

How to Capture a Gesture

Sandra Petrasevic

The history of art is a history of anthropological shocks reflected in the response by the artists of their time. Modern art was rushed in by the Industrial Revolution, posing questions regarding the acceleration of life. Renaissance art developed in tandem with humanist philosophy. With the advent of print in the early fifteenth century, Dürer—masterminding the medium that by its very nature is a copy in itself—was the first to address questions about copyright by filing the first lawsuit regarding intellectual theft. In response, Emperor Maximilian prohibited the printing and selling of copies of his engravings. Following this, Dürer authored a treatise in which he ferociously rebuked imitators of his art and informed them that this misconduct was punishable by death.

The subsequent era, as we have only recently reassessed, had a very different stance on copies of art. The old masters of the Renaissance not only allowed their students to contribute to their paintings in order to let them refine their skills¹—most often permitting them to paint something in the background—they could also sell copies of the master's paintings over the counter as their main source of income.

¹ The technical element was one of the pillars of classical fine art but is usually not given much attention in the present schooling of artists, at least in the West. For example, much of Asian understanding of art still draws on the practice of calligraphy, the apprenticeship for which resonates heavily with those of the Renaissance.

Still, technical drawings are not entirely erased from the sphere of Western art, where exhibition designers and architects maintain a steady supply of technical drawings, not to mention Sol LeWitt's monumental production of his *Incomplete Open Cubes* (1974/1982).

The generosity of Renaissance masters is also demonstrated in the notes (disputably treatises that, given their rhetoric, are meant for a wide audience) they have left behind. Plenty of them advise on the drawing of gestures, a subject that has been extensively attended to by Renaissance colossi such as Michelangelo and Da Vinci. Inevitably, one must mention Da Vinci's *Vitruvian Man*, an ink and pen drawing dated around 1487, which itself happens to have been based on the writings of Vitruvius Pollio, renowned Roman architect and engineer of the first century B.C.

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The organization of gesture was undertaken as early as Cicero, whose teachings were revived in the first century A.D. by Quintilian, with his instructions for orators and the compelling use of gesture within the discipline of rhetoric. Quintilian's influence reached well into the fifth century and then briefly rose to popularity in France in the twelfth century and was embraced by English humanists in the early fourteenth.

The Middle Ages witnessed a surge of manuals on gestures of different natures, some providing gestural guidance concerning veneration, others reacting to Catholic-Protestant schism, with priests having to take up a role between educator and market barker, partaking in a rhetorical competition for devotees begging for gestural significance.

Nevertheless, drawings in patents are not always precise, specialized or even useful. Peter Jellitsch has incorporated one of these apparently superfluous drawings from a patent,² depicting a *Happy Family*,³ transitioning this image onto his very first series of canvas paintings. Jellitsch copied each of the paintings by projecting his freehand copy of the patent's side note onto canvas. More explicitly, they have been traced—always partly—onto canvasses of different sizes and shapes, with their background painted in diverse colors. He has created a subject-based, numbered color system for this series; every canvas has been enriched with a number corresponding to its color.

The current renewed focus on gestures is of an entirely different nature, one might sense an inversion of the generosity that has accompanied previous descriptions and illustrations of gestures, as major players such as Apple and Google seek to seize as many patents of gestures as possible given the rapid advance of haptic technologies, of which the most emblematic might be Apple's "slide to unlock" gesture. The representation of gestures in such patents is often illustrated via a sequence of numbered dots instructing a movement somewhat reminiscent of a "connect the dots" puzzle, traceable by one's fingers.

² Patent Publication "No.: US2004/0162752 A1" from Aug. 19, 2004 (expired in June 2019).

³ Jellitsch's title for the illustration on the left bottom of the original patent sheet (as seen in this publication on P. 62)

Every work in this series consists of four canvasses that have been mounted together, culminating in unique repetitions of the same image. The repetition in different colors implies Jellitsch's complete dispossession of the image as he alters its properties, such as size, proportion and color, at his will, of all things snatched up from a regulating document whose nature is to claim an idea or system and leverage in case of the idea's or system's usage. It is almost as if Jellitsch has found a weak spot in the patent apparatus by dislocating the least important image in this particular patent and elevating it to art. As everybody knows, fraud is one of the great threats, first and foremost, to the secondary market, but also to the living (probably somewhat established) artist.

Such repetition also generates recognition value. In the art market, recognition value is one of the main markers and functions not only as a currency but also as a patent. As an artist, if one is the first to formulate a language or find a signature—through form or idea—and has this documented and dated, they realize a claim that is not difficult to attain given that social media have rendered gallery representation and exhibitions obsolete in their auxiliary function as providers of evidence. The artist may not find this kind of copyright of any use in terms of monetary profit; nonetheless, they probably gain, at least somewhat, in fame as copycats imitate their style or topics.

If the image in question were part of a living artist's work, the artist would basically admit to a lack of capacity. If it was taken from the work of an artist that has passed away, the imitator would be well advised to mention the reference or this would be considered fraud. The corporation and artist share the same approach in securing intellectual property in that they attach name and date to it, more or less publicly.

In our day and age, we have accumulated a long cultural history of imitations and fraud as well as claims, references, and appropriations. We have also observed the rise of the museum⁴ and of the artist⁵ as a brand, heightening the gravitas of recognition value.

Now that we are facing a perpetually growing collaboration between our bodies and digital devices, companies are increasingly reacting to the use of our bodies with demanding regulations, provoking Peter Jellitsch to lead the very core of this effort ad absurdum.

⁴ Referring to the museum experience, which seems globally uniform, each institution implementing the same style of cafe, gift shop etc.

⁵ For, as mentioned, recognition value works as one of the most important factors in the art market.