

Manuel Giménez Fernández (1896-1968)

LEWIS HANKE

MANUEL GIMÉNEZ FERNÁNDEZ was born in Seville May 6, 1896, and died there February 27, 1968. A brilliant student from his early years, he won a degree in Philosophy and Letters (1917) and in Law (1919) at the University of Seville, where he began his long teaching career in 1918 as an assistant professor in the Facultad de Letras. In the 1920s he took up the practice of law as well, which he continued through most of his life. In these years, too, he entered political life as an official in the ayuntamiento of Seville, but soon came to have a concern with national affairs as well.

For those who know Don Manuel largely through his writings on Bartolomé de las Casas, it may come as a surprise to learn that on December 12, 1930, he obtained, by the ancient process of public disputation, the Chair of Canon Law in the Faculty of Law of the University of Seville. Thereafter he became one of the outstanding authorities in the Spanish-speaking world on this complicated subject, while at the same time he distinguished himself in the Spanish Republic as a liberal Catholic leader. As a deputy in the Cortes he participated actively in its troubled affairs, particularly during his service as Minister of Agriculture (1934-1935) when he submitted to the Chamber of Deputies some of the most far-reaching agrarian laws ever proposed in Spain. The Ley de Yunteros was designed to aid the families of poor laborers in Extremadura, and the Ley de Arrendamientos Rurales was the first case in Spanish agrarian history which permitted farmers to acquire land.

During the years of the Spanish Civil War Don Manuel could not teach, for the university was closed. But he devoted these years in his seaside retreat in Chipiona to an intense study of the papal encyclicals and the doctrines of Catholic thinkers. In 1940 he published the first volume of his *Instituciones jurídicas en la iglesia católica*, a fundamental treatment of such great themes as law, society, and culture in the light of ancient and modern views of Catholic authorities.

With the end of the war, Don Manuel entered another period of

intense activity—political opposition to the Franco regime (which of course had to be carried on largely in secret) and to university teaching. When the *Escuela de Estudios Hispano-Americanos* was established as a part of the University of Seville in 1942, he became an active member though strongly opposed to the *Opus Dei* orientation of some of its founders. Thus began the Americanist phase of his life, filled with both detailed and prolonged archival investigation, as well as political polemics, since Don Manuel believed firmly that “all history is contemporary history” and wrote accordingly. In his monograph on “Hernán Cortés y la revolución comunera en Nueva España” (1947) he maintained that Cortés and his companions were New World manifestations of the *Comuneros* revolt in Spain against the Emperor Charles V. No matter what the subject, the Alexandrian bulls of donation, the bones of Columbus, or the ideological background of the Spanish American independence movement, Don Manuel found challenging ideas to present which led to continuing debate among historians, for he brought new documents and new interpretations to old topics.

His principal contribution to American history is his monumental life of *Las Casas*, unfortunately incomplete. Volume I (1953) and Volume II (1960) take the story only until 1523, with over 30 years—and the most important years of the career of *Las Casas*—left untouched. Given the meticulous archival practices of Don Manuel and his desire to exhaust all manuscript sources, it was too much to expect that he would ever bring the story down to the death of *Las Casas* in 1566. There was also a progressive elaboration of data. Volume I included 1145 footnotes plus 277 pages of notes on documents used and remarkably complete indices. Volume II concerned only the years 1517-1523, but 2465 footnotes were necessary to document the story, with appendices on material used and indices of an astonishing minuteness of detail. Those of us who have worked in the same historical vineyard can only admire the solid foundations he laid down in this field—foundations which will be disputed and utilized as long as men are concerned with the life of *Las Casas* and the action of Spain in America.