

Portrait

SIR ADRIAN DINGLI

MALTA has had many famous sons, however, over the years, there have been but few who can surpass the heights of fame reached by Sir Adrian Dingli, who, besides being an eminent legislator and judge was perhaps one of the finest statesmen the country has had throughout its History. It suffices to say that Sir Adrian Dingli, always a true patriot where Malta's needs were concerned, was able to win the confidence of the British Government through his integrity and personality being virtually, in effect, Governor of Malta. His standing with the authorities in Malta was of such a high level that he was allotted delicate diplomatic missions on behalf of H.M. Government in Italy, in Cyprus and in Tunisia, holding during those missions the status of an Ambassador-at-Large.

Of a Gozitan family who lived in Valletta, Sir Adrian was born in Valletta in September, 1817. The son of a famous lawyer, Sir Paul Dingli, G.C.M.G., who had a distinguished career becoming a President of the Court of Appeal, Sir Adrian followed his father's footsteps, chose law at the Malta University where he graduated in 1836.

After practising for three years at the bar, Sir Adrian went abroad visiting several European countries in order to continue his legal studies, as well as to study foreign languages, and specializing in legal aspects not pursued in Malta. His studies took him to various universities in Europe, namely Rome, Bologna, Bonn, Heidelberg, Sorbonne and Oxford. On his return to Malta he quickly took up his legal profession again, distinguishing himself in several important libel cases.

In 1849, when the whole of Europe was being reshaped following a spate of revolutions, the British Government decided to grant Malta its first taste of a form of Self-Government, under a new Constitution which elected a Council of Government. Of a total of 18 representatives on this Council, there were 10 Official Members and the rest, eight in all, were elected by the people, seven for Malta and one for Gozo. Sir Adrian, who was already well-known chose to represent Gozo with which his family had so many connections and that proved to be instrumental in his being elected as Member of the Council, for Gozo.

His career as a public figure may be dated as from 1849, where he was a leading personality directing its affairs according to his wishes. Here he not only helped the Chief Secretary – Henry Washington – he even drafted the rules of procedure for the Council's business.

In the Council one of his chief contributions was his monumental task of revising the Penal Code, the Code of Civil Procedure and the Code of Police Laws which, at that time, were being compiled by another legal wizard, Sir Anthony Micallef, the then Crown Advocate General.

When the latter was appointed to the Judiciary and the post thus became vacant, Sir Adrian, as a result of his painstaking work in the field of law and his profound knowledge of legal procedure became an automatic choice for the post. Appointed Crown Advocate General he continued in his task of legal reform reorganizing and modernizing the Maltese laws which he based both on the Roman and Napoleonic codes. However, he never failed as a true Maltese national to overlook national sentiments, returning to the Council as a representative of the official side.

Within two years of his appointment as Crown Advocate General, Sir Adrian had distinguished himself so well that the English Governor of the time, Sir William Reid wanted to appoint him Judge – a post which carried a higher salary. However, Sir Adrian was so involved in the work he was performing that he thought it best to decline the job; the British Government, all the same, rewarded him for his sterling efforts, allotting him the difference in salary from a special reserve fund.

During his tenure of office as Crown Advocate General, Sir Adrian's legal acumen came into very good use when, faced with various delicate legal problems. One such case was the proposal for the introduction in 1854 of a New Commercial Code for Malta which was the subject of a Special Commission and which had the approval of the Council of Government. However, when this Bill was submitted to the British Government there was stiff opposition as the Code included also the Maritime Law which went contrary to British Law and as a result the whole question was abandoned.

Sir Adrian, however, had other ideas and the following year he tackled the entire question in a different way submitting the same bill however in separate sections, as a safeguard should any section not be approved. At the same time, Sir Adrian adopted some of the Board of Trade suggestions, whilst maintaining in substance the original Code as drafted. Thus with a revised Commercial Code he again proceeded to Britain to discuss the matter directly with the Colonial Office and had the satisfaction that as revised the Code met with British approval.

Meanwhile Sir Adrian was also busy putting the finishing touches to the completion of a new Civil Code for Malta which had been undertaken by an 'ad hoc' Commission which had expressed the view that it was not practical as a result of the many prejudices prevailing at that time. Again to reach his aim, Sir Adrian introduced a system of a series of separate Ordinances, which, when placed together were later absorbed in one Ordinance to constitute a separate Code. In that way the opposition which had been aired against this Bill outside the Council of Government proved to be of little value and in time even the main and able legal lawyers in the Council, i.e. Sir Salvatore Naudi, Canon Rosignaud, Dott. Ruggier Sciortino, Dr. Giuseppe Randon and Philip Pullicino were convinced of the need to alter the old laws and suggested necessary amendments. This mammoth bill, containing some 20 ordinances was subsequently approved over the years, 1856 and 1864 and later still was embodied in two Acts, namely Act VII of 1868 and Act No. 1 of 1873 to form a comprehensive Civil Code of Malta.

During his career as Crown Advocate General and Council Member, Sir Adrian performed various leading roles in the interest of the general administration of the Island. Of these of particular importance was his involvement in a diplomatic mission covering the enactment of an Extradition Law between Malta and Italy. The need for this new Law became apparent when in 1862 Malta in view of its proximity with Italy, was becoming inundated with a number of Italian refugees which were fleeing from the Italian authorities after committing serious crimes.

At that time, that is in 1862, there was no Extradition treaty between Malta and Italy and it was thus impossible for Malta to hand over these culprits to the Italian Government. For the above reason, Sir Adrian obtained the sanction of the Council which gave the Malta Government power to send back these Italians to their country of origin and with reciprocal action in the case of similar Maltese subjects in Italy.

