New Discoveries about an Old Manuscript: The Date, Place of Origin, and Role of the *Parecer de fray Bartolomé de las Casas* in the Making of the New Laws of the Indies

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The Sevillian-born Bartolomé de Las Casas (1484-1566)—Spanish cleric, former benevolent *encomendero*, Dominican friar, and first resident bishop of the diocese of Chiapa—is one of the most important and controversial figures associated with the early contact, conquest, and colonization of the Americas. Beginning with his conversion experience in 1514 and throughout his life, he sought a "total remedy" for the harm done to the peoples of the Indies. Officially appointed *Protector universal de todos los indios de las Indias* in 1516, Las Casas emerged over time as a champion of justice, a prophet of human rights, a voice for the conscience of Spain, and an enemy of anti-indigenous forces.

According to Lascasian scholars, the supreme achievement of Las Casas' life was the passage of the 1542 New Laws for the governance of the Indies. As will be seen, recent discoveries and research about a sixteenth-century manuscript, entitled the *Parecer de fray Bartolomé de las Casas*, provide further evidence and significant clarification regarding the extent of his involvement in this important and historic legislation. The new research presented herein addresses key aspects about the *Parecer*: first, the issues of its date and title;

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1 *Opinion of friar Bartolomé de Las Casas* (hereinafter cited as *Parecer*). This manuscript was originally part of the collection formed by Abbé Augustine Fischer, chaplain to Ferdinand I (1503-1564), as well as chaplain and secretary to Ferdinand's son, Maximilian II (1527-1576). Ferdinand I was the son of Philip von Habsburg (1478-1506) and Juana "la loca" of Castile (1479-1555), and the brother of Charles V (1500-1558), who became king of Spain (1516-1556) and Holy Roman Emperor (1519-1558). Ferdinand I was archduke of the German hereditary lands (1521-1564), king of Hungary and Bohemia (1526-1564), and Holy Roman Emperor from 1558 to 1564. Ferdinand's son, Maximilian II, was also the Holy Roman Emperor from 1564 to 1576. See *Narrative and Critical History of America by Corps of Eminent Historical Scholars and Specialists*, ed. Justin Winsor (Boston: J.R. Osgood and Co., 1885), 1:414; and J.H. Elliot, *Imperial Spain, 1469-1716* (London: Penguin Books, 1963), 197, 206.
second, its temporal placement and proper context in the legislation of the New Laws; and, finally, its consequent historical value and scholarly significance.

The Parecer is part of the Jay I. Kisik Collection at the Library of Congress and is cataloged under the title *Letter of Bartolomé de Las Casas (1474-1566) to the Holy Roman Emperor Charles V (1500-1558)* with the date of 1528. Las Casas' authorship of the document is affirmed by the superscription at the top of the manuscript and by his signature at its end. Additionally, the four subtitles of the five-page manuscript correspond to the remedies that Las Casas consistently proposed for the reform of the governance of the Indies. The first section, subtitled "About the Indians," advocates the abolition of the *encomienda* and for the protective status of Indians as free vassals of the Crown. The second section, subtitled "About the settlement of the Spaniards," promotes the colonization of Tierra Firme with Spanish farmers. The third and fourth sections, subtitled "About slavery" and "About the conquests and discoveries," respectively, demand the cessation of enslavement of the Indians and of armed conquests. Throughout the entire manuscript, there is insistence on peaceful evangelization, as well as on the crucial role of friars in the implementation of the various proposals suggested by Las Casas.

This Lascasian manuscript bears no notation of the date or place where it was written. As a result, over the course of the past 130 years, scholars have published the Parecer with varying dates and different titles, which in turn have created conflicting hypotheses regarding its place of origin. In 1879, Antonio María Fabié assigned the date of *circa* 1550 in his publication of the manuscript that he titled *Parecer de fray Bartolomé de las Casas*. This publication was a transcription of a handwritten copy of the document given to Fabié by Pascual de Gayangos y Arce. A paleographic comparison of the

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4 The Fischer Collection was acquired during the mid-nineteenth century by Karl Hermann Berendt (1817-1878), a German physician, political refugee, and anthropologist. Because of financial difficulties attendant to his extended expeditions in Mexico and Guatemala, Berendt liquidated most of his collection, including the manuscripts and books of Augustine Fischer, at an auction held in London in 1869. Sir Thomas Phillipps (1792-1872), an English antiquary and book collector, purchased Las
original manuscript from the Jay I. Kislak Collection with Fabié's 1879 publication reveals that the Spanish historian had, with a few minor exceptions, transcribed correctly the Parecer into modern Spanish. However, Fabié's date of circa 1550 is questionable because Las Casas' signature at that particular time would have indicated his position as bishop of Chiapa, and, although Las Casas renounced his bishopric on or about 24 August 1550, he retained his episcopal title. In 1954, scholars Lewis Hanke and Manuel Giménez Fernández included the Parecer in their critical bibliography, retaining the title given by Fabié but giving it the date of 1542. In 1957, Henry Raup Wagner assigned the date of 1543 and titled the document Memorial de remedios. In 1958, Juan Pérez de Tudela Bueso gave the date of 1542 to the transcribed manuscript in his edition of Obras escogidas de Fray Bartolomé de las Casas and also called it Memorial de remedios. Casas' Parecer for his collection of approximately 150,000 manuscripts and books. The Parecer manuscript was number 21242 in this collection. After his death, Sir Phillipps' massive collection was sold bit by bit over the next one hundred years, with the final portion sold to New York bookseller H.P. Kraus in 1977. Soon after Phillipps' death in 1872, Pascual de Gayangos y Arce (1809-1897), a Spanish and Orientalist scholar, purchased the Parecer. Gayangos y Arce's collection was dispersed after he died in 1897. In 1955, the manuscript was discovered in Vienna and, in 1966, Jay I. Kislak purchased the document for his collection, which currently is housed at the Library of Congress. Isacio Pérez Fernández, Inventario documentado de los escritos de Fray Bartolomé de las Casas, ed. Helen Rand Parish (Bayamón, P.R.: Centro de Estudios de los Dominicos del Caribe, 1981), 1:317; Henry Raup Wagner and Helen Rand Parish, The Life and Writings of Bartolomé de las Casas (Albuquerque: University of New Mexico Press, 1967), 269. The manuscript can be viewed at http://lcweb2.loc.gov/cgi-bin/ampage?collId=rbc3&fileName=rbc0001_2008kislak74376page.db (accessed 21 September 2009).

5 Minor transcription errors include the word proprio instead of the full Latin phrase, pro proprio (proper), and the name "Hembroth" instead of "Nembroth," also written as Nimrod in the Old Testament.


