

Order of Proceedings

Oration by Dr Ruth Farrugia, LL.D.

Address by Anjelica Camilleri De Marco, an LL.D. graduand and a representative of the graduands.

Conferment of Degrees

Solemn Declaration by Graduates

INNU MALTI

The Congregation rises when the Dignitaries leave the Hall.

Families in Family Law
Dr Ruth Farrugia LL.D

It is an honour and a privilege to be asked to deliver this oration today.

How wonderful to be here addressing so many of my former students as they now become colleagues and enter into the working world as professionals. Our alma mater has a long tradition which dates back over 500 years but which has also moved with the times to deliver courses in which you have now proved your prowess. Today we have graduates as Doctors of Laws, Master of Law and Master in Financial Services, and Magister Juris in European and Comparative Law and in International Law.

You must all be so very proud to have achieved your goals and to be graduating today. I am certainly very proud of you. And so are your families – all your families who are with us today to celebrate this happy event and those members of the family who for some reason are celebrating elsewhere. For without your families, it is doubtful whether you would have found the energy and enthusiasm to keep going in your studies. Their support and love has helped made the struggle worthwhile.

By now you probably know where this is leading: Families and Family Law have been my chosen area of study for a long time now. My interest in human rights pertaining to children, women and vulnerable groups is strongly linked to families and I hope to have communicated at least a little of my passion in the subject!

In the abstract, the whole aim of family law should be to incorporate a series of rights and regulations associated with the smooth running of the family. However families do not usually run according to any third party legislator's set plan – they decide for themselves what suits them best and live their relationship on their own terms. The law comes in to pick up the pieces when things go wrong but it also tries to set the tone for how things should be handled if they are to go right. This is precisely where every John and Jane citizen becomes a would be legislator and advocate and responds to family law rules from an independent and frequently very individual point of view.

Family Law is often accused of falling short of the rigidity usually associated with legal disciplines. At best it is a somewhat artificial shaping of a series of laws and regulatory policies. To my mind, this is the very element that enriches

it and makes it so interesting. Family Law is about changing structures and policies that affect each of us directly or indirectly. Goldstein and Katz in their monumental work on Families and the Law in the 1960s perceived the cycle of state and family interaction in terms of three basic problems for decision: establishment, administration and reorganization. Recent developments relating to the role of the state in determining social relationships have led to a rethinking of this framework and now include developments such as family forms which were once unthinkable.

Roman law delineated clear guidelines as to the Law on Persons and set out rules under the general authority of the one male figure who held it all together – the *bonus paterfamilias* exercising *patria potestas*. In earlier times, family law was perceived as an issue for public law – alliances between noble families and the impact of succession rules affected the whole country and at times the entire continent. Constitutional law itself was greatly concerned with family law issues which is why, for instance, Henry VIII's sex life became a matter of public concern – because of its impact on the future of a whole country.

This distinction between public and private elements of family has continued until the present day. At times the privacy of the home permits gross violations of fundamental rights which may be impervious in practice and at times in law to legal intervention by the state because one is said to be dealing with a domestic rather than a public situation. Recent debate on domestic violence is a prime example of this in our own country.

In Europe and the US a spotlight on the start of the last century reveals family law as largely concerned with the contract of marriage, rights over children and very little else. In Malta, marriage remained the concern of the church until the 1970s but issues relating to marital relationships and parental authority were regulated by civil law.

At first the law was simply concerned with allocation of rights. Spouses were perceived as right-holders, using rights in the sense of claims that need no other justification for their enforcement. The breakdown of a marriage was always the fault of the other and the guilty party was expected to provide a remedy for the innocent victim. The wife's entitlement to maintenance for example was directly affected by her guilt or innocence and decisions about the custody of children were resolved on the basis of the father's superiority to exercise parental control or by reference to the moral evaluations of the parties' conduct.

Proceedings usually took place in public and humiliation and embarrassment were persistently connected with the separation. Indeed one can safely conclude that there were clear policy goals about deterring misconduct through punishment, stigma and public shaming. Smart refers to this aspect as the “punitive obsession” eventually leading to a shift focusing on the economic and psychological well-being of family members. Times have certainly changed. Couples going through a separation process are now the subject of concern rather than fault finding and although Malta still has a fault based system this is alongside a no fault separation.

