


UDC: 821.134.2(82).09 Borhes H. L.:821.134.2(82).09 Bioy Casares, A.  
DOI: <https://doi.org/10.18485/beoiber.2024.8.2.10>

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## BORGES AND BORGES


### Abstract

A curious feature of Jorge Luis Borges's body of work is its inclusion of numerous books he didn't write but spoke aloud during an interaction. Into this category fall the many volumes of interviews, as well as *Borges Profesor* (2000), transcribed from tapes recorded by Borges's students. By far the most crucial item is Adolfo Bioy Casares' *Borges* (Ediciones Destino, 2006), 1,600 pages of diary entries spanning half a century of conversation, perhaps the single most intimate, detailed, insightful, and sustained record of one writer's life and thought ever made by another. Though sometimes called Bioy's autobiography, *Borges* is about Borges and also, in large measure, is by Borges, the oral Borges. The relationship between Bioy's book and the writer whose name it takes as title problematizes and undermines legal concepts of originality, authorship, ownership, and selfhood. Copyright in the written Borges is held by a single entity, the Fundación Internacional Jorge Luis Borges, whose longtime director, María Kodama, did what she could to suppress the use of Bioy's book in scholarship on Borges. Copyright in the spoken part of Borges's *obra*, however, is far more widely dispersed, held by numerous publishers, interviewers, and, in the case of *Borges*, the Bioy Casares estate. Intellectual property issues are rarely the focus of literary scholarship, but as Bellos and Montagu have recently argued, they are fundamental to any real understanding of how literature circulates globally, particularly during the decades since Borges's passing. The ever-expanding legal framework that makes literature a heritable asset to be monopolized for nearly a century after a writer's death has, in the case of the Borges estate, had "severe human costs" and severe creative costs (Chacoff). It has also placed a distance between Borges's work, Bioy's work, and *Borges* that is a disservice to scholarship and literary history.

**Keywords:** intellectual property, copyright, translation, anxiety of influence, open source, oral history, literary friendship, literary history.

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## BORGES Y BORGES

### Resumen

Una característica curiosa de la obra de Jorge Luis Borges es la inclusión de numerosos libros que no escribió, sino que expresó oralmente durante una interacción. En esta categoría se incluyen los muchos volúmenes de entrevistas, así como *Borges profesor* (2000), transcrito a partir de grabaciones realizadas por los estudiantes de Borges. El elemento más crucial de la categoría es *Borges* de Adolfo Bioy Casares (Ediciones Destino, 2006), 1.600 páginas de entradas de diario que abarcan medio siglo de conversaciones, y que en su conjunto es tal vez el registro más íntimo, detallado, perspicaz y sostenido de la vida y el pensamiento de un escritor jamás realizado por otro. Aunque a veces se llama autobiografía de Bioy, *Borges* trata sobre Borges y, en gran medida, también es de Borges: el Borges oral. La relación entre el libro de Bioy y el escritor cuyo nombre lleva como título problematiza y socava conceptos legales de originalidad, autoría, propiedad e identidad. Los derechos de autor de la escritura de Borges están en manos de una sola entidad, la Fundación Internacional Jorge Luis Borges, cuya directora durante mucho tiempo, María Kodama, hizo todo lo posible por suprimir el uso del libro de Bioy en los estudios académicos sobre Borges. Sin embargo, los derechos del Borges oral están mucho más dispersos, en manos de numerosos editores, entrevistadores y, en el caso de *Borges*, del patrimonio de Bioy Casares. Las cuestiones de propiedad intelectual rara vez son el foco de los estudios literarios, pero como han argumentado recientemente Bellos y Montagu, son fundamentales para comprender cómo circula la literatura a nivel global, especialmente en las décadas posteriores a la muerte de Borges. El marco legal cada vez más amplio que convierte la literatura en un activo heredable para ser monopolizado casi un siglo después de la muerte de un autor ha tenido, en el caso del legado de Borges, «graves costos humanos» y graves costos creativos (Chacoff). También ha generado una distancia entre la obra de Borges, la obra de Bioy, y *Borges*, lo que constituye un perjuicio para la investigación académica y la historia literaria.

**Palabras clave:** propiedad intelectual, derechos de autor, traducción, ansiedad de la influencia, código abierto, historia oral, amistad literaria, historia literaria.

“A New York cab driver who fought in World War II and Vietnam told me: *I hate memory.*”<sup>2</sup>  
 – Jorge Luis Borges to Adolfo Bioy Casares, April 13, 1980  
 (Bioy Casares 2006: 1538)

Thirteen years ago, while working on a translation of *Borges profesor: Curso de literatura inglesa en la Universidad de Buenos Aires*, I committed a blunder so colossal that my translation was never published and I never again translated anything written by Borges.

Had I actually been translating something *written* by Jorge Luis Borges, though? The book’s contents were transcribed by Martín Hadis and Martín Arias from recordings

<sup>2</sup> “Un taxista de Nueva York, que había peleado en la Segunda Guerra Mundial y en Vietnam, me dijo: ‘*I hate memory*’.”



made by students of a course Borges delivered in 1966. It was first published in 2000, fourteen years after Borges died. While its words may have been uttered by Borges, *Borges profesor* was certainly not written by him the way “Pierre Menard” or “Los traductores de las 1001 noches” were. Translating the author of “Los traductores” (as I had) was a different experience from working on a transcript of an aging intellectual’s gentle ramblings through lectures he’d been delivering, in one venue or another, for decades. In that sense, the *Curso* was more like the interviews such as Fernando Sorrentino’s *Siete conversaciones* (1973), Roberto Alifano’s *Conversaciones con Jorge Luis Borges* (1984) or Osvaldo Ferrari’s *Borges en diálogo* (1985).<sup>3</sup> On an entirely different scale, it also resembled Adolfo Bioy Casares’s 2006 *Borges*, the sixteen-hundred-page selection of diary entries published seven years after Bioy’s death.