7 A memorial is a petition, request, or statement about a particular issue—in this case, about remedies. Lewis Hanke and Manuel Giménez Fernández, Bartolomé de las Casas, 1474-1566: bibliografía crítica y cuerpo de materiales para el estudio de su vida, escritos, actuación y polémicas que suscitaron durante cuatro siglos (Santiago de Chile: Fondo Histórico y Bibliográfico José Toribio Medina, 1954), 68, n. 167. Henry Raup Wagner's study of Las Casas was published posthumously as Henry Raup Wagner and Helen Rand Parish, The Life and Writings, 269, n. 21. See also Bartolomé de las Casas, Obras escogidas: opúsculos, cartas y memorias, ed. Juan Pérez de Tudela Bueso (Madrid: Ediciones Atlas, 1958), 5:120-23.
In 1966, when initially appraising the *Parecer* at the request of Jay Kislak, Giménez Fernández affixed the year of 1528 as the date of origin. By the end of that same year, however, he reassigned it a date of 1535. He equated the *Parecer* with the *Súplica al Emperador* (Plea to the Emperor) and suggested that its contents corresponded to the 1535 *Carta a un personaje de la Corte* (Letter to a Court Official). He retained the original title of the document as the *Parecer de fray Bartolomé de las Casas*.

In 1975, Isacio Pérez Fernández contended that the manuscript probably was written in May 1542 and referred to the document as the *Resumen del memorial de [20?] remedios*, a summary of Las Casas' original voluminous *Memorial de remedios* of 1542 that had been lost. Later, Pérez Fernández conjectured that the *Parecer* might have been written sometime between May 1542 and March 1543; in subsequent years, he reverted to the 1542 date. In 1995, editors Paulino Castañeda, Carlos de Rueda, Carmen Godínez, and Inmaculada de la Corte published the transcribed manuscript in Volume 13 of the *Obras completas: cartas y memoriales* with the date of 1542 and with the title of *Memorial de remedios*.

The dates assigned to the *Parecer* thus ranged from 1528 to 1550, with the majority of scholars proposing a date of 1542. In order to determine more precisely the *Parecer's* date, an analysis of the

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8 Unless otherwise stated, all translations are the author's.
watermark on the manuscript was deemed necessary. Accordingly, Sylvia Rodgers Albro, a Senior Paper Conservator at the Library of Congress, examined the manuscript on 19 September 2007. Albro's analysis began with a visual inspection of the watermark on each of the five pages of the manuscript. Because the watermarks were identical, Albro selected one of the pages of the Parecer, carefully laid it on a small illuminated table, gently placed a clear mylar sheet on top of the page, and lightly traced the watermark's image. This traced image then was compared to examples of watermarks from Charles Briquet's definitive reference catalog. The traced image from the Parecer's manuscript paper corresponded to facsimiles of several watermarks in the fourth volume of the catalog and resembled most closely facsimile number 11244 from a document dated 1541. According to Albro, the slight variations between the watermark of Las Casas' Parecer and the facsimiles in the reference catalog could have resulted from the condition of the wire screen mould that was used in the papermaking process, since the screen molds deteriorate within approximately four years.

Based on her analysis, Albro concluded that the document's paper most likely was manufactured in Genoa circa 1541. The assignation of this approximate date was corroborated by comparison to examples of watermarks from documents written circa 1541 that bore the same iconographic watermark symbol. In general, the watermarks of other manuscripts of that period were unmistakably similar to that of the Parecer. Moreover, commentaries about these sample watermarks

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12 The author is indebted to Dr. Carolyn Brown, Director of Scholarly Programs at the Library of Congress, for recommending this analysis.
13 Charles M. Briquet, Les filigranes: dictionnaire historique des marques du papier des leur apparition vers 1282 jus que'en 1600, A Facsimile of the 1907 Edition with Supplementary Material Contributed by a Number of Scholars, ed. Allan Stevenson and J.S.G. Simmons, 4 vols. (Amsterdam: Paper Publications Society, 1968). According to Albro, this catalog is the basic reference work for European watermarks before 1600, reproducing 16,000 watermarks out of a collection of 40,000 tracings, which were made by Briquet in European archives. While it does not include samples of watermarks from archives in England, Russia, Spain, or Portugal, this reference catalog contains samples of watermarks of paper that were produced at the same time and place as that of the Parecer.
14 Watermark Illustrations nos. 7678-16112, in Briquet, Les filigranes, 4:11244.

Watermark from Charles M. Briquet, *Les filigranes: dictionnaire historique des marques du papier des leur apparition vers 1282 jus que'en 1600*, 4:11244; consulted at the Library of Congress Rare Book and Special Collections.
supported the assignation. However, as Albro pointed out, the date of 1541 is provisional. According to her expert opinion, the paper likely was manufactured in 1541, give or take three years. As such, the paper either was manufactured as early as 1538 or as late as 1544. This time frame thus eliminated the proposed dates of 1528 and 1535 and lent credence to the dates assigned by some scholars who placed the genesis of the Parecer in the early 1540s.

Between 1538 and 1544, Las Casas resided in many different places on both sides of the Atlantic Ocean. He had returned to the Indies in early February 1521, where he remained until his departure for Spain in mid-March 1540. After a sojourn in his native land from 27 May 1540 to 11 July 1544, he again set foot in the Indies on 9 September 1544. Given his transatlantic travels over a six-year period, the question of where Las Casas wrote the Parecer is also a significant factor in determining the manuscript's date.

A textual analysis of the original manuscript is crucial to resolving the issue of place. In the text of the document, Las Casas used several locational words—aquellos, allí, and aquí—which indicate that he penned the Parecer in Spain. For example, Las Casas employed the demonstrative adjective aquellos four times in the document. He used this word, which connotes "those farthest from the speaker," in reference to "those people" (aquellas gentes), to "those kingdoms and lands" (aquellos reinos y tierras), to "those unbelievers" (aquellos infieles), and to "those tyrants" (aquellos tiranos). In using this language, Las Casas was referring to the indigenous peoples, their political systems, and territories "over there" in the Indies, a distant geographical place, as well as describing the Spaniards "over there" who tyrannized them.

