concerns about mortality, we might approach choreographic copyright as an attempt to come to terms with—and, simultaneously, to negate—the ineluctability of death. It is an undertaking no less potent and no less poignant for its impossibilities.

Read along the lines I have suggested here, the Balanchine and Graham legal trials are not only case studies of choreographic copyright but also, on some level, allegories of the various kinds of stakes involved in contests over intellectual property rights in dance. At issue in both cases was not only who should control the right to reproduce choreography but also how to reconcile the overlapping but not identical temporal dimensions of the human choreographer and the embodied work. And, although neither case was "about" race or gender, both cases implicitly evaluated the choreographer’s entitlement to the historically white masculine privilege of propertyd personhood. As a legal mechanism for regulating dance’s circulation, we might conclude, choreographic copyright is always already haunted by its own problematic ontology and by the legacies of raced and gendered inequality out of which it was forged.

Coda

Beyoncé v. De Keersmaeker

In the fall of 2011, the African American pop star Beyoncé released a music video for her single "Countdown." Singing about her steadfast love for her man, Beyoncé appears in a series of quick edits, sometimes in close-up, sometimes in split screens, sometimes in long and medium shots with a small group of backup dancers. The video, co-directed by Beyoncé and Adria Petty, is packed with references to icons of the 1950s, 60s, and 70s, including Audrey Hepburn, Andy Warhol, and Diana Ross. But, as some were quick to notice, much of the movement vocabulary—floor rolls, head swings, hands running through hair, the sliding of a shirt on and off the shoulder, casual pivot turns, the shifting of positions while seated on a chair—as well as some of the mise-en-scène and camera shots, bore a striking resemblance to two works by the Belgian choreographer Anne Teresa De Keersmaeker: Rosas dans Rosas, from 1983, and Achterland, from 1990, films of both of which are accessible online. More than one YouTube user compiled a side-by-side comparison highlighting the similarities.

In the wake of the similarities, De Keersmaeker issued a statement accusing Beyoncé of plagiarism and threatened legal action against Sony, Beyoncé’s music label.

This was not the first time Beyoncé had been accused of stealing choreography, the most well-known example being her liberal borrowing of a Bob Fosse style move.

2 See, for example, http://www.youtube.com/watch?v=3ln4cWjhh1H4c and http://www.youtube.com/watch?v=9D70cm54F7m. Accessed August 21, 2013.
3 It is important to point out that plagiarism and copyright infringement are often overlapping but not interchangeable offenses. In general, plagiarism is the academic infraction of using another’s work without giving credit, while infringement is the legal offense of using another’s intellectual property without permission. See, among others, Michael A. Porrat, The Little Book of Plagiarism (New York: Random House, 2007).
Fosse number for her 2008 video “Single Ladies (Put a Ring on It).” The prevailing response to the revelation of “Countdown”’s debt to De Keersmaeker was to denounce Beyoncé as a copyleft.6 Seen in historical context, however, Beyoncé’s unauthorized reproduction takes on a different cast. In appropriating the white avant-garde, Beyoncé reverses the racialized logic of property that has helped underwrite the development of choreographic copyright in the United States. As I have tried to show throughout this book, the legacy of an equation between whiteness and property ownership has shaped dancers’ engagement with copyright in meaningful ways. From Lole Fuller’s and Ruth St. Denis’s use of Nautch dance sources, to George White’s claim to have invented the Black Bottom (countered by Alberta Hunter’s rumored copyright of the dance), to the eclipse of African American tap dancers on Broadway by Hanya Holm and Agnes de Mille, the story of choreographic copyright has time and again demonstrated both the privilege whites hold to “use and enjoy” and take credit for movements material generated by black and brown dancers and the obstacles facing black and brown dancers who have sought to occupy the terrain of possessive individualism. Beyoncé’s choreographic actions in “Countdown”—turning the white avant-garde into fodder for her own cultural production—flip the script that has long authorized white artists to take from non-white and “high art” to borrow from “low.”