In retrospect, it was my vague lumping of these disparate books into a single category – records of Borges’s speech as opposed to written texts composed by Borges – that may have gotten me in trouble. What really mattered was not some theoretical oral likeness they all shared, but a far more crucial distinction in plain view on their respective copyright pages. Most interviews with Borges are copyrighted either to the publisher or the interviewer, just as rights to *Borges* are controlled by Bioy Casares’s estate. But the transcribed 1966 course is copyrighted to, among others, the late María Kodama, who, until her death in 2023, was Borges’s literary executor and the founder and head of the Fundación Internacional Jorge Luis Borges. As of this writing, the Fundación’s home page still declares in bold block letters its dedication to “promoting the correct interpretation” of Borges’s work.<sup>4</sup>

The stage for my colossal blunder was set a couple of years earlier when, with New York Review Books, I agreed to undertake an English translation of *Borges*. With its half-century of conversation, flights of erudition, debate, gossip, literary and political intrigue, philosophical reflection, and friendship, *Borges* may be the single most intimate, unflinching, detailed, insightful, delightful, and sustained record of one writer’s life and thought ever made by another, a massive and peculiar masterpiece akin to James Boswell’s 1791 *Life of Johnson* and Johann Peter Eckermann’s 1836 *Gespräche mit Goethe*, both of which inspired and shaped it and are often discussed in its pages.

However, after a long period of negotiation – during which I secured a fellowship at the Cullman Center for Scholars and Writers at the New York Public Library to work

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<sup>3</sup> Cody Clinton Hanson’s *Annotated Bibliography of Interviews of Jorge Luis Borges* (MA Thesis, Brigham Young University, 2008) asserts that more than 650 interviews with Borges have been published. Of the 275 interviews it annotates, more than twenty (including Bioy Casares’ *Borges*) were published as books (either collections of interviews with a single individual, or anthologies of multiple interviews of Borges by different people). Like most bibliographies, Hanson’s does not provide information on who holds copyright.

<sup>4</sup> [fundacionborges.com.ar](http://fundacionborges.com.ar)



on the translation – NYRB was unable to acquire rights. Copyright in Bioy’s literary work is held by Fina Demaria, a former mistress of Bioy’s and the mother of his son Fabian, one of the heirs named in Bioy’s will. The rights went to his mother when Fabian passed away in 2006. Demaria has reportedly and apparently entrusted all decisions regarding the publication of Bioy’s literary work to Daniel Martino, who met Bioy the year Borges died and soon became both friend and amanuensis (Garzón 2018). It was Martino who edited *Borges*, oversaw its publication, and organized its indispensable digital “índice analítico” (Martino 2017a). My editor at NYRB told me that what finally brought negotiations to a halt was the question of abridgement. Martino had already edited a 691-page “versión menor” that would be published a couple of years later. Given the immense wealth of material related to British and US literature and culture in the full-length *Borges*, our aim was to create a different abridgement, made specifically with the English-speaking public in mind. In early fall of 2009, Martino made it clear that would be unacceptable.

When New Directions asked me, the following year, to translate *Borges profesor*, I was glad of a chance to continue the work with Borges I’d begun more than a decade earlier with the *Selected Non-Fictions of Jorge Luis Borges*, whose editor and annotator, Eliot Weinberger invited me to translate a number of the works it includes. As the New Directions editors and I were laying out the groundwork for what was to become *Professor Borges: A Course on English Literature*, we felt some reworking of its annotations was in order, to make the book more accessible to its new audiences.

I checked the 2006 French edition, translated and prefaced by the eminent Borges scholar Michel Lafon, which included a good number of “Notes du Traducteur” (*N. d. T.*). This seemed to indicate flexibility on the two Argentine researchers’ part and a willingness to work cooperatively. I wrote one of the researchers, Martín Hadis, to introduce myself and discuss the possibility of revising the footnotes. To my relief, he agreed with the idea. Wary of email, and eager to ensure a working relationship that would be as collegial as possible, I secured a grant to fund a summer research trip to Buenos Aires in 2011 that would allow me to go over the annotations together with Hadis in person.

Meanwhile, *The Hudson Review* had requested an early excerpt from *Professor Borges* to include in a Spanish issue they were preparing for spring 2011. I chose the seventh class, in which Professor Borges “speaks of God’s two books, the Anglo-Saxon bestiary, the riddles, ‘The Grave,’ and the Battle of Hastings.” Here, also, was an opportunity for a trial run on revising the annotations.

I’d spent many hours exploring the forking paths of reference that Borges’s work sends researchers and translators along and was glad of another chance to wander through that crepuscular garden. Borges almost never alludes to his own writing in class, but the literary works and figures he evokes for his students are almost always woven into his essays and fictions, and the network of connections between his pedagogy and



his *obra completa* is a glittering outline of literary history as refracted through his mind. The existing annotations to *Borges profesor* often pointed such connections out. When Professor Borges brings up the Old English alliterative poem “The Panther,” a footnote adds that it appears in the chapter on the panther in the 1957 *Libro de seres imaginarios*. I saw an opportunity to expand on that.

There were innumerable connections to observe between the content of the classes and the conversations Bioy recorded during the same period, which sometimes took place only a few hours after Borges had emerged from the classroom. I assumed that these links weren’t mentioned in *Borges profesor* because *Borges* came out six years later. Translating *Borges profesor* would, I thought, give me a chance to go back to *Borges* and use it to illuminate Borges’s views on English literature and on pedagogy.

