

philippine studies

Ateneo de Manila University • Loyola Heights, Quezon City • 1108 Philippines

The Patriotic Shortener: A History of the Guillotine

Review Author: H. De La Costa

Philippine Studies vol. 8, no. 1 (1960): 218—219

Copyright © Ateneo de Manila University

Philippine Studies is published by the Ateneo de Manila University. Contents may not be copied or sent via email or other means to multiple sites and posted to a listserv without the copyright holder's written permission. Users may download and print articles for individual, noncommercial use only. However, unless prior permission has been obtained, you may not download an entire issue of a journal, or download multiple copies of articles.

Please contact the publisher for any further use of this work at philstudies@admu.edu.ph.

<http://www.philippinestudies.net>
Fri June 30 13:30:20 2008

THE PATRIOTIC SHORTENER

A HISTORY OF THE GUILLOTINE. By Alister Kershaw. London: John Calder, 1958. xii, 147 p.

Contrary to popular opinion, Dr. Joseph-Ignace Guillotin did not invent the lethal instrument which bears his name. The guillotine existed in recognizable form as early as 1307, when it was used in Ireland to behead a certain Murcod Ballagh. Rival claims have been put forward in behalf of other nations for the honor of originating the contrivance. The Halifax Gibbet in England, clearly constructed on the same principle as the guillotine, is said to have been in operation since the time of Edward III. A mechanised head chopper seems to have been used to deal with five criminals in the German town of Zittau in 1300. Italian historians, not to be outdone, assert that Conrad of Swabia was decapitated in precisely the same fashion at Naples in 1266. There are of course legends of Chinese and Persian guillotines, and a French *savant*, in a desperate effort to keep the franchise, put forward the fantastic claim that a Stone-Age guillotine had been unearthed in the Aisne in 1865.

Dr. Guillotin thus had several already existing models for his machine. But he did not actually design it, much less construct it. The extent of his responsibility for what has aptly been called the National Razor is that on 10 October 1789, in the course of a debate on the Penal Code in the National Assembly, he proposed that "in all cases where the law imposes the death penalty on an accused person, the punishment shall be the same, whatever the nature of the offence of which he is guilty; the criminal shall be decapitated; this will be done solely by a simple mechanism." He made the proposal from the most enlightened and humanitarian of motives. He wished to put an end to the brutal and degrading tortures which even in his day accompanied the execution of those found guilty of certain crimes; and he wished to make the execution itself as painless as possible, as he believed it would be if the head were severed from the body at one stroke "by a simple mechanism." Thus Dr. Guillotin was far from being the monster popular legend has made him out to be, and the Jesuits who educated him need not hang their heads because of their alumnus.

The actual designer of the instrument was Dr. Antoine Louis, the secretary of the *Académie Chirurgicale*, who commissioned a piano maker named Tobias Schmidt to build it. On 10 April 1792 a contract for this purpose was signed between M. Roederer, the *procureur général syndic*, and M. Schmidt, and a week later Dr. Louis was able to report to Roederer that "the Sieur Schmidt, maker of musical instruments, is busy by your orders with an instrument having quite another purpose." Quite.

One other popular misconception needs to be set right. Dr. Guillotin did not perish by the instrument named after him. He died in bed of a carbuncle on the shoulder.

Mr. Kershaw has produced a fine piece of research. The subject is admittedly macabre but—if we consider what the guillotine, or as it was familiarly known among the Paris populace, the Patriotic Shortener, contributed to the French Revolution—not without its importance.

H. DE LA COSTA

A SENATOR'S SPEECHES

PUBLIC ADDRESSES. By Ambrosio Padilla. Vol. I: 1954-57, Vol. II: 1959. Privately printed.

In a speech delivered before the Ilocos Sur Lawyers' Association in June 1957 ("Principles, Not Personalities"), Senator Padilla, the author of the collection of speeches under review, summed up what he believes to be the three fundamental qualifications of a candidate worthy of public choice: "first, honesty and moral integrity; second, competence and intellectual ability; third, sincerity and willingness to serve." Senator Padilla is a public servant of known honesty and moral integrity, competent and intellectually capable, sincere and willing to serve, and elected to public office in November 1957.

The speeches are arranged chronologically: the first volume reproduces speeches delivered by the author during his incumbency as Solicitor General of the Philippines and the second volume contains addresses delivered as a member of the Philippine Senate.

The number of the topics treated, the variety of the audience for whom the speeches are prepared, and the frequency with which the author is called upon to speak would naturally require of the speaker a "storehouse" of ideas upon which he can always fall back. This storehouse, for Senator Padilla, is his legal training, his long years of legal practice and the consequent familiarity with the jurisprudence of both the Philippines and the United States.

Law, whether public or private, is essentially an ordering of the elements and forces that make up society. It is this central idea of order which lends unity to this collection of speeches, a work which of its nature is not the result of a conscious effort at unification. Almost every speech can be boiled down to an appeal for the recognition and application of the rule of law in the private and public lives of citizens and for a balancing of apparent social opposites such as rights and obligations, authority and responsibility, private interest and the common good, individual liberty and political authority, priv-