

## Professional Prestige in the Indian LPO Industry

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### Abstract

The impact of Western influences in shaping global attitudes and preferences has been studied in a range of contexts. This paper extends that literature to the labor market context to illustrate how cultural processes and identities of people and institutions alike are continuously shaped and resisted by globalized influences. Using field data from the Indian legal outsourcing industry (collected as part of the HLS PLP Study on LPOs) as well as a detailed content analysis of newspaper reports over time, this paper shows attempts to trace the ways in which association to the West has emerged as a marker of prestige transforming seemingly routine work into valued “global” labor. Universality of professional prestige has traditionally not taken into consideration the effect of globalization as a prestige factor in and off itself. I offer here that in addition to the traditional markers used (for e.g., level of skill, monetary rewards, etc), and especially while trying to understand the emerging-industrialized world, an approach more reflective of the “halo” effect of the West is crucial.

### Key words

Indian legal profession; globalization effects; organizational culture; outsourcing

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**Resumen**

El impacto de la influencia occidental sobre la formación de actitudes y preferencias globales se ha estudiado desde diferentes puntos de vista. Este artículo adopta la literatura sobre el contexto del mercado laboral, para ilustrar cómo se conforman y resisten los procesos culturales e identidades de las personas e instituciones por igual, como consecuencia de las influencias globalizadas. Utilizando datos de campo de la industria india de subcontratación legal (recogidas en el marco del estudio del Programa sobre Abogacía de la Facultad de Derecho de Harvard, sobre subcontratación de servicios legales), así como un análisis detallado de los reportajes periodísticos a lo largo del tiempo, este artículo muestra los intentos de trazar de qué manera la asociación con occidente ha dotado de prestigio un trabajo aparentemente rutinario, transformándolo en un valioso trabajo "global".

**Palabras clave**

Abogacía india; efectos de la globalización; cultura organizacional; subcontratación

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## 1. Introduction: What does “too many lawyers” mean in the global legal context?

There has been increasing academic and policy attention to the imminent and unwelcome expansion of the legal professional workforce.<sup>1</sup> At the same time, the global legal profession has been growing in new and innovative ways, changing what a lawyer does and what geographical location she does it from. Together, these developments present a clash of directional interests: on the one hand, we are wary of an overpopulation of legal professionals and, at the same time, the dominant direction of an international legal profession demands that the legal workforce becomes broader, wider, more global. Particularly over the last two decades, the increasing significance of technology<sup>2</sup> on production and the institutional restructuring of international trade and regulatory barriers have, together, configured various options for “global” work and “multinational” work environments. Naturally, these logistical rearrangements have had significant effects on how work is being done, how people think of their jobs<sup>3</sup> and how workflow chains have been structured.<sup>4</sup> *But for a professional community like the legal profession that guards its boundaries<sup>5</sup> tightly around jurisdictional legitimacy, what exactly does this expanding workforce and space mean?*

In some sense, it means this: In 2002, if a multinational corporation headquartered in Manhattan needed 10 hours of legal research and drafting, the general counsel of the firm would either walk down the corridor and have a team of in-house lawyers do the job or, pay a junior associate in a law firm – probably a few blocks away – about 450 dollars an hour to do the work over the next week. Now in 2012, a decade of processes-oriented service innovation later, market savvy and efficiency aggressive general counsels are more likely to send their work to offshore firms where a team of 7-10 senior trained lawyers will do the job for a fraction of the cost and time. Thus, to the extent we think of lawyering as a part of production and the legal service provided as a product, it would be fair to say that the means of production have been changed irrevocably with the advent of technology aided legal solutions. At the level of the organization, this has meant increased efficiency in production and greater economic returns. Interactionally, “working with someone”, then, has moved from a physical, brick-and-mortar office sharing relationship to connections across continents that often require little face-to-face contact. At the level of the individual lawyer or legal practitioner, this has meant a changed relationship with the value and meaning of their work.

This newly organized world order is no doubt efficient for clients and markets alike. Yet, at the same time, this global efficiency has two important, and slightly tangential consequences. *First*, because the source of the labor is from international

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<sup>1</sup> Legal academic research has been perennially obsessed with the expansion of the bar and its consequences. Much of this attention has been focused around the necessarily stratified expansion of lawyering – i.e, for whom are there “too many” lawyers? For example, see Ayer (1979), Stern (1995).

<sup>2</sup> For a broad overview of how technology affects global change, see Grubler (2003). For a review of the literature on how IT impacts organizational characteristics and outcomes, see Dewett and Jones (2001).

<sup>3</sup> While the main point of concern in this paper is the way people *within* the outsourcing industry think of their jobs, this is not the only level at which there is an impact and scholars have made the argument that the effects of globalization are not restricted to only people within this “global” workforce. For example, Laurel Terry (2008) extends the broad management literature on how IT is flattening management structures and processes worldwide to the legal profession to the legal profession. Terry argues that globalization impacts even “non-global” U.S. lawyers because of the challenges it presents to their own career prospects and trajectories.

<sup>4</sup> For a brief overview of the outsourcing industry in India and its association to globalization, generally, see Dossani and Kenney (2007).

<sup>5</sup> Most researchers have hailed the advantages of technology as an important mediator in the process of reaching global organizational networks with minimal risk - but this is has been predominantly restricted to non-professional work and services where IT lowers coordination costs without increasing the associated transaction risk (Clemons *et al.* 1993). However, Silver (2010) cautions that the technology, while no doubt economically efficient, could have notable regulatory implications that ought to be considered in the case of the legal profession.

markets extend market efficient solutions, it offers an alternative that not just extends what we think of as the boundaries of our legal profession, but also significantly expands it. *Second*, by forming a supply chain that splits the deliverable legal service into manageable parts that can be “shipped” to various locations, it necessarily commoditizes – and, in turn, deprofessionalizes<sup>6</sup> the nature of the work being done. Assuming<sup>7</sup> that we think of this global legal profession to include all these lawyers and legal professions, this paper asks, broadly: *what are the consequences of a globalized legal profession, given the newly emergent re-conceptualizing of these professional boundaries?*

Research on the impact of globalization on local labor markets has shown that the effects of foreign industry exposure are never straightforward. While on the one hand they do bring fresh opportunity<sup>8</sup> and revenue, they also simultaneously introduce various stratification<sup>9</sup> and socio-cultural consequences<sup>10</sup> into the equation. In turn, these various processes help construct what we think of as the boundaries<sup>11</sup> of a “global” profession and its resultant consequences.

This research deals with the consequences of one such global extension of the expanding legal workforce: the professional conception and consequent rise in prestige accorded to the *legal process outsourcing* industry in India. This particular case is unique because it offers a case for observing transnational organizational and employee dynamics in a sector that requires a professional workforce without itself being traditionally prestigious. Other accounts of similar transnational professional workforces (e.g. Radhakrishnan 2011, Updhyaya and Vasavi 2009, Aneesh 2006) offer important background to the theory of a global worker that this paper suggests. Yet, these projects have substantively focussed on the IT sector –

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<sup>6</sup> There has been an increasing literature on the deprofessionalization and the consequent consequences it has for the legal profession – both domestically and internationally. This debate has gained particular significance in light of the (U.K) Law Society’s Training Framework Review which offers a new context for lawyer training and education (Book, Flood and Webb 2005).

<sup>7</sup> As an aside, this brings us to an important quantification puzzle that precedes the “too many lawyers” debate: when we say we have “too many lawyers”, does this include these new lawyers and legal professionals? But as important as this question is, it strays from the theoretical agenda of the present paper.

<sup>8</sup> Embracing globalization has been an important strategy for various organizational outcomes. Firms in Asia, especially in comparison to the United States, show evidence of advantage because they are more capable of embracing and responding to global strategy (Johansson and Yip 1994).

<sup>9</sup> The globalization literature is rich with this neocolonialism perspective. For instance, research on Taiwan shows that while globalization has been useful in the creation of jobs, it has negatively affected the work and lives of people in informal and traditional economic sectors (Tsai, Lee, Wang 2006). In the context of the legal profession and outsourcing specifically, Jay Krishnan’s (2006-2007) work on Indian LPO lawyers and their stratification is vital. He argues that while outsourcing has indeed offered great rewards for those Indians who have the capacity to access it, most Indians are not participants in or beneficiaries of this fairly stratified industry.

<sup>10</sup> These socio-cultural changes happen at different levels of analysis. In some cases, globalization can (and does) impact the culture at the level of the industry as a whole. For example, research on the social work industry offers an example where institutional processes industry-wide have been altered by the introduction of technocratization and globalization (Dominelli and Hoogvelt 1996). For a review of the changes in culture at the level of the organization *generally*, see Prasad (2003). At the individual level, these consequences are particularly pertinent because they offer us perspective on the local identity of the workplace – something that can have far reaching consequences on the actual production of the end product. As Rachel Sherman (2006, p. 422) argues, “Workplaces are increasingly embedded in a variety of global processes, such as new kinds of labor migration, capital mobility, and economic integration. The rise of service work brings the customer and hence the question of consumption into the work site. And increasing academic interest in a range of sources of identity, from gender, race, and ethnicity to citizenship and consumption, complicates the picture. These factors begin to force the study of work out of the workplace”. Tony Fang (2005-2006), for instance, advocates for paying closer attention to the national paradoxes and dynamics while researching cross-cultural management in what he calls to be a change from “Onion” (a cold war paradigm of imposing perspectives) to “Ocean” (a more inclusive way).

<sup>11</sup> For a review of the literature on construction and resistance encountered in the creation of global professions, see, generally, Fourcade (2006). Fourcade explores how connections to U.S. based standards of work and practice are used in local negotiations to gain various kinds of corporate and political legitimacy. In turn, the paper argues that this construction of the profession – in this case, of economics – is a product of complicated transnational mechanisms where globalization is a major factor in the construction of professional boundaries. See also Malin (2000).

which differentiates itself from law by having a common coding language (Aneesh: 2008), and, therefore, a homogenous application across jurisdictions. Since lawyers working in these legal outsourcing firms are curtailed by regulation to do any “pure” legal work (i.e. advice), outsourced work remains relatively sophistication-free, at least in comparison to other legal peers practicing within their jurisdictions. Even so, there is an increase in relative prestige associated with these firms over time – it is possibly this unintended consequence of expansion and deprofessionalization together that sets up the theoretical motivation of this paper.

In general, we would assume that commoditized lawyering would be a “hard sell” for a predominantly professional workforce since value for professional jobs, while tied to monetary rewards, has long been equally tied to other factors like the importance of the work, prestige of the work and the purity of the legal practice. Thus, while this watered-down version of legal process delivery, might well be economically beneficial (and therefore likely to be in demand) at the individual and organizational level, one would assume that it would nevertheless be detrimental to the professional prestige valuation of the job done. However, evidence from interview field data and content analysis of media reports alike seem to suggest that, over the very short years since its introduction in the Indian legal professional market, these jobs are being seen as more prestigious or full of value than when they were first introduced in the market.