The Beyoncé–De Keersmaeker incident provides a fitting coda to this book for several reasons. Most saliently, it provides a chance to ask how the history we have traced in the foregoing pages haunts contexts and the circulation of choreography in the age of YouTube. How might earlier dance-makers’ struggles for the rights of possessive individualism inform our understanding of what is at stake in the skirmish between Beyoncé and De Keersmaeker? How does the legacy of a correlation between gendered whiteness and property rights shape constructions of ownership in dance in the digital age? As much as Beyoncé’s “Countdown” reverses the sanctioned flow of choreographic traffic, the response to that reversal, I will argue, is evidence of the lingering effects of the racialization of choreographic copyright.

Of course, the “Countdown” episode departs from the other examples covered in this book in some key ways. Although technological mediation was by no means absent from the circulation of dance in earlier copyright cases (witness the placards of Fuller’s Serpentine Dance and the photographs of Balanchine’s Nutcracker ballet), there is no question that the digitization of dance has increased both its availability and concerns about its “theft.” The Internet was at the very center of “Countdown”’s property dispute: it was not only the stage on which Beyoncé debuted her music video and the means by which she gained access to De Keersmaeker’s choreography; it was also the vehicle through which users exposed Beyoncé’s choreographic debt to De Keersmaeker and the site at which much of the resulting debate transpired. Rather than viewing the Beyoncé–De Keersmaeker incident as the inevitable byproduct of dance’s digitization, however, I see it as an index of the ways the contesting racial and artistic hierarchies in which choreographic copyright was forged continue to lurk in contemporary dance-makers’ intellectual property claims.

The Beyoncé–De Keersmaeker conflict also breaks from the US frame of this book. A dispute between a Belgian choreographer and an African American pop star does not fit neatly into the nation-specific historical narrative I have described to date. Though intellectual property circulates globally, copyright

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7 In like manner, Joseph X. Slaughter writes about the postcolonial and racial politics that frame the dividing lines between different forms of intertextuality, licensing white authors to borrow from African writers but not the reverse. “The ‘problem’ of plagiarism,” he summarizes, “has often been a problem of the color line.” “It’s Good to Be Primitive,” African Allusion and the Modernist Fetish of Authenticity” in Modernism and Copyright ed. Paul K. Sant'Ambrogio (New York: Oxford University Press, 2011), 278.
laws remain "national or territorial in nature." But if the flow of De Keersmaeker's choreography across national borders and the transnational dimensions of her plagiarism claim exceed the geographic scope of this book, they can also help us think differently about the "national" examples covered earlier. Loie Fuller, Ruth St. Denis, Johnny Hudgins, Hanya Holm: each of these artists criss-crossed the Atlantic, as did their choreography. In many cases, those crossings fueled their investment in proprietary rights. In this sense, the transnational scuffle over "Countdown" retroactively haunts the seemingly US-specific case studies that form the pillar of this book, just as those earlier cases haunt the choreographic and legal actions of Beyoncé and De Keersmaeker.

Beyoncé and De Keersmaeker are worth considering here, finally, because the two sit at opposing poles of the contemporary dance landscape. Corresponding to their respective associations with art versus entertainment, De Keersmaeker belongs to a postmodern tradition in which the choreographer retains her author function (despite efforts to disavow it), while Beyoncé is part of a music video dance tradition in which the pop star performer rather than the (usually anonymous) choreographer stands to gain the most from danced cultural production. Precisely because of the differences in their locations, racial positions, and economies in which they circulate, the slippage between Beyoncé and De Keersmaeker suggests the extent to which "encounters with others"—and the historical legacy of past encounters—continue to shape contests over authorship and ownership in dance.