Sir Adrian therefore proceeded to the United Kingdom where Lord Russell the English Minister for Foreign Affairs entrusted him with the necessary documents to deal directly with the Italian Government accompanying a mission which had gone from the United Kingdom to Turin to negotiate a treaty with the Italians. The visit by Sir Adrian proved successful, the Extradition Ordinance was approved with minor amendments, and as a result, after its implementation the influx of Italian refugees was checked.

It is useful to point out that when the Italian Government later on introduced similar legislation with the British Government, it was the text of the

Ordinance drawn up by Sir Adrian, which was retained for use by the Italians.

Recognition of Sir Adrian's sterling work in the administrative Council and legal sphere was forthcoming when between the years 1856/1868 Britain bestowed on Sir Adrian a number of honours which included the C.M.G., the C.B., the K.C.M.G. and G.C.M.G.

A fitting indication of Sir Adrian's character and his devotion to duty may be gauged by his decision to decline to accept an offer made to him by Lord Russell whilst he was in England in 1879 to negotiate the Extradition Bill with Italy to fill the vacant post of President of the Council of Appeal, following Sir Antonio Micallef's retirement. The reason for this was that, at that time, Sir Adrian was guiding legislation on Hygiene and he felt that he could not leave that work unfulfilled. However, in 1880, following the passing of the Bill in Council, Sir Adrian accepted this post, thus terminating a brilliant 26-year period as Crown Advocate General during which time he used his influence in the interest both of the Government and his country as a guiding factor on Government circles.

In recognition of his great services to the Government, it was decided to attach more importance to the post which was altered to Chief Justice, new duties and greater power being assigned to the post, which gave him precedence over Executive Council Members as well as the Lieutenant Governor, this honour being awarded to him only personally, his salary being also increased by £1000. As Chief Justice Sir Adrian was able to preside over lawsuits of great importance and his expert decisions testify to his wide juridical acumen.

Undoubtedly Sir Adrian was held in such high esteem by the British Government, for whom he was called on various occasions to undertake diplomatic missions. Thus we find that in 1878, Sir Adrian was directed to accompany Lord Wolsley just after Britain had acquired Cyprus by a Treaty drawn up in July, that year. A year later Sir Adrian again visited Cyprus when Malta was negotiating the purchase of various lands there, in order to form the nucleus of a Malta Colony composed of Maltese migrants.

In 1880 Sir Adrian was off to Tunisia for another delicate mission over a dispute which had arisen between the Bey of Tunis and various creditors of English, French and Italian nationalities. Sir Adrian was appointed to represent the British Government in this question and was later chosen by the other countries as President of the entire Commission.

In 1881 Sir Adrian was again requested by the British Government to investigate complaints by British residents in Tunisia, against the British Consulate itself. Lastly in 1884 following the decision





Sir Adrian Dingli

(Photo Credit: A.J. Leaver)

reached between Great Britain and France for the closure of the British Consulate in Tunisia, it was necessary to settle two outstanding questions involving British subjects, and Sir Adrian was chosen to arbitrate on behalf of the British Government along with his French counterpart. In both cases it was Sir Adrian who delivered final judgement.

In the Council of Government he was appointed for two years as Vice-President of the Council as the Governor of the day; however, he wanted to be relieved from the boredom of presiding in the day to day debates conducted in Italian. Sir Adrian was instrumental in introducing several measures connected with purely Maltese affairs.

During this time he initiated the raising of the Maltese Militia, he was instrumental in the building

of the Royal Opera house, a project which evoked great controversy, in the provision of a market in Valletta, the introduction of a gas lighting system, measures to obtain more water in these Islands, the extension of the Grand Harbour and ways to implement emigrant schemes in order to reduce unemployment. During the critical 1853 days when Malta was faced with a rise in the price of cereals and unemployment was prevalent, Sir Adrian championed the cause of the unemployed.

In order to solve a maze of mixed marriages, he submitted a very elaborate report on the subject. On such occasions in order to discuss the matter still further he went over to London for talks with Colonial Office officials. One such occasion he was guest of honour at an official banquet given by the Lord Mayor of London.

Despite his absorption in Maltese civil and state affairs, Sir Adrian did not neglect his Gozitan connections, ever displaying a love for the land of birth of his family. In two particular matters he used his influence, one was over the securing for Gozo a separate Diocese from that of Malta, whilst the other concerned the construction of a breakwater in Mgarr, to make it safer for berthing there.

In 1894, at the age of 77 Sir Adrian retired after an intensive life of ceaseless activity, as a barrister at law, as a Council of Government member, as Crown Advocate General, as Chief Justice. In virtue of his outstanding services to his country and to Britain, Sir Adrian was allowed by Britain on retirement the privilege of enjoying his full salary, in lieu of a pension. In the ensuing years of retirement he whiled away the time pursuing his favourite subjects of the Classics, Philosophy and History.

In 1900 this eminent Maltese son passed away at the age of 83, at his residence in Valletta. To perpetuate his memory a large bust was carved in his honour in 1907 by that famous Maltese sculptor, Antonio Sciortino and unveiled by King Edward VII, who knew him personally. Besides two streets one in Malta and one in Gozo were named in his honour. However, no more fitting permanent memorial can surpass that which Sir Adrian himself left to Malta – *The Civil and Commercial Codes of these Islands*.

Arthur J. Leaver

FURTHER READING

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