

BRITAIN'S ASSURANCES TO PROTECT THE ROMAN CATHOLIC RELIGION IN MALTA

AFTER the two years of French occupation of Malta and in conclusion of the insurrection made by the Maltese to oust the French, a capitulation was signed by General Graham and Captain Martin, as representatives of His Britannic Majesty and his Allies, and by General Vaubois and Rear-Admiral Villeneuve, as representatives of the French Republic respectively. As persons interested in this cession, the Maltese claimed to be represented in the transaction and wanted to sign the capitulation, but they did not. Some historians have said that Vaubois, as a reprisal to the inhabitants' insurrection against the Republic, positively refused to treat with the Maltese or with anybody representing them, and that Graham, fearing lest procrastination might impair the success of the negotiations, gave way.

Other historians and the Maltese politicians of 1812 asserted that it was the British Crown that did not allow the Maltese to be present as a party in the capitulation, while the French were even ready to leave hostages before their departure, as a guarantee for the payment of their debts towards the Maltese.¹

Two years later, in a Memorandum, the Maltese complained to Lord Hobart, the English Minister for War and Foreign Secretary, that 'our blood, our labours, our rights and all our interests were either forgotten or despised' in the above-mentioned capitulation.² But they were so eager to place themselves under British Protection and to show their loyalty to the British Crown, that, no matter how indelicate the procedure had been, they rejoiced that their Island was now under British sway.

The English, on their part, did acknowledge that the Maltese were a brave, active and hardy race and that, if they could firmly be attached to the British Crown, it would be extremely difficult to wrest Malta out of their possession. Besides, they acknowledged too that the French troops had been expelled from the island by the allies with the valuable assistance of the Maltese;³ consequently, the latter had every right to expect the due respect to their ancient rights and privileges.

The English felt bound by this duty towards the Maltese from the very beginning of their rule over Malta. As a matter of fact among the in-

¹ Royal Commission 1812, *Report*, p. 170.

² Debono, P., *Sommario della Storia della Legislazione in Malta*, p. 266, not. 30.

³ R.M.L. - *Collezione di Bandi 1784-1813*, passim.

structions given by Sir Ralph Abercromby, Commander-in-Chief of all the British forces in the Mediterranean, to General Pigot, to whom the supreme authority over the Island had been entrusted, there was the explicit task of confirming all the rights, privileges and immunities in Church and State to the Maltese, and to acknowledge the Bishop of Malta as the head of the Maltese Church.⁴

The English soon became aware that the thing most at heart to the Maltese was the Roman Catholic Religion and immediately exploited this popular sentiment. General Thomas Graham exhorted the Maltese to fight the French and to bear patiently all trials for the country and for Religion. In his appeal to the brave Maltese, he remarked: *Il vostro patriotismo, il vostro coraggio, la vostra Religione supplicano a tutte le manchezze... le Potenze che agiscono in alleanza pel sostegno della civile società e della Religione si affrettarono al vostro sollievo... All'armi dunque, o Maltesi, sia l'universale grido dell'Isola: per Dio e per la patria.*⁵

On the 20th February, 1801, the new representative of H.M. the King, Major General Henry Pigot, complying with the instructions given him, in a Proclamation expressed the King's assurances of availing himself of all possible means to render the people of Malta contented and happy. He added that he was highly impressed by the people's subordination to the existing laws and their gratitude towards Divine Providence, and asserted that this obedience together with *due regard to Religion and respect to its Ministers* would bring happiness to their country. He ended with a renewal of the assurances to the people for the *full enjoyment of their Religion, their property and their freedom.*⁶

At the request of the Maltese, the military and civil powers of the Island were separated, and after General Pigot's departure, Charles Cameron was appointed Civil Commissioner on the 14th May, 1801. Among other instructions he received the following from Lord Hobart: 'With respect to the Inhabitants, to use every endeavour consistent with your public duty to meet their wishes, to show yourself indulgent even to their prejudices and to omit no fair opportunity of conciliating their affection and ensuring their fidelity to the Government under which they are now placed.'⁷ Two months later, on the 15th July, the new commissioner issued a Proclamation whereby he assured the Maltese of the King's paternal care and affection towards them and pledged H.M.'s *full protection and the enjoyment of all their dearest rights, their churches,*

⁴ Laferla, A.V., *British Malta*, Vol. 1., p. 9; Hardman W., *Malta under the French and British Occupation 1798-1815*, p. 336.

⁵ R.M.L.-Collezione di Bandi 1784-1813, p. 55.

⁶ Ibid. pp. 61-62.

⁷ Laferla, A.V., op. cit., p. 20, not. 1.