Similarly, Las Casas used the adverb of place, allí, five times: he spoke of persons who had gone "over there" (to the Indies) to trade (...personas que allí fueron para resgatar), of His Majesty being informed from "over there" by the appropriate royal audiencia (para que de allí se haga saber a Su Majestad), of the pacification and

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15 For a commentary about where examples of this watermark are located, see Original Text (L-Z), in Briquet, Les filigranes, 2:571.
16 Las Casas lived in the Indies during the following time periods: from 15 April 1502 to the end of September 1506; from mid-November 1507 to mid-June 1515; from 2 January 1517 to 3 June of the same year; from early February 1521 to late March 1540; and from 9 September 1544 to mid-March 1547. Pérez Fernández, Cronología, 127, 163, 192, 229, 249, 294, 534-651, 712.
evangelization that might proceed "from Venezuela" to the other settlements that are "over there" (desde Venezuela y las otras poblaciones que por allí hay), of throwing out those tyrants "over there" who now destroy those lands and peoples (tirando aquellos tiranos que por allí agora destruyen...aquellos tierras y gentes), and of those "over there now" who might live "over there" in the settlements through trade (pueblen en ella...y vivir por allí por via de resgates).\textsuperscript{18}

Las Casas also used an adverb of place—\textit{aqui}—in a phrase that indisputably conveys that the \textit{Parecer} was written and read in Spain. He writes: "As here in your presence, Your Majesty, we will prove" (como aqui en su presencia, Vuestra Magestad, probaremos).\textsuperscript{19} Charles V never set foot in the Indies. Therefore, Las Casas' use of the word "aquí" as well as of "allí" and "aquellos" in the text of the manuscript strongly suggests that the document was not written in the Indies; rather, the \textit{Parecer} was penned, in all probability, in Spain.\textsuperscript{20}

The foregoing considerations compellingly indicate that the Lascasian manuscript in the Kislak Collection was incorrectly dated, thus altering what scholars have opined previously about this document and what they can learn from this still significant manuscript. As has been seen, the most appropriate dates for the writing of the \textit{Parecer}

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\item \textsuperscript{18} Parecer, 1542, Library of Congress, Kislak mss. 191, fol. 4, 5.
\item \textsuperscript{19} Parecer, 1542, Library of Congress, Kislak mss. 191, fol. 3.
\item \textsuperscript{20} There is some additional evidence that the manuscript circulated in Spain during the early 1540s. On the last page of the manuscript, after Las Casas' signature, is a handwritten comment: "bárbaro parecer en todo." Giménez Fernández translated this as "a barbarous opinion in all respects." Giménez Fernández, "Fray Bartolomé de Las Casas: A Biographical Sketch," 121, n. 91. Since the Spanish word \textit{bárbaro} can also mean "bold" or "daring," the holographic, or handwritten, notation on the manuscript may not be derogatory. However, in Pérez Fernández's \textit{Inventario documentado}, the phrase was reported as "bárbaro proceder en todo [outrageous behavior in all respects]." The replacement of the word \textit{parecer} with \textit{proceder} may be a typographical or transcriptional error. Pérez Fernández, \textit{Inventario documentado}, 1:317. Both Giménez Fernández and Pérez Fernández contended that this notation corresponded to the handwriting of Juan de Sámano (1524-1558), secretary to the Council of the Indies during the era of the New Laws (1542-1543). The handwritten notation on the \textit{Parecer} also could be compared with the note written by Sámano on the back of Las Casas' \textit{Conclusiones sumarias}, or with his signature on a 1543 Royal Cédula. See Helen Rand Parish, "Las Casas ante la congregación y Carlos V sobre las Indias y los indios," in \textit{Conclusiones sumarias sobre el remedio de las Indias}, facsimile edition, ed. P. Isacio Pérez Fernández, O.P., and Helen Rand Parish (Madrid: Biblioteca Nacional, 1992), Sign.: Mss 22605 (124);3; and Isacio Pérez Fernández, "Primera edición desconocida de las 'Leyes Nuevas' de 1542, promovidas por el fray Bartolomé de las Casas," \textit{Studium} 25 (1985):417, 419. However, it is possible also that Sámano wrote his remarks on the manuscript at a later date after he left his employ as the secretary.
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now appear to be those of the early 1540s, a time period corroborated by the watermark and textual analysis, which also supports the conclusion that the manuscript was written in Spain. Las Casas’ role and activities in the drafting and revision of new ordinances for the governance of the Indies can help determine more precisely the date and place Las Casas may have written the Parecer during his sojourn in Spain in the early 1540s.

Las Casas, along with his Dominican companion, Rodrigo de Ladrada, arrived in Spain in 1540. Their intention was clear and unwavering: to inform Charles V personally about "the tragic, disastrous, and pitiful situation in which the Indians found themselves" because of the "excesses of particular Spaniards" and, above all, because of the corruption of royal officials on both sides of the Atlantic Ocean. From 1540 through the first half of 1543, Las Casas worked

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21 Rodrigo de Ladrada, O.P., (who labored in Nueva Granada) and Pedro de Ángulo, O.P., (who came from Mexico) joined Las Casas (who came from Hispaniola) in Nicaragua. Later, the three friars worked together in Guatemala. In 1538, the Dominican Provincial Chapter in Mexico City gave Las Casas permission to return to Spain with Ladrada and Luis Cáncer, O.P., to recruit missionaries. After their arrival in Spain in late 1539 or early 1540, they recruited both Dominicans and Franciscans to proselytize in the New World, especially in Guatemala. There, Las Casas and Ladrada waited for the emperor to return from Flanders. In 1539, in anticipation of the friars' meeting with Charles V, Francisco Marroquín, the bishop of Guatemala, wrote the emperor that Las Casas and Ladrada "are servants of God... I have lived with them for more than three years, and daily I have seen their hearts and minds growing in solicitude for the welfare and salvation of these people." He added that "through an experience of more than thirty years, they have come to know and appreciate the hardships these people suffer and what must be done for their relief." Ladrada remained Las Casas’ good friend and faithful companion until Las Casas’ death in 1566. Carmelo Sáenz de Santa María, El licenciado don Francisco Marroquín, primer obispo de Guatemala, 1499-1563 (Madrid: Ediciones Cultura Hispánica, 1964), 162.