The focus of legal policy developed to be more centred on the needs and futures of the parties to marriage and of children. Family law was loosely perceived as having functions and courts were vested with wide ranging powers to discharge them, including broad powers of discretion. Eekelaar’s work on Family Law and Social Policy in the late 1970s highlights the functions of family law in this perspective. He described the functions of family law as mainly adjustive, protective and supportive which is why the spotlight shifted towards producing welfare outcomes rather than vindicating rights.

However this notion of rights in family law, particularly within the context of relationships, has always struck me as somewhat incongruous. Rights within family law are about the interdependent relationship between family members. Courts are invariably concerned not solely with defending a right but with protecting a relationship and managing it and mediating it and dealing with all the different parties to that relationship. Reducing family law to questions of property rights is to lose sight of the fundamental basis for the law itself which sets out in the Maltese Civil Code to “promote the unity and stability of the family”

This is very much the focus of debate within current studies of family law where the question posed is whether the family court system should be rights based or welfare based. Recent trends have veered away from the polarisation of this divide. They now offer a community-based solution in the recognition that family law issues cannot and should not be divided but should be acknowledged as affecting more people than those directly involved in the suit being contested before the courts.

Reference is repeatedly made to the courts and their role in family law. Numerous jokes are told about them and here is one of my favourites, with all due respect :

A physician, an engineer and a judge were arguing about whose profession was the oldest. The surgeon announced, "Remember how God removed a rib from Adam to create Eve? Obviously, medicine is the oldest profession." The engineer replied, "But before that, God created the heavens and the earth from chaos, in less than a week. You have to admit that was a remarkable feat of engineering, and that makes engineering an older profession than medicine." The judge smirked, and said, "Who do you think created the chaos?"

Joking apart, I feel that nowhere in the law is the impact of court judgements more strongly felt than in the field of family law. Changes in family law are the product of a long and slow accumulation of case law shifting the meaning of legal rules until these rules often come to say something different from what was originally intended.

As a result of these reforms, the nexus between the institution of marriage and the status of the child, for instance, has been dramatically changed so that while it may not be completely severed it is now certainly quite loose. Until a relatively short while ago combined laws related to marriage implicitly also conferred legitimacy on children. Amendments have now clarified that the status of the child is to be free from any form of discrimination and should not be dependent on the marriage of the parents.

Family law was hitherto considered meaningful within the context of connecting the relationship of partners within marriage to the children produced from their union. Abstracting the children from marriage has brought about a marked downsizing in the importance of marriage in this particular respect. This is because equal claims of maintenance and succession now exist in most jurisdictions, irrespective of whether a child is born in or outside wedlock.

One thing has however remained unchanged. The disconnection between marriage and the rights of the child finds its limitations in the simple fact that for a child to have equal rights against a father, that father must be known. It is still the case in every legal system that a father is automatically acquired by the fact of the mother's being married at the time of conception or birth while paternity outside marriage must be established by an act of will by the father or by judicial proceedings.

It is true that progress in science has made the family lawyer's life that little more interesting by producing a child with potentially two legal fathers and two legal mother (and this is acknowledged on the child's birth certificate

in some jurisdictions). The law has responded by legislating to conjure up a legal fiction whereby a child may have neither a mother nor a father (across the European Continent anonymous birth is now well established). Being a child is not as simple as it once used to be...

Marriage has in all European countries bar Malta, become easy to terminate. The privileged position marriage used to occupy has been undermined by the relaxation of divorce rules and sets of rules to acknowledge cohabitation. This deinstitutionalisation of marriage has not just brought about an alternative life style but has introduced a far more dramatic weakening of the legal term of marriage itself. Notwithstanding the fact that Malta has no divorce law itself, it does recognise foreign judgement granting divorce and rising numbers of separations and annulments in no way console the family lawyer that lack of divorce legislation is keeping marriage strong.

At the same time, the internal structure of authority within marriage has also been substantially affected. Parental authority is shared equally between mothers and fathers, unless issues as to unmarried fathers alter this balance. The rights and duties of husbands and wives have been equalised. The changes in structure of authority are not so much the product of change in the social function of marriage but more the result of increasing economic independence of women.