To try and explain part of this puzzle, I enquire into the reasons that have resulted in this increased prestige that these otherwise non-prestige worthy jobs seem to attract. Specifically, *what has been the role of globalization in general in creating a new prestige paradigm that favorably attaches itself to the way these jobs are being received in India? In turn, how has this expanding and overtly Western production of the delivery of a legal product changed the way lawyers and legal professionals in India think of their jobs and the prestige associated with it? And what consequences does this have for the way we understand the formation (and reformation) or the boundaries of the global legal profession?*

## 2. Research motivation: Why should we care about prestige?

### 2.1. The role of the west as a marker of prestige

The impact of Western influences in shaping global attitudes and preferences has been studied in a range of contexts. For instance, research has shown that Western culture has been pivotal in shaping popular choices (Pilkington *et al.* 2002), norms about interpersonal relationships, attitudes towards sex (Karena 2003) and perceptions about body image (Lake *et al.* 1999). More pertinently, in the labor market context, others (Nadeem 2009) have shown that cultural processes and identities of people and institutions alike are continuously shaped and resisted by globalized influences – especially when Western jobs are “shipped” out for organizational and economic efficiency. For the most part<sup>12</sup>, however, research on the global offshoring of jobs has been portrayed as a transformation of low-wage, low-prestige jobs to what are considered high wage, high-prestige jobs in the outsourced country (Friedman 2005). This simplistic transformation story is problematic in the particular case of the legal outsourcing industry for a couple of reasons. *First*, it relies on an economic assumption that these high-wage jobs

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<sup>12</sup> This is not to say that there is no sociological research on outsourcing *per se*. For a review of the ways in which outsourcing, generally, has been changing the nature of work being done, see Davis-Blake and Broschak (2009). They make the argument in this review piece that outsourcing is associated with important changes in design and functioning of jobs, work groups and internal labor markets (322), yet much of the research has been concentrated on the macro levels of either defining the industry and/or explaining the arrangements within it. However, while the authors highlight the ways in which outsourcing affects the nature of work in the *lead* firms (i.e., firms that outsource), their review does not include the specific case of outsourced legal work because (a) the research they review did not focus on the offshoring of substantive professional tasks and (b) their focus on culture and micro level perspectives were restricted to a *lead firm* perspective.

automatically attract a better quality of worker (and, subsequently, higher prestige) in the outsourced country without pursuing other non-monetary factors, which might account for this transformed job value. In particular, *Second*, this blanket explanation for transformation does not extend itself sufficiently to explain outsourcing patterns that demand a professionally qualified workforce. This is crucial because professionals rely on various profession-specific factors (e.g. purity, skill) independent or in addition to monetary rewards to value prestige (Abbott 1981). The research on the globalization of the professions, for instance, has been restricted to the commoditization and the subsequent deprofessionalization of these services. This is because ideas of professional decline remain preoccupied with sophistication, knowledge and ownership of “real” work.<sup>13</sup> In the particular context of the legal profession, routine work is consistently seen as low prestige<sup>14</sup>. Yet, there is some reason to believe that this focus on prestige that is limited to traditional markers like the quality of work lose some favor in certain contexts. Thus, *Third*, this simplification, even if true, loses some nuance by not entirely examining the effect of globalization in reshaping the traditional markers of prestige.

This paper uses select over-time data from research done at the Program of the Legal Profession at Harvard Law School to show the ways in which association to the West has emerged as a marker of prestige and how, while important, traditional understandings of prestige markers are not enough to explain this transformative function. I suggest, that the professional prestige of the legal outsourcing industry in India has increased rapidly over a very short period of time because of factors like Western clients and “foreign” coworkers that are seen as markers of global signaling. This is particularly important because it is a case where a legal deliverable, on being deprofessionalized and stripped of many of the factors that offered it traditional value, gains prominence on being handled by a new workforce. Universality of professional prestige has traditionally not taken into consideration the effect of globalization as a prestige factor in and of itself. I offer here that in addition to the markers used, and especially while trying to understand the non-industrialized world, an approach more reflective of the “halo” effect of the West is needed.

## 2.2. Existing and traditional markers of prestige

Justifications for occupational prestige have traditionally been functional. The classic explanation for stratification within the occupations has been that societies value and reward jobs with important functions and that the most important people get the most important jobs (Davis and Moore 1945, Parsons 1940). This in turn, is relevant because individuals with important jobs have other relational rewards – both with others who had similar jobs (e.g. status) as well as with those who had different jobs (e.g. deference, derogation). Naturally, this component of “importance” was likely to lead to other instrumental advantages (pay, benefits, etc) but this was not why they were deemed superior in the first place.

Departing from this view of prestige as an achievement variable, subsequent research has extended this dependence on objective order to other characteristics – relative honor (Goldthorpe and Hope 1974), professional purity (Shills 1968, Abbott 1981) and individual rewards such as desirability (Jencks *et al.* 1988). But while there has been some debate<sup>15</sup> on the theoretical motivations of these prestige sources (Wegener 1992), most research converges on prestige indicators that are

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<sup>13</sup> See Haug (1973, pp. 75, 77) on the IT sector and Larson (1977, p. 79) on the medical profession).

<sup>14</sup> E.g. specializations that focus on routine work is consistently deemed low prestige (Kay and Wallace 2008).

<sup>15</sup> Wegener (1992) posits that there is an inherent distance between the end of social hierarchy and social closure. Based on this orientation of stratification (order-hierarchy v. conflict-closure) and social action (normative-subjective and rational-objective), he offers four classification of prestige research. I only concentrate on these theories to the extent that they apply to professional prestige.

functional, at least at some diluted level, to either the society or the individual actor<sup>16</sup>.

The historical allocation of prestige to the professions uniformly (and over time) rests on the assumption that professionals have skills that differentiate them from other workers (Spencer 1896). While subsequent attempts at indexing prestige has taken the focus away from achievement to other attributes like professional “charisma” (Shils 1968), occupational traits (Garbin and Bates 1966) and the job’s desirability (Goldthorpe and Hope 1974) I propose that all these indexing measures converge on accepting prestige as a construct of function<sup>17</sup> at some level<sup>18</sup>.

At the most basic level, it borrows from a traditional stratification framework. Burdened with the task of placing individuals in social positions and motivating them to work, societies are seen as forced to create and place people in jobs with different hierarchical rewards and requirements (Davis and Moore 1945). When this is seen as an “integrated value system” (Parsons 1940), individuals within the society validate the system by valuing those jobs that are most important (and therefore, have the most rewards). From a purely functional standpoint, then, prestige is measured by *functional uniqueness* (no other person can perform this task) and *dependence* (degree to which others are dependent on you).

In addition to this functionality of importance, there is also the ancillary function of “purity” (Abbott 1981) that can make a job prestigious. Unlike a “functional” job, it might not derive value from being technically important – but instead, draw prestige from being in a profession that legitimates prevailing values in society (Sandefur 2001). As a result, independent of achievement, jobs could still be prestigious because they are closest to the *centers* or *core* of what the society values (Abbott 1981). For example, a priest might no longer have functional importance in the way a President does, but remains prestigious because he is at the “core” of a society that values religion.

At a more individual level, in addition to these sources of prestige that are blueprinted on societal sanction, there could also be individual level factors that might mitigate the prestige attributed to a job. Individuals are likely to think of a job as prestigious if some salient features of the job (independent of importance, function and sophistication, that is) appeal to them. Prestige then can potentially be primed by the “desirability” of a job (Goldthorpe and Hope 1974, Hauser and Featherman 1977) – or the amenities that the job offers at the individual level. While monetary compensation and pay-related amenities are key to this job desirability (Garbin and Bates 1966), nonmonetary characteristics (vacation weeks, portion of the job that is repetitive, hazards, etc) remain key in this measurement of desirability (Jencks *et al.* 1988).

### 2.3. Professional prestige internationally

A key extension of this functionalist explanation has been in showing that cross-country comparisons of occupational prestige – especially among the professions – have high correlations: suggesting that societies, industrialized (Inkeles and Rossi 1956) and non-industrialized (Hodge *et al.* 1966) alike, universally value similar jobs. But while this comparative research explains functionality at the level of the

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<sup>16</sup> See *Table J* for a brief overview of professional prestige measures and their correspondence to functional theories at both the level of the individual as well as the society. I address the nature of their convergence below.

<sup>17</sup> For ease of reference and to place these views in context, I offer that prestige can function both at three levels – pure functionalism (*f1*), purity functionalism (*f2*) and personal functionalism (*f3*). While indicators within the first two frameworks operate at the level of the society, indicators at the third framework (*f3*), operate at the individual level.

<sup>18</sup> I review the literature more thoroughly in the Annexure. See *Table I* for an overview of relevant prestige theories and *Table J* for common measures used.



inter-professional hierarchy, it does not shed light on the basis of prestige allocation within these professions, or the status of newly emergent / peripheral professions.

#### *2.4. Prestige in the legal profession*

Professions exist by right of control over techniques and abstract knowledge, influenced by differentiation in clients, intellectual jurisdictions, and settlements reached through divisions of labor (Ray 2006). Further, successful professions are those that continue to maintain a monopoly over a core jurisdiction in spite of key events that create and destroy these jurisdictions (Abbott 1988). While there has been some concern about the loss of professional purity (Haug 1973, 1975, 1977), prestige among the professions has remained relatively stable over time. Further, this dedication to professional prestige has been stable across countries (Friedson 1988).

In the case of the legal profession, this fight to retain control over “core” professional work deeply influences its prestige stratification. Specifically, two main theories of prestige dominate the study of the legal profession – both of which fit the framework of functionality offered above<sup>19</sup>. The first is the “client-type” hypothesis (Laumann and Heinz 1977) that measures prestige within the profession with a focus on the receiver of the professional service. And the other is “professional purity” hypothesis (Abbott 1981) that values work that is non-routine and core to the profession. Since prestigious clients are most likely to offer the most sophisticated work (Sandefur 2001), the two theories follow a straightforward mechanism of functional importance.

Extending the traditional logic fleshed out above (*Section 1.1*), it is clear that our understandings of prestige within the legal profession maps on well to how we think of prestige more generally. Lawyers who work on sophisticated legal matters are most likely to be seen as prestigious either because they do important work, work that is technically sophisticated or work for important clients that is technically sophisticated. Following this line of reasoning, even among lawyers that do not do sophisticated work, those who perform “pure work” which is rooted in doing specifically legal tasks (e.g. litigating lawyers) are more likely to be seen as prestigious when compared to those who perform legally impure tasks like form-filling (Abbott 1981, Sandefur 2001).

#### *2.5. Limitations of these traditional markers*

The traditional understandings of these professions that I have outlined above, however, shed little light on new professional extensions that depend on market demands for services (Clarke 1999). Hence, by assuming that jurisdictional strategies are made by professionals for their peers, these constructs say little about professionals who work in large organizations (Lowendahl 2005). For example, they don’t explain organizations in which professionally skilled employees are managed by administrators and managers whose interests may not – and in most cases, do not – coincide with those of the professionals they oversee. This is particularly salient in the legal outsourcing sector where the focus of professional purity is diluted by business value chain processes that concentrate on servicing cost-beneficial customer requirements.