22 The original Spanish reads: "Con el propósito inquebrantable de entrevistarse directamente con el emperador, relatarles descarnadamente y al fondo la situación trágica, desastrosa y lastimosa en que se encontraban los Indios del Nuevo Mundo debido no solo a los desmanes de los españoles particulares sin, sobre todo, a la desacartada administración vigente, y pedirle remedios... [With the unwavering intention to speak directly to the emperor in order to report to him the unadorned and full tragic, disastrous, and pitiful situation in which the Indians found themselves, which is due not only to the excesses of particular Spaniards but also, above all, to the current disobedient administration, and to ask him for remedies...]." Quoted in Isacio Pérez Fernández, "Autenticidad, sentido histórico y valor capital de este documento," in Conclusiones sumarias sobre el remedio de las Indias, Sign.: Mss 22605 (124):6.
actively toward this goal through his involvement with the drafting of the New Laws, as they were commonly called.23

Las Casas waited two years for the beleaguered Charles V to return from Flanders and from his duties at court in Valladolid.24 The Dominican friar finally met with the emperor on or about 4 April 1542.25 During his prolonged audience with Charles V in Valladolid, Las Casas first presented a *Memorial de denuncias de abusos*. This report about the corruption of some of the members of the Council of the Indies is thought to have confirmed Charles' own suspicions and precipitated his mandating the first-ever secret *visita de inspección* (visit of inspection) of the Council of the Indies.26 Then Las Casas

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23 The full title of the "New Laws" is *Leyes y Ordenanzas nuevamente hechas por su majestad para la gobernación de las Indias y buen tratamiento y conservación de los Indios* (The Laws and Ordinances Newly Made by the King for the Good Government of the Indies and for the Good Treatment and Preservation of the Indians). The New Laws were promulgated on 20 November 1542 and, according to Pérez Fernández, were first published on 1 May 1543 and then republished with six additional laws on 4 June 1543 as the *Leyes y Ordenanzas y Adiciones nuevamente hechas*. Pérez Fernández, "Primera edición desconocida," 399-421.

24 In addition to the Crown's fears of losing control in the Indies if encomenderos became a new nobility, Charles V and the Council of Castile were also occupied with significant events in Europe, such as the war with France and its ally, the Ottoman Sultan. Charles, in turn, was allied with Henry VIII. Despite the conquest of Nice by a Franco-Ottoman fleet, the French remained unable to advance into Milan. While a joint Anglo-Imperial invasion of northern France, led by Charles himself, won some successes, the campaign was eventually abandoned, which led to peace and restoration of the *status quo* in 1544.


26 The emperor also received a report similar to Las Casas' from García Fernández Manrique, the count of Osorno, about bribes accepted by some of the council members. Parish, *Las Casas ante la congregación*, 6. The secret investigation of the council was continued after the emperor left Valladolid on 22 May by Lic. Juan de Figueroa, regent of the Council of Castile. Meanwhile, the Council of the Indies apparently was suspended from June 1542 until February 1543. Lewis Hanke, *The Spanish Struggle for Justice in the Conquest of America* (Dallas: Southern Methodist University Press, 2002), 94. In late summer of 1542, a report of the inquiry was given to Charles. In February 1543, Dr. Diego Beltrán and Lic. Juan Suárez de Carvajal were expelled from the Council of the Indies and replaced by Lic. Juan de Salmerón and Lic. Gregorio López (fiscal for the Council of Castile). On 1 May 1543, Bishop Sebastián Ramírez de Fuenleal (former bishop of Hispaniola and former president of the Audiencia de Santo Domingo and of the second Audiencia de Nueva España) was named substitute president for the Council of the Indies, thus giving the aged and ill Cardinal García de Loaisa, the official president of the Council of the Indies, an excuse to absent or remove himself from presidential duties. Pérez Fernández, *Cronología*, 2:571, 591,
delivered a very long official oration, the *Larguísima relación de la destrucción de las Indias*, which informed the king of the harm done to indigenous peoples by the Spanish *encomenderos*, *conquistadores*, and Crown officials.27 Las Casas followed this lengthy legal deposition with a juridical treatise, the original *Memorial de remedios*.28 In the voluminous *Memorial de remedios*, he presented detailed proposals for sweeping administrative, political, economic, sociocultural, and religious reform in the governance of the Indies.29 Shocked by the rampant injustices, the emperor immediately convened an extraordinary junta to which he assigned the task of studying the situation and of drafting new ordinances to govern the Indies.30

608-09. For details about the secret inquiry phase, see Parish, *Las Casas ante la congregación*, 5.

27 "A Very Long Account of the Destruction of the Indies." Although this lengthy account was lost, the writings of the royal scribe, Alonzo de Santa Cruz, referred to the *Larguísima relación*, its impact, and its content, including denouncing Spanish *encomenderos*, *conquistadores*, and Crown officials who perpetrated evils and harm in the Indies. See Alonzo de Santa Cruz, *Crónica del Emperador Carlos V* (Madrid: Impr. del Patronato de Huérfanos de Intendencia é Intervención Militares, 1920), 4:216-22. For further commentary, see Fray Bartolomé de las Casas, *Brevisima relación de la destrució de las Indias*, ed. Isacio Pérez Fernández (Bayamón, P.R.: Centro de Estudios de los Dominicos del Caribe, 1999), 3:60-62; Wagner and Parish, *The Life and Writings*, 109; and Giménez Fernández, "Fray Bartolomé de Las Casas: A Biographical Sketch," 95, 111.

28 The 1542 *Memorial de remedios* initially was drafted between May and August 1537 in Oaxaca, Mexico, and finalized in Spain between December 1541 and April 1542, purportedly in Valladolid. Pérez Fernández, *Inventario documentado*, 1:276-77, n. 107, 296-98, n. 121.

29 In addition, Las Casas gave the emperor a copy of the second version of his work, *De único modo*, which he had written in Oaxaca in 1539 in preparation for his return to Spain. This expanded version, titled *De cura habenda regibus Hispaniarum circa orbem Indiarum et de unico vocationis modo omnium gentium ad veram religionem* (How the Kings of Spain Must Care for the World of the Indies [by] the Only Way of Calling All People to a Living Faith), expounded how rational and peaceful evangelization was a royal duty. Las Casas hoped to move the conscience of the king through this treatise.

30 The fifteen members of the junta included members of the Council of the Indies (Cardinal García de Loaisa, O.P., president of the Council; Dr. Diego Beltrán, *oidor*; Lic. Juan Suárez de Carvajal, bishop of Lugo; Dr. Juan Bernal de Luco, *oidor*; Lic. Gutierre Velásquez, *oidor*), experts in colonial issues (D. García Fernández Manrique, count of Osorno and president of the Consejo de los Órdenes; D. Sebastián Ramírez de Fuenleal, bishop of León and later of Cuenca as well as ex-president of the Audiencia de Santo Domingo and of the second Audiencia de México; Lic. Pedro Mercado de Peñalosa, *oidor* and ex-councilor; Lic. Juan de Salmerón, ex-oidor of the Audiencia de Nueva España and of the Chancellería de México), jurists (Dr. Juan de Figueroa, regent, member of the Council of Castile; Dr. Hernando de Guevara, *oidor*; Lic.
In late-April or early-May 1542, by order of Charles V and with the emperor presiding at all sessions, Las Casas addressed the junta in Valladolid and gave the same reports as he had done in his private audience with the monarch. As before, Las Casas presented his *Larguísimaa relación* about the atrocities that had taken place—and that were taking place—with "a stack of sworn and notarized statements" (*probanzas*) from indigenous peoples as well as from Spaniards in the Indies.\(^{31}\) Reportedly, those assembled sat motionless during the five-hour presentation, spellbound in "a manner of ecstasy and suspension of spirit in his hearers."\(^ {32}\) Las Casas then outlined the lengthy *Memorial de remedios*, replete with his denunciations of the corruption of royal officials and detailed proposals for reform.\(^ {33}\) Subsequently, the junta requested a summary of Las Casas' complex and voluminous *Memorial de remedios* to serve as a guide for their deliberations and for the drafting of the new ordinances.