It is therefore easy to see why family law automatically sets the study path in the direction of women's rights and, in a different direction, children's rights. Distribution of rights within the family and allocation of responsibilities have been shifting since the first formalised Roman legislation. The women's rights movement lobbied successfully for equal rights of women within the family so that husband and wife are now – by law – expected to maintain each other, choose their matrimonial home together and share in an equal partnership. Where the marriage breaks down, family law sets out rules for a just settlement and offers increasingly more sophisticated options to resolve disputes such as mediation which is now part of a set legal framework.

Children are no longer the property of their father, subject to his wish and command. Both parents have equal authority over them and hopefully it will not be too far in the future for Malta to follow the example of most of Europe and start talking of responsibility rather than authority. A much needed overhaul of the laws relating to children is long overdue in order to reflect the changing social structure which family law seeks to regulate.

Europe is introducing its own changes at a fast pace and each of these affects Malta directly. Legislation such as the recently overhauled Brussels II (known as Brussels II Bis) and the Convention on Contact dealing with issues relating to child participation and custody or contact are making great inroads in children's rights. Certainly the spirit of the United Nations Convention on the Rights of the Child is being honoured by all its European state parties through these efforts to bring proposals into practice. However there is yet more to be done. Already critics have pessimistically predicted that the revised Regulation may raise more problems than it solves, particularly with regard to the jurisdictional uncertainty concerning the enforcement of divorce matters and cross-border child abduction. Certainly most academic family lawyers feel that an opportunity to codify child and family law principles more coherently across the 25 member states seems to have been put off *sine die*.

Meanwhile, the European Court of Human Rights continues to deliver judgements directly affecting family law and families themselves. This case law continues to shape the way all of us apply our own domestic law and this directly impacts on the way we function within our respective systems at the micro and macro levels. The most important legal question to emerge in reviewing recent judgments is undoubtedly whether the Court is continuing to prefer an appellate to its traditional supervisory role, notwithstanding that the line between the two has always been a little blurred.

In the cases delivered last year the definition of family life continued to loom large especially in cases of unmarried and adopted families. The very flexibility and looseness of the concept of family life may be the cause of its undermining as the Court continues to struggle to find a consistent line apart from the one determined exclusively by the facts of the cases under scrutiny. The growing number of dissenting opinions and formative judgements from Strasbourg speak volumes in the development of family law.

But where does that leave us? There is no doubt that changing family and family forms are being acknowledged by our society. The so called traditional family has undergone drastic change in relatively recent years. Essential characteristics of the traditional family type are marriage as the starting point of a family with a high valuation and monopoly of marriage, including the favouring of children born within that marriage subject to the authority of the married parents.

The demographics of Malta are an important window on the change: household sizes have shrunk. On average, families have become much smaller. Non-nuclear family members no longer live in the same household with the same frequency as before. Fewer children are born and there is a marked increase in the number of childless couples and lone parent families who in turn on average have fewer children than married couples. Issues of family growth and family dissolution have taken on a completely different dimension. Whereas family growth once meant large numbers of children, today's family has just one or two children which means that their experience of childhood is very different. Family law has had to change to reflect this experience and to take into account the shift in a more individualised upbringing now accorded to children.

Family dissolution used to mean the aftermath of death. It now usually signifies divorce and separation. Statistics on separation of cohabiting couples is difficult to establish but data on separation for married couples is documented and the picture presents a profile of a family which would be unrecognisable to our grandparents. The advent of increasing dissolution through separation has also brought about the phenomenon of family reconstitution. Data on the formation of new non-marital partnerships after separation is also difficult to describe precisely but evidence shows that increasing numbers of reconstituted families are part of our society.

Children from first, second and subsequent families experience a family life alien to any set out by the policy makers. It may be argued that they are fine since their legal status is protected at law through the amendments of 2004 removing discrimination between children born in and outside wedlock. However, the repercussions of living with parents whose rights are not catered for requires serious and urgent consideration. Family law research has a responsibility to highlight *lacunae* which contribute to the increased risk of poverty and social exclusion – and legislators are then expected to address the issue.

