

# In Dance, Borrowing Is a Tradition

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The “Nutcracker” season is almost upon us — but can you be sure who choreographed all of the versions you might see? Last year, as I [toured the United States](#) in a “Nutcracker” marathon, I observed how more than 12 American productions featured the Sugar Plum pas de deux that Lev Ivanov choreographed for the 1892 original in St. Petersburg. But in only one case was the pas de deux — whose adagio, early on, features a beautifully spectacular phrase unlike anything else in 19th-century ballet, with the ballerina seeming to peel herself open in her partner’s arms — actually credited to Ivanov.



Anthony Huxley in the hoop dance, dating from 1892, in City Ballet's “Nutcracker.”



Some of the choreography in Beyoncé's video “Countdown,” displays striking similarities to “Rosas Danst Rosas,” Anne Teresa De Keersmaeker's piece from 1983.



screenshot from De Keersmaeker's “Rosas Danst Rosas.”

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Should we call this plagiarism? I ask because, in October, the choreographer Anne Teresa De Keersmaeker observed that Beyoncé and her director, Adria Petty, had [lifted sequences from two of Ms. De Keersmaeker's works](#), “Rosas Danst Rosas” and “Achterland,” in a recent video, “Countdown.” Thanks to the use of close-ups on screen, Beyoncé's borrowings look unmistakable.

Ms. Petty, moreover, in an [article on GQ.com](#), said of Ms. De Keersmaeker, “Her work blew my mind.” She added that she regretted that, because video editing had been so rushed, that Ms. De Keersmaeker was not given a credit.

She said, “And the hope from my end was that this would put her work out there in front of a lot of people who wouldn't have discovered it otherwise.”

[Ms. De Keersmaeker's first reaction](#) was to say: “This is plagiarism. This is stealing.” She later conceded, “I am glad that ‘Rosas Danst Rosas’ can perhaps reach a mass audience, which such a dance performance could never achieve, despite its popularity in the dance world since 1980s.”

I'm afraid I can't get exercised about the subject: Ms. De Keersmaeker's simple movements are scarcely of striking

originality in the first place. The way Beyoncé and Ms. Petty have chosen to fill the screen with them makes the parallel far more intense than it would appear onstage. But then, Ms. De Keersmaeker's choreography follows the tradition of many postmodern choreographers in being concerned not with original movements but with recontextualizing ordinary ones. We aren't wrong, as a rule, to consider George Balanchine among the most original of choreographers — yet we can also see why he liked to stress the other side. When people praised him as a creator, he'd say, “God creates — I assemble.” Assemblage, not invention, is the choreographer's basic task.

Compared with the chunks of unacknowledged Ivanov in multiple American “Nutcracker” productions, the Beyoncé/De Keersmaeker issue is peanuts. Several of those Sugar Plum pas de deux I saw around the country also featured sequences from Balanchine's 1954 version, which is danced by New York City Ballet and at least four other American companies. It's now marketed as “George Balanchine's ‘The Nutcracker’ ” — yet at least two important parts of it aren't by Balanchine. He made no secret about having taken his Nutcracker Prince's mime scene and the Candy Cane number (the hoop dance to the Russian trepak

music) from the version he had danced in Russia in his youth.

The program acknowledgments, however, tend to pass over this. At least two other ballets listed in New York City Ballet's repertory as "by Balanchine" — "Pas de Dix" and "Minkus Pas de Trois" — feature whole sequences and dances almost entirely by Ivanov's senior contemporary Marius Petipa. If you're in ballet-sleuth mode, you should also take notice of a favorite Balanchine device: to take some well-known steps from the original and set them to another part of the music. In "The Nutcracker" he takes the most famous step of the original 1892 Sugar Plum Fairy, the gargouillade (a sideways jump in which the feet write rapid rings in the air) — whole series of them — and gives it instead to the ballet's third-ranking female figure, the Marzipan dancer, who performs it to different music.

These liftings — far more sizable than Beyoncé's — recur often in ballet. If you're steeped in various versions of "The Sleeping Beauty" and go to Peter Martins's version at City Ballet, you can actually tell, when it comes to the solo that Princess Aurora dances as a vision in Act II, which video Mr. Martins was looking at when he staged his version in 1991. The first three-quarters of his solo come, step for step to the same music, straight out of the Royal Ballet version, as broadcast in 1978. They were in fact the work not of the ballet's first choreographer, Petipa (who chose not to set this part of Tchaikovsky's score, and whom Mr. Martins acknowledges as one of his sources), but by the Royal Ballet's founder-choreographer, Frederick Ashton (whom Mr. Martins doesn't acknowledge), in 1952. Since Mr. Martins changes the dance's ending, however, he can say that it is his own spin on received material.

Is this a big deal? Probably not. Ashton in turn began this dance by adapting Petipa steps here to different music. He also placed into almost all his ballets a phrase that he had seen Anna Pavlova dance. He changed its dynamics, its duration and some of its internal details so as to keep its reiteration a secret from the audience. (Even when you know how it goes, it can take you many dozens of viewings

to spot some of its occurrences.) Though his dancers called it "the Fred step," Ashton himself told me he meant it as a Pavlova talisman, a private acknowledgement to her inspiration.

One famous choreographer who did cry "Thief!" was Jules Perrot, the best-known ballet choreographer of the mid-19th century. In 1861, on the charge of "infringement of copyright in choreography," he took to court none other than Petipa, then in the early stage of his long career. Petipa had arranged a one-act ballet, "Le Marché des Innocents," for the Paris Opera debut of his wife, Marie Petipa. It had music by Cesare Pugni, who had composed for both Perrot and Petipa. Marie Petipa asked Perrot, who had also arrived in Paris that summer, if she could dance his "pas" (dance) "La Cosmopolitana" (originally arranged for his ballet "Gazelda, ou Les Tsiganes") within her husband's ballet. Perrot had said no; the Petipas used it anyway.

The 1861 court ruled in favor of Perrot, agreeing that the composition of a dance "could nevertheless constitute a composition in which copyright might exist." Even though this pas had been performed first in Russia, it was the work of a Frenchman, and so copyright applied in France. Perrot was awarded 300 francs damages.

Had Ms. De Keersmaecker's lawyers tried taking Beyoncé to court, they would have had a far weaker case; the Perrot-Petipa dance was one unbroken dance with identical music, whereas Beyoncé's very short snippets are danced to her own score. As it is, Ms. De Keersmaecker's reputation has only been improved. Has Beyoncé's been damaged? Scarcely. We can call her a pilfering magpie without finding her less watchable.

There would be better legal ammunition in all those "Nutcracker" productions. But the reasons few have wasted time crying, "Thief! Thief!" about the choreography of Ashton, Balanchine and so many regional "Nutcracker" staggers are obvious. Those works contain their thefts, but they contain greater signs of assemblage