Prominent Lascasian scholars initially regarded the *Parecer* as the requested summary of the original *Memorial de remedios*, most of which has been lost. Pérez Fernández, for example, stated that "without a doubt" the *Parecer* was a "very significant [and] very brief summary" of the original *Memorial de remedios*.\(^ {34}\) Marcel Bataillon referred to the document as "a most interesting *Parecer*" that "summarizes the ideas of


\(^{33}\) Las Casas also distributed written copies of the expanded version of *El único modo* and of the *Memorial de remedios* 8th remedy to the junta. This 8th remedy, titled *Entre los remedios* (Among the Remedies) or *Octavo remedio* (Eighth Remedy), proposed the abolition of the *encomienda* and gave twenty reasons why the *encomienda* must be abolished. It also insisted on the incorporation of indigenous peoples as free vassals of the Crown. According to Las Casas, the 8th remedy was the "principal and most substantial" reform measure because, as he stated, "without this, all the other [remedies proposed in the *Memorial*] would be of no value." *Entre los remedios*, in Las Casas, *Obras escogidas*, 5:69ab.

\(^{34}\) Pérez Fernández, "Fray Bartolomé de las Casas en torno a las Leyes Nuevas," 399, n. 49.
the remedies."\(^{35}\) While at first André Saint-Lu equated the *Parecer* with the *Memorial de remedios*, later he referred explicitly to the *Parecer* as "a brief synthesis...of [the] twenty remedies presented [in the *Memorial*]."\(^{36}\) In contrast, Antonio María Fabié, the original transcriber and publisher of the *Parecer*, did not regard the *Parecer* as a summary but stated that the document "alludes to the remedies that Las Casas proposed to the Junta of Valladolid [1542]."\(^{37}\) Henry Raup Wagner differed in his opinion and suggested that the *Parecer* might have been the summary requested from Las Casas and his Dominican companion, Rodrigo de Ladrada, after their joint 1543 *Memorial presentado al emperador Carlos V*, in which they suggested amendments, clarifications, and additions to the New Laws promulgated on 20 November 1542.\(^{38}\) Wagner's assignment is not possible since many of the *Parecer*'s petitions, for example, that the Indians become free vassals, were already addressed in the 1542 New Laws. Moreover, the *Parecer* referred specifically to an "18th remedy," but there are no enumerated remedies in the 1543 *Memorial presentado al emperador Carlos V* to which Wagner refers.

For the most part, scholars followed the lead of Pérez Fernández, who, after Giménez Fernández's death, became Spain's (and, perhaps, the world's) foremost Lascasian scholar. Pérez Fernández concluded that the *Parecer* was indeed a summary of the 1542 *Memorial de remedios* and definitely was written some time after the original. However, Pérez Fernández continued to struggle with the issue of exactly when Las Casas delivered this summary of the original. In 1975, he contended that the summary was written before 22 May 1542 because Las Casas left Valladolid on that day for the town of Monzón de Aragón. In 1981, after conducting an inventory of Las Casas' works, Pérez Fernández suggested that the summary could have been delivered as late as March 1543. In 1984, while writing the


\(^{37}\) Fabié, *Vida y escritos*, 1:352. Other scholars who regarded the *Parecer* as the *Memorial de remedios*, but who did not explicitly refer to the document as a summary of the original lengthy *Memorial de remedios*, include Hanke and Giménez Fernández in 1954, Pérez de Tudela in 1958, and Castañeda Delgado in 1995.

chronology of Las Casas' life, he stated that the *Parecer* was written in July and August 1542 but did not specify when the text was presented to the junta.

With the astounding discovery in 1992 of a new Lascasian manuscript—the *Conclusiones sumarias sobre el remedio de las Indias*—Pérez Fernández modified his prior assessments. First, he discovered that the structure of the *Conclusiones sumarias* was reminiscent of documents about remedies in general: the manuscript began with six *verdades fundamentales* (fundamental truths) and sixteen *remedios unibersales* (universal remedies), which pertained to the situation in general in the Indies. These were followed by eighteen *remedios particulares* (specific remedies) for Tierra Firme and a notation about *remedios para las Yslas* (remedies for the Islands).

Second, through a careful analysis of the text of this authenticated document, Pérez Fernández determined that the *Conclusiones sumarias* was the requested summary of the original and larger *Memorial de remedios* and set the date of delivery to the junta sometime before 22 May 1542. As Pérez Fernández openly acknowledged, the new

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39 "Summary conclusions about the remedy for the Indies." This manuscript is located at the Biblioteca Nacional in Madrid. On the envelope of the manuscript is an endorsement penned by Charles V as well as four additional notations written by others. The portfolio at the Biblioteca Nacional pertaining to the *Conclusiones sumarias* contains three separate items: a complete facsimile edition of the manuscript and two brief but valuable monographs. Isacio Pérez Fernández is the author of one of the monographs, titled "Autenticidad." The other is by Helen Rand Parish, "Las Casas ante la congregación." Pérez Fernández subsequently published a longer analysis and a transcription of the document in "Hallazgo de un nuevo documento básico de Fray Bartolomé de las Casas: guión de la redacción de las 'Leyes Nuevas de Indias,'" Studium 33 (1992):459-504. A brief commentary and the text of the *Conclusiones sumarias* also are included in Castañeda's edition of Las Casas, *Obras completas: cartas y memorias*, 13:16, 119-31. See also Gustavo Gutiérrez, *Las Casas: In Search of the Poor of Jesus Christ* (Maryknoll, NY: Orbis Press, 1995), Appendix 2, 465-66.

40 "Unibersales" is the sixteenth-century spelling for "universales."