These tensions that organizational limitations place on professional prestige have been studied more generally. For example, research on large universities shows that among professional employees whose primary contribution is their professional expertise, there is a constant tension between organizational commitment and commitment to the profession. (Lewis 1967). To this extent, professional prestige

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<sup>19</sup> For a complete review of the literature, see Table I (Select literature on professional prestige), Table J (traditional professional prestige markers) and Table K (Traditional Prestige Markers in the Study of the Legal Profession) in the Annexure.

interferes with organizational objectives. Thus, those with low professional prestige but high organizational prestige are more committed to their work than those with high professional prestige but low organizational prestige (Lewis 1967, Lee 1969).

This finding has especial import in the broader context of outsourcing because it extends our functional understandings of organizational identification and commitment by professional employees. In the regular outsourcing context, employees are typically low prestige college graduates for whom the organizational prestige of working for international firms is high prestige work (Fig 1). In contrast, professionally qualified lawyers draw prestige from working in core legal organizations (e.g. firms and litigation offices) because they view these firms as access to training (human capital), connections (social capital), professional prestige and standing (Reichman and Sterling 2010).

However, in the legal outsourcing context, this advantage of social standing and human capital is compromised because the work that these offshoring firms do are not, at the core<sup>20</sup>, rooted in what have traditionally been thought of as professional tasks and functions. Should these tensions hold in the Indian context, the high professional prestige of the associates (i.e., being lawyers) should interfere with their low organizational prestige (outsourcing firms as “back end” firms) to result in a very low organizational identification and commitment to these firms by its employees.

Fig 1. Comparative Prestige Structures

	U.S. Workforce Perception	Offshore Workforce Perception
Outsourcing Industry	Low Prestige, Low Pay	High Prestige, High Pay
Legal Outsourcing Industry (2006)	Low Prestige, Low Pay	Low Prestige, High Pay
Legal Outsourcing Industry (2009)	Low Prestige, Low Pay	<i>Rising</i> Prestige, High Pay

In the current data, this does not seem to be the case and over the three-year period between observations, positive organizational identification by associates to these firms increased despite what is traditionally understood to be low professional purity. This unexpected result of rising prestige identification offers a novel case for understanding how these prestige markers operate independent of traditionally understood organizational and professional prestige limitations.

### 3. Research methodology: data and methods

In order to gain empirical insights on a relatively new sector, qualitative data was gathered from 51 general managers and associates in 18 distinct Indian LPO firms at two comparative time points over a 3-year period (2006, 2009). Two (male, Indian) student researchers collected the first part of these data in January 2006 (*Phase 1*) as part of a winter term writing project at Harvard Law School (from now, “Mathew/Thomas 2006”). The focus of these semi-structured preliminary interviews was to locate structurally a still-nascent industry<sup>21</sup> and draw light on the labor market conditions that prevailed at the time. To conduct follow-up research that would track the growth of this sector, I travelled to India in January 2009 (*Phase 2*), and interviewed 41 managers and associates in 14 firms in seven cities.

<sup>20</sup> Naturally, part of the problem could be that what is “core” to the profession is evolving constantly, both locally and globally. For instance, technology is offering an extension that is changing the very nature of what is prestigious globally.

<sup>21</sup> While the first reported instance of offshoring legal services to India occurred in 1995, legal outsourcing did not begin in earnest until the early 2000s. Mathew and Thomas were reporting on a relatively early snapshot of the sector (about 1750 employees across the country). For a detailed review of the sector, and the importance of studying these supply side characteristics of the process, see Wilkins and Ballakrishnen (2011).

As an Indian woman trained as a lawyer in India and returning as a Harvard researcher, access to some of these firms was relatively easy. My emails requesting interviews and entry into the field were met with prompt responses and in some cases, excitement about the project. In addition to the 9 firms that Mathew and Thomas had interviewed in 2006, I contacted 20 new firms in late 2008. Finally, 14 firms were interviewed (response rate = .7) in addition to the 5 follow-up *Phase 1* interviews. *Table A* gives summary information about the interviews conducted.

The original collection of data was for a Harvard Law School research project (Program of the Legal Profession LPO Study) that was studying the industry broadly at the macro level. Because these interviews were conducted on a research grant from a law school to understand the growing global legal profession<sup>22</sup>, the key informants were requested to describe in detail sector and employment data (kinds of firms, kinds of work, recruitment, demand, place within the legal profession) that enabled us to explore comparative changes between the years of study. To this end, 15 managers and associates from 5 firms were interviewed in both 2006 and 2009 (of the 9 firms that Mathew/Thomas interviewed, only 5 were still in operation in 2009). The remaining *Phase 2* interviews were new players in the market selected on the basis of the institutional framework (*Table B*) that the Mathew/Thomas findings offered. *Table C* offers a detailed overview of the firm and employee characteristics of the interviews. I stress particularly on the “western” attributes of the managers and associates because it was a theme that, although not initially primed for in these interviews, emerged. In addition to these LPO firm/employee data, ancillary interviews from 15 industry sources (US/UK clients, prominent Indian lawyers and regulators) were conducted (*Table D*). However, while the interviews and data collection surrounded a research agenda that was focused at the macro level, questions of prestige evolved organically from the data while coding these interviews subsequently. We had no way of knowing that this was going to be an important part of the story – or part of it at all. Accordingly, the firm and institution characteristics in the annexed tables (*Table C*, particularly) were coded *after* data collection rather than during.

All interviews were conducted face to face<sup>23</sup> in English, typically, in the firm’s premises, and were subsequently tape-recorded and transcribed<sup>24</sup>. Interviews were typically between 30-45 minutes long post briefing of the project, although some lasted up to an hour. To become familiar with the cases, I processed the interview data for each firm and open coded them using the qualitative methods program, *HyperResearch*.

These data from field observations and employee interviews over a three-year period (2006, 2009), offer labor market insights that suggest an increase in professional prestige among employees in this sector. While some of the reasons for this elevated perception of prestige were related to functional factors similar to Western indicators of professional prestige (pay, fringe benefits, training, etc), there remained other markers (e.g. aesthetics of the firm, “U.S. firm culture”) that seemed less functional.

I explore these prestige indicators for their perceived functional import and argue, to the extent that this import isn’t clear, that these jobs also offer certain “halo” advantages that are independent of other functional attributes and key to elevating their prestige status. One such “halo” advantage appears to be the positive effect of association with an “American job” and the resulting claim to elevated prestige. While outsourced employees do not see the legal work done in these firms as independently prestigious, they draw prestige from the global clients they service

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<sup>22</sup> Both the 2006 and the 2009 research projects were funded and supported by the Program on the Legal Profession, Harvard Law School.

<sup>23</sup> Most of the interviews were conducted face to face in the firm’s premises except for two interviews in 2009, which were on conference call.

<sup>24</sup> Transcription was done by Third Party Transcription Company and revised subsequently by the author.

and the global corporate culture that these firms offer them access to. However, unlike traditional understandings of the client-type hypothesis, this connection to the client is not valued for the intellectual challenge (Laumann and Heinz 1977) or the potential for sophisticated work (Sandefur 2001).

My attempt here is to (a) use the interview data from informants in the market to get a sense for the reasons for the rise in prestige of jobs within this sector, (b) contrast them with prestige indicators that have traditionally been used to understand professional prestige and (c) trace the source of the difference. This context of lawyers drawing prestige by association independent of factors that are traditionally thought of as crucial to their professional standing (e.g. academic/technical purity of work) is important because it offers nuance to western understandings of professional stratification by introducing a possible non-functional explanation for prestige understandings. Empirically, it throws light on the effect of globalization as a factor of prestige and provides context to better understand employee perceptions or supply-side dynamics that feed into the global value chain.

#### 4. Results

Based on interviewee's descriptions of the LPO structures, work done and perceived prestige of these firms, these open coded transcripts were further amalgamated into emergent codes in three broad areas: (a) the nature of the work done (*type of low, mid and high end work, process oriented work*), (b) relative position of LPOs within the Indian legal labor market (*institutional structure, comparison with litigating firms, comparison with law firms, effect of the financial crunch, demand for jobs by elite graduates*), and (c) employee perceptions of LPO advantages (*foreign clients, global exposure, opportunity, international networks, training, prestige*). During this part of the coding process, passages within the transcripts with statements relating to the prestige theoretical framework (*functional importance of LPOs, professional purity of the work done, individual-level advantages for employees*) were selected. Based on the coding of these transcripts, recurring themes (across several cases) were identified and examined across firms and between the two time frames. I present the findings below.

##### 4.1. Nature of work done

Outsourced professional services typically remain low-end because of home-country ethical restrictions on professional responsibility. This has remained especially true for the legal services outsourced to India between the three years of observation. With heavy restrictions on outsourcing pure legal work like legal advice<sup>25</sup>, tasks like litigation support and document review remained the "bread and butter" of work outsourced, with little scope for improvement in the time between observations.

##### 4.1.1. Stability of routine, processed work

The common theme between the firms observed was the invariability in the work done between the two time points of observation. Three main legal tasks remained prime in the offshoring sector: (i) document support, (ii) litigation and transaction services,<sup>26</sup> and (iii) legal research, contract and drafting. In other words, the work outsourced was fairly low-end process work with only few (if any) opportunities for the employment of legal sophistication.

<sup>25</sup> Pure legal work is considered the "practice of law". The ABA forbids offshore lawyers to "practice law" without it being reviewed and revised by an American lawyer. Further, Indian legal regulation does not allow the practice of foreign law or the practice of law by foreign lawyers within the country.

<sup>26</sup> Litigation support, an area viewed by most firms as rapidly growing, includes scanning, conversion into editable text (OCR), database creation, objective coding, electronic discovery, document review, fact and motion chronology preparation, and basic "landscape" or survey research.

Respondents in both the 2006 as well as the 2009 interviews agreed that the “core work” done by these LPO firms, across hierarchy, were revenue generating process work like legal transcription, effectuation of minor corrections, corrections to briefs and memoranda and other basic services traditionally provided by on-site paralegals and support staff in Western firms. In addition, the firms that identified as doing “high end work” mostly<sup>27</sup> did litigation support, document review and due diligence<sup>28</sup>: work that was both mechanical and easily customizable administrative process work.<sup>29</sup>

#### 4.2. Position of LPOs within the legal recruiting market

In the three years between the two interview periods, the institutional structure of these LPO units had matured both literally and figuratively. While the 2006 transcripts describe small, mid-size firms (median size of about 10 lawyers + other non-law staff), most of the LPOs interviewed in 2009 had between 35-80 lawyers on their rolls, with the largest LPO seeking expansion to a 1000 lawyer office by the end of the financial year. In these *Phase 1* transcripts, while managers and associates alike were aware of the business opportunities that the LPO model offered the West, there was little reference or expectation that it would attract higher quality talent within the Indian legal profession. Recruits were mainly local law school graduates, with short-term ambitions to “make the money and leave”.

It is easy to presume that the growth in numbers in these firms has a pure economical explanation – outsourcing was cost-efficient and following a recession, more work was being sent to India than ever before. Still, from the interviews in 2009, it seemed like it was not only a change in numbers that had been affected in the three years of growth – it was also a change in quality of recruits. Our data helped place some of this change in context.