"It ain't nothing that I can't do": Inverting White Privilege

Throwback is at the heart of the three minute and thirty-three-second music video for "Countdown," a song featuring "a toothsome mix of hip-hop and dancehall and Afro-beat," which was generally seen as the most experimental track on Beyoncé's fourth solo album, titled 4. The chorus is a literal countdown—and a sample from the 1990s rhythm-and-blues (R&B) group Boyz II Men's song "Uhh Ahhh"—on top of which Beyoncé sings:

My baby is a ten
We dressin' to the nine
He pick me up we eight
Make me feel so lucky seven
He kiss me in his six
We be makin' love in five
Still the one I do this four
I'm tryin' to make us three
From that two
He's still the one.10

The video plays with the idea of countdown even before we reach this chorus.11 Fifteen seconds in, Beyoncé, wearing bangs, a black turtleneck, and cropped pants, à la Audrey Hepburn from Funny Face (1957), circles her arms counterclockwise like the second hand of a clock. Temporal rewind is also writ large in the video's overall retro aesthetic. Described as "a technicolor dream ride through mod and vintage cinema glories," and an "homage to '60s chic," the video has Beyoncé alternately channeling various black and white female icons—not only Hepburn and Diana Ross, but also the British model Twiggy and the French model and actress Brigitte Bardot.12 The visual look of the video, meanwhile, alternates between black and white and color blocking. Beyoncé's rescurections of De Keersmaeker's choreography, which constitute the most extended dance sequences in "Countdown," are further evidence of Beyoncé's "affinity for recalling the past in her videos.12 De Keersmaeker's

[Notes]
7 It is certainly the case that a number of choreographers who are classified as "postmodern" or "contemporary" have sought to distance themselves from the modernist emphasis on authentic invention (by using collective improvisation, chance procedures, and pedestrian movement, for example). But these artists continue to reap the rewards, financial and otherwise, that accrue to the figure of the author.
movement, performed first by Beyoncé's dancers, who are then joined by Beyoncé, crops up less than a minute into the video and continues intermittently through its end. That the past recalled choreographically was not the 1960s but the 1980s (and 1990) did little to disturb the video's aesthetic. In fact, until those familiar with De Keersmaeker's work called attention to the correct sources, viewers mistakenly identified the 1980s dance films Flashdance and Fame as the referents for "Countdown"'s straight-up dance segments. Perhaps not surprising, given the off-the-shoulder shirts and open studio space that appear in "Countdown," this misreading reveals how far off the pop culture radar De Keersmaeker was. While critics later pronounced it "weird" for Beyoncé and De Keersmaeker to occupy the same movement, the movement qualities of De Keersmaeker's choreography—both the expression-filled, minimalist gestures of Rosas danst Rosas and the dramatic falls, rolls, and ripped, body isolations of Asteria—seemed to fit right in with "Countdown's" retro chic feminism.

What was decided un-retro was Beyoncé's unauthorized reproduction of that choreography, insofar as it inverted the historical pattern of acclaimed black artists taking from non-black dancers. In suggesting this line of argument, I do not mean to equate Beyoncé with the generally anonymous and uncompensated African American dancers who have so frequently served as inspiration for white choreographers. Beyoncé is hardly what we could call disenfranchised. One of the most popular recording artists of this century, in 2012 she had an estimated net worth of $350 million, and in April 2014, Time magazine placed her on the list of one hundred most influential people. As others have observed, much of Beyoncé's music is specifically about black female empowerment and material success, or, more precisely, female empowerment as material success. Music critic Jody Rosen notes that "from 'Independent Women' to 'Single Ladies' to 'Run the World (Girls),' Beyoncé's anthems view female self-determination in mercenary terms." In her analysis of Beyoncé's 2006 album B-Day, scholar Daphne Brooks likewise notes a "troubling ... fixation on materialism" coursing through the album. But, in a compelling reading that juxtaposes Beyoncé's assertion of black female "socioeconomic autonomy" with black women's mass dislocation and dispossess in New Orleans in the wake of Hurricane Katrina, Brooks argues that the album's focus on ownership and personal property represents a provocative refutation of "the spectacular marginalization of African-American women in American sociopolitical culture."

Following Brooks's lead, I also read Beyoncé's choreographic moves in "Countdown" as assertions of power and agency. Instead of being about material belongings (though she does tell us, "Yay, I buy my own, if he deserve it, buy his shit too"), however, the video evidences a different kind of possessiveness: the right to acquire movement from whatever source Beyoncé sees fit. She exercises this right by borrowing whole chunks of movement from De Keersmaeker, and in so doing, corporeally claims a privilege that has historically belonged to whites. Revealing the conventional racial dynamics of borrowing and flouting the "no trespassing" signs around "high-culture white forms," Beyoncé treats De Keersmaeker's choreographic output as if it is in the public domain and therefore free for the taking.