41 Because the *Conclusiones sumarias* said little about the Islands of the Indies (meaning Hispaniola, San Juan, Jamaica, and Cuba), scholars tend to conclude that those folios were lost. However, if the *Conclusiones sumarias* were delivered to the junta before 22 May 1542, as Pérez Fernández contended, the paucity of information about remedies for the Islands could be due to several reasons. It is possible that Las Casas did not have the time to write them out or because there was some urgency to complete his summary before he left for Monzón de Aragón on 22 May. Another possible reason could have been that by 1542 the Islands had been long since devastated and depopulated of their indigenous inhabitants.
information nullified his previous contention and forced him to reassess his knowledge of the documents and of the events of 1542.42

In light of the new discovery, Pérez Fernández now placed the delivery of the *Parecer* at the beginning of September 1542. The appropriateness and the significance of Pérez Fernández's new assignation of the *Parecer'*s date can be derived from hitherto unknown events of the summer of 1542. After the initial informative sessions in the process of developing the New Laws, the emperor and his retinue, including Las Casas and Ladrada, left Valladolid on 22 May for Monzón de Aragón. The junta also journeyed there either in July or at the end of August.43

According to Helen Rand Parish, little was known about the deliberations held at Monzón de Aragón during the drafting of the New Laws until the discovery of documents in the Royal Files.44 Consequently, this interim period between the junta's initial deliberations during April and May in Valladolid and the promulgation of new ordinances for the Indies in November has not been addressed in most scholarship about the New Laws. For the junta, this second

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42 The discovery of the *Conclusiones sumarias* also helped to clarify why scholars referred to the original voluminous *Memorial de remedios* as the *Memorial de dieciséis (16) remedios* or as the *Memorial de veinte (20) remedios*. The following explanations are now possible: the title designation of "16 remedies" drew from Las Casas' later references to the 16 "universal remedies" presented in the *Conclusiones sumarias*; the designation of "20 remedies" referred to the "20 reasons" given in the 8th remedy of the original *Memorial de remedios*, that is, in *Entre los remedios*, or *Octavo remedio*. The 8th remedy (and its 20 reasons) also was summarized in the *Conclusiones sumarias* as the 8th of the "18 particular remedies" that Las Casas gave for Tierra Firme. By taking into account the total number of remedies (16 universal and 18 particular) that were stipulated in the *Conclusiones sumarias*, Pérez Fernández concluded that the proper and indicated title for the original *Memorial* would be the *Memorial de treinta-cuatro (34) remedios*. He contended also that the *Conclusiones sumarias* were written before Las Casas left Valladolid on 22 May 1542 because of the reference in the manuscript to Sebastián Ramírez de Fuenleal's position as the bishop of León. Fuenleal was bishop of León from 29 October 1539 until 2 June 1542 when he was named bishop of Cuenca. See Las Casas, *Obras completas: cartas y memorias*, 13:119; and Pérez Fernández, *Autenticidad*, 5, 8-9, 11.

43 According to Parish, Las Casas and Ladrada were in Monzón de Aragón from 22 June to 10 October 1542; the emperor and his retinue also arrived in Monzón de Aragón on 22 June and departed for Barcelona on 10 October. The junta and the councilors followed Charles V to Monzón de Aragón in July. Parish, *Las Casas ante la congregación*, 5. However, Pérez Fernández contended that the junta stayed in Valladolid until the end of August, when, after finishing the first draft of the New Laws, they brought the text to Monzón de Aragón. Pérez Fernández, *Autenticidad*, 5.

phase was a time of debate, argumentation, and consultation about possible new ordinances. Significantly, both the emperor and the junta consulted with Cardinal Juan de Tavera, the Primate of Spain, archbishop of Toledo, and the president of the Real y Supremo Consejo de Castilla.\textsuperscript{45}

Twice before, Tavera precipitated and directed reform legislation for the Indies concerning the issues under debate.\textsuperscript{46} He advised the junta to employ the customary procedure of calling for \textit{pareceres} (opinions) on these matters.\textsuperscript{47} The call for \textit{pareceres} was necessary because the junta members were divided over the issues of forced labor, slavery, conquests, and evangelization. For example, reform-oriented members of the junta such as Bishop Sebastián Ramírez de Fuenleal urged the gradual but complete abolition of the \textit{encomiendas}, the establishment of free towns of Indians under the Crown's authority, and the peaceful pursuit of discovery instead of armed conquest. Other members who opposed this all-encompassing reform, such as the president of the Council of the Indies, Cardinal Loaísa, and his followers, urged that only some of the \textit{encomiendas} be ended or reduced in number, that Indians be granted as vassals to the principal \textit{conquistadores} of the Indies, and that conquests be merely "restrained" through new rules. Moreover, this anti-indigenous faction contended that no legislation should be made until the governors in the Indies had been consulted.\textsuperscript{48} However, the majority of the junta and of the emperor's principal advisors sought to expedite the completion of a final draft of the new and just ordinances.\textsuperscript{49} As requested, the reformers received ample reports and \textit{pareceres}, and Las Casas, Ladrada, and

\textsuperscript{45} The Real y Supremo Consejo de Castilla was established in 1480 (and known in later years as the Council of Castile). Next to the monarch, the council was the supreme domestic ruling body of the realm, dealing with administrative and judicial matters.

\textsuperscript{46} Tavera headed the Reform Junta of 1529 that resulted in the antislavery legislation of 1530. His influence also was recognized by Paul III who sent the papal brief, \textit{Pastorale officium}, which condemned slavery, to Tavera rather than to Cardinal Loaísa, the president of the Council of the Indies. Pedro Fernández Rodríguez, \textit{Los dominicos en el contexto de la primera evangelización de México, 1526-1550} (Salamanca: Editorial San Esteban, 1994), 186-87, 253.

\textsuperscript{47} Tavera both advised the junta and provided a questionnaire for their use. For a questionnaire from Tavera and Fuenleal's response, see \textit{La Carpeta Real}, Kraus mss. 129a, 129b, Códice 7A & B, Doc. 2A, 2B.

\textsuperscript{48} \textit{La Carpeta Real}, Kraus mss.138, Códice no.16, doc. 1, fols. 1-9; and Parish, \textit{Las Casas ante la congregación}, 5-7.

\textsuperscript{49} Hanke noted that the majority of junta members definitely opposed the \textit{encomienda} system as it was then functioning. Hanke, \textit{The Spanish Struggle for Justice}, 93.
other religious and civil advisors, made themselves available for further consultation.