##### 4.2.1 Rise in demand for LPO jobs

From a labor market standpoint, this much is clear – the recession did not hurt the LPO industry. If anything, the growth in number of firms (and firm size among those firms) clearly reflected a steep increase in the pool of jobs<sup>30</sup>. Yet, contrary to what we would expect, there seemed to be more demand for these jobs in 2009 than ever before. In a representative example, a senior executive in a Mumbai LPO commented on the sudden attractiveness of these firms

“We have not had a problem with attracting people to join us. Unlike before [*referring to the earlier interviews*], now on average I look at 4-5 resumes a day, even when we do not have a call open for applications, from law graduates and litigators who want to laterally join our firm. There is a sudden rise demand for these jobs – and not just from local schools, from all over the country”.

This interest from lateral law firm employees (an interest that was not evident in *Phase 1*) as a sign of an increase in demand is pertinent for two reasons. *First*, Indian litigating firms (which is where many of these lateral recruits were from)

<sup>27</sup> In some exception, Mathew and Thomas noted that smaller firms focused initially on supporting solo practitioners in tort claims. A lawyer they interviewed in a Mumbai LPO (which had closed operations by the time Ballakrishnen was back in 2009) commented that his firm helped an attorney in Pasadena, California with accident cases by doing everything from basic research to drafting the opening statement.

<sup>28</sup> In this setting, LPO employees sift through the plethora of sales contracts, loan agreements and other company agreements for change-in-control clauses and other issues potentially relevant in a merger context.

<sup>29</sup> One pure-play LPO in Mumbai, for instance, processes qualified domestic relations orders, which divide the assets of a plan participant in an employee pension plan upon a change in status, i.e., divorce. This involved reviewing court orders and related state law governed documents and determining compliance with ERISA and the federal tax code for Fortune 500 corporations and family law counsel. This process involved collecting all relevant documentation into a docket for the client to provide to the appeals committee.

<sup>30</sup> There were less than 50 LPO firms in 2006, contrasted to an estimated 250 firms in 2009. Source: Value Notes Review, 2009.

were not affected adversely by the recession because they were not dependent on Western companies and firms for work. *Second*, firms that did have clients in the West who were affected by the recession, were more likely to get *more* rather than less work post the recession – leading to a general increase in jobs all around. Thus, it cannot be that these recruits were joining LPOs because they were being let off from their jobs at their law firms. This rise in demand independent of any effects attributable to the recession is pertinent.<sup>31</sup>

#### 4.2.2. Rise in quality of recruits

The transcripts in *Phase 1* were riddled with employers complaining about their inability to retain people because of the low quality work and expectations of the legally trained employees to do “real” lawyer jobs. In contrast, employees in the *Phase 2* transcripts, who were often from higher tier law schools than those employed in 2006, displayed an unprecedented enthusiasm for these jobs even though the substance of the work done in these firms had not become more “real”. What is noteworthy, then, is not just that there was a rise in not just demand, but that this rise was among a higher quality of recruits than in *Phase 1*. As one senior LPO manager commented on the recruiting demand that his company at top law schools across the country and the change that had occurred in the years between these interviews (this was a firm that was interviewed in both 2006 and 2009):

“Three years ago, we had to actively recruit and sort of make do with what we got, you know? I remember being a last slot recruiter at [NAME OF LAW SCHOOL] and we would get no bites because people did not want these jobs. Now, I have resumes running through my ears – and not just *any* (emphasis added) resumes. We get seriously good applications and we have to put them on a waitlist and reject them because we cannot expand fast enough to accommodate the demand.”

This increase in demand, especially by better-qualified applicants than ever before, offered the firms the advantage of being choosy about their recruits. As a result, there were stricter entrance restrictions (screening checks, entrance tests, multi-process interviews) for jobs that were, in substance, not very different from the jobs in *Phase 1*. In turn, this demand among domestic lawyers for these jobs changed the way these firms placed with other domestic legal institutions as recruiters of the available legal talent.

Firms in *Phase 1* were wary of locating legal talent for their jobs because of their inability to respond to the legal job requirement that they felt these employees were in search for. As a result, these LPOs were very much a peripheral process industry that posed no competition to domestic legal institutions in as much as talent was concerned. In contrast, firms in *Phase 2* were actively competing (with limited exception of the few domestic elite firms) for legal talent not just from better schools, but also from lawyers looking to transition within the profession from litigation and law firm practices. Most interviewees, agreed that while they were not really competing for the very top tier graduates that joined the 3000 odd “top firm” jobs in the market, their recruitment advantages were highly comparable to all other options that these graduates had (local firms, litigation practices, etc). Explaining one firm’s advantage in the job market vis-à-vis all career avenues with the exception of these top firms, one managing partner of a Mumbai LPO explains:

“The common criticism to this field is always whether you are still a “real” lawyer. The reality is that depending on what you are capable of and what you have learned when you are here, you can actually advance in some ways much more

<sup>31</sup> There is one other effect of the recession on these labor markets that I refrain from explaining here for lack of applicability; i.e. the quality of potential law firm associates *returning* to India from Western jobs that they were let go from during the recession. It is entirely extendable that these associates created a highly competitive labor market that made it difficult for resident Indian candidates access to these jobs. However, given that this might have caused a hyper competitive environment only at the very top level (top 5 firms), it does not substantially affect the demographic of the current interview population.

than you can in a law firm – if that is what you want, that is... But you have to remember, you are starting from a position where you would have never gotten yourself into a [top] law firm in the first place – so you cannot really be comparing it to that. In all other cases, this is "

And although this was less pervasive across all interviews<sup>32</sup>, there was some indication that some LPOs considered themselves core contenders for talent that would otherwise have been recruited by top law firms:

"...And now, when we are called to take part [at the job fair in the earlier mentioned law school], we only go if it is a first day of recruiting. If [NAME LAW FIRM] is going on Day1 to recruit its employees, I am going on Day1 too. It may not be the same slot – but it better be the same day. Otherwise, I am not going. There are enough applications for me to review."

#### 4.3. Employee perceptions of LPO advantages

Overall, one recurring theme of comparison was the advantages of these of this to other law firms and options for legal practice. Yet the reasons these jobs remained comparatively desirable by a professionally qualified workforce remains unique to the Indian context. Thus, closely tied to (but not fully explained by) the rise in demand and quality of recruits was the change in employee perception of these jobs as low status and temporary to "international" and highly desirable career options within the domestic legal market. I locate some of the perceived advantages (and potential reasons for the increased prestige of these firms as seen by potential recruits) below.

##### 4.3.1. Insufficiency of traditional prestige accounts

It was clear that this change in demand could not be explained by either (a) a change in the prestige of the work done or (b) the monetary advantages the sector offered – for neither of these had changed drastically in the three years between our observations.

*First*, the work that these LPO associates were doing was still relatively low-end (drafting, research, form filing, litigation support was "bread and butter" work) and seemed likely to remain that way because of the nature of the industry (particularly given the Western concerns about the ethical limitations of legal outsourcing work). Further, there were no delusions about the nature of the work done (data about the kind of work these firms did come from employee transcripts). Employees at these LPO firms continued to confirm that they did no legal advisory or "serious law-type work". Yet, unlike their peers in 2006 who thought of this low quality legal work as main reason for these jobs' non-sustainability, LPO employees in 2009 thought of these jobs as career options. Thus, core functionality or the importance of these jobs (traditional prestige indicators) was not what was attributing value to these jobs. If anything, *independent* of their low importance and lack of important functionality, these jobs were attracting superior talent and a dedicated workforce.

*Second*, the monetary advantage that this sector had in comparison to its peer firms (a factor that was clearly acknowledged by employees even in 2006) had done little to change employee (or industry) perception during our first field study. Thus, while in 2006 the money was clearly still an advantage, associates remained unenthusiastic about the "grunge, non-law work" and the high attrition rate that managers alluded to suggested that these jobs were, at best, stopgap jobs that local lawyers were interested in temporarily. In 2009, however, these jobs had blossomed to "career" options and associates (from the same firms that were interviewed in 2006) seemed more secure about their long term plans within the

<sup>32</sup> To the extent that this sentiment applied to top law firms (i.e. prestigious firms with international practices and large western style offices), the claim seemed overrated and from the data, this suspicion was confirmed. Only two firms interviewed in 2009 seemed to place their recruitment advantages on par with top law firms.

firm (for e.g. most associates mentioned clear trajectories within the firm and attrition only to the extent that it was to another firm within the sector) and substantially less disgruntled about the type of work they were doing. Few (if any) defined their work in temporary terms and many of them had gone through extensive competitive processes to be employed at their firms.

This change in attitude from resignation to enthusiasm for doing the *same* job between the two time periods seemed to rest on a range of international cultural factors over and above the cultural advantages these firms offered. This is not to say that the money was not an important factor for why these jobs were desirable – only that monetary advantages alone were not enough to persuade high quality recruits to join these firms. As Suresh<sup>33</sup>, an associate who had laterally transferred from a litigation career in the Delhi High Court to work in one of these firms said of the insufficiency of this monetary advantage:

“I would say one of the reasons is the money, and that is no way that we can ignore that. Secondly, and I believe this is one major point here – there is the brand name of these firms. Money is not alone enough, you know how lawyers have a fascination for brand and names”.

#### 4.3.2. Other, non-traditional advantages

If these LPOs were not engaged in important or sophisticated legal work *and* the money was not reason enough to explain the change in demand for these jobs, what was the explanation? The overarching non-monetary benefit that *all* respondents concurred on was some form of an international advantage that working for these LPOs provided. Of these alluded international advantages, three specific forms were recurrent –the access to (a) internationally “branded” clients, (b) western workplace advantages and (c) the access to foreign trained colleagues.

(a) *Access to International Clients.* The fascination with “brand and names” that Suresh alludes to above as something “you might know” is the global opportunities of working with well-known international “brand names” that his job in the legal team of a Delhi based LPO offers him. This feeling of appreciation for working with a “branded” firm was a recurring trend in the employee interviews. In some part, the branding was relevant because of the access it offered global clients. However, it is important to note that this “branding” was not related to the actual nature of legal work that these firms were doing – only the clients for *whom* it was being done for. Doing otherwise low-prestige legal tasks (i.e., document review) for an important international client was seen as an “opportunity”. Here, an ex-law firm employee now working at an LPO whose “bread and butter” work was document review offers in explanation:

“So, among other things, we would also do work for [BIG BRAND COMPANY] worldwide contract. So, what we have is an example of a work of perfection and this gives us an opportunity that you will never get in a law firm. Here, you actually see the life of how that contract proceeds, all the way to execution.”

Note how document review, an otherwise menial task, escalated to a level of “perfection” and “opportunity” because it had a connection to a leading brand name. She says, “In some way, I am part of [BIG BRAND COMPANY] global counsel. I see what an in-house counsel sees.” The catch here is not that she *does* what an in-house counsel does – but that, instead, she has access to what is otherwise only seen by this elite company’s in-house counsel.

It is important to distinguish this company branding from just *any* “big brand” company. The evidence that professionals are drawn to power and wealth at the cost of doing work that is not professionally “pure” is not novel in itself.<sup>34</sup> However,

<sup>33</sup> All names have been changed to protect confidentiality of the interviewees.