As the ECHR said twenty years ago in terms of its positive approach to Article 8, “Article 8 does not merely compel the state to abstain from such interference: in addition to this primary negative undertaking, there may be positive obligations inherent in an effective respect for family or private life... The obligations may involve the adoption of measures to secure respect for private life even in the sphere of the relations of individuals between themselves” (X&Y v. The Netherlands ECHR 2.03.1985)

This brings us full circle. Family law is certainly about law but it is also about relationships. Amendments to the law must take into account changing family structures and seek to balance public interest with individual needs both as a family unit and in the interest of each family member. This is no easy task. The tendency is to leave well enough alone and wait for the courts to determine applications which raise issues not regulated by legislation. This is not easy for the judge deciding the case who must shed his or her own personal baggage in order to decide a case relating to issues which may be totally alien to his or her experience in the pursuit of justice. The family lawyer must face the challenge of researching the issue and placing it within the often restricted local perspective while looking to Strasbourg for inspiration and guidance.

Again, this is what makes family law so vibrant and appealing. It is about real people with real needs turning to the law in the hope that rights within relationships will be bettered or strengthened or both. Family Law affects us all. Those of us who choose to practice it are privileged to be able to contribute towards a happier more just society.

Allow me to congratulate your families who have been instrumental in helping you be here today. Permit me to say a big thank you to all those who encouraged you and inspired you in the spirit of generosity so characteristic of families. I end by wishing you a successful and fulfilling career in your chosen profession. I hope it gives you the satisfaction of helping others, whilst maintaining a work family balance essential to yourselves and your own families, now and in the years to come.

Anjelica Camilleri De Marco

Gheżież Kollegi u sinjuri preżenti,

Id-diskors tal-gradwazzjoni jippreżenta sfida kbira. L-ewwel problema hija dik tat-tul. It-tieni problema hija dik ta' l-originalita'. Meta saqsejt 'l omni ghal xi parir fuq id-diskors rrispondiet l-ewwel domanda bil-paċenzja kollha. Imma meta għafasta b' domanda ohra, qaltli "Anjelica, tikkonfondix hadd mhu ha jaghti każ dak li tgħid. L-uniċi żewġ kelmiet li nies jixtiequ jisimghu huma l-ewwel u l-ahhar isem tat-tifel jew tifla tagħhom waqt li jkunu mexjin fuq il-palk". Pero' meta ratni għadni minix sodisfatta bil-parir ziedet "meta għandek tagħmel diskors u ma tafx x'għandek tgħid ma tistax tiżbalja meta tgħid 'kemm jien kuntenta li qieghda hawn'"... u llum, wara sitt snin ta' studju, ma nistax nahseb fi frażi ahjar biex nesprimi dak li qed inhoss hliet kemm jiena kuntenta li qieghda hawn.

Fil-fatt nixtieq niringrazzja is-senat talli stidinni biex nitkellem hawn illum. Dan huwa unur kbir għalija. Li kieku fil-bidu ta' l-istudji tiegħi fis-sena 2000, xi hadd kellu jgħidli li ser nagħmel diskors tal-gradwazzjoni fis-sena 2006, ma kontx nemmen. Il-hsieb li niggradwa kien hsieb innifsu inkredibilmment il-bogħod. Kien għadu l-bidu ta' vjaġġ liema destinazzjoni kien għadu incert għalina lkoll.

Imma irnexxielna!

Illum qegħdin hawn biex nirċievu l-lawrea – ġurnata li nahseb li bhali ilkom tistennew forsi anke minn qabel ma bdejt u l-kors tal-liġi!

U filwaqt li dawn l-ahhar snin kienu pjuttost movimentati u mimlijin memorji, ġejt mistoqsija nitkellem illejla, mhux biex nirrifletti fuq il-passat, imma biex nithaddet fuq il-futur.

Bla dubju ta' xejn, dawn is-sitt snin jimmarkaw biss il-bidu ta' l-esperjenza tagħna fid-dinja legali. Għad irridu niltaqgħu ma' ostakli kbar, ostakli hafna itqal minn dawk li pprezentat it-tielet sena tal-kors! Filwaqt li jiena ċerta li lkoll kburin li ahna finalment lhaqna avukati, u mhux biss minhabba t-titlu ta' avukat li ha jakkumpanja isimna, nahseb li problema kbira li għandna niffaċċjaw fil-karriera tagħna hija li nkabbru l-kredibilita' li hemm fil-professjoni legali.