*their holy Religion, their persons and their possessions.*⁸

In a letter sent to Lord Hobart he expressed his opinion that, if the King were to declare the Bishop of Malta (who was titular Archbishop of Rhodes and Suffragan to the Archbishop of Palermo) Metropolitan Bishop and the Roman Catholic Religion the established Church as was the case in Canada, his action would have a very favourable effect upon the Maltese.⁹

By this time negotiations had already been started between England and France, and among the articles discussed there was that of placing Malta under a third power. Public meetings were held all over the Island. A great meeting of Maltese representatives decided to send a deputation to London to the King in person. The party arrived in London on the 1st February 1802, but it was not allowed to present the petition to the King. The Deputies had to content themselves with addressing letters to Lord Hobart.¹⁰

On the 27th March the final treaty was signed at Amiens. Lord Hobart forwarded to the Maltese deputies the Article of the Treaty, by which the Islands of Malta, Gozo and Comino were returned to the Order of St John on the same conditions as they were held before the war, but under the protection of Great Britain, France, Austria, Spain and Russia, with a garrison of 2,000 troops to be furnished by the King of Naples. This Article was made known to the people by the Proclamation of the 18th May of the same year.¹¹ It was a great blow to the Maltese.

A month later, on the 15th June, a Maltese National Congress issued a *Declaration of Rights*, whereby the Sovereign of the United Kingdom and his successors would be the Sovereigns of Malta; in case of cession of the Islands only the Maltese people would have the right to choose their ruler; the King's representatives would be bound to observe the Constitution to be drawn by the General Congress and approved and sanctioned by His Majesty; the people and popular Council would have the right to send letters and deputations to the King directly; the right of legislation and taxation would appertain solely to the Popular Council, but laws and taxes would be approved by the Governor; the King would be the Protector of our Holy Religion, as he has been in the past, and his representatives would have the right to such honours in Church as the Rulers of these Islands had in the past; no other temporal sovereign would have any jurisdiction in spiritual and temporal matters of these Islands, and spiritual matters would be decided by the Pope and by the

⁸ R.M.L. - *Collezione di Bandi* 1784-1813, p. 67.

⁹ Hardman W., *op. cit.*, p. 360.

¹⁰ A copy of these is preserved at the Archbishop's Archives.

¹¹ R.M.L. - *Collezione di Bandi* 1784-1813, pp. 77-79.

respective Generals of the Monastic Orders; all men would be free to choose their religion: other religions than the Roman Catholic would be tolerated, but no one would have the right of molesting, insulting or disturbing those professing other religions; no private person would have the right over the life, property and freedom of others.¹²

Articles 6, 7 and 8 reveal to us the mind of our ancestors of those times with regard to Religion. They wished that the King should protect our Religion as was his duty after the assurances of the first days of the cession of Malta to England, and that spiritual matters should be dealt with by the Church and the Pope. The Generals of the Monastic Orders, even if they were of a different nationality, were not to be deprived of their jurisdiction over their subjects. The Church in turn would give the King's representatives such honours as were given to temporal rulers of the Island in the past; and would tolerate all other religions, provided peace and concord were kept among them.

Not because of this declaration, but because of other political reasons convenient to England the provisions of the Treaty of Amiens were never carried out: nay, on the 16th May, 1803, war was again declared between England and France.

During Sir Hildebrand Oakes's governorship (1810-13), the Maltese politicians gave evident signs of agitation in favour of a political reform, and in June 1812 the British Government appointed a Commission composed of William A'Court, John Burrows and Oakes himself. This Commission's task was to enquire into all matters concerning the Civil Government, Laws, Judicial Proceedings, Revenues etc., in order to promote the interests of the Maltese people and of the British Crown.¹³

With regard to the Roman Catholic Religion, the Commissioners submitted that 'it was more prudent for the time being to abstain from any material alteration in the Ecclesiastical Establishment' and added that 'prior to the introduction of any innovation whatever in ecclesiastical matters, not only the consent of the Ecclesiastical Authority was to be obtained, but also the concurrence and approval of the Head of the Romish Church.'¹⁴

On the 4th October, 1813 there arrived in Malta, that was at the time plague-stricken, Sir Thomas Maitland, as successor to Oakes, with the new title of Governor and Commander-in-Chief in and over the Island of Malta and its Dependencies, as also of all the Forts and Garrisons erected and established, or would be established within the same.¹⁵ The next day of his arrival, Sir Thomas issued a Notification stating to the Maltese that His Royal Highness the Prince Regent was taking interest in their welfare, and that he was determined to recognize the people of

¹² Debono P., op. cit., pp. 271-272; Laferla A.V., op. cit., pp. 23-33.

¹³ Royal Commission 1812, *Report*, pp. 5-6.

¹⁴ Ibid. pp. 121-122.

¹⁵ Laferla, A.V., op. cit., p. 91.