The *Hudson Review* had a lot to fit into its Spanish issue and no space for a preface, so a footnote on the first page of “The Seventh Class” used a citation from *Borges* in place of one. In April 1960, Bioy asks Borges what period he likes best in his courses on English literature, and whether one century is his particular favorite. Borges rejects the question and underscores the difference between conversation (talking, teaching) and reading (or writing). “It’s clear one does not always prefer to talk about what one prefers to read,” he replies. “I spend my life reading Gibbon but prefer to talk about Francis Bacon.” Ever the literary historian, Borges goes on to hail Bacon’s role in creating the idea of literary history:

Bacon noted the deficiency of a history that took only monarchies and battles into account; he foresaw the History of each of the branches of knowledge. How strange that the History of literature did not exist then. With or without Bacon it would have been invented by the tendency toward specialization, but he has the merit of discovering that it was lacking. (Borges 2011: 105)<sup>5</sup>

The 44<sup>th</sup> footnote, on Heinrich Heine, alludes to *Borges* as well. In May 1965 Borges says to Bioy, “Heine, a more inspired and intense poet than Goethe, would never have acknowledged that superiority.” The comment anticipates Harold Bloom’s 1973 work on anxiety of influence, and also puts it into question. Ranking writers according to abstract categories of greatness was something Borges and Bioy loved to do in conversation. Borges’s writing, on the other hand, delights in subverting the hierarchies of literary fame (“a form – perhaps the worst form – of incomprehension” [Borges 1999a: 94]). And Bioy’s *Borges* can be read as a way to subvert the presumed hierarchy between himself and Borges. Daniel Balderston, who makes several appearances in the book, has written that *Borges* “may well be Bioy’s most important book.” But, as “Borges’s appendix” – the title

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<sup>5</sup> Unless otherwise noted, all translations here are mine.



of Balderston's article – indicates, it is also, in some way, Borges's (Balderston 2013: 70). The only *Obra completa* that Borges truly belongs to is the recent 608-page *Obra completa en colaboración* (2022), on whose cover both authors' names are given equal prominence.

When the *Hudson Review* came out, I emailed a digital copy of the chapter that appeared in it to Hadis, who, along with his research partner Arias, was duly credited at the end of the text as editor and annotator. For the next few days I remained happily unaware of my colossal blunder. The day before I flew to Buenos Aires, a New Directions editor called to tell me that Hadis was upset with the credit line in the *Review* that billed me as translator and annotator. Indeed, the Argentine researcher was so offended that I had been credited as an annotator in a single italicized line at the bottom of page 22 of a small magazine with limited circulation in a city five thousand miles away that he now refused to meet with me. I had given offense beyond all measure.

The New Directions editors were as baffled as I was and asked for a detailed account of every footnote in the excerpted chapter. Aghast to think I might have incorporated some error, I went back over everything, and found nothing. And if there was some error, why didn't Hadis point it out, so it could be corrected? Instead, it was as if I had placed myself utterly beyond the pale, in some untouchable region of debasement where it would be highly dangerous for anyone to have even the slightest contact with me.

After a month or so of bewilderment and frustration, in the course of which I nevertheless managed to spend a couple of wonderful and illuminating weeks in Buenos Aires, New Directions forwarded me a long message from Hadis, which, in its final paragraph, finally revealed the nature of my colossal blunder.

Quoting De Martino's [sic] book is really out of the question throughout the whole of *Borges Profesor*. Mrs. Kodama hates that book; she has spoken of it scathingly, her finding references to it in *Borges Profesor*, given the fact that this book is to be published with her approval, is bound to cause severe trouble. Kodama has publicly denounced De Martino's book, calling it "a violation of intimacy", "an act of back-stabbing", "the work of a coward" who "put words in the mouth of a dead man who is not here to defend himself", long etc. [sic] All this has received wide press coverage. Besides all this, Arias and I also do not want De Martino's book to be cited as a reference, for reasons of reliability and academic rigor. (Hadis 2011)

At last I understood. Into matter controlled by María Kodama's Fundación Internacional Jorge Luis Borges, I had introduced the antimatter of Bioy Casares's *Borges*. That was why everything exploded.



*Borges* is the record of a lifelong friendship brought to an end by death and by another friendship. That the woman who married Borges two months before he died and thus became his widow was not happy with Bioy's monumental book will come as no surprise to any of its readers. She is a shadowy figure in *Borges*, first appearing two-thirds of the way through, after many detailed accounts of Borges's romances with other women. At an August 8, 1963 dinner at the home of Bioy and his wife Silvina Ocampo, Borges regales the table with a striking incident in the life of one of his students, María Kodama. One day her housemaid suddenly disappeared, only to return a few days later and confess she'd stolen a number of things. Kodama replied, "What a pity. I'm sorry you did that."<sup>6</sup> The maid left and that same afternoon committed suicide. When Kodama told her boyfriend, a psychoanalyst, he replied that she was to blame. The maid had confessed because she wanted to brave Kodama's anger; instead, she was shamed by her kindness. "With your kindness, you killed her,"<sup>7</sup> the boyfriend declares. (Bioy Casares 2006: 938)

Weeks later Borges mentions that Kodama has had a lovely Japanese-style bouquet delivered to his home (Bioy Casares 2006: 943). (He lives with his mother, Leonor Acevedo, who concludes from the lavish flowers that, unlike the other students of Philosophy and Letters, Kodama is not penniless.) Two months later, Borges tells a group of Bioy-Ocampo dinner guests that Kodama is so remarkably sweet-natured that one of her friends complained about it and challenged Kodama to beat her with her fists, to help her give vent to all the aggression she must be repressing. Bioy and Borges jointly mourn the tendency of psychoanalysis to creep into everything and wonder if it will soon have results among the adult intelligentsia as fearsome as those it's having "among the girls in Philosophy and Letters."<sup>8</sup> (Bioy Casares 2006: 965) (Born in 1937, Kodama was twenty-six years old at the time, thirty-eight years younger than the blind, sixty-four-year-old Borges.)

This joint suspicion of analysis and psychologizing is characteristic of *Borges* and underpins its methodology. Bioy's technique is to capture each conversation almost as soon as it has taken place, leaving little space for the longer-term operations of memory, the new angles and perspectives, different light, reshaping, shifting priorities or new discoveries that months or years of hindsight can cast on a conversation or experience. *Borges* is a work of *longue durée* written primarily in short-term increments; its diary entries focus on the day at hand, and while the conversations it records often range across centuries of literary history, they are far less likely to look back through the years in pursuit of personal insight. The narrator of the diaries mainly steers clear of personal emotions or motivations, his own or those of the living people the diary portrays, unless

<sup>6</sup> "Qué pena. Siento mucho que usted hiciera eso."