Ilkoll minnkom smajtu xi ċajta fuq l-avukati. Kull m'għandek tagħmel hu

li tfittex fil-*google* jew taghzel mill-hafna kotba ddedikati ghal ċajtiċ fuq il-professjoni legali. Jiena u naqra il-bizibbilju ta' ċajtiċ li jeżistu, għażilt il-preferiti tiegħi. Uħud li laqtuni huma:

X'inh i d-differenza bejn Alla u avukat? Alla ma jahsibx li huwa avukat!

Jew

Kif tkun taf meta avukat qed jigdeb? Xuftejh ikunu qed jiċċaqalqu!

U l-ahjar wahda:

‘Kemmm hemm ċajtiċ fuq l-avukati? Ebda, kollha huma vera!’

Fil-fatt nahseb li l-ikbar problema b'dawn iċ-ċajtiċ hi li l-avukati ma jahsbux li huma tad-dahk u l-ohrajn ma jahsbux li huma ċajtiċ!

Mela għalfejn huma daqshekk popolari? Sfortunatament hemm evidenza li dawn iċ-ċajtiċ jitwiċdu iktar minn antipatija lejna milli minn sens ta' umoriżmu. F'sondaġġ mahruġ mill-American Bar Association fl-2002, li indaga fuq liema okupazzjoni tikseb l-ikbar fiduċja pubblika, l-avukati ġew l-ahhar – wara n-news media!

U mid-dehra din il-fama hażina li għandna ma' uħud min-nies, ilha teżisti anke fiż-żmien ta' Shakespeare. F'*King Henry VI*', hemm kwotazzjoni famuża li ntqalet mill-karattru malizjuż, *Dick the Butcher*:

“The first thing we do, let's kill the lawyers”.

Imma filwaqt li hemm hafna li jghidu li Shakespeare uża *Dick the Butcher* biex jesprimi l-opinjoni tiegħu, hemm hafna ohrajn li jahsbu li *Dick the Butcher* ried joqtol l-avukati għax haseb li b'hekk seta' jiggarrantixxi s-suċċess tal-pjanijiet illegali tiegħu. Huwa ironiku li linja li halqet daqshekk dibattitu kontrina, x'aktarx kienet intiża biex tfahhar il-valur tal-professjoni tagħna!

Wara kollox, minkejja l-ambigwitajiet morali, il-kontradizzjonijiet inerenti u l-assurditajiet, l-avukatura tibqa' ċentrali, mhux biss għas-sistema legali imma anke għal hajjita – tirrappreżenta l-liberta' ta' l-espressjoni u l-kontribuzzjoni lejn is-saltna tad-dritt. Bħala avukati, ahna stqarrija tal-principju ta' l-'*audi alteram parte*'. Bħala l-atturi principali fis-sistema legali, ir-rwol tagħna huwa

partikolarment importanti għall-promozzjoni tal-ġustizzja u għalhekk biex naqdu lis-soċjeta'. Mela, sa ċertu punt, il-kwalita' tal-liġi u l-proċess legali huma f'idejna... Dawn il-preġji kollha jrendu intolerabbli soċjeta' nieqsa mill-preżenza tal-professjoni tagħna.

Allura għalfejn hemm daqshekk inkomprensjoni fil-konfront tagħna? Kif qal Lord Bolingbroke:

“The practice of law, in its nature the noblest and most beneficial to mankind, is in its abuse an abasement of the most sordid kind”.

L-abbuż li jirreferi għalih Lord Bolingbroke huwa meta l-avukat ma jirnax jirrikonċilja d-dmirijiet tiegħu lejn is-soċjeta' mad-dmirijiet tiegħu lejn il-klijent. Huwa minhabba dawk in-nies li ma jafux jsovvu dawn id-dilemma morali li niffaċċjaw daqshekk kritika. U huwa minhabba dan il-fatt li l-mod kif naġixxu huwa kruċjali għal kif il-liġi ha tizviluppa fil-konfront ta' dawk li jagħmlu kuntatt mal-proċess legali. Huwa kruċjali ukoll għall-essenza tal-liġi, li l-liġi tkun verament strument tal-ġustizzja. Il-punt li qed nagħmel hu li anke jekk il-liġi ma tistax ssolvi l-problemi kollha tad-dinja, tista' ssolvi ftit minnhom. U huwa d-dmir tagħna li nsolvu dawn il-problemi li huma fil-poter tal-liġi li jissewew. Ahna għandna nkunu hemm biex nassiguraw li l-liġi – u mhux il-biża', il-liġi u mhux il-forza, tiggverna id-dinja tagħna.