<sup>34</sup> See for e.g. Sandefur (2001) on corporate law associates who do routine work for large corporations to consume the prestige of the corporation.



it seemed to be the case that they were drawing prestige not just from the "BIG BRAND COMPANY" but the fact that they did work as a global council for a "WESTERN BIG BRAND COMPANY". Respondents, especially in the *Phase 2* interviews, frequently would talk at length about their "US and UK" clients, even if it was the case that the firm did work for other "big brand" companies in Asia and/or the Middle East. In one such interview, when it seemed particularly odd that the respondent (a senior associate who was very excited about working at this Delhi firm) had not mentioned non-Western clients, I asked about the firm's offices in another big Asian city (information that I had gathered before the interview from the Internet), his clients there and the advantage that offered him as an employee. In his response, he made no reference to the clients and limited his eagerness to the fact that the other Asian office was a good promotion prospect (senior Indian LPO employees are often sent as visiting managers to set up other offices and train staff). This hand waving directed at non-West clients in one interview is by no means enough to charge the entire industry of a purely Western halo. But the fact that so few of these respondents mentioned non-Western clients (especially when their websites highlighted sales locations across the world) is salient.

The valorization of this access to international (seemingly, Western) clients was consistently primed in these interviews. Yet, the advantage was received with enthusiasm *not* because of the better work these important clients promised (respondents were quick to reaffirm the "non legal advisory" nature of their work). Neither was it the case that these associates saw these jobs as stepping-stones to other international careers (when asked about their career prospects, none of the respondents saw these jobs as useful for transitioning into foreign firms, for example). Thus, the prestige was sourced purely from the work being "international". Anand, an LPO employee who had given up a 10-year litigation practice to work for his firm, explains this advantage clearest:

"...Let us face it, you know, most lawyers in India cannot so much as fantasize about getting into a legal department of top international companies like [FAMOUS US-BASED IT COMPANY] – that is not easy, right? Then you have an LPO hired by [FAMOUS US-BASED IT COMPANY] to do their everyday work. So most people are like – okay, this way, I can say I got the opportunity today to at least work with this company!"

To clarify, this access to international clients *per se* was not new. LPO clients had always been predominantly international but the maturation of the market in 2009 had made this client base particularly salient for a combination of reasons: (a) with international market pressures to outsource, more prominent clients were seeking LPO services, making the client base more attractive to be associated with, (b) diffusion of this client knowledge by the press<sup>35</sup> had helped "set" the brand name for some of these firms and (c) India's closed legal regulatory regime made these LPOs uniquely positioned in their access to international clients and therefore global work. With the exception of the top law firms that worked with their global elite counterparts on cross-border transactions, Indian lawyers did little transactional work for non-Indian clients. The smaller local firms and litigation practices (which were main workplace contenders for Suresh and his LPO peers) had little if any access to such "branded, global" work, which made these LPO practices all the more attractive in the eyes of their recruits.

*Access to Western Work Environments and "American Jobs"*. Still, it was not just the access to global clients that these local firms and legal offices lacked. Respondents also claimed the relative advantage that these firms offered in terms of western workplaces and environments. And there was evidence that this was evolving between the two time periods of observation. While the 2006 interviews were held with employees and CEOs in small, "back-end" style offices, the 2009 interviews with the same organizations were in their new addresses: large U.S. law

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<sup>35</sup> See the Content Analysis in Section 5.

firm style offices in high prestige business district spaces. These materially superior advantages compared well to most Indian law firm offices (upscale units in modern business parks, large working desks, double computer screens, etc) and offered an effective lure for protective recruits.

Yet, it was not the physical spaces alone that were had evolved – a distinctive advantage of these legal outsourcing offices was their continuing commitment to the nurturing of a Western corporate culture in these offices. The 2006 transcripts alluded to some evidence of this but in 2009, this was a recurring theme of relative advantage. Crucial to understanding this advantage is to place it in context against the other legal offices in India. In contrast to law firms which continued to work like family run offices of a single (or, at best, a couple of) lawyer(s), these corporate LPO units worked as professional corporate structures with definite work trajectories, transparent promotional policies and officious business cultures made them attractive to the average law graduate in the country. As an employee who had left a litigation practice in the Delhi courts and moved to Gurgaon (a suburb of Delhi) to work as a team manager in an LPO recalls:

“A lot of employees feel happier being in an LPO as opposed to a law firm in India because law firms in India do not work like law firms in the US or the UK. So, law firms, as you know, work like family run businesses and especially if you work with a litigating practice, like I did, your work trajectory is proportional to what kind of family you are from and who you know. It may seem crude – but culturally, these things are very important in this country. I knew that if I stayed there, my promotions would have nothing to do with how hard I worked – but here (*at this LPO X*), it is like working for a corporate organization, you know? Your path is defined. You know that if you do X extra hours, you get this and you will go up this next step. I knew my talent would be recognized and that I would not be pushed down because of X, Y, Z factors that I had no control over.”

In turn, these Western workplaces and work environments offered these Indian lawyers a chance at working in what they saw as a culturally superior environment for organizational growth. For instance, defending her decision to join an LPO instead of staying in the law firm she laterally transferred from, Rina, a prospective senior associate at a Mumbai LPO reasons:

“...So, you know, people can complain about this all the want - but the fact is, **outsourcing is also making American jobs available to someone like me** (*emphasis provided*). I have been here almost a year now, and am going to be a senior manager...These are totally different career choices for us and, I mean, they are wonderful because we hone skills without (having to deal with the) grind of litigation or unfairness (of)...having to work in a law firm. I'll never go back to work on a law firm.”

The “people” Rina refers to here are the growing number of attorneys who oppose the growth of these LPOs in India on the basis of what has been a rooted protectionist stance: a closed market for legal services<sup>36</sup>. Interestingly, there was no such opposition in 2006 because these firms, seen very much as supplementary to the legal profession, were not threats for local talent. The “grind”, for example, that she refers to above is the long hours that litigators in India dedicate to their job, often at little (or no) compensation for their work. Rina was not alone in her preference for this LPO career trajectory. Both because of the nature of the job (highly professional, well paying) as well as the corporate considerations that were appreciative of Indian cultural sentiments (accommodating hours, flexible timings, etc), the industry stay particularly attractive to incoming graduates and lateral recruits from law firms / litigation practices.

<sup>36</sup> There has been some brewing discontent about the operation of these legal outsourcing firms and in 2010, a Madras High Court writ petition challenged the operation of these LPOs as a violation of the existing protectionist legislation. Irrespective of the actual outcome of the still undecided writ, it offers some evidence of the slow (but sure) transformation of public perception of the LPO sector from a back-end service provider to a core contender in the protectionist debate for domestic legal services

*Access to Foreign Colleagues.* Part of the international advantage that LPO employees in 2009 stressed on was the number of U.S./U.K trained lawyers these LPOs had on-site as part and full time consultants. In an otherwise largely homogenous work environment, this access to foreign trained lawyers was seen as a key advantage for the increased demand for these jobs. Again, like the access to foreign clients, this advantage was not seen as key because of the mobility or access to other foreign jobs that it provided. Instead, employees valued the training by these foreign colleagues in what they saw as key western professional work ethic styles like “attention to detail”. Here is a transcript excerpt from a young woman who had left a law firm to join an LPO because she saw it as a “global opportunity”. She stresses the value of this training compared to her peers:

“The intense observation that people need to make about this industry is that training by these foreign lawyers is all round western training that other lawyers in India are not finding. The skill sets that LPOs emphasize because of the international exposure are unique. Take for example – the attention to detail. That is one of the foremost because no Indian lawyer has ever laid emphasis on this particular attention to detail. But here, we have [NAME OF FOREIGN ATTORNEY] teaching us that.”

In addition to these valuable skill sets that employees found peculiar to the LPO setting, there was the recurring theme of an implied association advantage. Respondents felt that being able to “talk to Sam\* about NYC” or “ask Jenna\* any questions about American law and culture”, especially when they had to place a client conversation in context, made these LPOs unique. Particularly salient was that these foreign trained associates were accessible despite being in positions of power (usually senior managers, visiting supervisors). Maya, a new LPO associate’s view of this advantage mirrors a consistently shared view:

“[FOREIGN CONSULTANT] is from California and is a lawyer there. But he comes here to give us talks and training. If I have any questions, I can always just ask [FOREIGN CONSULTANT] for advice. There is that comfort. We can use his first name and just talk to him without being worried or scared.”

In contrast, at a litigation practice or a private law firm, Maya would have had limited contact with foreign consultants and clients and little freedom to be as approachable with her Indian bosses. This premium on association with high prestige colleagues also had other advantages. Associates were not only encouraged to feel free to approach their American peers (most offices had open door policies or open office spaces and associations on a first name basis) but in some cases, meet them in social situations as well. Maya explained that house parties and team dinners were not uncommon and groups would often go without prejudice to hierarchy within the organization. This association with high status colleagues, especially to the extent that it extended to their non-office sphere (e.g. the ability to call a senior American colleague by first name in front of a family member / law school peer) added another visible prestige marker for these LPO associates.

#### 4.4. *The need for understanding the western “halo” effect*

These data that show the potential rise of prestige among a professionally qualified Indian workforce offers useful insight into the international extensions for conventional sociological understandings of prestige.

To recall, established thinking on prestige universally valorizes (*Table 1*) objectively important activities as well as other activities that are ubiquitously thought of as “honorable” independent of actual importance. In some cases, the source of this prestige is the same in every society and in some cases, not. For instance, doctors are prestigious across societies because they have the functionally important task of saving people’s lives. On the other hand, a Hindu priest might have an objectively important role in Indian society but still be deemed prestigious in the

U.S. because priests are universally accorded honor<sup>37</sup>. In any event, prestige has been accorded to factors that are universally recognized as valuable.

This increasing appreciation for processed outsourcing jobs by a professionally qualified workforce brings some of these assumptions to question. For one, these LPOs employed lawyers who could otherwise be (and in many cases, previously were) employed by law firms and litigation practices to do professionally pure legal work. Yet, many of these respondents had left these “real” firms to join outsourcing outfits because of a broad range of advantages – the most pervasive of which, I have listed above. Because these advantages offer an explanation for the rise in demand for these jobs and the rise in quality of recruits, they are a useful proxy for the prestige factors in the sector.

Some of these advantages were purely functional and reflective of prevailing understandings of prestige (e.g. training). For some of the other advantages that were promoting prestige, a blanket understanding did not tell the whole story. The important clients, for instance, at first glance seem like a “client type” indicator of prestige (Table K) but this gets distorted on further perusal. The prestige of clients is seen traditionally as an important indicator of prestige because it was seen as a proxy for prestigious or/and important work (Sandefur 2001). Given that these lawyers were doing unsophisticated and routine legal work *and* offered no reason to believe their relationship with the client could be of any personal gain, the traditional rationale for a rise in prestige remains unjustified. Besides, should it just have been prestige of an important client – *any* important client should have been enough to trigger the prestige. Yet, we have slight evidence that this was not the case and it was known Western companies from whom these employees were most likely to draw prestige from. Similarly, money was important, as you would expect, but not enough to do the same work in 2006. This self reported worth of lawyers that cannot be explained entirely by the previous literature on prestige prompts a new line of enquiry about the possible existence of a western “halo” effect.