<sup>7</sup> "Con tu bondad la has matado."

<sup>8</sup> "entre las chicas de Filosofía y Letras"



they crop up in conversation with Borges or, occasionally, Silvina. Each record of a day's work session or dinner conversation takes note of who was present and whatever was said or debated, and, in most cases, little else, as if the goal were to create an objective imprint of what happened, taken at face value: a kind of snapshot. (Bioy was also a photographer.)

Kodama attends the first of her many dinners with Borges at the Bioy-Ocampo home on October 25, 1964, then disappears entirely for four years and 300-odd pages. She resurfaces briefly in January 1969 when Bioy drops by Borges's house and finds her there with him and Norman Thomas DiGiovanni (whose translations, created in collaboration with Borges, Kodama would later systematically suppress).<sup>9</sup> During a phone conversation that July, Borges tells Bioy that Kodama has explained to him that one never says no in Japanese because it would be a great discourtesy. "If you ask, 'Is the dictionary on the table?' they'll answer 'Yes, the dictionary is not on the table,' meaning, "Yes, you're right to wonder: the dictionary is not..."<sup>10</sup> (Bioy Casares 2006: 1274)

In January 1970, Bioy records a conversation with the writer Vlady Kociancich, who tells him not to doubt Borges's love for María Kodama or Kodama's love for Borges. Bioy replies that his primary concern is that Borges be saved from Elsa Astete Millán, whom he'd married three years earlier. The two friends appear to see Kodama as a way of persuading Borges to extricate himself from the disastrous marriage he's remained in out of "laziness and fear."<sup>11</sup> (Bioy Casares 2006: 1305) Later that year, with divorce proceedings from Astete Millán underway (Bioy accompanied him to the lawyer's office), Borges reports that his mother is "opposed to María Kodama,"<sup>12</sup> and wonders whether that's because she's jealous of her or because she thinks that—and here, Borges throws out an English phrase— "*she doesn't belong.*" (Bioy Casares 2006: 1333)

Kodama was born in Buenos Aires. Her mother was an Argentine of Swiss-German, Spanish, and English extraction. Her father, Yosamuro Kodama, was a Japanese chemist. She told interviewers that when she was twelve, a friend of her father's took her to a lecture by Borges, whom she'd begun reading at age five. Her Japanese racial and cultural heritage must have been at the root of Leonor Acevedo's sense that she "didn't belong." Other Argentines of that period saw her that way as well. When Borges observes such racial slights, he sometimes defends Kodama. Over the course of the 1970s, she would regularly accompany Borges on his travels. On returning from one journey, Borges joyfully tells Bioy that during their stay in Europe, "María almost forgot about her

<sup>9</sup> See Henricksen 2024: 209-236.

<sup>10</sup> "Si preguntás: '¿El diccionario está sobre la mesa?', te contestan: 'Sí, el diccionario no está sobre la mesa', lo que equivale a 'Sí, usted tiene razón en dudar: el diccionario...'"

<sup>11</sup> "pereza y miedo"

<sup>12</sup> "se opone a María Kodama"





boyfriend.”<sup>13</sup> (Who presumably is no longer the psychoanalyst in the anecdote about the suicidal maid from fourteen years earlier.) Once she was back in Buenos Aires, though, this boyfriend rematerialized to tell her that she had to remake herself into “a real Argentine señora,”<sup>14</sup> by converting to Catholicism, becoming a soccer fan, and loving the Argentine *campo*. (Bioy Casares 2006: 1511) This demand makes the author of “The Argentine Writer and Tradition” chortle. Real Argentines, Borges says mockingly, don’t like the Argentine countryside: they like Paris. (Borges 1999b: 420)

Bioy records another sympathetic moment between the pair in 1980. Borges tells him that on a recent visit to Harvard he and Kodama spent the night in the home of a wealthy Scottish widow. Everything there—wallpaper, doorknobs, faucets, knickknacks—was frog- or toad-themed. Kodama did not describe the ghastly décor to Borges until they’d left the house for good, to spare him the distress. (Bioy Casares 2006: 1537)

The full-length *Borges* is itself an abridgement, an edit of the twenty-five thousand or so pages of Bioy’s diaries, which are also, of course, an edit and abridgement of everything Bioy experienced and all that passed between him and Borges over half a century. Any record of daily life omits almost everything, usually because it is of no interest. Later, Kodama would tell interviewers that the basis of her distrust of Bioy was an incident when she was left alone with him; he said she had an “ideal face” that he wanted to photograph, and asked for her phone number. She construed this as an attempt at seduction. *Borges* contains no record of or hint at this conversation.

Sometimes, Bioy does make it clear that something specific has been omitted, for reasons of tact or privacy, underscoring his own reticence. On December 9, 1976, over dinner, Borges tells Bioy something that makes him choke up with a sob. “It’s cowardice, but what does a little more of that matter now,”<sup>15</sup> Borges adds, as he shares this unspecified private confession. The next sentence is: “He also tells me he’s in love with María Kodama.”<sup>16</sup> Which, apparently, was not the secret that made Borges’s voice break. (Bioy Casares 2006: 1506)

Six years later, Bioy records, without additional comment, a statement by Borges that, if Kodama read it, would probably have pleased her—though it’s unlikely to have had that effect on Bioy. On October 23, 1982, during a wine-tasting at the German ambassador’s residence in Buenos Aires, Bioy asks Borges whether Kodama will accompany him on an upcoming trip to Germany.

<sup>13</sup> “María casi no se acordaba de su novio”

<sup>14</sup> “una señora argentina”

<sup>15</sup> “Una cobardía, pero qué importa una más”

<sup>16</sup> “Me cuenta también que está enamorado de María Kodama.”

