



AiA Art News-service

BAR & BENCH

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Working Title

How this **lawyer** aims to *make an impression* in the art world



*Part-lawyer, part-artist, **Bahaar Dhawan Rohatgi** is a woman on a mission. Having witnessed the rigours of the art scene in India first-hand, she knows just how hard it is for up and coming artists to make it. Armed with unique perspectives on how things work in the fields of both law and art, Bahaar now aims to explore how having better laws and regulation can safeguard the interests of artists whose rights are often compromised.*

*In the edition of Bar & Bench's **Working Title** series, Bahaar Dhawan Rohatgi talks about her transition from law to art and then back, her endeavour to reinforce art laws in India, and more.*

What prompted you to leave a law firm job and take up art full time?

After graduating from Symbiosis Law School, Pune, I worked at **Shardul Amarchand Mangaldas** from 2010-2015. I always had a talent for painting, but it was quite subdued during college. During the third year of my law firm job, I actually started making time for art. I realised I could work on art on the weekends and the days I got home early. It helped as a release from work.

The more I painted, the more people in the law firm got to know about it; the word spread with a couple of Facebook uploads. My friends at work, including my seniors and the partners, started buying my work. Before I knew it, I was doing it very seriously and one thing led to another.

Once I got married, though I had other responsibilities, I knew I wanted a career. So, I started furthering my art, and the more I experimented, the more I was perfecting my own language.

At this point, I realised that I could not keep up with the hectic schedule of a law firm. Though I was very happy with the work, I knew it would be a problem once I got married. While the work was interesting and challenging, there wasn't really a work-life balance, so I couldn't really carry on.

What are your influences as an artist?

Whenever I traveled, I made it a point to visit galleries and museums. I love how locals live; just seeing how they live helps me a lot in thinking about my art. I am mostly an abstractionist, so vivid terrains and how textures and colours interact with each other really influence me. I collect local pigments to represent the footprints of my journey.

As a lawyer, I also feel connected to social causes. Last year, after demonetization, there was a rumour propagated by these self-proclaimed pandits that if you capture owls and kill them in your homes, Goddess Lakshmi will stay in your homes. And the pandits were charging a lot of money to capture these owls. I thought that though I cannot do anything to dispel superstitions, I might be able to make people invest in owls in different ways. So, I did a full series on owls to question people for following this ridiculous superstition. I tried to humanize the owls' expressions so that they speak to you.



Women have had a very important influence in my life. My mother – who raised us as a single woman -my mother-in-law, and my sister. I have always felt that women have a lot of untapped potential and sometimes if that potential is not fulfilled, it can lead to negative outbursts. I channeled these emotions through my Inner Reflections series, which was dedicated to women.

I would also like to give credit to my husband and my father-in-law for their constant support.

As much as possible, I like the story to be untold and for the viewers to see what they see.

Is there any way your legal experience has helped you as an artist?

I put my art out there on social media, sometimes even before the shows would happen. In this day and age, you don't have to wait for things to happen; you just need to seize the moment and put it out there. Not having been trained as an artist, I didn't know any better. I would attribute this confidence to my legal background, where you call a spade a spade.

What has inspired you to take up the cause of strengthening art law in India?

I did two courses on the business of art because I wanted to understand how the art market worked. I am not trained as an artist, so I really wanted to know what it takes to click in the business. As I went along, I realised that it is rife with loopholes. There are so many problems when it comes to the art field.

There is no legislation and no governing body that can tell you right from wrong. Fakes are a huge problem. There are only a handful of masters from whom dealers buy. There is a lot of speculation in terms of pricing. It seems like only this handful of artists are fetching the proper price for their works. Emerging artists get sidelined. I got very passionate about this side of things, and being a lawyer helped me a lot.

In the art world, things are very hush-hush. Works are sold to clients without revealing the price for which they are marked. Pricing is very speculative. It depends on a number of things, like the trajectory of the artist. Who decides what is good and bad art? There are so many artists' works that I don't understand, and they are doing extremely well. Having said that, some galleries are really good in terms of supporting artists.

In the last two years, I have had showings in many places and have done several collaborations. I have realised that artists are not getting their due. Even the established artists face an issue because when their works get resold, they get no royalties. If I sell a work for Rs. 2 lakh, and it later gets resold for Rs. 6 lakh, the dealer gets to pocket everything.

There are also many tax issues. People try to avoid paying the GST for art works. That again hurts the artist.

The laws are very unclear. We don't have very strong copyright laws when it comes to fakes; there is no accountability. The art market operates on trust.

You have since gone back to law.

I decided I wanted to do something about it, having had legal experience. By a stroke of luck, the American Bar Association was having this conference in Japan and I went there and gave a talk of art law in India. I then went back to law, so as to not lose touch. Tomorrow, if I want to do something for the artists' communities and the galleries, I would need a platform.

How do things need to change?

To deal with these issues, all the sales of the artist should be on documents, so that there is ease of reference. This should be made mandatory, and for that, we need some rules in place. Artists should also have the right to know who they have sold to. There has to be some regulation.

India is such a pool of talent; if the situation continues the way it is, no one will take up art. Up and coming artists should be encouraged so that they can follow their passion and take up art as a full-time career.



Bahaar Dhawan Rohtagi alongside one of her works

Despite our resources, our country has not promoted art; there are only a few public museums. Art has to be brought to the public. Through our education system, we are not taught to value art. Indian people will spend a lot on jewellery and cars. They will even spend 10 lakh on a sofa, but think a hundred times before buying a work of art, which is actually an investment. Indian artists very often find themselves making commercially viable art in order to sustain themselves.

What is the way forward?

I don't think the government will do anything at this stage unless some of us take initiative and make a draft framework and present it to them. Some of the seasoned minds in the art world are attached to private galleries. So, it gets a bit tricky, because they will not call out the fakes easily. Authentication of works is another area of concern.

I am hoping to get volunteers to help me put in place a broad framework to enable the lawmakers to act on the same. Establishing an authority for authentication of works is another priority. We need one forum so that people are not reinventing the wheel every time an independent party wants to show. This body can also document all the sales and the amounts for which works of art were sold for. Guidelines on the lines of those dealing with property, securities etc are required.

What I really want to do is to carry on with my painting, but also support artists through law.

How do you find time to balance both interests?

Luckily, I am working with a counsel who is extremely accommodating. He really lets me grow in my endeavours; if it wasn't for him, I don't think I could juggle so much. I plan to focus on art law and do a lot of copyright cases for creative people. If a law comes into place, it won't be just beneficial for visual art; it will help anyone involved with the creative process.

What advice would you have for lawyers who aim to follow the less-traveled path?

I am someone who likes being pushed off a cliff in order to perform well. It is not for everybody, but if I strongly feel about something, I will go for it. People use to tell me when I was working in the law firm, 'If we had a talent like you, we wouldn't be working!' But it is easier said than done. You need to have a backup plan. I first tested the waters and only made the decision to quit my job because my first show sold out.

If any lawyer wants to pursue other ambitions, they need to test the waters. Slowly sow the seeds, don't jump into it overnight.

Doubt kills more dreams than failure ever will and an artist goes through a constant struggle of questioning his/her abilities, as in this field, nothing is written in stone. Creativity takes courage and the challenge is to stay at it even if you don't see success immediately. Any life altering decision must be carefully thought through, but if the passion is strong enough, it will guide you and pave the way for you.

Being an artist means forever healing your wounds and at the same time exposing them. The art industry – both artists and galleries – need all the support so as to ensure that the common man views art as the new 'gold' and invests in the same. It is time art in India is given its rightful due.