Malta and Gozo as subjects of the British Crown, and, as such, 'entitled to His fullest protection, and worthy of the assurance of freedom in the exercise of their Religion and in the reform of their laws, and of the maintenance of the Ecclesiastical Establishment'.¹⁶ Maitland's declared policy towards the Holy See was 'to behave in a manner that accorded with the strictest views of His Holiness as far as was consistent with his duty to His Sovereign, and to attend to them on every occasion, so long as they harmonized with the important interests of His Royal Master'.¹⁷

Of a paramount importance was the despatch addressed to the Governor in July by Lord Bathurst, the Secretary of State. This despatch was a true echo of the Report of the above-mentioned Commission, and as Laferla puts it, 'it rings down the curtain on the past and heralds such reforms in the government and in the administration of justice, that it is undoubtedly a milestone in Maltese civic life'.¹⁸ Our sole concern is its policy on ecclesiastical matters. It insisted upon the free exercise of the Roman Catholic Religion in Malta and it suggested no material alteration in ecclesiastical affairs.¹⁹

The Governors who succeeded Maitland were all well aware of these promises and assurances, and consequently of the strict obligation of the English Kings and of the British Government to respect and to protect the Roman Catholic Religion in Malta. Whenever a Secretary of State or any Protestant Society attempted to fail in this duty, they almost invariably tried to remind them of the solemn guarantees made, verbally or in writing, to the Catholic inhabitants of the Island.

Thus, when in August 1829, Lord Murray instructed Sir Frederick Ponsonby (1827-36) to sanction and publish in Malta the application of the Emancipation Act, the Governor showed himself contrary to such action, grounding his refusal upon the fact that, when the Island became a British Colony, His Majesty assured the Maltese, in the fullest manner, the free exercise of the Catholic Religion and the preservation of the Ecclesiastical Establishment.²⁰ In another despatch addressed to the Secretary of State a year later, he expressed his unfailing anxiety to prevent by every means in his power anything like a collision of opinion upon religious subjects, by following the precedent established by Sir Thomas Maitland and by the Marquis of Hastings his predecessors, who had founded regulations respecting the ceremonies of the Roman

¹⁶ R.M.L. - *Raccolta di Leggi, Proclami ecc.* 1813-59, pp. 5-6. Malta, Atti Ufficiali, Vol. I., 1813-20, p. 2.

¹⁷ Laferla, A.V., op. cit., p. 111.

¹⁸ Ibid. p. 95.

¹⁹ Ibid. p. 93.

²⁰ R.M.L. - *Despatches* 1829: Ponsonby to Murray: 18.viii. 1829, p. 183.

If the Relief Act were to be applied to Malta, it would entail the imposition of

Catholic Church, without giving any reasonable cause of jealousy to the Protestant residents.²¹

While the proposal of the building of a Protestant Church in Malta was being discussed, Governor Sir Henry Frederick Bouverie, writing in 1837 to Lord Glenelg, the then Secretary of State, remarked that the British Government was solemnly pledged to maintain and protect the Roman Catholic Church in Malta.²²

In 1848, the Hon. Richard O'Ferrall, Catholic and Civil Governor of Malta, in a despatch to Lord Grey concerning the Oath question, remarked that the imposition of the formula prescribed by the British Government on the Maltese would not only be an act of bad policy, but could also be directly contrary to the solemn promises which Great Britain had made to the Maltese.²³

What motives induced the Governors in Malta to take such a stand in the defence of our claims for the respect and protection of the Roman Catholic Church? What were the reasons that induced the British Government to fulfil — up to a certain extent — the promises and assurances repeatedly made by the English Kings and the British Government in the early period of their sway over Malta? The following reasons may be mentioned:

(i) the repetition of such promises in words and in writing bound them tighter to their fulfilment;

(ii) the rules of English policy abroad and in the colonies not to interfere with the exercise of spiritual functions and discipline in any religious body tolerated by law;

(iii) the precedent still living in memory of the expulsion of the French from the Island, because of their irreligious and sacrilegious deeds, which angered the Maltese people staunchly Catholic;

(iv) the sincere attachment of the Maltese to the British Crown, and the consequent duty of gratitude towards a people which through love, voluntarily yielded themselves in the arms of a mightier nation;

(v) lastly, the desire to preserve friendly relations between the British Government and the Holy See.

A. BONNICI

section 26, which inflicted penalties on Roman Catholic Ecclesiastics exercising any of the rites of the Roman Catholic Religion, or wearing the habits of their Order, outside their usual places of worship or private houses, and section 28 which made provision for the gradual suppression of the Jesuits and other Religious Orders of the Church of Rome.

²¹ R.M.L. - *Despatches* 1830: Ponsonby to Murray: 6. ii 1830.

²² R.M.L. - *Despatches* 1837: Bouverie to Glenelg: 16. iii. 1837, pp. 183-191.

²³ R.M.L. - *Despatches* 1847-48: O'Ferrall to Grey: 13.i. 1848, pp. 195-207.