“Yes,” he answers. “She tells me she’ll make this last sacrifice.” After saying that if only he had the courage, he would break things off with her, he acknowledges that María is the best and only thing that has happened to him in his life and that he was very happy at her side: “We’re still moved by the same things... For example, the afternoon when we talked to the priest of Thor, in Iceland, she was as moved as I was.”<sup>17</sup> (Bioy Casares 2006: 1572)

When ellipses occur in *Borges*, it’s not clear whether they indicate that a voice trailed off, or if they’re Bioy’s way of reminding himself of something he deliberately refrained from writing down. They may, of course, also be the editor Martino’s way of noting the omission of information that is recorded in the diary, but that he or Bioy decided to leave out of the book. Two months after Borges said Kodama was the best and only thing that had happened to him, Bioy and Silvina are having dinner with the writer Noemi Ulla when the doorbell rings, and it’s him, with Kodama. Borges glances at Ulla and says, “*It must be a quartet, not a quintet. Send her away.*” Once the four of them are alone, María reports that a woman they all know said that Bioy and Silvina are saying ... about her. When asked how she knows this, Kodama replies “Borges told me.”<sup>18</sup> (Bioy Casares 2006: 1573)

This terse entry (dated December 19, 1982), includes far more emotional affect than most of the rest of the book. Bioy finds Borges’s request that Ulla leave “disagreeable.”<sup>19</sup> María is “stiff”<sup>20</sup> as she makes her accusation. Ocampo later tells Bioy that his silence, following his denial that the two of them had said “...” about María, “expressed my disapproval.”<sup>21</sup> Borges, on his way out the door, begs Bioy’s pardon. (Bioy Casares 2006: 1573) It’s the last time Bioy records Kodama’s name among the dinner guests at his home.

This tense and apparently final dinner with Kodama is one of the few passages in *Borges* where her words are recorded directly as spoken by her, rather than as relayed by Borges or Ocampo. Over the course of the dozens of dinners they ate together, Bioy and Kodama must have spoken to each other many times, but this is also the diary’s only record of a direct conversation between them.

*Borges* includes one other highly dramatic instance of Kodama’s direct speech. The exchange is between Ocampo and Kodama, at a dinner on October 2, 1971: “SILVINA (*to*

<sup>17</sup> “Si – contesta – . Me dijo que haré este último sacrificio.» Después de decir que si tuviera coraje rompería, reconoce que María es lo mejor, lo único que le ha pasado en la vida y que a su lado fue muy feliz: ‘Todavía nos conmovemos por las mismas cosas... Por ejemplo, la tarde en que hablamos con el sacerdote de Thor, en Islandia, estaba tan conmovida como yo.’”

<sup>18</sup> “Borges me lo dijo”

<sup>19</sup> “desagradable”

<sup>20</sup> “tiesa”

<sup>21</sup> “mi silencio decía mi desaprobación”



*María*): ‘How is your father?’ MARÍA: ‘Well, my father died.’”<sup>22</sup> (Bioy Casares 2006: 1410-1411)

The entry makes no further mention of either woman, but describes at some length a conversation between the journalist Manuel Peyrou and Borges. Peyrou affirms that the best spouse for an Argentine is an Argentine. Kodama’s parents divorced when she was a toddler, and the statement is plausibly related to that fact, given the allusion to Kodama’s Japanese father it follows. Borges, agreeing with Peyrou, quotes a woman he knows who was courted by the Turkish ambassador and liked him, but said she would rather have a man who knew what dulce de leche is. Kodama, born in Buenos Aires, knew what dulce de leche was; Borges may not consciously have intended the remark to refer to her. Still, under the circumstances, the exchange is insensitive to Kodama’s grief. Bioy’s subsequent recollection of it, later on in the book, is even more troubling.

On one of the final pages of *Borges*, written the year after Borges’s death, Bioy muses on the polemics over Kodama that have erupted. He describes his usual arguments in defense of Borges’s decision to die in Geneva; he would point out that being in love, even unhappily, was, for a man in his eighties, a privilege. Up to this point, *Borges* has included no direct criticism of Kodama by Bioy, though it does cite criticism by others, as in the entry for September 3, 1981: “According to Fanny [Epifania Uveda, Borges’s housekeeper], María is now trying to ‘distance Borges from señor Bioy.’ MARÍA: ‘They speak ill of me to you.’ BORGES: “But María, they don’t speak to me about you at all.””<sup>23</sup> (Bioy Casares 2006: 1552)

At the end of the book, however, Bioy finally puts into writing that he finds Kodama —“who was [Borges’s] love”<sup>24</sup>— to be a woman of “strange idiosyncrasy”<sup>25</sup>; jealous of Borges’s admirers, she punished him with accusations and silence, and made him fear her anger. Bioy concludes:

María was someone whose traditions were distinct from his. Borges once told me: “One cannot marry someone who does not know what a poncho is, or what dulce de leche is.” We can replace “poncho” and “dulce de leche” with an infinity of other things that Borges and María never shared.<sup>26</sup> (Bioy Casares 2006: 1594-1595)

<sup>22</sup> “SILVINA (a María): ‘¿Cómo está tu padre?’. MARÍA: ‘Bueno, mi padre falleció.’”

<sup>23</sup> “Según Fanny, María está ahora aplicada a ‘alejar a Borges del señor Bioy’. MARÍA: ‘Le hablan mal de mí’. BORGES: ‘Pero, María, ni me hablan de usted.’”

<sup>24</sup> “María era su amor”

<sup>25</sup> “idiosincrasia extraña”

<sup>26</sup> “María era una persona de tradiciones distintas a las suyas. Borges alguna vez me dijo: ‘Uno no puede casarse con alguien que no sabe lo que es un poncho o lo que es el dulce de leche.’ En lugar de poncho y dulce de leche podemos poner infinidad de otras cosas que jamás compartieron María y Borges.”

In grief over the loss of the central figure of both his life and his *magnum opus*, Bioy approvingly recollects Borges's comment in the banter following Kodama's mention of her father's death, to reaffirm Leonor Acevedo's imputed claim that "*she doesn't belong.*" Balderston rightly observes that *Borges* regularly casts both its author and its subject "in an unfavourable light." The light Bioy portrays himself in here is particularly harsh.