In response to accusations of plagiarism, Beyoncé issued a statement, explaining:

Clearly, the ballet "Rosas dans Rosas" was one of many references for my video "Countdown." It was one of the inspirations used to bring the feel and look of the song to life. I was also paying tribute to the

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22 http://time.com/collection/2014-time-100/53. Accessed May 25, 2014. Beyoncé's breast appears on the cover of Time in minimal clothing ignited a firestorm of controversy over her feminist credentials, with black feminist critic bell hooks going so far as to call it a case of "disenfranchising an image of herself that collided with 'white supremacist capitalist patriarch' and 'the construction of herself as a slave.'" http://www.callsandcalls.com/2014/02/bell-
film, “Funny Face” with the legendary Audrey Hepburn. My biggest inspirations were the ‘60s, the ‘70s, Brigitte Bardot, Andy Warhol,Twiggy and Diana Ross.  

Video co-director Adria Petty likewise told MTV News that she “brought Beyoncé a number of references and we picked some out together. Most were German modern-dance references, believe it or not. But it really evolved.” Beyoncé reported finding Rosas danst Rosas “refreshing, interesting and timeless,” adding, “I’ve always been fascinated by the way contemporary art uses different elements and references to produce something unique.”

The inaccuracies here are noteworthy. De Keersmaeker is a Belgian not German choreographer, and her works date from none of the decades that Beyoncé invokes. Yet I can’t help but be reminded of the long history of mis-recognition of African diasporic dance—perceptions, for example, of Josephine Baker as an African dancer, and of jazz dance as the sign of a timeless primitivism. Inaccuracies aside, Beyoncé’s point is that she considered De Keersmaeker not some offimits realm of art, but, rather, one of many sources of inspiration, just as available to her as pop culture icons like Twiggy and Diana Ross. Invoking the freedom contemporary art enjoys to “use different elements and references to produce something unique,” Beyoncé implies that she possesses this same prerogative. Again, given her phenomenal wealth and celebrity status, to advance an argument about Beyoncé’s assertion of possessive individuality may seem redundant, even perverse. The perception of her power to police her own work is such that, in the wake of the “Countdown” incident, Rosas danst Rosas filmmaker Thierry De Mey remarked,

If tomorrow I were to look for the music, the videos by Beyoncé or any other pop or rock stars and use them in my movies without asking for their authorisation, I think I would fall over the Charlebois dance festival and myself.


Hyperbole aside, the fact that Beyoncé’s legal team sent cease-and-desist letters to websites that leaked the “Countdown” music track before its official release date leaves no ambiguity about her proprietariness. What is not redundant from a historical standpoint is the choreographic form this black woman’s proprietariness took.

In his recent essay “Unchecked Popularly: Neoliberal Circulations of Black Social Dance,” Thomas DeFrantz critiques the ease with which African American social dances spread beyond the particular sociological contexts that gave rise to them. DeFrantz explains how “appropriation...the re-purposing of dance to allow its entry into diverse economic markets—reconfigures black physicalities into a place of interchangeability with any who would do the dances, and allows access without concerns of situation or material circumstance of the dancer under scrutiny.” What is so
Neither Angered nor Honored: White Avant-Garde Anxiety

The inversion of a legacy, however, does not signify its death. Before we celebrate Beyoncé’s actions as an indication that we have arrived at some mythical “post-racial” moment, before we conclude that YouTube has overturned entrenched racialized hierarchies between protectable works of authorship and the unrestricted public domain, we need to consider De Keersmaeker’s response to “Countdown.” More than ambivalent, De Keersmaeker’s reaction betrays a racially tinged apprehension about the circulation of choreography in the global marketplace and about the boundaries between the white avant-garde and black popular culture. Her attempts to police the reproduction of her choreography, like those of Colin Fuller a century earlier, also demonstrate the ongoing importance of intellectual property rights as a site for dancers negotiating the dividing lines between subjecthood and objecthood, art and commodification, privilege and marginalization.