*The Western “Halo”*. There is some research on the halo factors that influence prestige in the organizational context. For instance, buyers attribute their positive perceptions of a high prestige organization to its outputs (independent of the actual transaction), thereby increase the output’s perceived value through a “halo effect” (Sine *et al.* 2003). In another example, Perrow (1961) found that patients relied on general hospital characteristics entirely unrelated to their medical needs (such as building design) to decide whether or not to seek particular health services at the hospital in question. Similarly, in terms of chances of obtaining recognition, a scientist gained more from affiliation with a major university than from high productivity (Crane 1965). Thus, research shows that prestige may rest upon the “image” or a “value laden symbol” or some other factor completely independent of the essential quality of the product/service (Perrow 1961). Seen differently, it may be that buyers prefer to transact with more prestigious organizations because the mere interaction with high prestige affords a prestige by association (Sine *et al.* 2003).

The prestige that the global exposure and access to international workspaces and colleagues affords these Indian lawyers extends itself well to this explanation. The “image” of being “BIG AMERICAN COMPANY’S global counsel” to family and friends can afford these professionals a sense of prestige by association even if it is factually non-representative of the work done. Proofreading and doing litigation support might not be prestigious but doing it from an American style workplace, for American clients with whom one could interact on a first name basis, all extended a comfortable and high prestige halo that smoothed (and in some cases, more than made up) for the task of doing routine legal work. When an associate says “I do

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<sup>37</sup> Is this clear? I am trying to show that honored people and activities can be objectively important OR they can be valued for reasons that are independent of this objective importance. I want to make sure I am getting this across right.

what any associate in a law firm does!", she is not misrepresenting. Law firms do litigation support and document review work – but the associates who do this petty work are compensated by the access to follow up this initial drudgery with highly sophisticated legal work. The fact that this lack of legal sophistication is made up for (at least in part) by western-style workplaces is interesting – and therein lies the "halo" effect that mitigates the previously doomed professional prestige status of these legal process outsourcing units.

## 5. Content analysis

The comprehensive LPO interviews over the two time periods offered an exhaustive view of how the sector had matured and pointed us in the direction of why this maturation might have been conceived – but it still remained limited by some factors. *First*, given how nascent the sector was and how eager they were to "get the word out" about it, it is possible that the transcripts were riddled by a self-reporting bias, especially in responses about the rise in demand and the absolute increase in prestige. *Second*, since there is limited data available from these interviews about people outside the LPO sector (only 15 ancillary interviews between both years), we don't know what the public perception of this prestige was. *Finally*, given that all three researchers who collected the data were visiting from a prestigious American law school, it is possible that much of the Western bias that I am making a case about might well have been a response to what these respondents thought the *interviewers* would understand and appreciate as "important".

To get a better sense of the demand, rise in prestige and the role of Western association in creating this prestige, further data seemed necessary. Since there is no large scale representative data on this sector that is publicly available, I resorted to publicly available information about these outsourcing firms on the Internet. The content analysis had a two fold agenda – (a) to confirm a rise of demand and quality of recruits in these jobs and (b) to offer some explanation for what factors influenced this unnaturally quick rise in prestige for these traditionally "impure" legal jobs among a professionally qualified workforce.

To triangulate this evidence with public sources of information, I used timeline data from all the English sources in the Google search results for the words "legal outsourcing", "LPO" and/or "India". All national newspapers in India have online editions and coding their content for factors influencing prestige was relevant in that it pointed to the public information that the country was consuming in the three years between interviews. *Table F* offers descriptive information about the sources analyzed and brief information about the main focus of the cases.

While I was looking for markers of prestige and evidence of an increase in demand and quality in these sectors, the data were not assigned pre-structured codes. Of the 201 search results for the terms "legal process outsourcing", "India" and "LPO" between the years 2000 and 2008, 49 were coded as non-applicable because of their irrelevance (e.g. passing mention to an LPO on an article about IT, different language) and/or replication (e.g. multiple press releases from the *same* agency). However, to accurately represent the diffusion of information, repetition of cases was not always coded as NA. In cases where different sources (e.g. two different news papers) reported of the same subject matter, they were coded individually. "Main Focus" of the case is the predominant focus of each news item / article analyzed. Each case was coded only once for Main Focus. *Table G* gives more detailed information about the focus.

### 5.1. Findings

The content analysis of these publicly available search data, showed five main trends: (a) increased and more pervasive coverage, (b) change in reporting focus from a Western efficiency standpoint (e.g. cheap labor, cost effective) to

advantages for prospective clients (e.g. western clients, “shiny new offices”), (c) reported growth and change in perception of these firms, (d) a re-conceptualization of work that was previously reported as “routine” and “repetitive” to work that was “glamorous” and (e) a strong implication that this work for decidedly Western clients (e.g. Fortune 500 companies) was a great “opportunity” for potential recruits.

*Increased Coverage.* As expected, there was just less media coverage about these firms before the *Phase 1* interviews than there were before the *Phase 2* interviews (7 v. 145 cases). Further, not only was there more coverage of this sector in 2009, this coverage was also diffused through multiple channels (*Table F*). While most data before the *Phase 1* interviews was in Indian business newspapers that possibly had a select reading audience, data between 2006-9 appeared in more pervasive sources – like national daily newspapers and educational supplements. It seems understandable then, that there was more diffusion of knowledge about the industry in 2009 than in 2006.

*Change in Focus.* Not only was there more information about LPOs in the later years, the focus of the information had also changed. While earlier reports were preoccupied with advantages and disadvantages from a Western business standpoint (e.g. cost efficiency to Western firms), later reports were targeted towards potential Indian recruits. *Table G* gives further details about the focus of these data<sup>38</sup>. Note that in the Pre-Phase 2 time period, there were more reports in the public media with an Indian recruitment focus (82 v. 34 cases), a higher percentage were targeted towards advantages for Indian recruits (.86 of all Indian cases) than about Western advantages (.79 of all Western cases).

*Growth of Firms and Prestige.* This understanding of the sources that were available for public consumption are relevant because they explain, in some part, the growth in the number of firms and the relative prestige of the firms. While firms were described initially as lucrative powerhouses for Western investors and legal clients, the focus on Indian dynamics meant that firms were increasingly being described as places where higher quality of recruits wanted to work in. This helps lend credibility to the finding that there was both an increase in jobs as well as the kind of recruits who were aspiring to be recruited into them. *Table H* gives some evidence of the higher quality of recruits and work that these firms were reporting in the later years (Western advantages, disadvantages). There were fewer (if any) complaints about quality of work as contrasted with the earlier years. And there seems to be some confirmation that higher demand and quality of recruits was reported more often as the years progressed.

*Reconceptualization of the Sector.* Key in this story about the rise in demand for these jobs is the way in which these firms were being described and how these descriptions played into the ways in which they were perceived as advantageous by these recruits. For one, the disadvantage of what were initially labeled cumbersome technical jobs were replaced by ambiguous references (e.g. “we outsource legal intelligence”), or references to high end work that were done by engineers in the firm (e.g. high end patent filing). To compensate for this subdued reference to low prestige work (only 7 cases between 2006-9), these later cases focused on the advantage for Indian lawyers that these firms were offering – and the nature of these advantages evolved over time.

*Western Halo.* While initially seen as plain lucrative jobs for international companies (both these advantages were primed in early cases), over the years, the references became much more nuanced. While the money was still displayed as a factor, it was a factor that was in addition to the “global work” that these firms were doing and the representative opportunity it offered potential recruits. Yet, it was not just

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<sup>38</sup> Note that to determine “main focus”, each coded case was only counted to having *one* focus (and therefore only counted once) in *Table G*.

any global work. Reports that focused on advantages of jobs in this new sector, primed Western work using both known clients and references to generic prestige markers (e.g. "Firm X does all the legal work for many UK law firms"). The important thing to note here is that these references, even though they mentioned relatively low-end work (e.g. litigation support), focused on priming the connection to the West. Instead of saying "By doing all the tedious work for international companies, Firm X leaves foreign associates to focus on real work" (which was a common conception in the earlier years), referring to these firms as trajectories for access to Western companies for *Indian* lawyers (e.g. "you could have this global opportunity to work with Firm Y, that does all the litigation support for a Fortune 500 company") must have played at least some part in shaping the rise in prestige for the sector amongst Indian recruits.

These content analysis data offer an important dimension to our understanding of the dynamics of the LPO industry: the role of public perceptions in molding the professional identity of the sector – in only five years - from "just another job" to an enviable career prospect. This construction of public opinion by media reports offer than even though the work remained fairly standard and process driven, recruits and by-standers alike were viewing the industry differently. At a basic level, it could have just been that the increased attention that the sector was getting just offered more publicity and therefore, more demand. But the increased quality of recruits suggest that this was becoming a real legal career option for even those who would have never coveted the position before: a real alternative to litigation, for instance. And while there certainly were many factors that contributed to this increase in demand and quality of recruits (a failing global economic market being most relevant), this paper seeks to suggest that incidental factors like association to the West and assumptions about the ways in which this association relayed prestige in local networks was crucial.

## **6. Discussion: Why prestige matters when talking about the global legal profession**

The way prestige works in relaying value at the individual level of the worker is important because it reflects the efficiency of the larger work chain. The change in perception of this work from legal outsourcing to "global lawyering" is pertinent because it has changed the way people think about their jobs at the individual level. At the interactional level, this matters, because of what these jobs have begun to signal to others that these people are in communication with.

In some part, the way these jobs have been portrayed by the media has influenced this perception. But other factors – seemingly incidental factors like the way an office looks and the kind of food the canteen serves, etc – have been instrumental in both creating this media perception as well as the worker's own. As a young woman in a Noida based LPO said about her job "I am part of [BIG AMERICAN CORPORATION]'s global counsel team" – and the fact that she works in a company that *looks* like this corporation's India office has helped cement this idea to both herself as well as her local networks. She could have been doing the same work for this company from a corner of a three-bedroom apartment in Delhi (a very common set-up for early LPOs when they started), but until the offices looked like they did – in posh corporate parks, with high security and foreign colleagues – they were not capable of signaling the same tenor of prestige.

The lesson from these data that outlines a sense of professional favor for jobs independent of the quality of work, suggest that while researching in a developing country context, broader markers of value have to be given regard. My agenda in targeting only these unorthodox factors (e.g. western corporate culture, American colleagues) is not to disrespect the traditional assumptions about prestige creation – but instead, to add necessary nuance to it while attempting to study global professions.

This paper, using the Indian legal outsourcing industry as a backdrop, offers some evidence to help us parse out this process of prestige creation and modification. The focus on the role of globalization and association to the West is important in our understandings of trying to frame, record and analyze the consequences of an increasingly global legal profession. From the supply side, an important part of sustainable delivery of a quality legal product lies in an analysis at the individual level of the worker. If a lawyer in India who works on a contract for, say, Google from a multi-storied office feels like she is part of Google's "global legal team", it is more likely she will remain invested in the job and committed to a quality end product than if she thinks of herself as a lawyer who "just does document review". But this is not all. As this study reflects, prestige linkages can be drawn from client names but their non-functional signal-ability can be an important factor in creating and maintaining a culture of assimilation within these firms. Thus, even if she is doing document review for Google, the fact that she is doing it in an office that is globally networked, along with coworkers who are internationally trained, all add to her realization of being part of a global legal workforce. In turn, being able to imagine one's self as a worker in a natural extension of an American or Western workspace is a powerful construct and an important one to consider as we study and research these professional spaces.