Meta l-President Havel, f'okkażjoni ta' viżta stali f'Malta rċieva l-grad ta' dottorat tal-liġi '*honoris causa*', irrakonta meta deher quddiem qorti u din il-qorti sabitu hati u kkundannatu l-habs għaliex kiteb kontra r-regime ta' pajjiżu li kien qieghed johnoq il-liberta'. Din ċertament ma kinitx ġustizzja u l-punt li għamel Havel hu li hemm differenza bejn il-ġustizzja skond il-liġi u l-liġi skond il-ġustizzja. Ahna bhala avukati rridu naraw li l-prinċipju li jorbot l-leġislatur tagħna huwa li jkun hemm il-liġi skond il-ġustizzja. Dawn m'għandhomx ikunu ideali biss fuq karta imma għandhom ikunu il-prinċipji li jmexxuna ta' kuljum fil-professjoni tagħna. L-avukat huwa ufficjal tal-qorti u bhala ufficjal tal-qorti għandu responsabbilita' lejn il-qorti. Filwaqt li għandu jkun leali lejn il-klijent tiegħu, din il-lealta' għandha tkun fi sfond ta' lealta' lejn il-qorti li tagħha huwa ufficjal.

Mela għalfejn għazilt l-etika bhala s-suġġett ta' dan id-diskors tiegħi? Mhix daqshekk in-nostalgija għall-lezzjonijiet ta' 'filosofija tad-dritt' ta' Profs. Mifsud Bonnici, daqskemm huwa l-ghan tiegħi li nemfassizza l-punt li kemm

ghall-avukati kif ukoll ghan-nutara, l-etika ghandha importanza privata daqs kemm ghandha importanza pubblika. F'sondaġġ mahruġ fl-Ingilterra fl-1998 ġie stabbilit li l-avukati li kellhom l-iktar livelli ta' stress u l-inqas sodisfazzjon, kienu dawk li iffukaw biss fuq il-flus, jew l-isfida tal-kompetizzjoni u l-ambizzjoni ghal suċċess jew fuq il-prestigju li suppost ghandha l-professjoni. Imma fil-professjoni legali ghandna jkollna s-soddisfazzjon li qed naqdu dmirna, dmir li huwa importanti ghal soċjeta` b'saħħitha u libera. Il-professjoni legali mhix biss mezz ta' għajxien, iżda hija ukoll mezz kif tassigura soċjeta` ġusta. Ciceru kien jghid, "Legum servi sumus ut liberi esse possimus" – Ahna nservu l-liġi biex nistghu nkunu liberi. Fuq kollox u qabel kollox, l-avukat ghandu jhares lejn l-integrita` bhala l-iktar kwalita` li taghmlu professjonist denn ta' l-isem. Minghajr l-integrita`, l-avukat huwa diżunur ghal professjoni.... Dan huwa il-pedament taghna.

Filwaqt li ghandna niringrazzjaw lill-Universita` u lil kull min ghallimna partikolarment ghaliex kienu huma li nibtu fina dawn il-principji bbażati fuq l-integrita` tal-professjonist, irridu fuq kollox nghidu grazzi lill-ġenituri taghna li tant ghamlu ghalina u li lejhom ahna grati għall-imhabba kollha li tawna u li għinuna nilhqu l-ġurnata ta' llum. Nahseb li huwa xieraq illi niddedikaw illum, ġurnata tant għażiża ghalina, lilhom.

Fl-ahharnett niringrazzja lill-hbieb tieghi kollha tal-kors talli dejjem biex nawgura lilna lkoll suċċess fil-harsien tad-dover taghna li nhallu.