De Keersmaeker responded to “Countdown” on two fronts: legal and rhetorical. A lawyer for her company Rosas evidently contacted Sony, maintaining that the music video could not be shown without the prior approval of De Keersmaeker and De Mey. Although little is known about the resulting negotiations, several factors suggest that the parties reached a settlement: first, Beyoncé released an alternate version of the video with De Keersmaeker’s choreography excised; second, when the video was nominated for an MTV Video Music Award for best choreography, De Keersmaeker was listed as co-choreographer (along with Danielle Polanco, Frank Gatson Jr., and Beyoncé herself); and third, the original, un-excised “Countdown” video remains on Beyoncé’s website.

Meanwhile, in an interview with the radio station Studio Brussel, De Keersmaeker called Beyoncé’s actions outright “stealing.” “I’m not mad, but this is plagiarism,” she maintained, adding that she found it “rude” that “they don’t even bother about hiding it.” 44 De Keersmaeker also issued the following public statement, which was posted on Studio Brussel’s website:

Like so many people, I was extremely surprised when I got a message on Facebook about the special appearance of my two choreographies—Rosas dans Rosas (1983) and Achterland (1990) in Beyoncé’s new videoclip Countdown. The first question was whether I was now selling out Rosas into the commercial circuit.

26 Although Pumiko Ikeda, one of the founding company members of De Keersmaeker’s company Rosas and an original cast member in Rosas dans Rosas, is Japanese, the dancers who appeared in the 1997 film version of Rosas dans Rosas—the version to which Beyoncé had access—are all white. Ikeda does appear in the 1994 film adaptation of Achterland.
27 De Keersmaeker and Conjetil, A Choreographer’s Score, 85.
28 In an interview with GQ, music video co-director Adria Petty claimed that “it was everyone’s intention from the get-go” to credit De Keersmaeker and that the failure to do so was “basically an oversight.” “Video Deconstruction: Director Adria Petty on Beyoncé’s Countdown,” The GQ Ery, October 10, 2011, http://www.gq.com/style/blogs/the-gq-ery/2011/10/video-deconstruction-
She continued:

People asked me if I'm angry or honored. Neither. On the one hand, 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. And, Beyoncé is not the worst copypast, she sings and dances very well, and she has a good taste. On the other hand, there are protocols and consequences to such actions, and I can't imagine she and her team are not aware of it.

To conclude, this event didn't make me angry, on the contrary, it made me think a few things. Like, why does it take popular culture thirty years to recognize an experimental work of dance? A few months ago, I saw on Youtube a clip where schoolgirls in Flanders are dancing Rosas danst Rosas to the music of Like a Virgin by Madonna. And that was touching to see. But with global pop culture it is different, does this mean that thirty years is the time that it takes to recycle non-mainstream experimental performance? And, what does it say about the work of Rosas danst Rosas? In the 1980s, this was seen as a statement of girl power, based on assuming a feminine stance on sexual expression. I was often asked then if it was feminist. Now that I see Beyoncé dancing it, I find it pleasant but I don't see any edge to it. It's seductive in an entertaining consumerist way.32

De Keersmaeker's statement has been variously interpreted as generous and restrained and, conversely, as scathing in its ridicule of Beyoncé.33 What stands out to me are the subtle contradictions it contains. Stating not once but twice that she is not angered by Beyoncé's use of her choreography, De Keersmaeker nonetheless betrays an anxiety about the relationship between the avant-garde, historically aligned with elite whiteness, and "global pop culture," which we might read here as subtly coded black.34 Even as she voices concern about the perception that she has "sold out" her choreography to the commercial circuit, she ever-so-slightly grumbles about the three decades it took for her "experimental" performance to register with the mainstream. By this logic, De Keersmaeker's choreography circulates both too much and not enough, both too slowly and too quickly.