I met María Kodama in 1999 when she attended a centenary tribute to Jorge Luis Borges in New York City that I organized with PEN American Center and the New School Writing Program. She'd just flown in from Buenos Aires and came to the auditorium straight from the airport, as crisp and immaculate as if she were back from a week's vacation. ("She's more distinguished than distinguished people are,"<sup>27</sup> Borges said to his mother, defending Kodama. [Bioy Casares 2006: 1333]) The tribute featured Rosario Ferré, Robert Stone, Alastair Reid, Paul Auster, and many other writers, and Kodama seemed happy with it. On a trip to Buenos Aires six years later I briefly reconnected with her and our exchange was friendly. In 2011, once I realized what my colossal blunder had been, I decided to try and sort things out by speaking to her directly, and got the go-ahead from New Directions to give her a call.

The conversation was cordial, though it seemed clear that Kodama had given up on the Japanese avoidance of negation she once described to Borges. She said no. She declared that she considered *Borges* to be a false document, a vast exploitation, a betrayal of literary history. Like Hadis, she emphasized Martino's role in the book. (Perhaps she'd realized that attacks on Martino were less likely to be debated and resisted than attacks on Bioy, one of the more beloved figures in Argentine literary history.) It would be irresponsible of her, she told me, to allow Borges's work to be contaminated by the citation of so suspect a source. I apologized, and explained that while I was aware she didn't care for the book, I hadn't known she'd placed it off-limits for citation. I didn't want to leave New Directions in the lurch or lose the many months of work I'd already done, so I assured Kodama I would omit all mention of Bioy's book from my translation of *Professor Borges*. I did not say I disagreed with her opinion of *Borges* or mention my qualms about her quest to posthumously sever a lifelong friendship and collaboration and her use of copyright law to suppress scholarship connecting Borges's work and *Borges*. I did tell her I planned to publish the translation under a pseudonym. We agreed that would be an acceptable way forward. Shortly after hanging up, I was removed from the project; perhaps Kodama hadn't entirely dispensed with the habit of not directly saying no after all. *Professor Borges* came out in 2013 to much acclaim, in a translation by Katherine Silver, whose work has done a great deal for Latin American literature in English.

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<sup>27</sup> "Es más distinguida que la gente distinguida."



In Borges's lifetime, copyright and intellectual property were not the powerful and fearsome economic forces they've since become. Extrapolating from World Bank data, David Bellos and Alexandre Montagu calculate that, in total, worldwide "cross-border licensing of intellectual property" accounted for less than a billion dollars a year in revenue during the 1970s, while by the mid-2020s those same revenues had grown to well over \$500 billion per annum. (Bellos and Montagu 2024: 324) Most of that money has gone into the pockets of the vast corporations like Disney that have lobbied most intensely for the bizarre intellectual property regime we now have in the United States and elsewhere, under which, as they note "Donald Duck belong[s] exclusively to Disney for nearly a century, but a miracle cure belong[s] to the company that developed it for twenty years at most..." (Bellos and Montagu 2024: 340)

A small portion of this new revenue has gone to the beneficiaries the earliest devisers of intellectual property law usually claimed they had in mind: individual writers or creators and their heirs. As global corporations turned intellectual property into a growing source of wealth, and of income inequality, the kind of literary fame Borges ascended to became, in the decades following his death, more monetizable than ever before. Kodama founded the Fundación Internacional Jorge Luis Borges in 1988, and shortly thereafter began working with Andrew Wylie, a literary agent renowned for his ability to sell the rights to highbrow literature for big money. In 2008, as Wylie was auctioning rights to Borges's complete works in China, publishers there embarked on a bidding war, driving prices higher than in any previous sale. As the numbers increased, Wylie realized a whole new market was opening up and thought: "We need to roll out the tanks! We need a Tiananmen Square," or so he later told a reporter. His success in selling Borges's work to China motivated him, he added, to try to "dictate the value of other foreign works" there as well. (Blasdel 2023)

Borges was as interested as the next writer in being paid for his work. But his vision of the global circulation of literature involved the play of minds, ideas, and stories across time, space, and languages. Kodama's vision of the global circulation of Borges's work was largely focused on control. When she filed suit against the writer Pablo Katchadjian, author of *El aleph engordado* (2009), accusing him of having plagiarized Borges, Katchadjian's lawyer, Ricardo Strafacce, used Borges's work itself to demonstrate the concepts such as intertextuality and remix that underlay the *Aleph engordado* project. (Chacoff 2023) In 2015, after an appeals court judge accused Katchadjian of a crime against intellectual property and blocked his assets, there was a large protest at the Biblioteca Nacional, which Borges once directed. Three thousand intellectuals from Argentina and other countries signed an open letter demanding that the charges against Katchadjian be



dropped, and that Argentine intellectual property law be revised. (PEN International 2015) The courts eventually absolved Katchadjian, as they eventually ruled against Kodama in many of the other cases she brought, but, as Chacoff (2023) affirms, “Kodama’s litigious impulse has had severe human costs.” It has also taken a toll on Borges’s legacy. Publishers, editors, scholars, and creative writers have abandoned or reformulated many a project to avoid the disfavor of the Fundación Internacional Jorge Luis Borges and the massive expense and unpleasantness of having it take them to court.

William Gibson, the science fiction writer who coined the term cyberspace, has written of the powerful early influence of Borges on his work. Many of the programmers involved in the development of the internet were inspired by the utopian vision of the Total Library. As the internet expanded, software developers, chafing against the restrictions of copyright that were eventually applied to code, as well, came up with the idea of “open source,” a license under which software can be used, copied, and modified for free. That was in 1998, more than a decade after Borges died, but it would not have struck him as an unknown concept. Just as their fictions sometimes seem to anticipate the internet, Bioy and Borges’s attitude towards the artistic and scholarly re-use and repurposing of their and other writers’ work is often recognizably open source.

A good example of this happens in August 1966. Borges shows up at Bioy’s house with a story collection published in El Salvador, prefaced with a supposed letter from Borges. The book was sent him by a critic who suspected he wasn’t actually the letter’s author. Borges has never heard of this book before and wonders whether his mother might have written the letter on his behalf and then forgot to mention it to him. The two quickly discard this hypothesis; Leonor Acevedo wouldn’t have imitated Borges’s style, as the letter does.