During his stay in Monzón de Aragón, Las Casas continued to influence the shaping of the New Laws. His actual presence at the junta's sessions extended far beyond his two Memoriales of denunciations and remedies and his Larguísimarrelación on the harm done in the Indies. According to Pérez Fernández, Las Casas was present in the subsequent "altercations, conferences, discussions, and animated dialogues," in which he "questioned, responded, and argued" with the "dialectic and persuasive force" that so characterized the Dominican friar. Indeed, even an adversary of Las Casas noted that "nothing was accomplished" in the sessions except "by Las Casas' hand." Furthermore, the emperor had ordered Las Casas to participate in the deliberations of the junta, even though the king had not named him as one of its fifteen members. Consequently, Las Casas was present during the final deliberations and vote on the New Laws.  

In addition to his involvement in the junta sessions, Las Casas continued to exercise his influence on the emperor, whose confidence in the Dominican friar was obvious to all. During the summer of 1542, Las Casas and Ladrada presented the emperor with another document, the Representación al emperador Carlos V, which argued that it was canonically just to oblige the conquistadores to make restitution. In addition, Las Casas began to draft a summary of his Larguísimarrelación, refashioned as the Brevísima relación de la destrucción de las Indias, at the request of Juan de Zúñiga—the prince's tutor as well as a member of the junta—for the erudition of the future Philip II.

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51 Pérez Fernández contended that Las Casas even traveled with the court to Barcelona, where the New Laws were redacted definitively and officially promulgated. Pérez Fernández, Cronología, 2:579.

52 In this Representación al emperador Carlos V, the friars outlined how payments of restitution should be made to indigenous peoples or, if there were no native survivors, to the Church for its enterprise of peaceful evangelization. Las Casas, Obras escogidas, 110:123a-33b; Las Casas, Obras completas: cartas y memoriales, 5:101-13; Pérez Fernández, Inventario documentado, 1:314-15, n. 124; Pérez Fernández, Cronología, 2:578; and Hanke and Giménez Fernández, Bartolomé de las Casas, 1474-1566: bibliografía crítica, 68-69, n. 168.

53 "A Very Brief Account of the Destruction of the Indies." Las Casas explicitly stated the origin and purpose of this initial writing of the Brevísima relación in the...
According to Pérez Fernández, Las Casas' many activities during July and August 1542 included the drafting of the *Parecer*. Although the Lascasian scholar did not cite his source for this information, most likely Las Casas wrote the *Parecer* at this time in order to use it as a vehicle to keep the main issues before the junta or possibly to outline the issues ahead of his own address to the junta in Monzón de Aragón. The junta consulted with Las Casas at the beginning of September 1542 regarding four issues: how to resolve the dispute over the status of Indians; how to accomplish the settlement of Spaniards in the Indies; how to terminate the injustice of slavery; and how to stop the ongoing conquests and conduct further penetrations and future discoveries in this so-called New World.\(^{54}\)

Given Las Casas' activities during this previously unknown phase of deliberation, the *Parecer* clearly constituted his oral and written responses to these issues.\(^{55}\) The four subheadings within the text of the *Parecer* correspond to the questions raised by the junta. In the four sections of the document, Las Casas reminded the junta of the need to abolish the *encomienda* and to incorporate Indians as free vassals of the Crown; to colonize the New World territories with farmers; to abolish indigenous slavery; and to cease armed conquests. Las Casas also recommended that Indians be resettled and placed under the care of friars who would be charged with their evangelization through rational and peaceful methods. Las Casas contended that "the preaching of the faith and [the] conversion and [the] salvation of those unbelievers...[and their receiving] of Jesus Christ as their universal Creator, and of [His] Majesty as their catholic and blessed King" is the "proper and Christian name" of the Spanish enterprise in the Indies.\(^{56}\)

Thus, the *Parecer* is a succinct statement about the most important issues that the emperor and the junta confronted at the

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\(^{55}\) The digital images of the original manuscript as well as the author's transcription of the *Parecer* can be seen at the Library of Congress website: http://lcweb2.loc.gov/service/rbc/rbc0001/2008/2008kislak74376/2008kislak74376.pdf (accessed 21 September 2009).

\(^{56}\) *Parecer*, 1542, Library of Congress, Kislak mss. 191, fol. 4. Indeed, as Las Casas first wrote in 1516, reiterated throughout his life, and repeated in 1542, the principal goal of the Spaniards in the Indies was the salvation of the Indians through rational and peaceful evangelization.
beginning of September 1542 as they prepared to finalize what became known as the Laws and Ordinances newly made by His Majesty for the governance of the Indies and the good treatment and conservation of Indians.\textsuperscript{57} Indeed, this concise presentation of the major themes underlying Las Casas' struggle for justice on behalf of indigenous peoples was, as Hanke and Giménez Fernández asserted, "one of the most simple and concentrated expositions that Las Casas may have ever done."\textsuperscript{58}

In addition to its expository merit, the Parecer's historical value is derived from its synoptic character, evident in the degree of its correlation with Las Casas' prior documents. For example, Las Casas' reference to an 18th remedy in the section of the Parecer on the settling of Spaniards, especially farmers, in the Indies corresponds exactly to the 18th remedy proposed for Tierra Firme in the Conclusiones sumarias.\textsuperscript{59}

Another correlation is made evident by Las Casas' explicit reference to "los otros remedios que dijimos" (the other remedies that we proposed). Analysis of the Parecer shows that each of the four compendious thematic sections of the document correspond in some way with the remedies and reasons stipulated and referred to in the Conclusiones sumarias, which in turn draws from the Memorial de remedios. For example, in the first section of the Parecer regarding "conserving the lives and liberty" of the Indians as free vassals and no longer as encomendados, Las Casas' admonitions correspond to the 9th reason for the 8th remedy for Tierra Firme stipulated in the Conclusiones sumarias, as well as to the 8th reason for the 8th remedy of the original Memorial de remedios. Furthermore, in the second section regarding the settlement of Spaniards, Las Casas' contention that such settlements must be placed under the authority of the audiencia officials, bishops, and exemplary friars, corresponds to the 9th and 13th remedios unibersales as well as to the 1st remedio particular for Tierra Firme in the Conclusiones sumarias, which, in turn, alludes to the 13th remedy of the Memorial de remedios. In addition, in the third section discussing slavery that reads "no one be made a slave," that their "chains [be]...broken" and that all "be freed and declared free," Las Casas' demands reflect the 11th remedio

\textsuperscript{57} Pérez Fernández, "Fray Bartolomé de las Casas en torno a las Leyes Nuevas," 379, 421.
\textsuperscript{58} Hanke and Giménez Fernández, Bartolomé de las Casas, 1474-1566: bibliografía crítica, 68, n. 167.
\textsuperscript{59} Las Casas, Obras completas: cartas y memorias, 13:130-31.
particular for the mainland in the Conclusiones sumarias, which, in turn, refers to the 11th remedy of the Memorial de remedios.