From the demand side, trying to understand the factors that shape this focus becomes important to ensure a quality end product. Thus, creating an environment where a worker feels invested in the firm is not just useful at the level of the individual organization or worker, it reflects on the long-term sustainability of the industry as a whole. In turn, understanding the effects that being a global demander of legal services has on the quality of the end product is important to be cognizant of as we move determinately into this muddled and disparate internationalization of the legal profession.

The funny thing is that this wasn't really a planned consequence of a concrete effort to increase the prestige of the work. The factors that have, over time, evolved to garner prestige have been factors closely associated with technology. And if we recall the evolution of this industry as a whole, these requirements were aimed at communication and efficiency – for example, laptops with high security, login-specific servers, doors with screened entry, multiple desktop monitors that were meant to connect "up" and "down" – all of these measures were meant to help the process be more efficient and not particularly create a more prestige endowing workspace. But they ended up doing so anyway – the restricted access to data made people feel more privileged, the teams that were set up with unique access with "code names" for their projects felt similar to their law firm counterparts that worked in specific teams. Their foreign colleagues that were sent initially to increase productivity and make Western clients feel more comfortable, ended up increasing the value of association for the Indian employees who were enriched by the diversity of their work ecosystem. Technology and security, in turn, gave these lawyers access to a new code (for example, almost every interview in 2009 had the mention of terms like "QC": a local speak for quality control, organizational charts, six sigma, "best practices") that these lawyers saw as access to new information – and, in turn – a new professional space. Add to this the media adulations and the space had the capacity to transform in the imagination of these workers as a space that was newly fitting of value, newly transformative in its scope. Thus, something that started off as a deprofessionalizing, process-based mechanism has, when imported to a non-Western context, the capacity to actually make something more professional, more prestigious. And in the construction of this prestige, the way these norms translate globally and the impact of globalization as a factor in itself has mattered.

In a recent article about why America needed to be seeking out its immigrants, the Wall Street Journal commented, "Perhaps it's not a coincidence that many of the most innovative places in the world, such as Silicon Valley and New York City, are



also the most diverse". This Indian case is perhaps different. The predominance of the "Western" references as cues for prestige even though it was the case that these firms did work for more than just Western "global" clients, distinguishes this trend from, say the thirst from diversity or cosmopolitanism. On the other hand, surely it is the case that there are benefits to diversifying any community. And liberalization restrictions have left the Indian workplaces – and Indian legal workplaces in particular - in dire need for a little more heterogeneity. This craving for Western association and proximity could just be a plug for that unsatisfied need.

The reason this is all-important for the study of any global institutional process is because it suggests a case where local norms are influenced by expectations and aspirations towards expected global norms. At the same time, it holds close the comfort of local norms and values (for example, a manager at a Noida-based LPO said "We give our workers the security of medical insurance not just for themselves, but for their entire family: who else does that, you tell me? We understand that if the family is happy, he is happy and he will work with us. We understand them") – together creating what Silver and others have called a "glocal" space for negotiation of prestige and value. In turn, this creates not just a new form of professional prestige, but a new professional space all together: thereby changing the kind of legal graduate who *can* be a valid, prestige-earning professional. By no longer being a "back-end" lawyer, this global conceptualization is affording more lawyers value and meaning to their work than ever before and as researchers of the global legal profession, it remains integral for us to see that not all the factors offering this prestige are functional.

Of course, perhaps it is not all this nuanced and just simply a glorified economic argument. The attraction to the Western clients and ways of interaction and association might simply be because the West has invested in these firms that much more than any other country. But other similar associations<sup>39</sup> have historically not been considered attractive in the same way as this association to the West: which in turn leaves something to be explored. It might just be that India is ripe for recognizing Western cues better than others because of their long history with colonial influence and are better at valuing (and reaching out) for western markers as sources of prestige in itself. From a sociological perspective, this is interesting because it nuances our understandings of prestige and power. Should it be a simple economic argument or even an instrumental one, it would be a direct functional explanation for why this association is at work. At the same time – it is not my aim to suggest that this influence is without the agency of the people who are making these choices. As the content analysis suggests that they are, at least in some part, feeding on public opinion that endorses this association.

Either way, this particular conceptualization of prestige in the developing country context, places a burden on companies working with India (and other countries which might be as susceptible to finding globalized associations as halo indicators) to be cognizant and respectful of this difference.

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<sup>39</sup> E.g. like the "brain bank" migration to the Gulf by Indian Keralites (Khadria 2008)

## 7. Tables

Table A. Descriptive Statistics of Interviews Conducted (2006, 2009)

Interview Year(s)	Firms	Interviewees (Managers, associates)	Ancillary Interviews
2006	9	25	10
2009	14	41	5
Both 2006 and 2009	5	15	
<b>Total Interviews</b>	<b>23</b>	<b>66</b>	<b>15</b>
<b>Non-Overlapping Interviews</b>	<b>18</b>	<b>51</b>	<b>15</b>

Table B. Institutional Map of the Indian LPO Sector

	Pure Play LPOs	Legal offices in KPO/BPO	Law Firm LPO
<b>Definition</b>	Firm incorporated to do only legal offshoring work.	Legal offshoring team within an existing Business Process Outsourcing (BPO) or Knowledge Process Outsourcing (KPO) Company.	Legal Offshoring firm either owned by / associated with a law firm.
<b>Average Size</b>	40-800 lawyers	10-100 lawyers (depending on the size of the BPO/KPO and their interest in legal outsourcing)	10-250 lawyers (similar to KPO, it depends on law firms commitment and ability to manage a LPO)
<b>Type of Work</b>	Litigation support, due diligence, legal research. In some cases, legal transcription and form filing	Litigation support, due diligence, legal research. In some cases, legal transcription and form filing	Litigation support, due diligence, legal research. In some cases, legal transcription and form filing
<b>Clients</b>	International Clients, usually through a known network (known law firms, references, etc)	Typically existing clients of the KPO/BPO that also need legal outsourcing work.	Clients are typically referred by law firm or recruited using connections that the law firm offers.

Table C. Further Description of Interviews

	2006	2009
<i>Firm Characteristics</i>		
<b>Legal units of KPOs / BPOs</b>	4	5
<b>LPO units of Law Firms</b>	3	3
<b>Stand alone (Pure Play) LPOs</b>	2	6
	<b>9</b>	<b>14</b>
<i>Manager Characteristics</i>		
<b>Western Educated</b>	3	13
<b>Western Work Experience</b>	5	15
<b>Western Born</b>	1	10
	<b>15</b>	<b>18</b>
<i>Associate Characteristics</i>		
<b>Top 20 Law School Graduates</b>	-	10
<b>Prior Law Firm Experience</b>	-	12
<b>Prior Litigation Experience</b>	6	6
<b>No Prior Work Experience</b>	4	5
	<b>10</b>	<b>23</b>

Table D. List of Non LPO Interviews

	2006	2009	Overall
<b>Indian Legal Professionals (non-LPO)</b>	6	3	9
<b>Foreign Clients</b>	4	1	5
<b>Indian Regulators</b>		1	1
	10	5	

Table E. Summary Analysis of Interview Data

	2006	2009	
<b>Recruits</b>			
<i>Rise of Prestige</i>			
Demand, Quality of recruits	Demand restricted to local, less elite schools	More diffused demand. Higher quality of graduates interested in the sector	
Attrition	High. LPO management complains about the high attrition rate.	No mention of attrition as a problem.	
<b>Traditional Advantages</b>			
<i>Professional Purity</i>			
Type of Work	Routine, technical tasks, legal research	Routine, technical tasks, legal research	
Sophistication of Work	Low	Low	
Importance of Work	Low	Low	
<i>Client Type Hypothesis</i>			
Type of Client	International	International	
Mobility because of client	No	No	
New work opportunities abroad	No	No	
<b>Other Factors</b>			
<i>Instrumental Advantages</i>			
Monetary Rewards	Higher than comparable jobs in the legal industry	Higher than comparable jobs in the legal industry	
Physical Spaces	Small offices (with limited extension)	Large office spaces, Western amenities (high security buildings, posh offices, western-style cafeteria dining)	
<i>Western "Halo"?</i>			
Western Corporate Environment	Not prominent	Very Prominent	
Western Colleagues	Few	Each office had a strong international presence, and at least a couple of managers/trainers from the West who were resident in the office and/or made frequent visits.	
Interaction with Western Colleagues	Not recorded	Highly proximate work environment with heavy interaction	

Table F. Descriptive Results of the Content Analysis of Publicly Available Internet Resources on Indian LPOs (N = 152)

	Pre T1 (2006 Study)		T1 – T2 (2009 Study)		
	2000 – 2004	2005	2006	2007	2008
<b>Total Cases (n=201)</b>	3	6	39	67	86
<b>Coded Cases (n=152)</b>	2	5	26	44	75
<b>Sources</b>					
<b>Sources (Indian)</b>					
Indian National News (E.g. The Hindu, Times of India)		1	8	7	17
Indian Business News (E.g. The Economic Times)		4	13	13	15
Indian Local News (E.g. Hindu Education Plus)				4	1
<b>Sources (Western)</b>					
Western News (E.g. Washington News, TIME)				1	3
Western Legal News (E.g. ABA Net, AM Daily)	1		1	6	2
<b>Sources (Other)</b>					
Web-Only Articles (E.g. Rediff Business)	1		1	4	15
Press Releases (E.g. PR Newswire)			3	6	11
Legal Websites/Blogs (Law. Net)				1	11
Asian News (Channel Asia)				2	
<b>Main Focus of Case</b> (Only one count per case)					
Western Advantage	1	1	10	2	15
Indian Recruit Advantage			8	29	33
Other	1	4	8	13	27
<b>Total Cases</b>	2	5	26	44	75

Notes: (a) Both interview studies were conducted in the first few weeks of January 2006 and 2009 respectively. For ease, all 2006 cases are considered "post T1". Similarly, no cases in 2009 were coded. (b) In the "Focus of Case" measure above, I give counts for any case that concentrated on *only* the advantage. The maximum count per case was 1. For a more detailed summary of this focus, see Table G (c) For a more detailed summary of type of sources and exhaustive coding examples, See Table H. (d) Cases were selected using a Google Advanced search for the words "legal process outsourcing" and "India".