Borges and Bioy read the stories, quite like them, and reach the afterword, where the author of the book, who styled himself Alvaro Menen Desleal, acknowledges that the “letter from Borges” it includes is apocryphal. Borges wonders what to do. Bioy, sympathetic to the plight of a writer subjugated by the influence of Borges, says, “You can’t go after this poor, rather intelligent individual, whose mind you’ve dominated to such a degree that he has no freedom or chance of writing except as he imagines you write.”<sup>28</sup> Borges wrote back to the suspicious critic who’d passed the work along, “with praise for the book and even for the apocryphal letter”<sup>29</sup> (Bioy Casares 2006: 950).

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<sup>28</sup> “No podés ponerte en contra de un pobre individuo bastante inteligente, que has montado hasta tal punto que no tiene libertad ni posibilidad de escribir sino como imagina que vos escribís.”

<sup>29</sup> “con elogios para el libro y aun para la carta apócrifa”



When Menen Desleal participated in a celebration of Borges's centennial in Maryland in 1999, he told the Mexican writer Sergio Ramírez that he'd always wondered whether Borges ever came to know of his book and the "letter from Borges" that prefaced it. Ramírez learned the following year that Menéndez Leal (his real name) had died, apparently without having resolved the question that haunted him. When *Borges* came out six years later, Ramírez found the answer in its passage about Menen Desleal. He also located the reply Borges sent to the man who sent him the book, Guatemalan poet Alfonso Orantes. Borges wrote Orantes, "Since the collection plays with waking and dreams, the possibility remains that my letter was part of the play, the mischief-making..."<sup>30</sup> Borges accepts the letter falsely attributed to him as his own: "my letter." In 2003, the letter was included in *El círculo secreto*, a collection of prologues and annotations by Borges (Ramírez 2016).

In an article published months after Kodama's death, novelist Alejandro Chacoff (2023) describes an experience similar to mine. The Brazilian magazine *piauí* had planned to publish a recent essay by an Argentine fiction writer about Borges and Bioy and juxtapose it with an article written by the two of them. But that concept had to be abandoned. Kodama's agents said she would not grant rights to the Borges-Bioy article. Why? "She didn't like that the critical essay mentioned Bioy Casares' *Borges*." In Chacoff's analysis, Kodama wanted to "monopolize" Borges. Bioy's depiction of him as a sometimes flawed and ordinary human undermined the idealized literary superhero her agents were marketing to the world. There may be an even more elemental explanation. After decades of being treated as a minor appendage to the genius whose slightest utterance was recorded for literary posterity, Kodama's creation of the Foundation, her assertion of control, the push for global sales, and the many lawsuits she was notorious for waging may have been a way to make sure people were finally talking about *her*, regardless of what they were saying. Was she also taking out her aggression on the society she was born into which nevertheless continually hinted to her that she didn't belong? In 1978, Borges tells Bioy that Kodama's friends are advising her to "distance herself"<sup>31</sup> from Borges so she can at last come into her "true personality"<sup>32</sup> (Bioy Casares 2006: 1525). Perhaps, in the end, her control of his estate allowed her to do that. It was, after all, the estate that financed the lawsuits.

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<sup>30</sup> "Ya que el volumen consta de una serie de juegos sobre la vigilia y los sueños, queda la posibilidad de que mi carta sea uno de tales juegos y travesuras..."

<sup>31</sup> "alejarse"

<sup>32</sup> "su verdadera personalidad"



Daniel Martino's view of Kodama can perhaps be guessed from the index to *Borges* he prepared, which expresses it in Bioy's own laconic style. In March of 1982, Borges tells Bioy which women and which figures in Argentine history Kodama most admires. The index records each name separately: "Lady MacBeth, 1570, Medea, 1570, F. Quiroga, 1570, Rosas 1570." (Martino 2017a: 75) A separate entry for Medea reads, in its entirety, "admirada por M. Kodama, 1570."

Adolfo Bioy Casares's literary executor is a supremely dedicated and highly productive literary scholar. In addition to his full-length and abridged editions of *Borges*, he has, since 1989, edited and annotated eleven other editions of Bioy's work, including a 3-volume *Obra completa* that totals well over 2000 pages (and does not include *Borges*). The doubts about his "reliability" and "academic rigor" expressed by Hadis and Kodama in 2011 were clearly not an issue for the Borges estate some years earlier, when the Biblioteca Ayacucho brought out a critical edition of *Ficciones*, *El Aleph*, and *El Informe de Brodie* with notes, chronology, textual scholarship, and a bibliography by Martino. (It appeared in 2007, shortly after *Borges* came out, and seems likely to have been commissioned well before.)

While Kodama employed a powerful agent to sell *Borges* to the world, Martino has kept a rather tight lid on the circulation of *Borges*, even in its original Spanish. The complete *Borges* was printed twice (in Bogotá, in September of 2006, and in Barcelona in October of that year) and has not been reprinted since. Used copies currently sell for \$500 - \$800. The 2011 abridgement was reprinted once the same year it was published and never again; used copies now sell in the same price range as the full-length work.

For a long while, the only translation of *Borges* into any language I was able to locate was a 34-page excerpt published in the November 20, 2010 issue of the Oslo-based philosophical journal *Agora*. In a 2014 interview with *Clarín*, Martino spoke of working on an enlarged and corrected re-edition of *Borges*, but it has yet to appear (Pinchon Rivière 2014). The website Martino maintains for the *Borges* digital index offers, under "Corrigenda," a set of textual revisions he prepared in 2016 that have not yet been incorporated into any new print edition in Spanish.