It is worth pointing out that De Keersmaeker's works were never really out of circulation. After its 1983 debut, for example, Rosas danst Rosas was performed between 1985 and 1987, between 1992 and 1994, between 1995 and 1997, and revived again in 2009, 2010, and 2011.35 In 1994, De Keersmaeker made a black and white film adaptation of Achterland, and in 1997, De Mey made a film version of Rosas danst Rosas, which aired on all of the major European television channels and toured the art house cinema circuit. Both choreographic works, moreover, are listed as part of the repertory curriculum for dancers training at PARTS (Performing Arts Research & Training Studios), the international school for contemporary dance that De Keersmaeker founded in 1994.36 This means that De Keersmaeker's choreography lives in the bodies of numerous dancers. Yet within these avant-garde affluences, the participation of "original" bodies in the transmission of the choreography to both students and company members is considered crucial. "Repertory workshops are always taught by dancers who have been in the original creations of the pieces," the PARTS website states, and De Keersmaeker has noted how much more she can transmit to dancers when she performs in the work herself. Even so, when asked about the revival of Rosas danst Rosas with a fourth generation of dancers, De Keersmaeker responded that because the piece "bears the personal expression of the particular dancers I made it with, of their bodies and movements ... it is always somewhat delicate whenever we renew it."37 In contrast to the delity of these authorized body-to-body transmissions, and in contrast to the three months that students at PARTS take to "bring the work on a level where it can be performed on professional stages,"38 sits the transmission process by which Beyoncé presumably learned De Keersmaeker's choreography: mediated by film and video, measured in hours rather than months, and assimilated by a body more proficient in African American vernacular styles than in ballet and release technique.

34 As Thomas DeFrantz writes, "A curiosity with profound economic, social, and representational consequences places African American social dances at the corporal center of jazz's popularity." Unchecked Popularity, 128.
38 De Keersmaeker and Cvejic, A Choreographer's Score, 115.
De Keersmaekers’s singling out of a group of white schoolgirls’ reenactment of Rosas danst Rosas to a Madonna tune as “touching” should give us pause, however, for it contains the hint that De Keersmaekers’s objective was not to unauthorised reenactments made possible by video per se, nor to the circulation of those reenactments online, not to having her work sit alongside popular culture (albeit from the 1980s). The fact that the Flanders girls were not poised to profit from their video reenactment, where Beyoncé most certainly was, is of course relevant. We might deduce, then, that the problem for De Keersmaekers was becoming situated within “global pop culture,” a situation that occurred when her choreography came to reside within Beyoncé’s body. Although she stops short of calling “Countdown,” “an egregious example of the devaluing and exploitation of contemporary performance by mainstream, commercial culture,” as one blog post did, she dubs Beyoncé’s commercial rendition as “only superficially pleasing and denuded of any critical edge.” This is everything to which the avant-garde is opposed.

Beyoncé’s re-embodiment of De Keersmaekers’s choreography thus represents a clash between different types of dance economies—the unbureaucratic, reproductive economy of the avant-garde versus the sped-up reproductive economy of popular culture—and a corresponding clash between different types of capital—cultural versus economic. This clash, I would argue, engendered a kind of crisis in status and identity for De Keersmaekers. To the extent that Beyoncé’s treatment of Rosas danst Rosas and Ackerland as “free” source material amounted to a seizure of what has characteristically been a very appropriative prerogative, that same treatment threatened to have the converse effect for De Keersmaekers: a tacit attenuation of white privilege. While, as De Keersmaekers notes, her choreography stands to gain greater exposure by appearing in “Countdown,” this comes at the expense of becoming a “fugitive” dance object, displaced from the restricted, authorial economy of the avant-garde, stripped of any special protection against capitalist exchange. For De Keersmaekers, claims of plagiarism and threats of legal action against Beyoncé served as a means of resisting the commodification of her choreography and recouping her privileged status as author and property owner.

