets were gradually and steadily taken over by globalization, and it entered into all of the market's sectors. It has made the legal profession more complicated. During this period, Indian lawyers had no choice but to quickly adjust to the new circumstances in order to make the most of this new chance for growth. Legal professionals who were ignorant of the changes or who couldn't handle the stress fell well behind their peers. (12) When new economic laws and rules were needed to be adapted from the prior 'closed economy,' globalization provided fresh work for the legal fraternity. While there has been a rise in the amount of work done by Indian attorneys in areas such as corporate taxation and patent protection in the last decade that may be described as a "miniature revolution,"

CONCLUSION

Globalization and the expansion of the economy as a whole go hand in hand with the advent of the legal profession. People, who thrive in a variety of disciplines, including our legal profession, have benefited from globalization. For the 21st century, advocates and legal practitioners have grown more socially and technologically competent. Globalization of the legal profession has resulted in various changes in the economy throughout the globe. Legal outsourcing has flourished as a result, having a positive influence on our economy in several ways. We have been able to partner with multinational law firms and earn worldwide recognition as a result of our in-house attorneys' participation. Aside from the courtroom, advocates have also helped us resolve our disputes outside the courthouse through arbitration, conciliation, and mediation methods that are more cost-effective than lengthy court hearings.

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