DOCTOR OF LAWS

**METHODUS CONFERENDO
GRADUS ACADEMICO
DOCTORIBUS LEGUM
IN UNIVERSITATE STUDIORUM MELITENSI**

Adiutor a libellis, Candidato propriam ante sedem stanti sit ait:

*PRAECLARISSIMI CANDIDATI, PLACUIT AUCTORITATIBUS UNIVERSITATI
MODERANDAE PRAEFECTIS DIGNOS VOS DECLARARE QUI LAUREAE
INSIGNIBUS DECOREMINI.*

**Statim a Decano, in circulo medio, haec formula legitur, Candidatum
coram ipso:**

*TUUM IN CONSPECTUM, MAGNIFICE RECTOR, ADDUCIMUS HOS
LECTISSIMOS CANDIDATOS, OMNIBUS LAUREAE INSIGNIBUS, MORE
INSTITUTOQUE MAJORUM, A TE HONESTANDOS QUI, A CONSILIARIIS ET
SENATORIBUS HUIUS UNIVERSITATIS DIGNISSIMIS PRAESENTATI, TE MOX
ROGABUNT UT, TIBI ATTRIBUTA POTESTATE, EOS DOCTORES LEGUM
RENUNTIES, ATQUE IN EIUSMODI CENSU COOPTATOS ASCRIPTOSQUE
NOMINES ATQUE EDICAS.*

**Hac postulatione facta, ab Illmo. Rectore conferuntur gradus juxta
formulam, ut sequitur:**

FORMULA

**Ab Illmo. Rectore pronuncianda dum confert Candidatis insignia
laureae.**

*UT ITAQUE DEUS, EXORATUS, VERTAT BENE, NOBIS ATTRIBUTA
AUCTORITATE, VOS LEGUM DOCTORES EO JURE CENSERI ET ESSE, QUO
OPTIMO SUNT CREATI ALII, EDICIMUS ET PRONUNTIAMUS, VOBISQUE
OMNIBUS HONORIBUS, QUI CUM LAUREA SUNT CONIUNCTIS, FRUENDI ET
UTENDI TIBI FACULTATEM FACIMUS.*

His expletis, Illmus. Rector singulis Candidatis insignia dabit, nempe Togam, Pileum, dicens:

CAPE JAM COLLATAE TIBI DIGNITATIS ORNAMENTA, ET QUID ILLA INSTITUTO MAJORUM PORTENDANT INTELLEGE.

GESTA SIC TOGAM HANC, UT NORINT OMNES TE IN DOCTORUM COLLEGIUM ALLECTAM ESSE.

SIT TIBI LIBERALIS PILEUS HIC, VELUTI LAUREUM ORNAMENTUM, QUO DONABANTUR POST CERTAMEN VICTORES.

LIBRUM HUNC PLENUM SAPIENTIAE, CLAUSUM ET RESERATUM, ACCIPITO, EUMQUE EX EDITO SCHOLAE LOCO EXPLICANDI INTERPRETANDIQUE TIBI JUS ESSE SCITO.

QUANTO PERE VEROTE DE DIGNITATE ADEPTA IN TOTIUS ACADEMICI COETUS NOMINE GRATULAMUR, TESTETUR TIBI HIC NOSTER AMPLEXUS.

**Procedure of conferring the Academic Degree of a Doctor of Laws
at the University of Malta
(*Liberally Translated*)**

The Registrar calls the candidates as follows:

“Most distinguished Candidates, it has pleased the Authorities of the University to declare you worthy to be honoured with the insignia of success”.

The sponsor, then approaches the dais and pronounces the following words:

“Rector, we are presenting these excellent candidates so that you confer the academic honour in the manner and tradition of our University. In accordance with the will of the senate and of the council, I am requesting that you, Rector, with the authority that you hold, declare them Doctor of Laws and that their name be recorded in the Book of Graduates”.

Following this pronouncement, the most Distinguished Rector proceeds to confer the Degree by first addressing the Graduands thus:

“By the authority vested in me, I declare and proclaim you to be enrolled and considered as Doctor of Laws by the same supreme Law as others have been chosen. We give you the opportunity of enjoying and using all the honours which are connected with the Degree”.

Subsequently, the Rector bestows the symbols of the Doctorate saying:

“Take now the insignia of merit conferred on you, and understand what they mean according to the traditions of the past.”

“Wear thus this gown so that all may recognise that you have been chosen for membership for our College of Graduates”.

“Let this cap be a sign of intellectual merit, analogous to the crown of laurel bestowed for excellence, in the past”.