Perhaps it was his return to *Borges* to work on those revisions that opened up possibilities for its further dissemination in other languages. In 2022, East China Normal University Press in Shanghai brought out a 654-page abridged translation in hardcover under the title 日记中的博尔赫斯：1931—1989 [Borges in his diary: 1931-1981] translated by Jingjing Zheng, Kaitian Lu, and Quan Xu. In a twist Borges might have appreciated, the Borges estate's successful sale of Borges's complete works to China, so gleefully celebrated by Wylie, appears to have paved the way for the Chinese publication of *Borges*, the book the estate worked to suppress.





At the 2023 Feria del Libro de Buenos Aires, Daniel Martino and Valerie Miles announced a forthcoming English translation of *Borges* which Miles has been working on since 2019, to be published by New York Review Books. The earlier sticking point has been resolved. The English translation will be newly abridged for the English-speaking world by Martino. Miles, a prodigious translator, and the groundbreaking editor who launched *Granta en español*, spoke admiringly to *La Nación* of Martino's "absolute rigor and perfectionism"<sup>33</sup> (Gigena 2023). Publication is slated for 2025.

"*Tlön, Uqbar, Orbis Tertius*," a story by Borges in which Bioy is a character, tells of a secret society in early 17<sup>th</sup>-century Europe that sets out to invent a country. Two centuries later, in 1824, a slave-owning American millionaire learns of the project and enlarges it: the invented region will not be a country but an entire secret planet. By the story's end, in 1947, the lived reality the narrator experienced for most of his life has been altered, perhaps irrevocably, by this vast fiction. The language, history, and philosophical polemics of the imagined planet are beginning to replace Earth's own.

This tale of the subtle invasion and conquest of a familiar world by an invented one has sometimes been read as a metaphor for the transformative impact of a new philosophical or scientific paradigm or work of fiction. It can also be viewed as a parable of the kind of political disinformation campaign wielded by figures such as US Republican operative Karl Rove, who often lists Borges as his favorite writer (Nevala-Lee 2012). (Rove famously said, in 2004, "We're an empire now, we create our own reality.") Or it could bring to mind the hordes of bizarre and spurious factoids generated by "Artificial Intelligence," that have overrun once-useful search engines and polluted the world's information ecology.<sup>34</sup>

Perhaps it can also be read as a story about copyright. The time frame of "*Tlön, Uqbar...*" parallels the rise of intellectual property law, from the Licensing of the Press Act of 1662, which gave the London's Stationers' Company a monopoly on the printing of books, to the Berne convention of 1886, which the US did not sign onto until two years after Borges' death. Bellos and Montagu (2024) describe this body of law as a kind of fictional alien planet, "an edifice of words resting on a long and complicated string of metaphors and double meanings." This artificial, precarious, and contradictory edifice has very few of the stimulating or protective benefits for actual creators its devisors claimed they were seeking to establish. Instead, this vast legal fiction has ended up negatively impacting many things, among them the way contemporary literary culture circulates.

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<sup>33</sup> "de absoluto rigor y perfeccionismo"

<sup>34</sup> See, for example, Heikilla 2022.



And it was all avoidable. Bellos and Montagu (2024) present some hypothetical alternative scenarios. The standard period of a decade of copyright protection following an author's death, introduced in France in 1793, could have become and remained a global norm, for example. Or, instead of reversing it, the delegates at the 1886 Berne Convention could have maintained the traditional view of translation often expressed over the previous two centuries, which was that it produced a new work in its own right, "fully entitled to copyright protection without reference to the owner of the source text." If that earlier view had prevailed, all writing would be in the public domain insofar as translation is concerned; translators wouldn't need to seek permission to publish translations of 20<sup>th</sup>- and 21<sup>st</sup>-century works, just as they don't need permission for translations of work from earlier eras. A great deal else would be different, as well. For example, the multilingual literary legacy of one of the twentieth century's most influential writers would not, for the next several decades, be under the control of the five adult offspring of Jorge Kodama, lone sibling of María Kodama, who appears to have had almost nothing to do with him. When an interviewer for the *Sydney Review of Books* asked her about her brother eight years ago, she replied, "Let's just say I'm an only child" (Halford 2016).

On the positive side, it seems unlikely that Kodama's nieces and nephews will share the animosity that their aunt, whom they can hardly have known, felt towards *Borges*. There may be grounds for hope that translators, annotators, scholars, critics, and fiction writers will soon be able to refer to and make use of *Borges* without fear of being denied opportunity to engage with the work of Borges, as a result.

Like Borges's *Aleph*, *Borges* seems to contain everything, or, at least, thoughts and ideas about everything. Bioy's diary entry for July 9, 1971 includes one of the book's infrequent retrospective reflections, this time about the two writers' dawning consciousness of the power of copyright law. He confesses that "In 1940, we were completely unaware of intellectual property"<sup>35</sup> – to such a degree that when an article by Victoria Ocampo complained of "Chilean pirates"<sup>36</sup> Borges and Bioy found her phrase hilarious. Bioy admits that as they were compiling the *Antología de la literatura fantástica* with Silvina in the 1930s, they gave no thought whatsoever to acquiring rights to the materials it included, and the publisher – "undoubtedly better informed the we were about such matters"<sup>37</sup> – didn't bring it up either. It was only after they began editing the "Septimo Círculo" series together – 366 volumes of detective fiction published between 1945 and 1983 – that they were forced to concern themselves with "such matters." Bioy recalls the anxiety he always felt when awaiting word as to whether rights would be

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<sup>35</sup> "En 1940 no teníamos conciencia de la propiedad intelectual."

<sup>36</sup> "piratas chilenos"

<sup>37</sup> "que sin duda estaba mejor informado que nosotros en la materia"



available for one of the books they'd selected; it was that anxiety which ultimately convinced him that copyright existed. But Borges, he adds, "still doesn't believe in it..."<sup>38</sup> (Bioy Casares 2006: 1374-1375) How different might literary history have been if the rest of the world didn't either. How different the future of literature might become if the Orbis Tertius of Borges's disbelief were to flood the world and undermine the distinctly uncreative regime that intellectual property law has created.

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<sup>38</sup> "todavía no cree en ellos"



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Fecha de recepción: 11 de julio de 2024  
Fecha de aceptación: 14 de octubre de 2024