One year after the release of the “Countdown” video, De Keersmaekers and Bojana Cvejić published a book containing extensive documentation and discussion of four early works by De Keersmaekers. Titled A Choreographer’s Score: Fase, Rosas danst Rosas, Elena’s Arias, Bartok, the book is largely a transcription of interviews with De Keersmaekers, in which she recounts in detail the process of creating these choreographies. Alongside the text are sketches, notes, and other ephemera related to each of the choreographic works, and on four accompanying DVDs, we see and hear De Keersmaekers answering questions from Cvejić. Standing before a chalkboard, onto which she at times maps the structures and concepts that undergird her dances, occasionally demonstrating bits of movement, De Keersmaekers is very much the choreographer as author and instructor here. Although Cvejić’s writes in her introduction that the text is “by no means a definitive or authoritative account of the four works,” she acknowledges that the book “favor[es] the authorial perspective that reverberates in the title: A Choreographer’s Score.” Calling the documentation a “score” may signal De Keersmaekers’s anticipation of future re-enactments, and the archiving of her dances may have stemmed from a desire to reach “a broader, more heterogeneous readership,” but the book unequivocally reasserts De Keersmaekers’s authorial control and returns her choreography to the more circumscribed economy of the avant-garde.

Reproductive Bodies and the Snuggle De Keersmaeker

If the conflict between De Keersmaekers and Beyoncé was, like all choreographic copyright cases, fundamentally about control over the terms of dance’s participation in a reproductive, capitalist economy, reproduction of a different
sort served as a point of unity between the two dance artists. De Keersmaeker concluded her public comment about Beyoncé by noting what she called "one funny coincidence."

Everyone told me, she is dancing and she is four months pregnant. In 1996, when De Mey's film was made, I was also pregnant with my second child. So, today, I can only wish her the same joy that my daughter brought me.

Setting aside their differences, at least momentarily, De Keersmaeker finds connection with Beyoncé over their shared identity as mothers-to-be. While De Keersmaeker's pregnancy was, to my knowledge, never spotlighted in performances of Rosas dans Rosas or Achterland as Beyoncé's round belly is in "Countdown," biological reproduction collapses the distance between pop culture and the avant-garde and provides a temporary reprieve from the contest over choreographic reproduction.

Yet even the pregnant female body, or at least its image, is not immune to the dynamics of exchange and the circulatory flows of the Internet. In July 2012, a sixteen-year-old Vietnamese-American boy named Ton Do-Nguyen posted to YouTube his own re-enactment of Beyoncé's "Countdown" video, matching the original shot for shot, including all of the editing, dancing, and pregnant belly pose. Known as the Snuggle version because Do-Nguyen wears a blue Snuggle blanket throughout, the video quickly went viral, receiving hundreds of thousands of views on YouTube. As a re-enactment, Do-Nguyen's "Countdown" is remarkable for its fidelity to the original—Beyoncé herself praised Do-Nguyen for performing it better than she had—and for the absurdity that the presence of the Snuggle gives it. Beyoncé's endorsement of Do-Nguyen's reproduction, a far cry from the legal threats with which she met the online leaking of "Countdown," echoes her response to the proliferation of choreographic imitations of the 2008 video for "Single Ladies (Put a Ring on It)." In that case, Beyoncé sponsored a video-contest challenging participants to post videos of themselves that adhered to the "Single Ladies" choreography as faithfully as possible. As Harmony Bench writes, the contest functioned as a way for Beyoncé to retain oversight of the viral phenomenon and thereby preserve her "status as author." Along similar lines, Beyoncé posted a side-by-side video comparison of the original "Countdown" video and Do-Nguyen's version on her official website, effectively "co-signing" it.47

But if Do-Nguyen's reenactment did not pose a threat to Beyoncé's authorship, what did it do to De Keersmaeker's? There is an interesting parallel between the Flanders schoolgirls' reproduction of Rosas dans Rosas and Do-Nguyen's reproduction of "Countdown," both of which constitute what Bench calls "social dance-media," a mode of production that overlaps with but is not identical to "global pop culture."48 One wonders whether De Keersmaeker might also find the Snuggle version of her choreography "touching." Yet, to state the obvious, unlike the Flanders girls', Do-Nguyen's referent is Beyoncé, not De Keersmaeker. As far as I can tell, no mention of De Keersmaeker appeared in the flurry of overwhelmingly favorable responses to the Snuggle "Countdown."