“Accept this book full of wisdom, and be aware that you should now explain and interpret it from your important position as a teacher.”

“Indeed, Insofar as we, in the name of the whole academic gathering, congratulate you on the merit received, let this embrace be a testimony to you”.

MASTER OF ARTS IN FINANCIAL SERVICES

Sponsor: Prof. I. Refalo

Vanessa AGIUS

Robert Michael AQUILINA

Adrian CUTAJAR

Yana DAI

Christian Paul FARRUGIA

Joseph FENECH

Marica GALEA

Joseph GHIO*

Karl LA FERLA*

Edward LICARI

Lisa LUPI

Krista PISANI BENCINI

James Paul SCERRI WORLEY

Li WANG

Timothy ZAMMIT

MASTER OF ARTS IN LAW

Sponsor: Prof. I. Refalo

George CREMONA

MAGISTER JURIS IN EUROPEAN AND COMPARATIVE LAW

Sponsor: Prof. I. Refalo

Graziella ATTARD

Thérèsienne BEZZINA

Gertrude Anne BORG

Peter BORG COSTANZI

Patrick BUHAGIAR

Pauline DEBONO

Denitza DIMITROVA

Diane Speranza FENECH

Angie MUSCAT

Veronique NIESSEN

Karl Mario SAMMUT

Pamela VASSALLO

Ian VELLA GALEA

Carlo M. VIGNA

MAGISTER JURIS IN INTERNATIONAL LAW

Sponsor: Prof. I. Refalo

Jonathan VELLA

* *in absentia*

DOCTOR OF LAWS

Sponsor: Prof. I. Refalo

Jonathan ABELA FIORENTINO
Edward ATTARD
Kevan AZZOPARDI
Samuel AZZOPARDI
Nicolette BALANI
Leonard BONELLO
Polina BONELLO*
Amanda BORG
Keith Anthony BORG
Maria Clara BORG*
Caroline BRINCAT
Roberta BUHAGIAR
Trevor Mario BUHAGIAR
Gabrielle BUTTIGIEG
Anjelica CAMILLERI DE MARCO
Kevin CAMILLERI XUEREB
Annalisa CARUANA
Malcolm CASSAR
Clarissa CEFAL
Maurizio CORDINA
Rita CRIMINALE
Clarissa CUSCHIERI
William CUSCHIERI
Kevin CUTAJAR
Mark CUTAJAR*
Noel CUTAJAR
Johann DEBONO
Trevor DEGIORGIO
Andrew ELLUL
Christian FALZON SCERRI
Diane FARRUGIA*
Chantelle Marie FAVA
Paul FELICE
Abigail GALEA

Alexianne GALEA
George GALEA
Priscilla GALEA
Sabrina GALEA
Alison GATT*
Allan GATT
John Ludovic GAUCI
Larry John GAUCI
Paul GONZI
Marisa GRECH
Sandra GRECH
Jason GRIMA
Michelle GRIMA
Isabella GRIXTI
Anthony HILI
Kurt HYZLER
Simon MANICOLO
Amanda Lisa MERCIECA
Alexander MICALLEF
Francesca MICALLEF
Vincent MICALLEF
Joe MIFSUD
Rachel MIFSUD
Ken MIFSUD BONNICI*
Berta PISANI BENCINI
Lorraine PULIS
Enzo Joseph REFALO
Jeanine RIZZO
Mariella SAID
Michela SAMMUT
Henry SAYDON
Abigail SCHEMBRI
Alexander SCHEMBRI
Alexander SCIBERRAS

DOCTOR OF LAWS (*contd*)

Louiselle SPITERI
Mario SPITERI
Tania SPITERI
Ingrid SPITERI BAILEY
Michael STELLINI*
Josette SULTANA
Nicholas TRAPANI
GALEA FERIOL
Alexandra VELLA
Charlene VELLA
Donald VELLA
Geoffrey VELLA

Nicole VELLA
Nicolai XUEREB
Rosette XUEREB
David ZAHRA
Antonia ZAMMIT
Christian J. ZAMMIT
Clare ZAMMIT
Claudio ZAMMIT
Silvana ZAMMIT
Aaron ZAMMIT APAP
Alexia Joy ZRINZO

* *in absentia*