In like manner, these proposals correspond to the 14th and 15th remedios particulares for Tierra Firme in the Conclusiones sumarias, which, as Las Casas stated, echo the 5th and 6th remedies of the original Memorial de remedios. In the fourth section of the Parecer dealing with armed conquests, further penetrations, and future discoveries, as well as about the central role of religious personnel in the pacification and conversion of the Indians, Las Casas' suggestions correspond to the 1st, 9th, 10th, and 15th remedios particulares for Tierra Firme in the Conclusiones sumarias and, according to Las Casas' commentary, to the 4th, 5th, 6th, and 9th proposals for reform listed in his Memorial de remedios. Significantly, the underlying theme in the Parecer about the principal end of the presence of the Spaniards in the Indies—namely, peaceful evangelization and the voluntary conversion of the Indians—encapsulates the 1st and 2nd verdades unibersales and the 10th remedio unibersal of the Conclusiones sumarias, as well as the 1st reason of the 8th remedy of the Memorial de remedios.60

Regarding its historical value, the Parecer served as a reminder to the emperor and the junta to take into account both the requested summary (the Conclusiones sumarias with its detailed remedios) and the reform proposals of the original Memorial de remedios in their final deliberations. The temporal placement of the Parecer in September 1542 provides solid evidence of Las Casas' continuous role and powerful influence throughout the process of drafting and promulgating the New Laws. His role and influence is quite evident. First, Las Casas' initial reports precipitated the formation of a junta and were crucial in the early stage of the junta's gathering of information. Second, the Dominican friar contributed significantly during the previously unknown stage of deliberations and consultations. Third, Las Casas drafted the Parecer during a critically important time of indecision and delivered his exposition of the issues just before the final drafting and

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60 For the first section, see Conclusiones sumarias in Las Casas, Obras completas: cartas y memoriales, 13:127, 130-31, and Entre los remedios in Las Casas, Obras escogidas, 5:91b-93b; for the second section, see Conclusiones sumarias in Las Casas, Obras completas: cartas y memoriales, 13:122-24; for the third section, see Conclusiones sumarias in Las Casas, Obras completas: cartas y memoriales, 13:128-30; for the fourth section, see Conclusiones sumarias in Las Casas, Obras completas: cartas y memoriales, 13:124, 128, 130; about the principal end, see Conclusiones sumarias in Las Casas, Obras completas: cartas y memoriales, 13:119, 122, and Entre los remedios in Las Casas, Obras escogidas, 5:70a-72a.
subsequent issuance of the New Laws. As such, the Parecer was both propitious and climactic in its temporal placement.

In addition to its historical value, the scholarly importance of the Parecer lies in its contribution to knowledge concerning Las Casas' role during the New Law era. The synoptic character and temporal placement of the Parecer lend credence to Hanke's contention in 1964 that Las Casas was "largely responsible for forcing the issue of Indian affairs on the attention of the hard-pressed Charles V." The Parecer's thematic character and propitious timing also expand the basis of Pérez Fernández's argument expressed in 2001 that Las Casas "made" the New Laws. This Lascasianist contended that the Conclusiones sumarias and the document that it briefly summarized, the original Memorial de remedios, constituted "the origin of the New Laws and no other." Pérez Fernández based his conclusion on the close correlation between Las Casas' proposed remedies and the new ordinances that were put forth by the royal council.

While this correlation is demonstrable, Las Casas' role and influence in generating the New Laws was not limited to these two documents. The process of initiating, drafting, and promulgating the New Laws in 1542 encompassed much more than the months of April and May, the period in which Las Casas presented the original Memorial de remedios and its requested summary to the junta. The process began prior to these presentations with Las Casas' Larguisima relación and Memorial de denuncias, which reported the harm done to the Indians and the corruption of royal officials. Only after came the remedies—the original Memorial de remedios and its requested summary—followed by the junta's drafting of possible legislation. During the subsequent phase of deliberation, Las Casas offered a document co-authored with Ladrada about restitution, began writing the Brevísima relación, and drafted the Parecer. Toward the end of this phase, the process of "making" the New Laws reached its culmination.

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61 Pérez Fernández, Autenticidad, 16, n. 20.
64 The Spanish reads: "Este fue el origen de las Leyes Nuevas y no otro; por lo que se puede decir a boca llena que quien hizo las Leyes Nuevas fue el Padre las Casas, y nadie más [This was the origin of the New Laws and no other; because it can be said straight out that the one who made the New Laws was Father Las Casas, and nobody else]." Quoted in Isacio Pérez Fernández, El derecho hispano-indiano: dinámica social de su proceso histórico constituyente (Salamanca: Editorial San Esteban, 2001), 259.
with Las Casas' abridged and timely presentation of the major issues contained in the Parecer. Pérez Fernández was correct: Las Casas did indeed "make" the New Laws, but he did so during a six-month period in which he wielded his considerable influence, targeted strategy, and concerted action.65

Thus, in addition to presenting a more complete understanding of Las Casas' influential role and bold action during the New Law era, this work clarifies the chronology and interrelationship of three pivotal Lascasian documents given to the junta: the Memorial de remedios delivered during April and May 1542; the Conclusiones sumarias submitted before 22 May of that same year; and the Parecer written in July and August and presented in early September 1542. Finally, this research elucidates what should be the appropriate title of the Parecer. The most suitable title is the one penned by Las Casas himself, prefaced by the year of its writing and delivery, namely, the 1542 Parecer de fray Bartolomé de las Casas. Using this date and title for the manuscript, as well as for any future transcriptions and publications, will allow scholars to situate correctly the Parecer as they research Las Casas' important role in the evolution of Latin America's early history.

65 Las Casas was one of many who lobbied for the just treatment of the Indians. Hanke, "More Heat," 307. Similarly, Gutiérrez pointed out that Las Casas "was only primus inter pares [the first among equals]" and reminded his readers of Chacón y Calvo's incisive observation that while the Dominican friar was "at the center of tradition," he was "not an isolated figure" nor was he "the whole tradition." Gutiérrez, Las Casas, 5. Pérez Fernández specifically noted the influences of the religious procurators at the Court of Castile at that time who also petitioned a remedy for the cruelty. Pérez Fernández, "Fray Bartolomé de las Casas en torno a las Leyes Nuevas," 394. Similarly, the critical spirit of humanists such as Erasmus of Rotterdam (1469?-1536) and Juan Luis Vives (1492-1540) also inspired Las Casas and his confreres at San Gregorio in Valladolid, and the four sections of the Parecer reflected this influence.