Do-Nguyen's reproduction of Beyoncé's video thus represents another turn of the screw for De Keersmaeker's choreography, drawing it into the viral economy of the Internet. Although, unlike the movement from Beyoncé's "Single Ladies," the choreography in "Countdown" has not been re-embodied by hundreds of thousands of dancers, the Snuggle version shows how readily one reproduction can beget another. Mediated by Beyoncé, De Keersmaeker's choreography moves across bodies and time "as if it was communally created and owned and not subject to copyright."49 As surely as the treatment of the avant-garde, first by Beyoncé and then by Do-Nguyen, as if it were just another fugitive source in the public domain enters entrenched racial and artistic hierarchies, it simultaneously generates new attempts to restore them.

For the screw continues to turn in both directions. In the summer of 2013, De Keersmaeker embarked on "Re: Rosas! The ABULUS Rosas Remix Project," which invited the public to recreate the chair section of Rosas dans Rosas. In an echo of Beyoncé's "Single Ladies" video contest, and revisiting the scene of the original crime, De Keersmaeker turned to the Internet to issue the call to the public to learn the Rosas choreography and upload videos of themselves performing it. As the site states, "Precisely 30 years ago, dance company Rosas put itself on the map with the production Rosas dans Rosas."

49 Ibid.
This choreography has since been staged all over the world. And now it’s your turn.” In separate videos posted on the site, De Keersmaeker and Rosas dancer Samantha van Wissen demonstrate a three-and-a-half minute (simplified) segment of the choreography, break down the movements, and discuss their structure. Unlike Beyoncé, De Keersmaeker invited participants to play with the choreography, to “make up your own Rosas danse Rosas.” According to an article in The Guardian, 1,500 responded to De Keersmaeker’s call, and, as of this writing, 229 filmed versions of the choreography appear on the remix site, featuring dancers of all ages from around the globe.91

Though no mention of Beyoncé is made on the site, it is impossible not to read the Rosas remix project through the lens of “Countdown’s” earlier, unauthorized recreation. Indeed, The Guardian framed De Keersmaeker’s public invitation as a way of acting on her “acid” claim that Flanders school girls performed her choreography better than Beyoncé.92 It is as if in unleashing Rosas to the public, De Keersmaeker seeks to cover over the Beyonce episode entirely. Turning Rosas into “a globally communal project”93 becomes a way of removing the taint of its dalliance with “global pop culture” and recuperating its non-commercial potential. Orchestrated as part of a commemoration of Rosas’s avant-garde status,94 De Keersmaeker’s decision to take the work viral is, paradoxically, equivalent in some ways to a legal claim of copyright: an attempt to regulate choreography’s reproduction and to separate out the right kind of circulation from the wrong.

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93. Ibid.
94. Ibid.

Appendix

A TIMELINE OF INTELLECTUAL PROPERTY RIGHTS AND DANCE IN THE UNITED STATES

1787—Article I, Section 8, Clause 8 of the US Constitution gives Congress the power “to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.”

1790—The Copyright Act of 1790 is the first copyright law enacted under the new US Constitution. The act protects the authors of books, maps, and charts for a term of fourteen years with the possibility of renewal for another fourteen years.

1831—Music is added to the list of protected works under the first general revision of copyright law. The revision also extends the initial term of copyright from fourteen to twenty-eight years.

1885—Dramatic compositions are added to the list of protected works, and performance rights are added to the list of entitlements for authors of dramatic compositions.

1886—Photographs are added to list of protected works.

1867—Martinetto v. Maguire, tried in California circuit court, denies copyright protection for the Black Crook, which featured a dancing chorus of one hundred Parisian ballerinas and is often considered America’s first musical, on the grounds that it is “grossly indecent, and calculated to corrupt the morals of the people.”

1868—Daily v. Palmer, tried in U.S. circuit court, rules that pantomime is protectable on the grounds that “movement, gesture and facial expression ... are as much a part of the dramatic composition as is the spoken language.”