Table G. Focus of the Data (Source: Publicly Available Internet Resources on Indian LPOs, N = 152)

	Pre T1 (2006 Study)		T1 – T2 (2009 Study)		
	2000 – 04	2005	2006	2007	2008
<b>Western Focus (totals)</b>	<b>2</b>	<b>3</b>	<b>11</b>	<b>3</b>	<b>20</b>
Advantage (E.g. efficient, cost, better work)	1	1	10	2	15
Disadvantage (E.g. attrition, work quality, confidentiality)					1
Both (E.g. "cost efficient but high attrition")	1	2	1	1	4
<b>Indian Recruitment Focus (totals)</b>	<b>0</b>	<b>2</b>	<b>12</b>	<b>30</b>	<b>40</b>
Advantage (E.g. lucrative, western clients, better offices)			8	29	33
Disadvantage (E.g. routine work, low prestige)			3	1	3
Both (E.g. "pays well but low end work")		2	1		4
<b>Joint Focus (West + India)</b> (E.g. "Win-Win situation")			<b>3</b>	<b>5</b>	<b>5</b>
<b>Neutral (No Relevant Focus)</b> (E.g. Press Release about JV LPO)				<b>6</b>	<b>10</b>
<b>Total</b>	<b>2</b>	<b>5</b>	<b>26</b>	<b>44</b>	<b>75</b>

Notes: (a) Both interview studies were conducted in the first few weeks of January 2006 and 2009 respectively. For ease, all 2006 cases are considered "post T1". Similarly, no cases in 2009 were coded. (b) "Focus Cases" counts refer to the MAIN focus of the article/news report/press release only. For a more detailed code count of the data, See Table H.

Table H. Detailed Count (percentages) for All Prominent Codes in the Data  
(Source: Publicly Available Internet Resources on Indian LPOs, N = 152)

Code Counts	Pre T1 (2006 Study)		T1 – T2 (2009 Study)		
	2000 – 2004	2005	2006	2007	2008
<b>Total Coded Cases</b>	<b>2</b>	<b>5</b>	<b>26</b>	<b>44</b>	<b>75</b>
<b>Cumulative Trends</b>					
<i>More Jobs</i>		.40	.46	.55	.62
<i>Higher Demand</i>			.31	.39	.52
<i>High Quality Recruits</i>			.23	.32	.48
<i>Sector Growth</i>		.60	.23	.45	.57
<b>Western (Demand) Advantages</b>					
<i>Economic Efficiency</i>	1.00	1.00	.65	.25	.50
<i>Higher Quality of Work than West</i>			10	.25	.33
<b>Western (Demand) Disadvantages</b>					
<i>Attrition</i>	.50	.60	.25		.01
<i>Poor Quality of Recruits</i>	.50	.40	.15		
<b>Indian (Supply) Disadvantages</b>					
<i>Routine Work</i>	.50	.80	.19	.04	.04
<i>Low Prestige Work</i>	1.00	.80	.12	.04	.04
<b>Indian (Supply) Advantages</b>					
<b>Traditional Professional Prestige Factors</b>					
<i>Professionally Pure Legal Work</i>				.02	
<i>High End Work</i>					
<i>High End Work for Non-Lawyers (E.g. Patent filings by engineer)</i>		.20	.60	.14	.19
<i>“Halo” High End Law Work (E.g. ambiguous reference to work done, referring to LPO as a law firm)</i>				.06	.05
<b>Instrumental Prestige Factors</b>					
<i>Lucrative</i>	.50	.80	.58		
<i>New Offices</i>				.11	0.12
<b>Western “Halo” Factors</b>					
<i>Western Clients</i>	.50	.80	.39	.68	.73
<i>West as Global Opportunity</i>			.08	.54	.66
<i>Western Corporate Culture</i>				.16	.11

Notes: (a) All “counts” above are percentages of cases that were coded with a reference to the particular theme. (b) Both interview studies were conducted in the first few weeks of January 2006 and 2009 respectively. For ease, all 2006 cases are considered “post T1”. Similarly, no cases in 2009 were coded. (c) Code counts include ALL codes that appear in a certain case. While each code was only coded once, each case was likely to have more than one code. This count data is different from the “focus” data (which is limited to one count a case. If you wish to see the only focus counts, See Table G.

Table I: Select Literature on Professional Prestige

	<b>Theory / Contribution</b>	<b>Source(s)</b>
Functionalist Origins	The earliest account for professional prestige is a functional one based on rational choice. Individuals are seen as guided by the rational motive of maximizing returns, but society is based on functional pre-requisites that determine what rewards are appropriate for the fulfillment of duties (D&M, Parsons). Since occupations provide value, prestige is measured by achievement	Wegener 1992, citing Davis and Moore 1945, Parsons 1940.
Normative Theories	From a subjective (inter-professional) standpoint, prestige could be an attribute of Stände or status (Weber) that could be entirely independent of money, occupation and assets but instead, be defined in ways that are not comprehensible by people outside the group. Order between these groups, then, could be defined by membership to groups, authority (Eisenstadt) and an attribute of "charisma" (Shils): i.e., the ability to remain "closest to the centers" of society. Those with greatest charisma, then, retain greatest prominence.	Weber 1947, Eisenstadt 1968, Shils 1968
Relational Theories	Occupational prestige is measured by the relative chance a person in that occupational category has of experiencing deference, acceptance, or derogation in his relations with members of other categories (G&H). The relative honor accorded to someone by virtue of a position in a certain role or as the practitioner of a certain task is commonly called prestige (Sandefur). Prestige is granted by an individual or a collective for performances that are considered above "average" (Goode) and measured through (a) relative honor and (b) relations with others in different occupation (deference, acceptance, derogation) (G&H)	Goldthorpe and Hope 1974, Goode 1978 Sandefur 2001
Stability of Measures	Public perception of occupation rankings is standard and similar despite variation in questions asked (measures) and prestige judgments do not vary with personal attributes of judges (like education, occupation, sex, age, income, region and city size)	Treiman 1977, North & Hatt 1947
	Aggregate prestige scales exhibit strong cross-cultural identity and occupational prestige scores are highly correlated across countries. Most societies are structurally similar and cultural differences have no effects on prestige judgments (I & R, Treiman). This finding was not restricted to the developed countries (Hodge <i>et al.</i> ).	Treiman 1977, Inkeles & Rossi 1956, Inkeles 1960, Hodge <i>et al.</i> 1966



Table J: Traditional Professional Prestige Measures

Source(s)	Theory / Contribution	Nature of Prestige Measures
<i>Functionalist Theories (Societal Level)</i>		
Davis and Moore (D&M) 1945, Tumin 1953	Societies inherently stratify because inherent in every society is an "unconscious device" that ensures that the most important positions are filled by the most qualified persons (D&M). Yet all positions are not equal and more important positions differentiate at entry (high skill and training requirements) and rewards (differences in prestige and esteem correspond to resources invested in gaining entry) (Tumin extending D&M)	Pure Functionalist (f1) Measures – determinant of rank is based on functional uniqueness (no other person can perform) and dependence (degree to which others are dependent). Rewards are based on functional importance and scarcity of personnel (scarcity of supply, availability of talent to fill the position, difficulty of training for positions). Usually, measured by "value to society", "power", "skill", "education attained", "pay".
Abbott 1981, Shils 1968, Berger, Berger and Kellner 1974, Sandefur 2001, Villimez (1974), Adler and Kraus (1985)	Those tasks that are most esteemed and which are in their internal structure and their function closest to the centers of the group possess authority and are entitled to deference (Abbott, Shils) Qualities enjoined by honor provide the link between the self and the idealized norms of the community (Berger, Berger and Kellner), Here functional important may or may not be relevant – but the role or type of work corresponds to legitimating values (Sandefur 2001). However, "ability" and "effort" (Villimez) and "skills and knowledge" are core predictors of prestige (A&K).	Purity Functionalist (f3) Measures – those tasks that are "core" to the profession. This is then a normative theory of prestige. Typically measured by "skill", "knowledge", "ability", "effort", and "sophistication of work".
<i>Functional Theories (Individual Level)</i>		
<i>Personal Functionalist Measures (f3)</i>		
Duncan 1961, Hauser and Featherman (H&F) 1977; Stevens and Cho (S&C) 1985	Traditional model of prestige – "predict" prestige of occupations for which there were no prestige scores using external occupational attributes like associations with mean education and income levels (Duncan). This has methodologically undergone some changes (H&F, S&C), but the prediction mechanisms remain core functional measures (education, income).	Typically measured by "educational attainment", "pay"
Garbin and Bates (G&B) 1966, Goldthorpe and Hope 1974, Wegener 1992.	Most material aspects of occupations are highly correlated with prestige. While "interesting work", "intelligence required", "scarcity of personnel" were all strong significant correlates, the highest relationship between occupational traits and prestige was "intellectual and training requirements" and "rewards of the work" (G&B).	These rewards for work could be monetary "pay/earnings" or non-monetary "fringe benefits".
Goldthorpe and Hope (G&H) 1974,	Prestige is similar to "desirability" of occupations (G&H, H&F). Jencks <i>et al.</i> create an index for this desirability and show that it can be rooted in both	Desirability Measures (Index measure): Prestige of Organizational Setting (state/local/federal)

Hauser and Featherman (H&F) 1977, Jencks <i>et al.</i> 1988	monetary and non-monetary factors. While earnings remain the single most determinant of a job's desirability, nonmonetary characteristics, are salient too (and cumulatively, twice as important as earnings)	employee/union contract), Autonomy/Authority (decides own work, frequent supervision, boss has a boss), Status of Job (gets dirty at work), Pay (earnings), Fringe Benefits (vacation weeks), Hours worked, Occupation, Human Capital investment (on the job training), Hazards (risk of job loss), Technical Characteristics (portion repetitive).
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Table K: Traditional Prestige Measures in the Study of the Legal Profession

Source	Theory / Contribution	Core Prestige Measures
Laumann and Heinz 1977	Prestige within the legal profession is strongly correlated to (a) the type of clients that the specialty services and (b) the degree of intellectual challenge presented by the subject matter of the specialty. The "client-type" remains most salient, with a combination of factors, including intellectual challenge, forming "multifaceted structure" to complement this hypothesis. Income, interestingly, is not significantly associated with prestige.	Prestige of the Client (Societal Level ~ f1, f2) Income NOT important but degree of challenge presented by the subject matter (f2, f3) is.
Howard 1980	Analyses status within the legal profession, drawing focus on the study of intra-occupational status attainment	Prestige of the Client, Size of the Firm, Prestige of the Firm (Societal Level ~ f1, f2); Earnings (Individual Level ~ f3)
Abbott 1981	Details the difference in status assignment between professionals and non-professionals. In pursuit of intra-professional status, professions and professionals tend to withdraw from those qualities that people outside the profession use to assign them status. Thus within the profession, purity of work is more important as an indicator of prestige, while prestige of the client is important for public prestige perception.	For public status perception: Prestige of the Client (Societal Level ~ f1, f2) For intra-professional status perception: Professional purity, non-routine work, "core profession" (f2, f3)
Sandefur 2001	Analyses of prestige judgments show that both "client type" and "professional purity" hypothesis have value because they compliment each other – powerful clients are more likely to require "purer" work.	Prestige of profession, prestige of field among lawyers, field(s) of practice, proportion of clients who are businesses / low status persons (Societal Level - f1, f2) Strategic complex work, frequency of appearance in appellate (high prestige) v. trial courts (low prestige), legal skill and knowledge (f2, f3) Time spent, general, level of supervision over others (seniority, managerial authority) (Individual Level - f3)

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